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# The Church and Tolerance

**MICHEL RIQUET, S.J.**

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## FOREWORD

Recent non-Catholic controversialists have placed the Catholic Church on record as the enemy of civic tolerance in religious matters. Men like Charles C. Marshall have presented what look like official Church statements proving that it is the enemy of liberty of conscience and, that in the event of securing preponderance in any country, it would immediately proceed to persecute those who are not Catholics. The usual Catholic answer that these official statements refer to the "ideal" state of things, and do not correspond to what would be actually the practice of the Church, is rejected by these controversialists as a sophism. They challenge us to show any official statement showing that the Church is liberal in theory as well as practice.

What do Catholics say in answer to this? Is there any official proof that the Church will never force a man to embrace its Faith against his will; that the State will always remain distinct from the Church; that the Church will never use political means to achieve her ends? And all this no matter what may be the numerical preponderance of Catholics in a given country? There does exist official proof of all this and it is given in this pamphlet, written by a distinguished French publicist, whose writings on this subject have won high encomiums in his native land. He goes even further; he puts himself this last question: "Can Catholics promise and vouch for the respect of that liberty before the law which they vindicate for themselves today? Can they make a promise, which is not a concession bristling with quibbles and reticences, but a loyal engagement, free from all mental restriction, approved by the Church and warranted conformable to her doctrines?" To this question he answers: "Yes; Catholics can with the utmost sincerity and loyalty make such a pledge." It will be seen that he even presents this pledge as a grave obligation in conscience.

WILFRID PARSONS, S.J.,  
*Editor of "America."*



## The Church and Tolerance

THE man who is not of our Faith should not criticize Catholics for cherishing in behalf of their country an ideal which is close to their hearts; and in fact he does not thus criticize them. What he expects of the Church, what he demands of her, is that the diffusion of this "ideal" and its practical realization in face of the contingencies of modern life shall involve neither oppression of conscience and laws of exception against non-Catholics, nor the suppression of that liberty before the law which the Church herself today exacts as her right. It will be enough for him to know that he is not to be duped by fleeting concessions and promises, and that in any hypothesis those for whom his confidence and good will shall have assured success of liberty, will be faithful to their pledges; that they will guarantee and develop, for the advantage of all, *without distinction of religious belief*, those "material conditions" of physical, moral and spiritual progress which represent for the individual the just compensation for sacrifices made, and cooperation offered, in the interest of the State.

Such a guaranty will satisfy him, but it must be certain, unequivocal, and to that end based not on an unofficial liberalism, but upon the very word of the Church, upon her authentic doctrine.

This is exactly the well-grounded assurance we are prepared to give him. It is derived from an ensemble of facts and texts which are clear, public, indisputable, and the "convergence" of which will reveal to any unprejudiced observer the frank sentiment and sincere desire of those who in the Catholic Church represent, at one and the same time, the ecclesiastical authority and the common beliefs after which the mass of the Faithful models its conduct.

### PROOF FROM DOCUMENTS

To begin with, under any supposition, and without distinction of "ideal" and "practice," the Church forbids her-

self and all her children to compel a man to embrace the Catholic Faith against his will. This is a rule constantly in force, and maintained intact in the Code of Canon Law, which fixes authoritatively the discipline of the Church. Indiscreet zealots or misguided public servants may at times have forgotten, but theologians, councils and Popes have reminded them incessantly, with Saint Justin in the second century, that "nothing is more alien to religion than constraint";<sup>1</sup> with the Decree of Gratian in the twelfth century, that "the Church possesses only the spiritual sword: she does not kill, but giveth life";<sup>2</sup> with Leo XIII in the nineteenth century, that "a man cannot believe unless he really wills it";<sup>3</sup> and with Cardinal Gibbons, that "conversion and coercion are two terms that can never be reconciled."<sup>4</sup>

This principle she cited for Ethelbert, the first Christian king of England, in the sixth century, when, as a neophyte, he wished to impose his Faith upon his pagan subjects; while in the ninth, Alcuin defended before Charlemagne the freedom of conscience of the *conquered* Saxons;<sup>5</sup> and all through the Middle Ages, in a world where the principles and practices of "Germanic Law" still too often ruled, the Sovereign Pontiffs from Gregory the Great (sixth century) to Innocent IV (thirteenth century) championed energetically, for the Jewish communities scattered throughout Christendom, their inalienable right not only to immunity against a forced submission to the Catholic Faith, but also to security and liberty in the external exercise of their religion.<sup>6</sup>

The Church thrusts her Credo on none; the act of faith neither imposes nor commands: it consists essentially in a spontaneous adherence of the soul to a freely loved truth.

