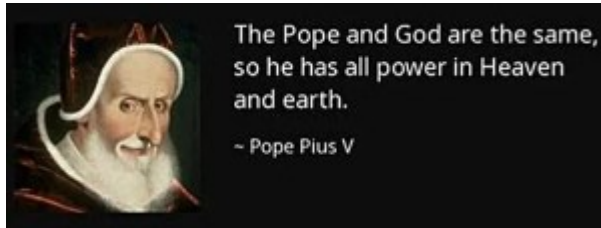


The Papacy And The Civil Power –

Chapter XIX. The Claimed Rights of the Papacy Over Governments



Continued from [Chapter XVIII. Resistance to Civil Power.](#)

The Rights of the Papacy not lost by Revolution.—No Legitimate Right acquired by it.—Revolutions always Iniquitous.—Christopher Columbus.—He takes Possession of the New World in the Name of the Church of Rome.—He thereby expands its Domain.—The Popes claim Jurisdiction in Consequence.—Illegitimate Power obtained by Revolution cannot destroy this Right of Jurisdiction.—Exercise of the Power in England by Alexander II., and in Germany by Gregory VII.—Defense of Gregory VII.—Direct and Indirect Power.—Doctrine asserted by Peter Dens. Bellarmine the Author of the Theory of Indirect Power.—Doctrine of St. Thomas.—That of Cardinal D'Ostia.—Infidels can have no Just Title to Governments.—The Pope may dispose of Them.—Gregory III., Stephen II., and Leo III. all justified.—Also Gregory VII., Innocent III., Adrian IV., and Boniface VIII.—The Late Lateran Council makes them all Infallible.—They claim the Direct Power.—The Doctrine of Indirect Power an After-thought in Answer to the Objection of Protestants.—The Papal Jurisdiction in America the Same under Either.—Alexander VI. divides America between Spain and Portugal.—Resumption of this Authority defended by Jesuits.—Obedience to Governments *de facto* not enjoined by the Church of Rome.—Effect of this Doctrine upon the Oath of Allegiance.—Doctrine of "Mental Restrictions," and "Ambiguity and Equivocation" in Oaths.—Jesuit Teachings on this Subject.—The Object of the Second Council of Baltimore to introduce the Canon Law.—What it is.—Its Effect if introduced in the United States.—Punishment of Heretics.—Extirpation of Infidelity.—Heretics rightfully punished with Death.—All Baptized Protestants are Subjects of the Pope.—May all be rightfully punished for Disobedience.

THE author of "Protestantism and Catholicity Compared in their Effects on the Civilization of Europe" must be followed still further, in order that the full import of his teachings may be understood. His eminent ability, and his distinction as an expositor of the true faith in so far as it involves the dealings of the papacy with the nations, give an unusual degree of prominence and importance to what he says.

Assuming, as his premise, that the "American possessions" of Spain were separated from the mother country by "usurpation," and that thereby illegitimate was substituted for legitimate authority, he reaches the next step in his argument, as a logical conclusion: that the new government thus formed can impose no absolute obligation of allegiance—it may be submitted to as a measure of prudence, but not obeyed on the ground of right. Manifestly he had a twofold meaning: first, to assert the existing right of Spain to retake possession of such portions of America as she had lost by revolution; and, second, the right of the papacy, also subsisting, to re-assert and maintain the spiritual jurisdiction and authority it once exercised in America. The application of this doctrine designed by him is readily seen.

Mexico sundered her allegiance from Spain, as the United States did theirs from Great Britain. In both cases new governments were established and became "consummated facts"—so recognized by other governments. But, in his view, these new governments became "usurpations" by the fact that they were the result of illegitimate, or revolutionary, resistance to legitimate authority. To such governments he does not consider any obedience due, as of right; because, says he, a government which has "abolished legitimate rights cannot justify its acts by the simple fact of its having sufficient strength to execute these *iniquities*." (Balmes, p. 334.)

Therefore, according to the "Catholic doctrines" as announced by him, the rights of Spain and Great Britain in America are in no way legitimately impaired by consummated acts of revolutionary resistance; but remain intact—as complete and perfect as they were before the revolutions began. Therefore, also, Mexico belongs, rightfully and legitimately, to the old Spanish monarchy, under its old *de jure* form of government, and the United States to Great Britain; subject, of course, in both cases, to the papal claim of primacy and superior right, recognized by both countries when they had the legitimate right to do so. Neither Mexico nor the United States has acquired any legitimate and valid right, as against the legitimate authority they defied, or as against the papacy, rightfully acknowledged by that authority, by reason of the mere fact of having had "sufficient strength to execute" the *iniquitous* purpose of establishing revolutionary governments. Hence, he reasons that, as the original obligation of obedience to the old monarchies—the only form of government which he considers as known to the divine law—has not been impaired by "these iniquities" or "consummated facts," and cannot be impaired by the substitution of new and illegitimate allegiance for it, the papacy, as the representative and divinely appointed guardian of the monarchical power, has the legitimate right to sweep out of existence, whenever it shall become *prudent* to attempt it, everything that shall stand in the way of this original and primary obedience. And hence, also, the oath of allegiance to the United States, with those who accept thy doctrine of papal infallibility, has no other than a temporary binding force, because, being illegitimate and unjust, it is perjury, and no oath at all!

Thus always reasons the papal monarchist, who invariably argues so as to make everything center in the proposition that the bulk of mankind are fit only to be governed—not to govern. He and the political monarchist start from this same stand-point. They do not differ in their process of reasoning, except in this: that the former never fails to concentrate everything in the papacy as the legitimate source of all power, because it is the only authorized interpreter of the divine law, to which all mankind must become subject; and is sufficiently comprehensive to include the temporal or civil power, as the greater includes the lesser.

