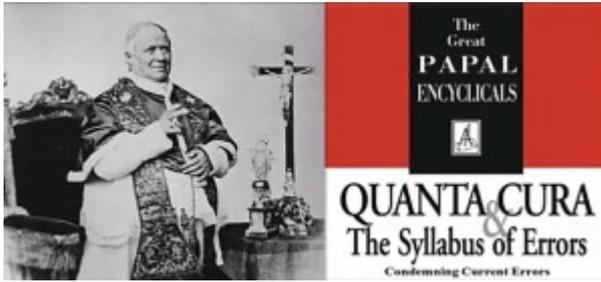


# The Papacy And The Civil Power – Appendix



Continued from [Chapter XXIII. The Papal Theory of Government](#)

## A. BISHOP'S OATH.

THE following is the oath of allegiance to the pope, taken by every archbishop and bishop, and by all who are elevated to positions of official dignity by the pope. It is copied by Dr. Dowling from the treatise on the papal supremacy by Dr. Barrow (vol. i., p. 553), who copied it from "The Roman Pontificate, set out by order of Pope Clement VIII.," Antwerp, 1626, p. 59, etc.

I, N., elect of the Church of N., from henceforward will be *faithful* and *obedient* to St. Peter the Apostle, and to the Holy Roman Church, and to our Lord, the Lord N., Pope N., and to his successors canonically entering. I will neither advise, consent, nor do anything that they may lose life or member, or that their persons may be seized, or hands in anywise laid upon them, or any injuries offered to them, under any pretense whatsoever. The counsel with which they shall entrust me by themselves, their messengers, or letters, I will not knowingly reveal to any to their prejudice. I will help them to defend and keep the Roman *papacy*, and THE ROYALTIES OF ST. PETER, saving my order, against all men. The legate of the Apostolic See, going and coming, I will honorably treat and help in his necessities. The rights, honors, privileges, and authority of the Holy Roman Church, of *our Lord the Pope*, and his aforesaid successors, I will endeavor to preserve, defend, increase, and advance. I will not be in any counsel, action, or treaty in which shall be plotted against our said Lord, and the said Roman Church, anything to the hurt or prejudice of their persons, right, honor, state, or power; and if I shall know any such thing to be treated or agitated by any whatsoever, I will hinder it to my utmost, and, as soon as I can, will signify it to our said Lord, or to some other, by whom it may come to his knowledge. The rules of the holy Fathers, the apostolic decrees, ordinances, or disposals, reservations, provisions, and mandates, I will observe with all my might, and cause to be observed by others.

*Heretics, schismatics, and rebels to our said Lord, or his aforesaid successors*, I will to my utmost persecute and oppose. [Hsereticos, schismaticos, et rebelles eidem Domino nostro vel successoribus proedictis pro posse persequar et oppugnabo.] I will come to a council when I am called,

unless I be hindered by a canonical impediment. I will, by myself in person, visit the threshold of the Apostles every three years; and give an account to our Lord and his foresaid successors of all my pastoral office, and of all things anywise belonging to the state of my Church, to the discipline of my clergy and people, and lastly to the salvation of souls committed to my trust; and will in like manner humbly receive and diligently *execute the apostolic commands*. And if I be detained by a lawful impediment, I will perform all the things aforesaid by a certain messenger hereto specially empowered, a member of my chapter, or some other in ecclesiastical dignity, or else having a parsonage; or in default of those, by a priest of the diocese; or in default of one of the clergy of the diocese, by some other secular or regular priest of approved integrity and religion, fully instructed in all things above mentioned. And such impediment I will make out by lawful proofs to be transmitted by the foresaid messenger to the cardinal proponent of the Holy Roman Church in the Congregation of the Sacred Council. The possessions belonging to my table I will neither sell, nor give away, nor mortgage, nor grant anew in fee, nor anywise alienate, not even with the consent of the chapter of my Church, without consulting the Roman Pontiff. And if I shall make any alienation, I will thereby incur the penalties contained in a certain constitution put forth about this matter. So help me God and these Holy Gospels of God.—DOWLING'S *History of Romanism*, pp. 615, 616; *Debate between Rev. Alexander Campbell and Archbishop Purcell*, pp. 280–317.

## B.

The pastoral letter of the Second National Council of Baltimore contained thirteen articles. The third concerns the "Relations of the Church to the State," and is as follows:

The enemies of the Church fail not to represent her claims as incompatible with the independence of the civil power, and her action as impeding the exertions of the State to promote the well-being of society. So far from these charges being founded in fact, the authority and influence of the Church will be found to be the most efficacious support of the temporal authority by which society is governed. The Church, indeed, does not proclaim the absolute and entire independence of the civil power, because it teaches with the apostles that "all power is of God;" that the temporal magistrate is His minister; and that the power of the sword he wields is a delegated exercise of authority committed to him from on high. For the children of the Church, obedience to the civil power is not a submission to force which may not be resisted, nor merely the compliance with a condition for peace and security; but a religious duty founded on obedience to God, by whose authority the civil magistrate exercises his power. This power, however, as subordinate and delegated, *must always be exercised agreeably to God's law*. In prescribing anything contrary to that law, *the civil power transcends its authority, and has no claim on the obedience of the citizen*. Never can it be lawful to disobey God, as the apostles Peter and John so explicitly declared before the tribunal which sat in judgment on them, "If it be just in the sight of God to hear you rather than God, judge ye." This undeniable principle does not, however, entail the same consequences in the Catholic

system as in those of the sects. In these the individual is the ultimate judge of what the law of God commands or forbids, and is consequently liable to claim the sanction of the higher law, for what, after all, may be, and often is, but the suggestions of an undisciplined mind or an overheated imagination. Nor can the civil government be expected to recognize an authority which has no warrant for its character as divine, and no limits in its application, without exposing the State to disorder and anarchy. The Catholic has a guide in the Church, as a divine institution, which enables him to discriminate between what the law of God forbids or allows; and this authority the State is bound to recognize as supreme in its sphere, of moral no less than dogmatic teaching. There may, indeed, be instances in which individual Catholics will make a misapplication of the principle; or in which, while the principle of obedience to civil authority is recognized as of divine obligation, the seat of that authority may be a matter of doubt, by reason of the clashing opinions that prevail in regard to this important fact. The Church does not assume to decide such matters in the temporal order, as she is not the judge of civil controversies, although she always, when invited to do so, has endeavored to remove the misconceptions from which disputes so often arise, and to consult for every interest while maintaining the peace of society and the rights of justice.