<sup>1</sup>St. Justin, *Apologia*, II.

<sup>2</sup>*Decretum Gratiani*, cap. 6, causa 33, quaest. 2.

<sup>3</sup>Encyclical "Immortale Dei," Nov. 1, 1885.

<sup>4</sup>The Faith of Our Fathers, London, 1895, p. 265.

<sup>5</sup>*Epistolae ad Carolum Magnum Patrologia Latina*, tom. 100, col. 194-205.

<sup>6</sup>*Decretales Gregorii IX*, lib. V, tit. 6, c. 3, 7, 9; *Registre d'Innocent IV*, ed. Elias Berger, n. 2838.



To unbelievers over whom she possesses no jurisdiction,<sup>7</sup> "the Church has only the right to preach the Gospel . . . , to exhort them to think of the salvation of their souls, and to come to her bosom; she is vested with no legitimate authority to compel them to come, by external means either direct or indirect, or to urge upon others the use of such means."<sup>8</sup>

#### DEVIATIONS PROTESTED

It is to be regretted, of course, that a principle so clear should have been at times forgotten, and that there should have been Christian princes so indiscreetly zealous, so ill-advised or so unscrupulous as to cover with the cloak of religious motive police operations which deserve no other name than that of tyranny. Nay, they even found ecclesiastics to give them their approval and their aid.

But, regrettable as they may have been, these deviations from the path of principle were never anything more than exceptions, against which the Christian instinct of all times cries out in protest; and there are assuredly few Catholics today who are not prepared to subscribe to the vigorous statement of Cardinal Gibbons:<sup>9</sup>

From my heart I abhor and denounce every species of violence, and injustice, and persecution of which the Spanish Inquisition may have been guilty . . . and when I denounce the cruelties of the Inquisition, I am not standing aloof from the Church, but I am treading in Her footsteps. Bloodshed and persecution form no part of the creed of the Catholic Church.

Again, what was the watchword which Pius X gave to the newly consecrated French Bishops, fourteen in number, shortly after the Separation, and in the wake of the Encyclical "Vehementer Nos"?<sup>10</sup>

You are lambs sent among wolves; but, since meekness is the virtue of the lamb, be mindful of the weapons you are to use unceasingly against those who despise your religion and your authority: kindness, charity and patience.

<sup>7</sup>Council of Trent, Session XIV, ch. 2.

<sup>8</sup>Msgr. Ketteler, *Liberté, Autorité, Eglise, Paris*, 1862, p. 136.

<sup>9</sup>The Faith of Our Fathers, pp. 284-285.

<sup>10</sup>Allocution, February 29, 1906.

And Benedict XV?<sup>11</sup>

The cause of justice and truth is not served by violence and revolution; those who make use of such arms are the first to be wounded by them.

But may we not believe, besides, that this undying sentiment of the Church has become a part of the French conscience, when a document, signed by one hundred and thirteen Bishops, Archbishops and Cardinals of France, levels against certain self-styled defenders of the Faith the reproach of having "left in the background an entire aspect of the Catholic Faith, and that on its most benevolent side: charity, mildness, moderation, good will, the apostolate among the lowly"?<sup>12</sup>

#### DISTINCT OBJECTIVES AND PLANS

The second assurance which is given to us is that in any set of circumstances, and without distinction of "ideal" and "practice," the Church wishes to remain absolutely distinct from the State as regards her objectives and her plan of action. The important fact upon which this assurance is based is the insistence of contemporary Popes upon distinguishing—without inducing thereby an opposition—the spiritual from the temporal.

Such a distinction, founded upon the Gospel<sup>13</sup> and the constant tradition of the Fathers, was recommended as a principle to the Emperor Michael by Pope Nicholas I as early as 865, and is presented to Catholics by Pius IX as a dogmatic truth:<sup>14</sup>

The Faith teaches [he says] and human reason demonstrates, that there are two orders of reality, and that we must also distinguish in the world two authorities, the one natural, which provides for the tranquillity of human society and of secular affairs, the other of

<sup>11</sup>Letter to the Bishop of Bergamo, March 11, 1920: *Acta Apost. Sedis*, 1920, p. 112.