Those who defend the claim of papal supremacy in this sense see, or pretend to see, in the discovery of America by Columbus, the act of God consummated only through the instrumentality of the Roman Church, specially chosen for that purpose. They have always considered this fact as having conferred jurisdiction upon the pope to govern the new continent in whatsoever concerns

the faith and the divine law including, necessarily, in their view such direction of temporal affairs as is required to make them conform to that law. These ideas, somewhat remitted heretofore from necessity and prudence, have acquired additional strength from the dogma of papal infallibility. They are now avowed with great emphasis and vehemence by the ultramontane authorities at Rome, who are, seemingly, the more pertinacious in their advocacy in proportion to the resistance of them by the progressive nations.

A new life of Columbus has lately appeared. It was written in French by De Lorgues, but has been translated, and published in this country. Anyone who will carefully read this book will see that one design of it is the inculcation of the idea of papal supremacy in America. Speaking of the preparation of Columbus for his work of discovery, by penance, prayer, and the meditation of divine things, the author says:

"His expedition takes the religious character of its origin and object: he gives the name of the Blessed Virgin to his ship, and hoists the cross in her; he departs on a Friday, and commands the sails to be unfurled in the name of Jesus Christ.

"It is in the name of Jesus Christ that he takes possession of the lands he discovers. It is to honor the Redeemer that he erects crosses everywhere he lands." ("Life of Christopher Columbus," translated by Dr. Barry, p. 570.)

He is described, not only as the first who carried the cross to the New World, but as "the herald of Catholicity, and the tacit mandatory of the papacy." (*Ibid.*, p. 571.) It is said that "he presents the Holy See with an opportunity, or occasion, of showing the spirit of *infallible sagacity* that perpetually inspires the Church, etc." (*Ibid.*) Events are recited to establish for him "the character of apostolic legate, with which he showed himself invested in his acts and by his intentions." (*Ibid.*, p. 573.) It is declared that "evidently God chose Christopher Columbus as a messenger of salvation." (*Ibid.*)

And treating the discovery of America as a fact accomplished in accordance with the divine decree, it is said that by means of it he "enlarges the known surface of the earth, brings nations, as it were, nearer each other, and *expands the domain of the Catholic Church.*" (*Ibid.*, p. 590.) He is called a saint, even without canonization, because, as "a hero of the Gospel" and "a great servant of the Church," the "messenger of the cross is found, as regards history," in him. ("Life of Christopher Columbus," translated by Dr. Barry, p. 596.) And, finally, in assigning the discovery to "the infallible wisdom of the Church," he sums up by saying that "the history of Columbus contains the glorification of the Catholic Church; it shows the spirit of light which always guides the papacy in the government of intelligence;" (*Ibid.*, p. 616.) which assigns all the honor and glory of the discovery to the papacy alone, and treats the agency of Ferdinand and Isabella as merely secondary to it.

The papist who by this process of reasoning argues himself into the belief that this enlargement of "the domain of the Catholic Church" conferred higher jurisdiction upon the papacy than that acquired by Ferdinand and Isabella by

virtue of the right of discovery and the law of nations, because the papal rights were divine, and the royal rights human only, has no difficulty in reaching the conclusion that the pope obtained by means of it a degree of authority within the new "domain" which cannot be impaired by the employment of illegitimate power, or a resort to revolution and usurpation, which with him are convertible terms. Undoubtedly, the popes have thus reasoned in reference to the jurisdiction they acquired over all nations once submitting to their authority; and when this jurisdiction has been suspended or disturbed for a time by forces they could not resist, they have not hesitated to re-assert it when occasion offered, and to insist upon resuming it when these forces were overcome or withdrawn. They have maintained that neither time nor circumstances, of whatsoever nature, could operate in bar or limitation of their right, for the reason that it is derived from God; and that, therefore, everything in conflict with it is wrong and usurpation. They have never been known to abandon any jurisdiction, and the rights arising out of it, exercised by them over any nation, however remote may have been the period of its exercise.

In the case of Great Britain, for example, their theory supports, and in their view justifies, the claim that as Gregory I. introduced the Roman faith there, and the early Saxon kings became converts to it and submitted to the jurisdiction of the pope, and other kings did the same thing, especially John, who consented to hold the crown and country as a fief of the pope, therefore they acquired a spiritual supremacy there, which, whatsoever "consummated facts" may have since transpired, has lost none of its original validity or legitimacy. They do not acknowledge that the statute of limitations or any analogous principle of the law of nations can run against the papal rights over either nations or individuals, because they have the stamp of the divine sanction. Their reasoning is based upon the ideas that Christ entrusted to them the keys, giving to them thereby the power to bind and loose in heaven and upon earth; that this power is necessarily plenary, and confers upon them the right of spiritual government over all nations and peoples brought under the influence of Christianity.

The extraordinary nature of this claim is not more startling than the manner of its exercise, whenever there have not been sufficient means of repelling it. Examples already referred to in a different connection, as illustrating other aspects of the papal question, bear directly on this point.

It was by virtue of this jurisdiction that Alexander II. blessed the banner of William the Conqueror, and gave him pontifical permission to dispossess Harold, the legitimate King of Great Britain, and occupy the country in the name of the papacy. In support of it, he and his successors sent an army of legates and Italian monks into the country, in order to extend the pontifical dominion, and, according to the historian, "they carved and clipped ecclesiastical matters as they pleased." (Rapin.)