While cheerfully recognizing the fact, that hitherto the General and State Governments of our country, except in some brief intervals of excitement and delusion, have not interfered with our ecclesiastical organization or civil rights, we still have to lament that in many of the States we are not as yet permitted legally to make those arrangements for the security of church property which are in accordance with the canons and discipline of the Catholic Church. In some of the States we gratefully acknowledge that all is granted in this regard that we could reasonably ask for. The right of the Church to possess property, whether churches, residences for the clergy, cemeteries or school-houses, asylums, etc., cannot be denied without depriving her of a necessary means of promoting the end for which she has been established. We are aware of the alleged grounds for this refusal to recognize the Church in her corporate capacity, unless on the condition that in the matter of the tenure of ecclesiastical property she conform to the general laws providing for this object. These laws, however, are for the most part based on principles which she cannot accept without departing from her practice from the beginning, as soon as she was permitted to enjoy liberty of worship. They are the expression of a distrust of ecclesiastical power, as such; and are the fruit of the misrepresentations which have been made of the action of the Church in past ages. As well might the civil power prescribe to her the doctrines she is to teach, and the worship with which she is to honor God, as to impose on her a system of holding her temporalities which is alien to her principles, and which is borrowed from those who have rejected her authority. Instead of seeking to disprove the various reasons alleged for this denial of the Church's rights in some of the States, we content ourselves with the formal protest we hereby enter against it; and briefly remark, that even in the supposition, which we by no means admit, that such denial was the result of legitimate motives, the denial itself is incompatible with the full measure of ecclesiastical or religious liberty which we are supposed to enjoy.

Nor is this an unimportant matter, or one which has not practical results of a most embarrassing character. Not only are we obliged to place church property in conditions of extreme hazard, because not permitted to manage our church temporalities on Catholic principles, but in at least one of these United States (Missouri) laws have been passed by which all church property, not held by corporations, is subjected to taxation; and the avowed object of this discriminating legislation is hostility to the Catholic Church. In concluding these remarks, we merely refer to the attempt made in that State to make the exercise of the ecclesiastical ministry depend on a condition laid down by the civil power.

The bishops of the council sent to the pope the following dispatch, through the Atlantic cable:

Seven archbishops and forty bishops, met in council, unanimously salute your holiness, wishing you long life, with the preservation of all the ancient and sacred rights of the Holy See.

To which the following answer was received:

Rome, from the Propaganda, October 24th, 1866.

To the Most Reverend MARTIN JOHN SPALDING, Archbishop of Baltimore:

The telegram which the bishops of the States of the American Union assembled in council had the happy thought to address to the Holy Father proved to be of great comfort and consolation to his holiness, and so highly did he appreciate its spirit that he ordered it to be immediately published in the official journals at Rome, for the edification of his Roman people and the faithful at large. His holiness looks with interest for the acts and decrees of the Plenary Council, which he expects to receive in due time, and from which he hopes a new impulse and continued increase to religion in the United States will result. He has, however, directed me to express directly to your amplitude, and through you to all your colleagues, his great pleasure, and to request you to thank them for the interest they have taken, and still take, *in defending the Holy See and in vindicating its contested rights*. Moreover, his holiness has learned with satisfaction that the papal loan is succeeding also, through the cooperation of the American episcopate. He thanks them particularly for this, and nourishes the hope that such cooperation will not cease, and that thence a prosperous result may be obtained. In the mean time, I pray the Lord that he long preserve and prosper you.

ALEXANDER CARDINAL BARNABO, *Secretary*.

### C.

## THE ENCYCLICAL LETTER OF POPE PIUS IX.

*To Our Venerable Brothers the Patriarchs, Primate, Archbishops, and Bishops of the Universal Church having Grace and Communion of the Apostolic See.*

PIUS PP. IX.

Health and Apostolic Benediction.

It is well known unto all men, and especially to You, Venerable Brothers, with what great care and pastoral vigilance Our Predecessors, the Roman Pontiffs, have discharged the Office entrusted by Christ Our Lord to them in the person of the Most Blessed Peter, Prince of the Apostles, and have unremittingly discharged the duty of feeding the lambs and sheep, and have diligently nourished the Lord's entire flock with the words of faith, imbued it with salutary doctrine, and guarded it from poisoned pastures. And those Our Predecessors, who were the assertors and champions of the august Catholic Religion, truth, and justice, being, as they were, chiefly solicitous for the salvation of souls, held nothing to be of so great importance as the duty of exposing and condemning, in their most wise Letters and Constitutions, all heresies and errors which are hostile to moral honesty and to the eternal salvation of mankind, and which have frequently stirred up terrible commotions, and have damaged both the Christian and civil commonwealths in a disastrous manner.

Wherefore those Our Predecessors have with apostolic fortitude continually resisted the nefarious attempts of unjust men, of those who, like raging waves of the sea, foaming forth their own confusion and promising liberty whilst they are the slaves of corruption, endeavored by their false opinions and most pernicious writings to overthrow the foundations of the Catholic religion and of civil society, to abolish all virtue and justice, to deprave the souls and minds of all men, and—especially to pervert inexperienced youth from uprightness of morals, to corrupt them miserably, to lead them into snares of error, and finally to tear them from the bosom of the Catholic Church.