<sup>12</sup>Declaration of the French Episcopate on the *Action Française*, February 18, 1927.

<sup>13</sup>Matt. xxii, 21.

<sup>14</sup>Encyclical "Etsi Multa," November 21, 1872.

supernatural origin, which by Divine command governs the City of God, that is, the Church of Christ, for the peace and eternal salvation of souls.

Leo XIII explains further, that of these two authorities,<sup>15</sup>

each is sovereign in its own sphere, each being circumscribed within limits determined by its nature and immediate needs; so that there is a field where the action of each may be exercised of its own right (*jure proprio*).

The Encyclical "Sapientiae Christianae" goes as far as to say:<sup>16</sup>

Church and State enjoy each its own sovereignty; consequently, in the furthering of their respective interests, neither is subject to the other as long as it remains within the bounds fixed by its natural constitution.

Furthermore, when the Catholic Church criticizes or condemns the legislation of a government, the censure does not touch its laws<sup>17</sup>

insofar as these laws pertain to the political order, but only because, going beyond the limits of their competence, they encroach upon the rights of the Church.

There is nothing here to contradict the principle affirmed above, of the distinction between the spiritual and the temporal. On the contrary, as His Holiness Pius XI energetically reminded the world's Catholic youth:<sup>18</sup>

We are occupying ourselves only with religion and religious interests when we do battle for religious freedom, for the sanctity of the family, for the sanctity of the school, for the sanctification of the Lord's Day. This is not to play politics; we do not, we will never, admit that it is. It is politics which has touched religion, which has laid its hand upon the altar.

#### METHODS OF ACTION IN DIFFERENT ORDER

The Church goes farther. Distinct from the State in purpose, nature, origin, she would emphasize the fact that her methods of action also are of a different order.

<sup>15</sup>Encyclical "Immortale Dei," November 1, 1885.

<sup>16</sup>January 10, 1890.

<sup>17</sup>"Immortale Dei," November 1, 1885.

<sup>18</sup>Allocution to Catholic Youth, September 19, 1925.

Recent events, and declarations the sincerity of which cannot be called into question, show us that the Church is bent upon marking the line of cleavage between politics and what she calls "Catholic Action," that is, the apostolate under all its social aspects. With striking and inspiring persistence she denounces the alliance of religion, as such, with any and all political enterprises. She knows well that such confounding of interests has always retarded or sterilized the work of salvation, and that it tends to distort, even in the eyes of her own children, the true notion of her mission upon earth.

All over the world Catholics are asked *to unite apart from and beyond all political parties or partisanship*.<sup>19</sup> They are reminded that "politics should not be made the prime instrument in bringing the world back to religion; prayer and works of zeal come first."<sup>20</sup> Still more specifically, the Church declares that "she has never suggested the idea that the defense of religion should be undertaken on any other basis than that of *existing forms of government*";<sup>21</sup> and finally, she is inexorable in her condemnation of those who, be they radical or conservative, "dare to align Catholicism, in principle, with any form of government,"<sup>22</sup> or who "allow party interests to take precedence over religion."<sup>23</sup>

In France, for example, she will draw attention to the instructions of Leo XIII, which have never been abrogated, to accept without mental restriction, with that perfect loyalty which befits the Christian, the civil authority under the form in which it exists *de facto*; and to strive, above and beyond all parties, after the union of all true Christians for the defense and conquest of religious liberty.<sup>24</sup>

<sup>19</sup>Program of the *Fédération Nationale Catholique*, approved by Cardinal Gasparri, November 23, 1926.

<sup>20</sup>Cardinal Dubois, *Semaine Religieuse de Paris*, January 1, 1927.

<sup>21</sup>Cardinal Gasparri, November 23, 1926.

<sup>22</sup>Pius X, Letter on *Le Sillon*, August 25, 1910: *Acta Apost. Sedis*, 1910, p. 623.

<sup>23</sup>Pius X, Consistorial Allocution, December 20, 1926: *Acta Apost. Sedis*, 1926, p. 518.

<sup>24</sup>Leo XIII, Letters to France, February 16 and May 3, 1892; Pius X to Colonel Keller, June 19, 1909; Cardinal Secretary of State to General de Castelnau, November 23, 1926; Pius X, Consistorial Allocution, December 20, 1926.