It was under the same claim of authority that Gregory VII. pronounced his anathemas against the Emperor Henry IV., and stirred up against him an insurrection in favor of Rudolph, without any regard to the wishes or desires of the German people. And the papists, not being disposed to attempt a direct justification of his enormous pretensions, in an age of so much enlightenment

as the present, have resorted to various subterfuges to escape the consequences of his bold and defiant demands.

An effort has been made by a learned papal writer—which has the merit of great ability—to show that Gregory VII. “did not pretend to ground himself merely on the divine power of binding and loosing, but on the laws both of God and man.” (“The Power of the Pope in the Middle Ages,” by Gosselin, vol. ii., p. 106.) He does not by any means make this clear. On the contrary, his shifting of position merely suggests the impossibility of drawing the line, in ascertaining the extent of papal power, between the laws of God and those of man; for if the power is divine in any sense, it must be plenary, and not dependent upon human consent.

Bellarmino, with more ability, called it *indirect* power—distinguishing it from direct; the ground also taken by Cardinal Antonelli in his letter to the French ambassador, heretofore alluded to. (*Ante.*) What is meant by this, however, is that in the Papal States the power of the pope is direct, whereas outside their limits, and elsewhere throughout the world, it is indirect. But there is no difference in degree, it being the same wherever it exists. Thus we find it laid down by Peter Dens in these words:

“Bellarmine, Sylvius, and others say that the pope has not by divine right *direct* power over temporal kingdoms, but *indirect*; that is, when the spiritual power cannot be freely exercised, nor his object be attained by spiritual, then he may have resource to temporal means, according to St. Thomas, 22, q. 10, a. 12, et q. 12, a. 2, who teaches that princes may sometimes be deprived of their rule, and their subjects be liberated from the oath of fidelity; and thus it has been done by pontiffs more than once.” (*)

* “Bellarminus, Sylvius, aliique dicunt Pontificem non habere jure divino potestatem directam in temporalia regna, sed indirectam; hoc est, quando potestas spiritualis exerceri libere non potest, nec suum finem assequi per media spiritualia, tunc ad temporalia recurrere possit, juxta S. Thom. 22, q. 10, a. 12, et q. 12, a. 2, qui docet Principes interdum privari posse dominatione et subditos a fidelitatis juramento liberari; et ita a Pontificibus non semel est praedicatum. *“Theologia Moralis et Dogmatica*, by Dens, vol. ii., No. 98, p. 164.

The Jesuit Bellarmine is supposed to be the author of this doctrine; but as he lived in the sixteenth century—five hundred years after Gregory VII.—the latter, of course, had no idea of any other than the direct power, and being an infallible pope, the opinions of a mere cardinal, however distinguished, cannot be set up against his. Nor do they avail much against the opinions of St. Thomas, who is regarded as one of the foremost of the fathers. As represented by Dens, St. Thomas merely refers to the exercise, but not to the origin, of the power. When, however, he does refer to the origin of it, he says, “that according to the institution of God himself, the King of kings, the pope possesses the highest degree of both powers, the *spiritual* and the *temporal*.” (Gosselin, vol. ii., p. 365, and note.)

And Cardinal D’ Ostia makes a more practical application of the doctrine when he asserts that “since the coming of Jesus Christ all the dominion of infidel

princes was transferred to the Church, and is vested in the pope as the vicar of Jesus Christ, the King of kings; whence he infers that the pope can, *by his own authority*, grant the kingdoms of infidel princes to any of the faithful whom he may think proper to select." (*Ibid.*, p. 362.)

But although St. Thomas sustains the direct and Bellarmine the indirect power, they agree in its application according to the principle laid down by D' Ostia. In justifying Popes Gregory III., Stephen III., and Leo III. in seizing upon a number of Italian provinces after the emperors of the East had separated from the Roman Church and united with the Eastern Christians—thus becoming heretics—they both "maintain that the Church and the pope could have declared the pagan emperors of Rome, and especially Julian, *deposed from the empire, and their subjects absolved from all obligation toward them*, if such a declaration had been consistent with prudence." (*Ibid.*, p. 367.)

The fact is, this theory of indirect power is an after-thought. It had no existence in the minds of the ambitious popes who laid the foundation of papal power, and under whose administrations that power was made to overshadow the world. With them—Gregory VII., Innocent III., Adrian IV., Boniface VIII., and all the rest—the pontifical power was direct, full, plenary, omnipotent, derived immediately from God. They denied that it was in any sense indebted to human grants or concessions, or that it could be enlarged or diminished by them.

When, however, Protestantism began its work, and the papacy reeled and tottered under the blows of the great Reformers, it required the genius and ability of Bellarmine to conceive and promulgate the idea of indirect power, so that the assailants of the direct power might be answered with an argument that was at least plausible. It is said that he was "driven to the theory of the indirect power by the desire of vindicating the popes and clergy of the Middle Ages against the attacks of Protestants and of the more ancient heretics," and that he "believed that he struck the middle and proper course, between the excesses of heresy and the opinion of the direct power, which he considered to be manifestly extravagant." (Gosselin, vol. ii., p. 368 (note).)

If the great popes who originated, maintained, and acted upon the doctrine of the direct power were infallible—and the dogma of the late Lateran Council makes them so—then this doctrine became an essential part of the faith of the Church, which it would now be heresy to deny or change. It is a vain pretense, therefore, to talk about the indirect power, as Cardinal Antonelli does, it being merely the ingenious argument of a Jesuit of the sixteenth century, not promulgated by authority as a part of the faith, but as a mere shelter for the enormities practiced under the claim of direct power. If it be that the faith of the Church is immutable, and the popes all infallible and incapable of error, then the doctrine of the indirect power is heresy. Or, if the promulgation of it from the Vatican, under the official auspices of the present pope, makes it a necessary part of the faith at this time, then the popes who maintained the direct power were heretics. Let the papist take either horn of the dilemma, and his theory falls to the ground as utterly untenable, alike opposed to the divine and human law and the best interests of mankind.