And now, Venerable Brothers, as is also very well known to you, scarcely had We (by the secret dispensation of Divine Providence, certainly by no merit of Our own) been called to this Chair of Peter when We, to the extreme grief of Our soul, beheld a horrible tempest stirred up by so many erroneous opinions, and the dreadful and never-enough-to-be-lamented mischiefs which redound to Christian people from such errors: and We then, in discharge of Our Apostolic Ministerial Office, imitating the example of Our illustrious Predecessors, raised Our voice, and in several published Encyclical Letters, and in Allocutions delivered in Consistory, and in other Apostolical Letters, We condemned the prominent, most grievous errors of the age, and We stirred up Your excellent episcopal vigilance, and again and again did We admonish and exhort all the sons of the Catholic Church, who are most dear to Us, that they should abhor and shun all the said errors as they would the contagion of a fatal pestilence. Especially in Our first Encyclical Letter, written to you on the 9th of November, anno 1846, and in two Allocutions, one of which was delivered by Us in Consistory on the 9th of December, anno 1854, and the other on the 9th of June, anno 1862, We condemned the monstrous and portentous opinions which prevail especially in the present age, to the very great loss of souls, and even to the detriment of civil society, and which are in the highest degree hostile not only to the Catholic Church, and to her salutary doctrine and venerable laws, but also to the everlasting law of nature engraven by God upon the hearts of all men, and to right reason; and out of which almost all other errors originate.

Now, although hitherto We have not omitted to denounce and reprove the chief errors of this kind, yet the cause of the Catholic Church and the salvation of souls committed to Us by God, and even the interests of human society absolutely demand, that once again We should stir up Your pastoral solicitude to drive away other erroneous opinions which flow from those errors above specified, as their source.

These false and perverse opinions are so much the more detestable by how much they have chiefly for their object to hinder and banish that salutary influence which the Catholic Church, by the institution and command of her Divine Author, ought freely to exercise, even to the consummation of the world, not only over individual men, but nations, peoples, and sovereigns—and to abolish that mutual co-operation and agreement of counsels between the Priesthood and Governments which has always been propitious and conducive to the welfare both of Church and State (Gregory XVI., Encyclical, 13th August, 1832). You are well aware that at this time there are not a few who apply to civil society the impious and absurd principle of naturalism, as they term it, and dare to teach that “the welfare of the State and political and social progress require that human society should be constituted and governed irrespective of religion, which is to be treated just as if it did not exist, or as if no real difference existed between true and false religions.”

Contrary to the teaching of the Holy Scriptures, of the Church, and of the Holy Fathers, these persons do not hesitate to assert that “the best condition of human society is that wherein no duty is recognized by the Government of correcting by enacted penalties the violators of the Catholic Religion, except when the maintenance of the public peace requires it.” From this totally false notion of social government they fear not to uphold that erroneous opinion most pernicious to the Catholic Church, and to the salvation of souls, which was called by Our Predecessor, Gregory XVI. [lately quoted], the insanity (Encycl., 13th August, 1832) [deliramentum], namely, that “liberty of conscience and of worship is the right of every man; and that this right ought, in every well-governed State, to be proclaimed and asserted by the law; and that the citizens possess the right of being unrestrained in the exercise of every kind of liberty, by any law, ecclesiastical or civil, so that they are authorized to publish and put forward openly all their ideas whatsoever, either by speaking, in print, or by any other method.” But whilst these men make these rash assertions, they do not reflect or consider that they preach the liberty of perdition (St. Augustine, epistle 105, al. 166), and that “if it is always free to human arguments to discuss, men will never be wanting who will dare to resist the truth, and to rely upon the loquacity of human wisdom, when we know from the command of our Lord Jesus Christ how faith and Christian wisdom ought to avoid this most mischievous vanity” (St. Leo, epistle 164, al. 133, sec. 2, Boll. ed.).

And since religion has been banished from civil government—since the teaching and authority of Divine revelation have been repudiated—the idea inseparable therefrom of justice and human right is obscured by darkness, and lost; and in place of true justice and legitimate right, material force is substituted; whence it appears why some, entirely neglecting and slighting the most

certain principles of sound reason, dare to proclaim "that the will of the people, manifested by public opinion (as they call it), or by other means, constitutes a supreme law independent of all Divine and human right; and that, in the political order, accomplished facts, by the mere fact of their having been accomplished, have the force of right." But who does not plainly see and understand that human society, released from the ties of religion and true justice, can have no other purpose than to compass its own ends, and to amass riches, and can follow no other law in its actions than the indomitable wickedness of a heart given up to the service of its selfish pleasures and interests?

For this reason also these same men persecute with such bitter hatred the Religious Orders who have deserved so well of religion, civil society, and letters; they loudly declare that the Orders have no right to exist, and, in so doing, make common cause with the falsehoods of the heretics. For, as was most wisely taught by Our Predecessor of illustrious memory, Pius VI., "the abolition of Religious Orders injures the state of public profession of the Evangelical counsels; injures a mode of life recommended by the Church as in conformity with Apostolical doctrine; does wrong to the illustrious founders whom we venerate upon our altars, and who constituted these societies under the inspiration of God" (Epistle to Cardinal de la Rochefoucauld, March 10th, 1791). And these same persons also impiously pretend that citizens should be deprived of the liberty of publicly bestowing on the Church their alms for the sake of Christian charity, and that the law forbidding "servile labor on account of Divine worship" upon certain fixed days should be abolished, upon the most fallacious pretext that such liberty and such law are contrary to the principles of political economy. Not content with abolishing religion in public society, they desire, further, to banish it from families and private life. Teaching and professing those most fatal errors of Socialism and Communism, they declare that "domestic society, or the family, derives all its reason of existence solely from civil law, whence it is to be concluded that from civil law descend and depend all the rights of parents over their children, and, above all, the right of instructing and educating them." By such impious opinions and machinations do these most false teachers endeavor to eliminate the salutary teaching and influence of the Catholic Church from the instruction and education of youth, and to miserably infect and deprave by every pernicious error and vice the tender and pliant minds of youth.

All those who endeavor to throw into confusion both religious and political affairs, to destroy the good order of society, and to annihilate all Divine and human rights, have always exerted all their criminal schemes, attention, and efforts upon the manner in which they might, above all, deprave and delude unthinking youth, as We have already shown: it is upon the corruption of youth that they place all their hopes. Thus, they never cease to attack by every method the Clergy, both secular and regular, from whom, as testify to us in so conspicuous a manner the most certain records of history, such considerable benefits have been bestowed in abundance upon Christian and Civil society, and upon the republic of letters; asserting of the clergy in general that they are the enemies of the useful sciences, of progress, and of civilization, and that they ought to be deprived of all participation in the work of teaching and training the young.