In the same strain, the Portuguese Bishops have heard from the lips of Benedict XV that<sup>25</sup>

the Church is bound up with no faction, and should not be made to serve any political party; but it is her province to exhort the Faithful to submission to those in authority, whatever be the political complexion of the State.

In Italy during the last fifty years, Leo XIII, Pius X and their successors have been constantly promoting a Catholic social action which remains studiously aloof from partisan politics.<sup>26</sup> Likewise, the Catholic League of Warsaw, which is intended to serve as a model of Catholic activity in Poland, must not be a political organization: it will rise above all parties.<sup>27</sup> Mexican priests and Bishops, the victims of a shameless persecution, are forbidden by Pius XI<sup>28</sup>

to give their allegiance to any political faction, or to collaborate in the publication of any political organ whatever; they belong by profession to all the Faithful, nay, to all citizens.

His Holiness goes still farther:

In order that adversaries of the Catholic Faith may be given no reason to confound our religion with a political party, all the Catholics of Mexico are interdicted from establishing, as Catholics, a formally Catholic political party.

A clear, if distant, echo of this tactic is found in a decree of the Plenary Council of Latin America:<sup>29</sup>

Let the clergy prudently abstain from the discussion of affairs purely political or civic, on the subject of which diverse opinions may be entertained without going beyond the bounds of the Faith and of Christian doctrine; neither should they become implicated with political parties, to the end that our holy religion, which should

<sup>25</sup>Letter to the Cardinal Archbishop of Lisbon, December 18, 1919: *Acta Apost. Sedis*, 1920, p. 32.

<sup>26</sup>Pius XI to the Cardinal Secretary of State, January 24, 1927: *Acta Apost. Sedis*, January 24, 1927, p. 45.

<sup>27</sup>Cardinal Kakowski, letter of February 11, 1927.

<sup>28</sup>Letter to Mexican Bishops, February 2, 1926: *Acta Apost. Sedis*, 1926, p. 178.

<sup>29</sup>Plenary Council of Latin America, Decree 656.

soar above all human interests and unite the hearts of all citizens in the bonds of charity and good will, may not show itself recreant to its mission, nor render suspect its work for souls.

And this decree is enforced. A vigorous letter recently subscribed by the Bishops of Costa Rica may be cited in proof:<sup>30</sup>

For our part, making our own the instructions of the Holy See, without detracting from our rights as citizens and as constant defenders of the Christian Faith and morality, we have set for ourselves as an absolute rule of conduct the most rigid abstention from all participation in the political campaign. . . . Men of God and men of the people, we must occupy such a position that the comforts of our ministry may be at the disposal of all. . . . Whatever may be the opinions of its members as citizens the ministry of the priesthood was not established to subserve the victory of any faction, nor to inspire souls to struggle for the defense of material interests, but on the contrary to subdue passion and raise hearts to the sublime heights of peace and Divine love.

One could hardly express more happily a sentiment which is obviously one of the most universal preoccupations of the Catholic Church in our day.

#### WILL LIBERTY BEFORE THE LAW BE SECURE?

By all these converging testimonies, these emphatic affirmations, the good faith of which is attested by facts, the non-Catholic is assured that in any event, and without regard to the distinction generally made between an ideal and a real state of affairs, no violence shall be done to his conscience; that the State shall remain always distinct from the Church, which has condemned in advance all those who would make use of her influence and spiritual authority to force the triumph of their political interests.

This is a precious assurance. But perhaps the average man will find it still too general or too comprehensive for his concrete and limited views. He would like to be certain that the possibility of a Catholic government conceals

<sup>30</sup>Collective Letter of the Bishops of Costa Rica, January 11, 1927: *El Mensajero del Clero*, San José de Costa Rica, February, 1927.

no menace to that popular liberty in which, for good or for evil, he now shares; and which alone, as some would have it, can guarantee the absolute neutrality of the State. In a word, can Catholics promise and vouch for the respect of that liberty before the law which they vindicate for themselves today? Can they make a promise which is not a concession bristling with quibbles and reticences, but a loyal engagement, free from all mental restriction, approved by the Church and warranted conformable to her doctrine?

Yes; Catholics can with the utmost sincerity and loyalty make such a pledge. Nay, the Church herself, in her most highly authorized documents, assures us that fidelity to engagements of this character is not only legitimate, but constitutes in her eyes a grave obligation in conscience.