It is apparent, therefore, that Gregory VII. did not pretend to shelter himself behind any indirection, and that in asserting his primacy and supremacy he required it to be recognized as a part of the faith, that the power of the pope over both spirituals and temporals was derived directly from God, and was not susceptible of any human limitation.

This is the fair and only import of his language, previously quoted, (*Ante*, ch. iii.) and of all his official acts when dealing with the European kings. Even in dealing with Philip, King of France—the favorite “Son of the Church”—he forbade him lay investiture, and addressed a letter to the French bishops, declaring that if they did not obey him, and not the king, to whom by the law of France they owed allegiance, “he would, with God’s help, use every means to wrest the kingdom of France from his hands.” (Reichel, p.205.) And his labored exertions to establish a holy empire or ecclesiastical state, in the form of a revived Jewish theocracy, indicates how completely, if he had succeeded, he would have absorbed all the spiritual and political power of the world. (*Ibid.*, p.282.)

Nor did Adrian IV., Innocent III., or Boniface VIII., up to the beginning of the fourteenth century, pretend to rest this supremacy upon any other ground than that asserted by Gregory VII. The blight of the Middle Ages was resting upon the world during their pontificates, and there was no necessity for moderation or disguise. Reason was not then free to expose or combat their errors or usurpations. There was no free thought or free press in those days. Protestantism was not then born. The iron weight of the papacy rested upon all the nations, and even kings so crouched at the feet of these great pontiffs as to cause Dante to exclaim,

“How many now hold themselves mighty kings,
Who here like swine shall wallow in the mire,
Leaving behind them horrible dispraise!”

When Adrian IV. granted Ireland to King Henry II. and authorized him to subjugate the Irish people, he did so expressly upon the ground that it “belonged to the Holy See” by a divine right, and that he could dispose of it as seemed right to him; asserting, at the same time, the right in all the popes to dispose of every country where Christianity had been received. Innocent III. declared that his power came directly from Heaven, and was based “on a divine ordinance;” and that the authority of princes was derived from him; wherefore he gave away crowns, disposed of governments, and transferred peoples from one allegiance to an other, in the name of God and the Church. And Boniface VIII., in his bull *Unam Sanctam*—which remains a part of the canon law—set forth the doctrine that temporal governments should be conducted “for the Church,” and that “for every human being subjection to the pope was necessary for salvation;” deriving the tremendous power he asserted directly from God alone.

All the popes who at various times before the sixteenth century claimed this supremacy asserted the direct power over all nations. They universally regarded it as an attribute attached to the papacy by Christ, descending to them from the apostle Peter, and reaching out to the utmost bounds of the earth, in order that all mankind may in the end be saved. Whatever may have

been said by others for them since then is no part of the original argument by which the power was sustained, but merely the invention of such limitations upon it as prudence and expediency have dictated. The original argument remains the same. If it does not, the power does. Its comprehensiveness is in no way lessened by shifting the method and grounds of its defense.

While, since Bellarmine, a vast amount of ingenuity has been displayed in the discovery of various arguments, often conflicting, to reconcile the world to its exercise, the popes themselves, even when it has been held in abeyance, have treated it as a part of the faith—unalterable and forever the same. And Pope Pius IX. is not behind any of them in asserting it to be all-absorbing, and in denouncing and anathematizing everything which stands in its way. His infallibility being now established, the Church has assigned to him the incapacity to err, and the same incapacity to all his predecessors. Hence it binds itself, and requires all its members to recognize the doctrines and principles advanced by any and all of them as the true “Catholic doctrines.” And these doctrines being true, the inevitable and logical result, from which no ingenuity can contrive a loop-hole of escape, is that the divine and *legitimate* authority which the pope has at any time acquired over any government or country by virtue of discovery, conquest, or compact, cannot be displaced by any act considered as usurpation, or by any *illegitimate* act, no matter in what way it may have been consummated.

As “the domain of the Catholic Church” was extended by the discovery of America by Columbus, acting for and in the name of the reigning pope, Alexander VI.,(*) and spiritual jurisdiction was thereby acquired over this continent in obedience to the providence of God, that jurisdiction, though disturbed for a time by revolution and usurpation, exists yet in all its original vigor! As temporal jurisdiction necessarily follows the spiritual, that also exists in a like degree, to be resumed whensoever by possibility it may be done, and it shall become *prudent* to attempt its recovery! The resumption of both these jurisdictions is commanded by Almighty God in order to secure the universality of the only true Church, against which “the gates of hell shall not prevail!”

* It seems little less than profanation to assign infallibility to such a pope as Alexander VI., when all history assigns to him a multitude of crimes among them an incestuous intimacy with his own daughter, Lucretia Borgia—as inconsistent with the life of a professing Christian as they are shocking to the moral sense of mankind.

It was to this pope that the kings of Spain and Portugal referred the question of boundary between the American possessions each of them claimed by virtue of discovery. If he had merely decided what was submitted to him, it might be claimed for him that he was a mere arbitrator. But he went further, and “traced a line from pole to pole, through the Azores, or Western islands, and decreed, by virtue of his universal omnipotence, that all countries which were beyond this line—that is, the West Indies or America—should belong to the King of Spain; and those on this side—that is, the East Indies and the shores of Africa—to the King of Portugal.” The only conditions were the payment of a large sum of money to him, and the conversion of the inhabitants to Christianity, by force if

Thus has the Jesuit reasoned ever since the wonderful system of Loyola was contrived in aid of the papacy; and thus must necessarily reason all who accept the dogma of papal infallibility. The author of "Protestantism and Catholicity Compared," etc., understood all this when he wrote his book, as also did his American publishers when they recommended it as "peculiarly adapted" to the wants of this age, because it sets forth "the glorious character of the faith;" and he and they manifestly contemplated the occurrence of such events as would bring the world into a condition for the practical application of these doctrines.