Others, reviving the depraving fictions of innovators, errors many times condemned, presume, with extraordinary impudence, to subordinate the authority of the Church and of this Apostolic See, conferred upon it by Christ Our Lord, to the judgment of civil authority, and to deny all the rights of this same Church and this See with regard to those things which appertain to the secular order. For these persons do not blush to affirm "that the laws of the Church do not bind the conscience if they are not promulgated by the civil power; that the acts and decrees of the Roman Pontiffs concerning religion and the Church require the sanction and approbation, or at least, the assent of the civil powers; and that the Apostolic Constitutions (Clement XII., Benedict XIV., Pills VII., Leo XII.) condemning secret societies, whether these exact or do not exact an oath of secrecy, and branding with anathema their followers and partisans, have no force in those countries of the world where such associations are tolerated by the civil government."

It is likewise affirmed "that the excommunications launched by the Council of Trent and the Roman Pontiffs against those who invade and usurp the possessions of the Church and its rights, strive, by confounding the spiritual and temporal orders, to attain solely a mere earthly end; that the Church can decide nothing which may bind the consciences of the faithful in the temporal order of things; that the right of the Church is not competent to restrain with temporal penalties the violators of her laws; and that it is in accordance with the principles of theology and of public law for the Civil Government to appropriate property possessed by the churches, the Religions Orders, and other pious establishments. And they have no shame in avowing openly and publicly the heretical statement and principle from which has emanated so many errors and perverse opinions, that the ecclesiastical power is not by the law of God made distinct from, and independent of, civil power, and that no distinction, no independence of this kind, can be maintained without the Church invading and usurping the essential rights of the civil power."

Neither can We pass over in silence the audacity of those who, not enduring sound doctrine, assert that "the judgments and decrees of the Holy See, the object of which is declared to concern the general welfare of the Church, its rights, and its discipline, do not claim acquiescence and obedience under pain of sin and loss of the Catholic profession, if they do not treat of the dogmas of faith and of morals."

How contrary is this doctrine to the Catholic dogma of the plenary power divinely conferred on the Sovereign Pontiff by Our Lord Jesus Christ, to guide, to supervise, and govern the Universal Church, no one can fail to see and understand clearly and evidently.

Amid so great a perversity of depraved opinions, We, remembering Our Apostolic duty, and solicitous before all things for Our most holy religion, for sound doctrine, for the salvation of the souls confided to Us, and for the welfare of human society itself, have considered the moment opportune to raise anew Our Apostolic voice.

Therefore do We by Our Apostolic authority reprobate, denounce, and condemn

generally and particularly all the evil opinions and doctrines specially mentioned in this Letter, and We wish that they may be held as reprobated, denounced, and condemned by all the children of the Catholic Church.

But You know further, Venerable Brothers, that in our time the haters of all truth and justice and violent enemies of our religion have spread abroad other impious doctrines by means of pestilent books, pamphlets, and journals, which, distributed over the surface of the earth, deceive the people and wickedly lie. You are not ignorant that in our day men are found who, animated and excited by the spirit of Satan, have arrived at that excess of impiety as not to fear to deny Our Lord and Master Jesus Christ, and to attack His Divinity with scandalous persistence. And here We cannot abstain from awarding You well-merited praise, Venerable Brothers, for all the care and zeal with which You have raised Your episcopal voice against so great an impiety.

And therefore in this present letter, We speak to You with all affection; to You who, called to partake Our cares, are Our greatest support in the midst of Our very great grief, Our joy and Our consolation, by reason of the excellent piety of which You give proof in maintaining religion, and the marvelous love, faith, and discipline with which, united by the strongest and most affectionate ties to Us and this Apostolic See, You strive valiantly and accurately to fulfill Your most weighty episcopal ministry. We do, then, expect from Your excellent pastoral zeal that, taking the sword of the Spirit, which is the Word of God, and strengthened by the grace of Our Lord Jesus Christ, You will watch with redoubled care, that the faithful committed to Your charge "abstain from evil pasturage, which Jesus Christ doth not till, because His Father hath not planted it" (St. Ignac. M. ad Philadelph. St. Leo, epist. 156, al. 125).

Never cease, then, to inculcate on the faithful that all true happiness for mankind proceeds from our august religion, from its doctrines and practice, and that that people is happy who have the Lord for their God (Psalm 143). Teach them "that kingdoms rest upon the foundation of the Catholic faith (St. Celest., epist. 22, ad Syn. Eph.), and that nothing is so deadly, nothing so certain to engender every ill, nothing so exposed to danger, as for men to believe that they stand in need of nothing else than the free-will which we received at birth, if we ask nothing further from the Lord—that is to say, if, forgetting our Author, we abjure his power to show that we are free."

And do not omit to teach "that the Royal power has been established not only to exercise the government of the world, but, above all, for the protection of the Church (St. Leo, epist. 156, al. 125), and that there is nothing more profitable and more glorious for the Sovereigns of States and Kings than to leave the Catholic Church to exercise its laws, and not to permit any to curtail its liberty;" as Our most wise and courageous Predecessor, St. Felix, wrote to the Emperor Zeno. "It is certain that it is advantageous for Sovereigns, when the cause of God is in question, to submit their Royal will according to his ordinance to the Priests of Jesus Christ, and not to prefer it before them." (Pius VII. Epist. Encycl. *Diu satis*, 15th May, 1800.)

And if always, so, especially at present, is it Our duty, Venerable Brothers,

in the midst of the numerous calamities of the Church and of civil society, in view of the terrible conspiracy of our adversaries against the Catholic Church and this Apostolic See, and the great accumulation of errors, it is, before all things, necessary to go with faith to the Throne of Grace to obtain mercy and find grace in timely aid.

We have therefore judged it right to excite the piety of all the faithful in order that, with Us and with You all, they may pray without ceasing to the Father of lights and of mercies, supplicating and beseeching Him fervently and humbly, in order also in the plenitude of their faith they may seek refuge in Our Lord Jesus Christ, who has redeemed us to God with His blood, that by their earnest and continual prayers they may obtain from that most dear Heart, victim of burning charity for us, that it would draw all by the bonds of His love, and that all men being inflamed by His holy love may live according to His heart, pleasing God in all things, and being fruitful in all good works.