#### CHURCH DOCUMENTS

In point of fact, it was with the explicit approval of the Sovereign Pontiff Pius VIII that on December 2, 1804, at Notre Dame de Paris, Napoleon I pronounced, upon the Gospel, the oath which the Senate-Consult of the twenty-eighth *floréal*, of the year XII, had decreed:<sup>31</sup>

I swear to maintain the integrity of the territory of the Republic, to respect and to assure respect of the laws of the Concordat and of freedom of religion; to respect and to assure respect of equal rights, of political and civic liberty, of the irrevocability of the sale of national property; to levy no impost, to establish no tax, except in due process of law; to maintain the institution of the Legion of Honor; to conduct the government solely for the interest, the happiness and the glory of the French people.

When we realize that the Church can never authorize an oath the clauses of which run counter to her moral teaching, and that, on the other hand, she regards infidelity to an oath taken under these conditions as perjury and sacrilege, we may easily judge the grave significance of the Pope's acquiescence in an oath which was to guarantee to Frenchmen of all beliefs, freedom of worship, equal rights, political and civic liberty, without regard for their religious creed.

<sup>31</sup>*Senatus-Consulte du 28 floréal, XII, tit. 8, art. 53.*

It was with the same Pontifical approbation, from 1574 on, that Catholic kings of Poland upon their election took an oath to preserve the status quo of the religious rights of dissidents, Protestants and Schismatic; that, in 1815, Louis XVIII promised to maintain the Constitutional Charter which, among other liberties, guaranteed that "all citizens might worship God with equal liberty, and obtain for their religion the same legal protection";<sup>32</sup> and that, as early as 1817, the Bishops of the Netherlands swore fealty to the "Fundamental Law of the Kingdom," which declared:<sup>33</sup>

*Art. 190:* Liberty of religious opinion is guaranteed to all.

*Art. 191:* Equal protection is accorded to all religious communions existing in the kingdom.

*Art. 192:* All subjects of the King, without distinction of religious belief, enjoy the same political and civic rights, and are eligible to any and all positions of trust.

In decisions as significant and unequivocal as these, some will perhaps see only a quibbling formula, a temporary and purely diplomatic concession, in disaccord with the doctrine of intolerance which the Church is known to profess. We must insist, on the contrary, that these acts are in perfect good faith, being perfectly coherent with the principles of Christian Faith and morals; and for that very reason they merit our complete confidence.

#### DOGMATIC AND CIVIC TOLERANCE

Indeed, these official acts are in complete agreement with the distinction constantly made by the Church between the approval of error or heresy as such (what she calls "dogmatic tolerance") and the respect and protection of persons ("civic or political tolerance").

A Church which professes itself the exclusive guardian of those truths which are necessary for the eternal salvation of souls cannot believe that "men may seek and find eternal salvation in the practice of *any religion at all*."<sup>34</sup> How,

<sup>32</sup>Charter of the 4th of June, 1814, art. 5.

<sup>33</sup>Cf. Moulard, *L'Eglise et L'Etat*, Louvain, 1895, pp. 363-365.

<sup>34</sup>Pius IX, *Syllabus*, n. 16.



then, could such a Church, whose mission it is to preach and to convert the whole world to the Gospel, and thus to bring all men to unity of faith,—how could she, without being inconsistent, fail to think it more *desirable* that “the Catholic Church should be regarded as the sole religion of the State, to the exclusion of all other cults”?<sup>35</sup> Who will reproach her for believing, and for preaching to her children, that an infinite diversity of opinion touching truths which are necessarily one, that the existence of dissident sects, that the contagion of sin and error, *are not an ideal nor a good in themselves?*

#### TOLERANCE OF EVIL

This is the essential fact: the Church does not forget, and has never forgotten, that if the untrammelled existence of evil and error is neither a right nor a good in itself, it may be the inseparable condition or the inevitable consequence of that well-being and that liberty which every government is strictly obliged to safeguard, that is to say, public order, the public peace, the right of every man never to be constrained to act or to believe against the dictates of a sincere conscience and the evidence of his reason; the right also to immunity for any exercise of his activity and for any expression of his ideals which is consistent with the common weal, social peace and the legitimate protection of the rights of others.