At all events, he felt it to be the duty of the papacy, in whose behalf he wrote, to keep them fresh in the minds of its devotees, so as to hold them in readiness for such a time, whensoever it should arrive. And, consequently, his work would have been left in complete if he had failed to point out the ultimate results to be expected from these "Catholic doctrines;" that is, if he had not indicated "how the civil power may be lawfully resisted." To this special subject, therefore, he has devoted a chapter, which begins thus:

"From what has been said in the foregoing chapters, it follows that it is allowable to resist illegitimate power by force. The Catholic religion does not enjoin obedience to governments existing merely *de facto*; for morality does not admit a mere fact unsupported by right and justice." (Balmes, ch. lvi., p. 336.)

And then, referring to the teachings of St. Thomas, which we have already seen, in support of his proposition that "an equality of social and political rights "is impossible, he passes on to define what is meant by papal interference in the affairs of governments, and to show that it is nothing less than the direct interposition of God himself! He says:

"For many centuries there has been inculcated in Europe a doctrine much criticized by those who do not understand it, the intervention of the pontifical authority between the people and their sovereigns. This doctrine was nothing less than *Heaven descending as an arbiter and judge*, to put an end to the dispute of the earth." (*Ibid.*, p. 340.)

And this remarkable chapter is wound up by pointing to the times when the tempest of revolution has burst upon the world, and thrones have been overturned, and royal heads cut off "in the name of liberty;" to all of which he declares the Church says "this is no liberty, but a succession of crimes; the fraternity and equality which I have taught were never your orgies and guillotines" (*Ibid.*, p. 343.)—thus placing all political revolutions alongside of each other, and seeming not to know that it was only that of Roman Catholic France where "orgies and guillotines" were substituted for law and order.

What man is so ignorant as not to understand all this? "The Catholic religion does not enjoin obedience to governments existing *de facto*!" that is, governments not founded on the law of God. No such thing as "an equality of

social and *political* rights" is possible! "The intervention of the pontifical authority between the people and the sovereigns," or between them and their governments, is only "*Heaven* descending as an arbiter and judge," in the person of the pope, to hold them to the line of duty! The liberty which allows thrones to be overturned and kings to be dispensed with, "is no liberty, but a succession of crimes!" (*)

* It should not be forgotten that this is one of the authors to whom Archbishop Bayley, of Baltimore, referred his friend for the true teachings of the Church. Should it not command the most serious attention, when the fact is thus openly avowed that American citizens are trained in such a school?

This author was not disposed to shield the papacy behind any disguise whatever, but marched bravely up to the work he had in hand. He felt himself too secure in Spain to practice any deception upon a point of doctrine so absolutely essential to the maintenance of the ultramontane party, of which he was a distinguished member. He was too truthful for subterfuge. And, therefore, he could do no less than declare that the power of the pope over both spirituals and temporals is derived directly from God, and that its exercise over the world is *the act of God himself!*

We all concede that whatever is derived from God must be just and right: he is infallible. Whosoever shall be persuaded to believe that these doctrines are according to his teachings, to him they necessarily become just and right. No defender of papal infallibility is permitted to deny them—excommunication and anathema have already been decreed against him if he does. With all such, then, their duty to the Church is higher and more obligatory than any duty they can owe to human governments, either in the United States or elsewhere. And if the pope shall tell them, in an official bull or brief, that there are principles of government prevailing here which are condemned by the law of God; that this country belongs of right to "the domain of the Catholic Church" by virtue of the discovery by Columbus; that this right, being divine, can never be destroyed or impaired by revolution; that the papal jurisdiction has been wrongfully and criminally displaced by lawless usurpation; that the Government existing here is *de facto*, and not *de jure*, because it is merely human, and not such as God's law requires; that it does not recognize the temporal power as subordinate to the spiritual, which God commands, but the spiritual, in its exterior organization, as subordinate to the temporal, which God forbids; that it has disunited the State and the Church, and tolerates different forms of religion, which is heresy; that all such institutions as ours, being Protestant, are infidel, because they deny to the papacy the right to measure our laws by the papal standard—if he shall tell them any or all of these things, and enjoin upon them that, in view of all this wrong, injustice, and crime, it is a duty which the papacy owes to God to re-assert its jurisdiction here, to restore again the true apostolic Christianity, to banish all this heresy, and to build up a *lawful* government constructed according to the divine plan; with all these and other kindred propositions before their minds, pressed and urged upon them by cunning and adroit priests, trained for the purpose in Jesuit schools, what will those who believe that the pope is infallible do and say? Will they obey or disobey

the pope?

That is the question which no ingenuity can evade. He who accepts papal infallibility, and with it the ultramontane interpretation of the power of the pope over the world, and thinks that by offending the pope he offends God, will obey passively, unresistingly, uninquiringly. Such a man, whether priest or layman, high or low, is necessarily inimical to the Government and political institutions of the United States. With him his oath of allegiance would be worth no more than the paper upon which it is written. It would not stand a single moment before the all-absorbing absolutism of the pope, whose commands are equivalent with him to those of God. Or if, for a moment, he should stop to consider the extent of its possible obligation, the pope would be ready to assure him that, as it required him to do what the welfare of his Church and the will of God forbade him to do, it was null and void from the beginning. Or if still there should be some little unrest in his conscience, some slight misgivings as to the true line of his duty, the power of dispensation would be ready at hand to release him from the obligation of his sworn allegiance, and snap the cords that bind him to the Government, as the same kind of cords have been snapped by other popes and in other countries. To this end do the papal teachings inevitably lead: it is their natural and logical result.