But, as there is no doubt that the prayers most agreeable to God are those of the men who approach Him with a heart pure from all stain, We have thought it good to open to Christians, with Apostolic liberality, the Heavenly treasures of the Church confided to Our dispensation, so that the faithful, more strongly drawn toward true piety and purified from the stain of their sins by the Sacrament of Penance, may more confidently offer up their prayers to God and obtain His mercy and grace.

By these Letters emanating from Our Apostolic authority, We grant to all and each of the faithful of both sexes throughout the Catholic world a Plenary Indulgence in the manner of a Jubilee during one month up to the end of the coming year, 1865, and not longer, to be carried into effect by You, Venerable Brethren, and the other legitimate local Ordinaries, in the form and manner laid down at the commencement of Our Sovereign Pontificate by Our Apostolical Letters, in form of a Brief, dated the 20th of November, anno 1846, and sent to the whole Episcopate of the world, commencing with the words "*Arcano Divince Providentice consilio*," and with the faculties given by Us in those same Letters. We desire, however, that all the prescriptions of Our letters shall be observed, saving the exceptions We have declared are to be made. And We have granted this, notwithstanding all which might make to the contrary, even those worthy of special and individual mention and derogation; and in order that every doubt and difficulty may be removed, We have ordered that copies of those Letters should be again forwarded to You.

Let us implore, Venerable Brethren, from our inmost hearts, and with all our Souls, the mercy of God. He has encouraged us so to do, by saying, "I will not withdraw my mercy from them." Let us ask, and we shall receive; and if there is slowness or delay in its reception, because we have grievously offended, let us knock, because to him that knocketh it shall be opened; if our prayers, groans, and tears, in which we must persist and be obstinate, knock at the door; and if our prayer be united, let each one pray to God, not for himself alone, but for all his brethren, as the "Lord hath taught us to pray" (St. Cyprian, epistle ii.). But in order that God may accede more easily to Our and Your prayers, and to those of all His faithful servants, let us employ in all confidence as our Mediatrix with him the Virgin Mary,

Mother of God, who "has destroyed all heresies throughout the world, and who, the most loving Mother of us all, is very gracious..... and full of mercy..... allows herself to be entreated by all, shows herself most clement toward all, and takes under her pitying care all our necessities with a most ample affection" (*St. Bernard, Germ. de duodecim perogativis B. M. V. in verbis Apocalyp.*), and who, "sitting as queen upon the right hand of her only begotten Son Our Lord Jesus Christ, in a golden vestment clothed around with various adornments," there is nothing which she cannot obtain from Him. Let us implore also the intervention of the Blessed Peter, Chief of the Apostles, and of his co-Apostle Paul, and of all those Saints of Heaven, who, having already become the friends of God, have been admitted into the celestial kingdom, where they are crowned and bear palms, and who henceforth, certain of their own immortality, are solicitous for our salvation.

In conclusion, We ask of God, from Our inmost soul, the abundance of all his celestial benefits for You, and We bestow upon You, Venerable Brethren, and upon all faithful Clergy and Laity committed to Your care, Our Apostolic Benediction from the most loving depths of Our hearts, in token of Our charity toward You.

Pius PP. IX.

Given at Rome, from St. Peter's, this 8th of December, 1864, the tenth anniversary of the Dogmatic Definition of the Immaculate Conception of the Virgin Mary, Mother of God, in the nineteenth Year of Our Pontificate.

## **D. THE SYLLABUS OF THE PRINCIPAL ERRORS OF OUR TIME, WHICH ARE STIGMATIZED IN THE CONSISTORIAL ALLOCUTIONS, ENCYCLICAL, AND OTHER APOSTOLICAL LETTERS OF OUR MOST HOLY FATHER POPE PIUS IX.**

### **I. Pantheism, Naturalism, and Absolute Rationalism.**

1. There exists no Divine Power, Supreme Being, Wisdom, and Providence distinct from the universe, and God is none other than nature, and is therefore mutable. In effect, God is produced in man and in the world, and all things are God, and have the very substance of God. God is therefore one and the same thing with the world, and thence spirit is the same thing with matter, necessity with liberty, true with false, good with evil, justice with injustice. (Allocution "Maxima quidem," 9th June, 1862.)
2. All action of God upon man and the world is to be denied. (Allocution "Maxima quidem," 9th June, 1862.)
3. Human reason, without any regard to God, is the sole arbiter of truth and falsehood, of good and evil; it is its own law to itself, and suffices by its natural force to secure the welfare of men and of nations. (Allocution "Maxima quidem," 9th June, 1862.)
4. All the truths of religion are derived from the native strength of human reason; whence reason is the master rule by which man can and ought to arrive at the knowledge of all truths of every kind. (Encyclical letters, "Qui pluribus," 9th November, 1846, "Singulari quidem," 17th March, 1856, and the

Allocution "Maxima quidem," 9th June, 1862.)

5. Divine revelation is imperfect, and therefore subject to a continual and indefinite progress, which corresponds with the progress of human reason. (Encyclical "Qui pluribus," 9th November, 1846, and the Allocution "Maxima quidem," 9th June, 1862.)

6. Christian faith is in opposition to human reason, and divine revelation not only does not benefit, but even injures, the perfection of man. (Encyclical "Qui pluribus," 9th November, 1846, and the Allocution "Maxima quidem," 9th June, 1862.)

7. The prophecies and miracles, uttered and narrated in the Sacred Scriptures, are the fictions of poets; and the mysteries of the Christian faith, the result of philosophical investigations. In the books of the two Testaments there are contained mythical inventions, and Jesus Christ is Himself a mythical fiction. (Encyclical "Qui pluribus," 9th November, 1846, and the Allocution "Maxima quidem," 9th June, 1862.)

## II. Moderate Rationalism.

8. As human reason is placed on a level with Religion, so theological matters must be treated in the same manner as philosophical ones. (Allocution "Singularem quendam perfusi," 9th December, 1854.)