It is, in fact, a precept of public government that coercion should preserve always the character of an exception, and that its use should, therefore, be restricted to cases where, in a given set of circumstances, it is required to maintain an essential minimum of order and social justice. This is also the teaching of the great Catholic Doctor, St. Thomas of Aquin:

Human law does not forbid—need not forbid all those vices from which virtuous people abstain, but only the most flagrant, those which are shunned by the average man, those especially which prejudice the rights of others, and the repression of which is essential to the preservation of human society.<sup>36</sup>

<sup>35</sup>*Ibid.*, n. 77.

<sup>36</sup> *Summa Theologica*, I, II, q. 96, a. 2.

It is perfectly just [he says elsewhere] that in human governments the authorities allow certain reprehensible practices to exist unchecked, for fear of impeding other good, or of provoking evils which are worse.<sup>37</sup>

St. Thomas himself then applies these principles to the freedom before the law of dissident religions, justifying them by the "duty" incumbent upon governments<sup>38</sup>

to avoid the scandals and dissensions which suppression of these liberties and guaranties would entail;

the duty, also,

to avoid compromising the eternal salvation of the dissidents who, thus given their freedom, may freely be converted to the truth.

Suarez is not less emphatic:<sup>39</sup>

The temporal power of the prince does not extend to the prohibition of the religious rites [of dissidents]; no reason for such prohibition can be advanced, save their contrariety to the true Faith, and this reason is not sufficient with respect to those who are not subject to the spiritual power of the Church.

According to this doctrine, which has been consecrated by the Encyclical of Leo XIII, "Libertas" (June 20, 1888), the extension of civic tolerance or of "liberty before the law" is not regulated by the private or arbitrary interest of the "power" by which it is guaranteed, but by the objective requirements of public order, peace and social justice. It is not a diplomatic or timorous "concession," but the object of a duty, a duty of political discretion, a duty of fidelity to engagements undertaken, a duty of justice, which excludes none from such legal guaranties and protection as constitute a reasonable return for the service rendered by each individual to the community.

#### NO DOGMATIC TOLERANCE

It is quite evident that the accomplishment of this duty neither demands nor implies any adherence to, or approval

<sup>37</sup>*Ibid.*, II, II, q. 10, a. 11.

<sup>38</sup> *Ibid.* We may remark here that both St. Thomas and Suarez refer to tolerance of infidels.

<sup>39</sup>*De Fide*, Disp. 18, sect. 4, n. 10.

of, the dogmatic religious beliefs of those to whom, exteriorly, civil liberty is assured. This has been the understanding of all the authorities who on different occasions have authorized the taking of oaths which guaranteed this liberty in the interest of all citizens, without distinction of belief. Bossuet, for example, replies very clearly, when consulted by James II:<sup>40</sup>

A considerable difference must be remarked between the protection accorded to a Church by adherence to the mischievous ideas it professes, and that which it is accorded to the end that public peace may be preserved exteriorly. The first kind of protection is wrong, because it rests upon a wrong principle, namely, approbation of what is false; but the second is a real good, because it has as its principle the love of peace, and for object something laudable and necessary, namely, public tranquillity. . . . The Anglican faith asks of the King of England only such royal protection as is proper in a king who exercises no control over consciences. . . . The sole promise he makes is not to permit the Anglican faith to be molested.

In 1804, no other argument was invoked to justify the oath imposed upon the Emperor by the Senate-Consult of *floréal*. On both sides, the Consultors of the Holy Office, the Pope, Talleyrand, Consalvi and Cardinal Fesch stated specifically that "the oath to respect and have respected the freedom of worship embodied only civic tolerance, and a guaranty to individuals"<sup>41</sup> in the external practice of their religion; and that<sup>42</sup>

this respect has no bearing on the substance of the various religions, but solely upon the liberty of their public exercise.

Likewise, on the subject of the oath taken by the Bishops to the Fundamental Law of the Netherlands in 1817, the Prince de Mean, Archbishop of Malines, declared:<sup>43</sup>

<sup>40</sup>Letter and Memorandum addressed by Bossuet to Cardinal de Janson, French Ambassador at Rome, May 22, 1693.

<sup>41</sup>Consalvi to Cardinal Fesch, August 30, 1804.

<sup>42</sup>Report of a Consultor of the Holy Office. All the documents relating to this discussion may be found in Theiner, *Histoire des Deux Concordats*, Paris, 1869, tom. II, pp. 68-198.