The law of the Church is in its canons. These are made by the decrees of popes and councils. One of the greatest of the popes, Innocent III., asserted for himself such plenitude of power as gave him the right to dispense with any law. The Fourth General Lateran Council, with the approval of this same pope, enacted a canon wherein it is declared that constitutions which are prejudicial to the rights of the Church shall not be observed; thus, by the use of imperative language, making the non-observance of them obligatory. The Decretals, which are the body of the canon law, contain provisions to the same effect. The Third General Lateran Council, with the approval of Alexander III., decreed that an oath in opposition to the welfare of the Church and the enactments of the holy fathers is not to be called an oath at all, but rather perjury. Peter Dens, the great commentator on the laws and moral theology of the Church, lays it down as the law of the Church that the right of the pope, as the ultimate superior and sovereign, is reserved in every oath; which, of course, includes the oath of allegiance. He also instructs the faithful that the pope has the power of withdrawing or prohibiting what is included in an oath, and that when he does so it is no longer included. And Bishop England, driven to the wall by an ingenious and learned adversary, from the point of whose lance he could not escape, was compelled to admit the law of the Church yet to be as it was established by the Third Lateran Council.

Under such a law the papacy has but to demonstrate to its followers that a constitution or law of the State is opposed to the welfare of the Church, when it becomes their religious duty to treat the oath to obey such constitution or law as no oath at all, but rather perjury. And if this provision were not so plain and emphatic as to be insusceptible of misunderstanding, the papacy, ever on the alert, has provided its doctrines of "mental restrictions" and "ambiguity and equivocation," as the final means

of escape from almost every imaginable promise or oath, except where the party is bound to the papacy itself.

Its adroit training of its subjects in the school of dissimulation shows how completely the practice of falsehood may be systematized into a science. Of course, the abstract proposition that it is unlawful to lie in any event is laid down in general terms; but in each special case as it arises rules are furnished by which to decide what is and what is not a lie.

"Mental restrictions" are of two kinds: purely mental and real. In the first, falsehood is not excused, because there is no external sign to signify that which is restricted in the mind. In the second, there is no falsehood, because the external circumstances signify that something is secretly understood. Thus, as to real restriction, it is said: "Real restriction occurs when the declaration is false, if we regard the words alone; but circumstances concur which signify that something is to be secretly understood, which the speaker keeps in his mind, and which, being secretly understood, the declaration is true." (*)

* "Restrictio realis occurrit, dum enuntiato, spectatis solis verbis, falsa est, sed circumstantia concurrunt, quae significant aliquid esse subintelligendum, quod loquens in mente tenet, et quo subintellecto, enuntiato est vera."—DENS, vol. iv., No. 244, p. 309.

It is almost impossible to procure in the United States a copy of this work of Peter Dens. I have seen it advertised by at least two Catholic publishing houses, and have made the effort to obtain it from them, but failed. I succeeded, at last, in getting a copy from London. It is in Latin, in eight volumes—manifestly designed as instructive to the priesthood alone, by whom laymen are to be impressed with its teachings. Messrs. Lippincott & Co. have recently published a "Synopsis" of it, translated by Professor Berg, which contains the most material parts of it, except what relates to confessional, etc., which is too indecent for translation. I have used this translation, except in the case of oaths—which it does not include—and have given the original along with it, that the classical reader may test its accuracy. He will find it both literal and faithful.

This rule had the sanction of one of the infallible popes, Innocent XI., which, of course, adds greatly to its influence. In a proposition laid down by him, he said:

"If any, either alone or before others, whether asked or of his own accord, or for the purpose of sport, or for any other object, swears that he has not done something which in reality he has done, by understanding within himself something else which he has not done, or a different way from that in which he has done it, or any other truth that is added, he does not really lie, nor is he perjured." (*)

* "Probatur etiam ex damnatione hujus prop. 36., Innoc. XI.: 'Si quis vel solus vel coram aliis, sive interrogatus, sive sponte propria, sive recreationis causa, sive quocumque alio fine, juret se non fecisse aliquid, quod revera fecit

intelligendo intra se aliquid aliud, quod non fecit, vel aliam viam ab ea, in qua fecit, vel quodvis aliud additum, revera non mentitur, nec est perjurns.'"—DENS, vol. iv., pp. 309, 310.

It will be readily observed how wide these rules open the door for falsehood and perjury—how completely they tend to destroy all confidence between men, and all faith and integrity. But as if this abominable doctrine of “mental restriction” were not sufficient to enable the order of Jesuits to triumph over the world by the system of fraud which it is designed to legitimate, that of “ambiguity and equivocation” is superadded to give it both efficiency and completeness. It amounts to this: that if a proposition is susceptible of two meanings, one may be expressed when it is not meant, and the other, which is meant, may be reserved in the mind. Hence it is said:

“An equivocation of this kind does not contain a lie, in whatever sense it may be received; because the external words truly signify that sense which the speaker has in his mind, and thus differs from a purely mental reservation, in which the external words do not contain the mental sense.”
(*)

* “Hujusmodi oequivocatio non continet mendacium, in quocumque sensu accipiatur, quia verba externa vere significant illum sensum, quem loquens in mente habet, et sic differt k restrictione pure mentali, in qua verba externa non continent sensum mentalem.”—DENS, vol. iv., p. 311.