9. All the dogmas of the Christian Religion are, without exception, the object of natural science or philosophy, and human reason, instructed solely by history, is able, by its own natural strength and principles, to arrive at the true knowledge of even the most abstruse dogmas: *provided* such dogmas be proposed as subject-matter for human reason. (Letter ad Archiep. Frising, "Gravissimas," 11th December, 1862; to the same, "Tuas libenter," 21st December, 1863.)

10. As the philosopher is one thing, and philosophy is another, so it is the right and duty of the philosopher to submit himself to the authority which he shall have recognized as true; but philosophy neither can nor ought to submit to any authority. (Letter ad Archiep. Frising, "Gravissimas," 11th December, 1862; to the same, "Tuas libenter," 21st December, 1863.)

11. The Church not only ought never to animadvert (to remark or comment critically, usually with strong disapproval or censure) upon philosophy, but ought to tolerate the errors of philosophy, leaving to philosophy the care of their correction. (Letter ad Archiep. Frising, 11th December, 1862.)

12. The decrees of the Apostolic See and of the Roman Congregation fetter the free progress of science. (*Id. ibid.*)

13. The method and principles by which the old scholastic Doctors cultivated theology are no longer suitable to the demands of the age and the progress of science. (*Ib.* "Tuas libenter," 21st December, 1863.)

14. Philosophy must be treated of without any account being taken of supernatural revelation. (*Id. ibid.*)

N.B.—To the rationalistic system belong, in great part, the errors of Anthony Gunther, condemned in the letter to the Cardinal Archbishop of Cologne, "Eximiam tuam," 15th June, 1847; and in that to the Bishop of Breslau, "Dolore haud mediocri," 30th April, 1860.

**III. Indifferentism, Latitudinarianism (tolerance of other people's religious views).**

15. Every man is free to embrace and profess the religion he shall believe true, guided by the light of reason. (Apostolic Letters "Multiplices inter," 10th June, 1851; Allocution "Maxima quidem," 9th June, 1862.)

16. Men may in any religion find the way of eternal salvation, and obtain eternal salvation. (Encyclical Letter "Qui pluribus," 9th November, 1846; Allocution "Ubi primum," 17th December, 1847; Encyclical Letter "Singulari quidem," 17th March, 1856.)

17. We may entertain at least a well-founded hope for the eternal salvation of all those who are in no manner in the true Church of Christ. (Allocution "Singulari quadam," 9th December, 1854; Encyclical Letter "Quanto conficiamur," 17th August, 1863.)

18. Protestantism is nothing more than another form of the same true Christian Religion, in which it is possible to be equally pleasing to God as in the Catholic Church. (Encyclical Letter "Noscitis et Nobiscum," 8th December, 1849.)

**IV. Socialism, Communism, Secret Societies, Biblical Societies, Clerico-liberal Societies.**

Pests of this description are frequently rebuked in the severest terms in the Encyclical "Qui pluribus," 9th November, 1846; Allocution "Quibus quantisque," 20th April, 1849; Encyclical "Noscitis et Nobiscum," 8th December, 1849; Allocution "Singulari quadam," 9th December, 1854; Encyclical "Quanto conficiamur," 10th August, 1863.

**V. Errors concerning the Church and her Rights.**

19. The Church is not a true, and perfect, and entirely free society, nor does she enjoy peculiar and perpetual rights conferred upon her by her Divine Founder, but it appertains to the civil power to define what are the rights and limits with which the Church may exercise authority. (Allocution "Singulari quadam," 9th December, 1854; "Multis gravibusque," 17th December, 1860; "Maxima quidem," 9th June, 1862.)

20. The ecclesiastical power must not exercise its authority without the permission and assent of the civil Government. (Allocution "Meminit unusquisque," 30th September, 1861.)

21. The Church has not the power of defining dogmatically that the Religion of the Catholic Church is the only true religion. (Letter Apostolic "Multiplices inter," 10th June, 1851.)

22. The obligation which binds Catholic teachers and authors applies only to those things which are proposed for universal belief as dogmas of the faith,

by the infallible judgment of the Church. (Letter ad Archiep. Frising, "Tuas libenter," 21st December, 1863.)

23. The Roman Pontiffs and Ecumenical Councils have exceeded the limits of their power, have usurped the rights of Princes, and have even committed errors in defining matters of faith and morals. (Letter Apostolic "Multiplices inter," 10th June, 1851.)

24. The Church has not the power of availing herself of force or any direct or indirect temporal power. (Letter Apostolic "Ad Apostolic," 22d August, 1851.)

25. In addition to the authority inherent in the Episcopate, a further and temporal power is granted to it by the civil authority, either expressly or tacitly, which power is on that account also revocable by the civil authority whenever it pleases. (Letter Apostolic "Ad Apostolica," 22d August, 1851.)

26. The Church has not the innate and legitimate right of acquisition and possession. (Allocution "Nunquam fore," 15th December, 1856; Encyclical "Incredibili," 17th September, 1863.)

27. The ministers of the Church and the Roman Pontiff ought to be absolutely excluded from all charge and dominion over temporal affairs. (Allocution "Maxima quidem," 9th June, 1862.)

28. Bishops have not the right of promulgating even their Apostolic Letters without the permission of the Government. (Allocution "Nunquam fore," 15th December, 1856.)

29. Dispensations granted by the Roman Pontiff must be considered null, unless they have been asked for by the civil Government. (*Id. ibid.*)

30. The immunity of the Church and of ecclesiastical persons derives its origin from civil law. (Letter Apostolic "Multiplices inter," 10th June, 1851.)

31. Ecclesiastical Courts for the temporal causes of the clergy, whether civil or criminal, ought by all means to be abolished, even without the concurrence and against the protest of the Holy See. (Allocution "Acerbissimum," 27th September, 1852; and "Nunquam fore," 15th December, 1856.)

32. The personal immunity exonerating the clergy from military service may be abolished, without violation either of natural right or of equity. Its abolition is called for by civil progress, especially in a community constituted upon principles of Liberal Government. (Letter to the Archbishop of Montreal, "Singularis Nobisque," 29th September, 1864.)