<sup>43</sup>*Recueil des Lettres Pastorales de Malines*, pp. 348, 353, 400; Moulard, *L'Eglise et L'Etat*, p. 365.

In swearing to protect all the religious communions of the State, that is to say, all the members therein comprised, I propose to accord them this protection only in what concerns their civic status, without intending thereby to approve either directly or indirectly the maxims which they profess and which the Catholic religion proscribes.

### CHURCH'S SUPPORT

To insist once more, a form of government which places upon the same footing religions which are dissident or opposed, represents a situation of fact very distant from the ideal pursued by the Church, namely perfect unity of faith and worship: *ut sint unum*. This division of hearts upon matters which involve the whole man is really, in her eyes, an evil. She cannot desire its prolongation. Every effort of her apostolate tends, on the contrary, to put an end to it. But the government itself, which, in spite of these unfortunate dissensions, assures and maintains a minimum of order and social peace, is in her opinion serving the concrete exigencies of the common weal, and as such she approves it, she supports it. For example, she believes with Leo XIII that the Belgian Constitution, which embodies such an attitude,<sup>44</sup>

is appropriate to the character of the nation, and that Catholics are bound, not only to abstain from attacking their institutions, but also to defend them. It would be to go counter to the views of the Holy See to attack or to criticize the fundamental pact of Belgium. Catholics should submit to it without mental reservation. It is an agreement; it must be loyally observed. And since it has brought to the Belgian people a half-century of peace, I see no reason why a change should even be desired.

### DECLARATIONS OF GREAT CHURCHMEN

It was surely "without mental reservation" that Cardinal Gibbons, the great American prelate wrote not many years ago:<sup>45</sup>

If Catholics should gain the majority in a community where freedom of conscience is already secured to all by law, their very religion obliges them to respect the rights thus acquired by their fellow citizens.

<sup>44</sup>Moulard, *ibid.*, p. 382.

<sup>45</sup>The Faith of Our Fathers, p. 268.

And he adds:<sup>46</sup>

I heartily pray that religious intolerance may never take root in our favored land. May the only king to force our conscience be the King of kings; may the only prison erected among us for the sin of unbelief or misbelief be the prison of a troubled conscience; and may our only motive for embracing truth be not the fear of man, but the love of truth and of God.

With the same sincerity the Catholic Archbishop of Westminster, Cardinal Manning, assured Gladstone:<sup>47</sup>

If Catholics were in power tomorrow, not only would there be no penal laws of constraint, but no penal laws of privation. . . . If the Catholics were tomorrow the "Imperial race" in these Kingdoms, they would not use political power to molest the divided and hereditary religious state of our people. We should not shut one of their Churches, or Colleges, or Schools. They would have the same liberties we enjoy as a minority.

A faithful echo of these straightforward declarations is that made recently by Père Yves de la Brière, in a French Catholic review known for the solidity and orthodoxy of its opinions:<sup>48</sup>

If we vindicate a regime of common liberty for all, within the limits of public order, we intend to respect, with the loyalty which becomes men of honor and Christians, its normal consequences, to the advantage of others, even should the Catholics of our country possess some day the force necessary to suppress, or merely to harass, the religious liberty of their heretical or infidel compatriots.

#### DOCTRINE ROOTED IN TRADITION

Facts which speak as plainly as these, and the conclusions they support, may surprise some, perhaps, with an impression of novelty. Yet nothing could be more consonant with tradition; we have contented ourselves simply with pointing out in authentic documents the mind of the Church constantly manifested on our subject. The novelty is not

<sup>46</sup>*Ibid.*, p. 296.

<sup>47</sup>The Vatican Decrees in their bearing on Civil Allegiance, London, 1875, pp. 93-94. A reply to Gladstone's brochure of the same title.

<sup>48</sup>*Etudes*, June 5, 1926.

to be found in the eternal truths here recalled; but rather, possibly, in a method which, passing over the sham arguments of the press (even the Catholic press of France) and of so-called current and authorized opinion, consults impartially the official acts of those whose mission it is to speak and to teach with authority in the Church: the Sovereign Pontiffs, the Councils, the Bishops.

For having listened to them themselves, without intermediary, we may discover perchance the true countenance of the Church of yesterday and that of today: the Church which has for Her visible head His Holiness Pius XI, the Pope of "The Peace of Christ in the Reign of Christ."

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