That these rules are part of the Jesuit system of “mental reservations,” is undoubted. Sanchez, one of the fathers, says: “A man may swear that he never did such a thing (though he actually did it), meaning within himself that he did not do so on a certain day, or before he was born, or understanding any other such circumstance, while the words which he employs have no such sense as would discover his meaning.” (“The Provincial Letters,” by Pascal, letter ix., p. 277.)

The reason given by him and Filiutius, another father, is that “it is the intention that determines the quality of the action.” (*Ibid.*) And they give a surer method of avoiding falsehood: “After saying aloud, I swear that I have not done that, to add in a low voice, today; or after saying aloud, I swear, to interpose in a whisper, that I say, and then continue aloud, that I have done that.” (*Ibid.*)

The same rule is also expressed in these words: “No more is required of them to avoid lying than simply to say that they have not done what they have done, provided ‘they have in general the intention of giving to their language the sense which an able man would give to it.’” (*Ibid.*)

And Escobar, another and greater of the Jesuit fathers, lays down the following lax and demoralizing rule in reference to promises not confirmed by an oath: “Promises are not binding when the person in making them had no intention to bind himself.” (*)

* *Ibid.*, p. 278. The great Bossuet condemned all this doctrine as "pernicious in morality," and for that and other reasons was a Gallican Catholic, and not a Jesuit.

Now, with the believer in the ultramontane doctrines which prevail at Rome, and which, since the decree of papal infallibility, have become the only doctrines which the pope will allow to be accepted as true, it is quite certain that the oath of allegiance will not stand, for a single moment, in the way of his obedience to any command of the pope for the promotion of the welfare and interest of the Church. In taking the oath, how easy was it for him to have renounced his allegiance to some civil monarch; yet, at the same time, to have reserved in his mind his allegiance to the pope, not as a civil monarch in the same sense, but as the spiritual head of the Church, whose power, divinely granted, included authority over all temporal affairs within its jurisdiction!

But if he did not have this reservation, the other modes of escape are equally effective. Possibly, there are not very many who have made this reservation, but these will labor assiduously to increase their number. The Jesuits, and those upon whose minds they have impressed their teachings, understand it perfectly well; and their struggles to obtain the mastery over the world are unrelenting. They have the unabating ardor of an army held together and inspired by the promise and expectation of victory.

It is fair to assume that a majority of those Roman Catholics who have taken the oath of allegiance had no such mental reservation. But these well-meaning and good citizens are relied on to acquiesce, by their silence, in what may be done by such as had. These seem to have no conception of the extent to which this passive submission may carry them. They may well pause at this point for reflection and self-examination, while they are protected by institutions which allow this to them. If they shall do so, they may readily see how completely they have become entangled in the meshes of the Jesuit net, and realize the nature of the efforts their hierarchy are now making to bring them under the government of the canon laws of Rome, whenever the existing laws of the United States shall conflict with them. Perhaps not one in a thousand is aware of these efforts.

The proceedings of "the Second Plenary Council of Baltimore" were referred to in the second chapter, to show the preference of the American hierarchy for the Catholic over the Protestant system of government, and their opposition to certain laws of the United States. From what was there said it would appear, very satisfactorily, that their purpose was to bring about that condition of things which shall result in governing this country by the canon law of Rome—some of the principles of which, as they affect the obligation of allegiance, have been explained. If there was left any doubt upon that subject, it may be easily removed. Since that chapter was written, a work has appeared entitled "Notes on the Second Plenary Council of Baltimore." The preface thus begins:

"The desire of gradually introducing in this country, as far as practicable, the ecclesiastical discipline prevalent throughout almost the entire Church,

was strongly and repeatedly expressed by the fathers of the late National Council of Baltimore. *Its decrees tend both avowedly and implicitly to promote the accomplishment of this object.*" ("Notes on the Second Plenary Council of Baltimore," by Smith, Preface, p. iii.)

The author professes to propound the Decrees of Baltimore, because they are designed to establish "the same hierarchy, and, in consequence, substantially the same relations between bishops, priests, and laity," as exist elsewhere in the same Church. (*Ibid.*, Preface, p. vii.)

In defining the canon law, he calls the Church a perfect and sovereign society, which possesses "a three-fold power—legislative, judicial, and coercive or executive," and which cannot be subordinate to any other society. (36) There are but two perfect societies—the Church and the State; the Church is "*absolutely supreme*;" the State "*but relatively supreme*." The State, when emancipated from the Church, "stands in open revolt against God himself;" there should, therefore, be such "close union" between them that they should "assist each other." (*Ibid.*, p. 7.) He calls the canon law the "common law" of the Church, which "is obligatory on all the faithful spread throughout the world;" and makes it comprise, in so far as it is written, "The Constitutions and Decretal Epistles of the Sovereign Pontiffs," and the "Decrees of Ecumenical Councils." (*Ibid.*, pp. 8, 9.) He then defines the principles of the common law, among which are those which follow:

The pope can dispense with any law. (*Ibid.*, p. 17.) The constitutions and decrees of the popes are explanations of the divine law, and are, therefore, binding as soon as known. (*Ibid.*, p. 21.) The Church does not recognize the right in any government to say whether or not the pontifical decrees shall be enforced: "She is supreme and independent, and therefore can admit of no intermeddling with her authority." (*Ibid.*, p. 27.)