33. It does not appertain exclusively to ecclesiastical jurisdiction, by any right, proper and inherent, to direct the teaching of theological subjects. (Letter ad Archiep. Frising, "Tuas libenter," 21st December, 1863.)

34. The teaching of those who compare the Sovereign Pontiff to a free

Sovereign acting in the Universal Church, is a doctrine which prevailed in the Middle Ages. (Letter Apostolic "Ad Apostolieae," 22d August, 1851.)

35. There would be no obstacle to the sentence of a General Council, or the act of all the universal peoples, transferring the Pontifical Sovereignty from the Bishop and city of Rome to some other bishopric and some other city. (*Id. ibid.*)

36. The definition of a National Council does not admit of any subsequent discussion, and the civil power can regard as settled an affair decided by such National Council. (*Id. ibid.*)

37. National Churches can be established after being withdrawn and plainly separated from the authority of the Roman Pontiff. (Allocution "Multis gravibusque," 17th December, 1860; "Jamdudum cernimus," 18th March, 1861.)

38. Roman Pontiffs have, by their too arbitrary conduct, contributed to the division of the Church into Eastern and Western. (Letter Apostolic "Ad Apostolicae," 22d August, 1851.)

**VI. Errors about Civil Society considered both in itself and in its Relation to the Church.**

39. The Republic is the origin and source of all rights, and possesses rights which are not circumscribed by any limits. (Allocution "Maxima quidem," 9th June, 1862.)

40. The teaching of the Catholic Church is opposed to the well-being and interests of society. (Encyclical "Qui pluribus," 9th November, 1846; Allocution "Quibus quantisque," 20th April, 1849.)

41. The civil power, even when exercised by an infidel Sovereign, possesses an indirect and negative power over religious affairs. It therefore possesses not only the right called that of *exequatur*, but that of the (so-called) *apellatio ab abusu*. (Letter Apostolic "Ad Apostolieae," 22d August, 1861.)

42. In the case of conflicting laws between the two Powers, the civil law ought to prevail. (Letter Apostolic "Ad Apostolicae," 22d August, 1851.)

43. The civil power has a right to break, and to declare and render null the conventions (commonly called Concordats) concluded with the Apostolic See, relative to the use of rights appertaining to the ecclesiastical immunity, without the consent of the Holy See, and even contrary to its protest. (Allocution "In Consistoriali," 1st November, 1850; "Multis gravibusque," 17th December, 1860.)

44. The civil authority may interfere in matters relating to Religion, morality, and spiritual government. Hence it has control over the instructions for the guidance of consciences issued, conformably with their mission, by the pastors of the Church. Further, it possesses power to decree, in the matter of administering the Divine Sacraments, as to the dispositions necessary for their reception. (Allocution "In Consistoriali," 1st November, 1850; Allocution "Maxima quidem," 9th June, 1862.)

45. The entire direction of public schools in which the youth of Christian States are educated, except (to a certain extent) in the case of Episcopal seminaries, may and must appertain to the civil power, and belong to it so far that no other authority whatsoever shall be recognized as having any right to interfere in the discipline of the schools, the arrangement of the studies, the taking of degrees, or the choice and approval of the teachers. (Allocution "In Consistoriali," 1st November, 1850; Allocution "Quibus luctuosissimis, 5th September, 1851.)
46. Much more, even in Clerical Seminaries, the method of study to be adopted is subject to the civil authority. (Allocution "Nunquam fore," 15th December, 1856.)
47. The best theory of civil society requires that popular schools, open to the children of all classes, and generally all public institutes intended for instruction in letters and philosophy, and for conducting the education of the young, should be freed from all ecclesiastical authority, government, and interference, and should be fully subjected to the civil and political power, in conformity with the will of rulers and the prevalent opinions of the age. (Letter to the Archbishop of Fribourg, "Quum non Sine," 14th July, 1864.)
48. This system of instructing youth, which consists in separating it from the Catholic faith and from the power of the Church, and in teaching exclusively, or at least primarily, the knowledge of natural things, and the earthly ends of social life alone, may be approved by Catholics. (*Id. ibid.*)
49. The civil power has the right to prevent ministers of Religion and the faithful from communicating freely and mutually with each other, and with the Roman Pontiff. (Allocution "Maxima quidem," 9th June, 1862.)
50. The secular authority possesses, as inherent in itself, the right of presenting Bishops, and may require of them that they take possession of their dioceses, before having received canonical institution and the Apostolic Letters from the Holy See. (Allocution "Nunquam fore," 15th December, 1856.)
51. And, further, the Secular Government has the right of deposing Bishops from their Pastoral functions, and it is not bound to obey the Roman Pontiff in those things which relate to Episcopal Sees and the institution of Bishops. (Letter Apostolic "Multiplices inter," 10th June, 1851; Allocution "Acerbissimum," 27th September, 1852.)
52. The Government has of itself the right to alter the age prescribed by the Church for the religious profession both of men and women; and it may enjoin upon all religious establishments to admit no person to take solemn vows without its permission. (Allocution "Nunquam fore," 15th December, 1856.)
53. The laws for the protection of religious establishments, and securing their rights and duties, ought to be abolished; nay, more, the civil government may lend its assistance to all who desire to quit the religious life they have undertaken, and break their vows. The government may also suppress Religious Orders, collegiate Churches, and simple Benefices, even

those belonging to private patronage, and submit their goods and revenues to the administration and disposal of the civil power. (Allocution "Acerbissimum," 27th September, 1852; Allocution "Probe meminertis," 22d January, 1855; Allocution "Cum saepe," 26th July, 1855.)

54. Kings and princes are not only exempt from the jurisdiction of the Church, but are superior to the Church, in litigated questions of jurisdiction. (Letter Apostolic "Multiplices inter," 10th June, 1851.)

55. The Church ought to be separated from the State, and the State from the Church. (Allocution "Acerbissimum," 27th September, 1852.)

#### **VII. Errors concerning Natural and Christian Ethics.**

56. Moral laws do not stand in need of the divine sanction, and there is no necessity that human laws should be conformable to the law of nature, and receive their sanction from God. (Allocution "Maxima quidem," 9th June, 1862.)

57. Knowledge of Philosophical things and morals, and also civil laws, may and must be independent of divine and ecclesiastical authority. (Allocution "Maxima quidem," 9th June, 1862.)

58. No other forces are to be recognized than those which reside in matter; and all moral teaching and moral excellence ought to be made to consist in the accumulation and increase of riches by every possible means, and in the enjoyment of pleasure. (Allocution "Maxima quidem," 9th June, 1862; Encyclical "Quanto conficiamur," 10th August, 1863.)

59. Right consists in the material fact, and all human duties are but vain words, and all human acts have the force of right. (Allocution "Maxima quidem," 9th June, 1862.)

60. Authority is nothing else but the result of numerical superiority and material force. (Allocution "Maxima quidem," 9th June, 1862.)

61. An unjust act, being successful, inflicts no injury upon the sanctity of right. (Allocution "Jam dudum cernimus," 18th March, 1861.)

62. The principle of non-intervention, as it is called, ought to be proclaimed and adhered to. (Allocution "Novos et ante," 28th September, 1860.)

63. It is allowable to refuse obedience to legitimate Princes; nay, more, to rise in insurrection against them. (Encyclical "Qui pluribus," 9th November, 1846; Allocution "Quisque vestrum," 4th October, 1847; Encyclical "Noscitis et Nobiscum," 8th December, 1849; Letter Apostolic "Quum Catholica," 26th March, 1860.)

64. The violation of a solemn oath, even every wicked and flagitious action repugnant to the eternal law, is not only not blamable, but quite lawful, and worthy of the highest praise, when done for the love of country. (Allocution "Quibus quantisque," 20th April, 1849.)

### VIII. Errors concerning Christian Marriage.

65. It cannot be by any means tolerated, to maintain that Christ has raised marriage to the dignity of a sacrament. (Letter Apostolic "Ad Apostolicae," 22d August, 1851.)

66. The Sacrament of marriage is only an adjunct of the contract, and separable from it, and the sacrament itself consists in the nuptial benediction alone. (*Id. ibid.*)

67. By the law of nature, the marriage tie is not indissoluble, and in many cases divorce, properly so called, may be pronounced by the civil authority. (*Id. ibid.*; Allocution "Acerbissimum," 27th September, 1852.)

68. The Church has not the power of laying down what are diriment (absolute) impediments to marriage. The civil authority does possess such a power, and can do away with existing impediments to marriage. (Letter Apostolic "Multiplices inter," 10th June, 1851.)

69. The Church only commenced in later ages to bring in diriment impediments, and then availing herself of a right not her own, but borrowed from the civil power. (Letter Apostolic "Ad Apostolicae," 22d August, 1851.)

70. The canons of the Council of Trent, which pronounce censure of anathema against those who deny to the Church the right of laying down what are diriment impediments, either are not dogmatic, or must be understood as referring only to such borrowed power. (Letter Apostolic, *ibid.*)

71. The form of solemnizing marriage prescribed by the said Council, under penalty of nullity, does not bind in cases where the civil law has appointed another form, and where it decrees that this new form shall effectuate a valid marriage. (*Id. ibid.*)

72. Boniface VIII. is the first who declared that the vow of chastity pronounced at Ordination annuls nuptials. (*Id. ibid.*)

73. A merely civil contract may among Christians constitute a true marriage; and it is false, either that the marriage contract between Christians is always a sacrament, or that the contract is null if the sacrament be excluded. (*Id. ibid.*; Letter to King of Sardinia, 9th Sept., 1852; Allocution "Acerbissimum," 27th Sept., 1852; "Multis gravibusque," 17th Dec., 1860.)

74. Matrimonial causes and espousals belong by their very nature to civil jurisdiction. (Letter Apostolic "Ad Apostolicae," 22d August, 1851; Allocution "Acerbissimum," 27th September, 1862.)

N.B.—Two other errors may tend in this direction: those upon the abolition of the celibacy of priests, and the preference due to the state of marriage over that of virginity. These have been proscribed; the first in the Encyclical "Qui pluribus," 9th November, 1846; the second in the Apostolic Letter "Multiplices inter," 10th June, 1851.)

**IX. Errors regarding the Civil Power of the Sovereign Pontiff.**

75. The children of the Christian and Catholic Church are not agreed upon the compatibility of the temporal with the spiritual power. (Letter Apostolic "Ad Apostolicae," 22d August, 1851.)

76. The abolition of the temporal power, of which the Apostolic See is possessed, would contribute in the greatest degree to the liberty and prosperity of the Church. (Allocution "Quibus quantisque," 20th April, 1849.)

N. B.—Besides these errors, explicitly noted, many others are impliedly rebuked by the proposed and asserted doctrine, which all Catholics are bound most firmly to hold, touching the temporal Sovereignty of the Roman Pontiff. These doctrines are clearly stated in the Allocutions "Quibus quantisque," 20th April, 1849, and "Si semper antea," 20th May, 1850; Apostolic Letter "Quum Catholica Ecclesia," 26th March, 1860; Allocutions—"Novos," 28th September, 1860; "Jamdudum," 18th March, 1861; and "Maxima quidem," 9th June, 1862.

**X. Errors having Reference to Modern Liberalism.**

77. In the present day, it is no longer expedient that the Catholic Religion shall be held as the only Religion of the State, to the exclusion of all other modes of Worship. (Allocution "Nemo vestrum," 26th July, 1855.)

78. Whence it has been wisely provided by law, in some countries called Catholic, that persons coming to reside therein shall enjoy the public exercise of their own worship. (Allocution "Acerbissimum," 27th September, 1852.)

79. Moreover, it is false that the civil liberty of every mode of worship, and the full power given to all of overtly and publicly manifesting their opinions and their ideas, of all kinds whatsoever, conduce more easily to corrupt the morals and minds of the people, and to the propagation of the pest of indifferentism. (Allocution "Nunquam fore," 15th December, 1856.)

80. The Roman Pontiff can and ought to reconcile himself to, and agree with, progress, liberalism, and civilization as lately introduced. (Allocution "Jamdudum ceruimus," 18th March, 1861.)—*Pastoral Letter of Archbishop Spalding, etc., etc.*

THE END

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