The Isidorian Decretals, although now known to be spurious and false, were looked upon as genuine for seven hundred years, or until their fraudulent character was discovered by Protestants in the sixteenth century; (*Ibid.*, p. 32.) yet they aided materially in building up the papal system, and there is no pretense that the popes have abandoned such provisions of them as increase their power. The pope alone is the interpreter of the divine law, and his temporal power is necessary to the free exercise of his spiritual authority. ("Notes on the Second Plenary Council of Baltimore," by Smith, p. 47.) He derives his jurisdiction immediately from God, and imparts a share of the plenitude of his power to his bishops. (*Ibid.*, pp. 77, 78.) Ecclesiastical property must be governed by the laws of the Church. (*Ibid.*, p. 144.) The State ought to recognize and carry into effect the laws of the Church. (*Ibid.*, p. 149.) By these laws, laymen have no right of property in the Church, and it is against the law of God that they should dispose of its revenues. (*Ibid.*, p. 150.) Where the mother of a child is a Catholic, and the father a heretic, or Protestant, the child may be baptized at the request of the mother, and against the wishes and consent of the father. (*Ibid.*, p. 178.) Children of heretics may be baptized against the will of both their parents; because all heretics are "*per se* subject to the laws of the Church." (*Ibid.*, pp. 178, 179.) Religious books, including Bibles, shall not be printed without the consent of the priesthood; and all such as have not their

approbation are forbidden to be read. (*Ibid.*, pp. 354, 361, 362.) The coercive power of the Church includes the power “to punish the insubordinate and repress the lawless;” which extends to any punishment short of shedding blood, such as imprisonment in monasteries, and other chastisements. (*Ibid.*, p. 372.)

These provisions fall very far short of the whole body of the canon law, which is set forth in the papal and consular decrees, many of which have been noticed; but they distinctly show the purpose of the hierarchy to be the introduction of the whole into this country, gradually, but as rapidly as they can, either by the exercise of direct power, or because of the inattention and toleration of the American people. All the power they can now control is directed to, and concentrated in, this object. It will be observed that one reason assigned for the jurisdiction they seek to establish over this country, is that all heretics are “subject to the laws of the Church.” And inasmuch as infidels, who have always denied the faith, are included among the heretics along with Jews and pagans, this jurisdiction is made so complete and broad as to include the entire population of the country. Not only, therefore, do these hierarchs consider themselves entitled to possess the country and govern it, in the name and by virtue of the divine right of the pope, but to act as the masters and superiors of all classes of the people—only awaiting, prudentially, the opportunity to assert and exercise this high ecclesiastical prerogative.

In the mean time, while this tremendous authority is held in abeyance by our civil institutions, the papacy stands ready with its armory full of ecclesiastical weapons prepared for use. If these are somewhat dulled by the length of time they have lain idle, the dogma of infallibility has created a necessity for resharpening and burnishing them up again. Therefore, we find the faithful instructed in the law of the papacy as to the manner in which it would deal with the host of its enemies and persecutors. Thus, it is said, infidels “are not to be tolerated; because they are so bad that no truth or advantage for the good of the Church can be thence derived.” (*)

* “Ritus aliorum infidelium, nempe paganorum et hareticorum, per se non sunt tolerandi; quia ita sunt mali, ut nihil veritatis aut utilitatis in bonum Ecclesie inde derivetur.”—DENs, vol. ii., No. 53, p. 83.

And they are to be dealt with without trial or proof, on the ground of being incorrigible and rebellious from the beginning. Infidelity “*is not to be tried or proved, but extirpated,*” subject only to this condition—that this extirpation may be suspended where “there may be reasons which may render it advisable that it should be tolerated;” for example, where the power to extirpate is not possessed. (*)

* “Unde tentenda non est vel probanda, sed extirpanda, nisi adsint rationes, quae illam tolerandam esse suadeant.”— DENs, *Ibid.*

Heretics as such are to be dealt with under special provisions of the law,

made to fit their case on account of their crime and impiety practiced in the act of setting up a false faith in opposition to that of Rome. Baptized heretics are to be visited with the greater excommunication by the pope, as in the case of the bull of Pius IX., a few years ago, excommunicating all Protestants. They are to be considered as infamous; and their temporal goods are to be confiscated. ("Bona eorum temporalia sunt ipso jure confiscata."—DENS, vol. ii., No. 56, p. 88.)

They are to be subjected to *corporal punishment, to exile, and imprisonment*. ("Denique aliis paenis etiam corporalibus, ut exilio, carcere, etc., merito afficitintur."—*Ibid.*, p. 89.)

And then, to complete the work, in case they shall remain obstinate, and not heed the warnings of the Church, they are to be dealt with as John Huss and Jerome were under a decree of the Council of Constance—that is, they shall suffer death.

Let not the Protestant reader be alarmed; this is only the law of the papacy, which the infallible pope with his hierarchical auxiliaries is trying to enforce here, and which they would enforce if the world could be carried back by them into the gloom and superstition of the Middle Ages. See, however, the emphatic and plain language in which this death penalty is recorded in question and answer:

"Are heretics rightly punished with death? St. Thomas answers, Yes, because forgers of money, or other disturbers of the State, are justly punished with death; therefore also heretics, who are forgers of the faith, and experience being the witness, grievously disturb the State." (*)

* "An heretici recte puniuntur morte? Respondet S. Thomas, 2, 2, quaest. 11, art. 3, in' Corp.' affirmative: quia falsarii pecunim, vel aii Rempubicam turbantes, juste morte puniuntur: ergo etiam heretici, qui sunt falsarii fidei, et experientia teste, Rempubicam graviter perturbant."—DENS, p. 89.

It must not be supposed that the baptized heretics who are thus to be dealt with are only those who have been baptized into the Roman Catholic Church. The class is much larger, and includes all baptized Protestants as well, provided the ceremony has been performed with reference to the ordinary essentials. These are not required to be re-baptized upon reception into the Roman Church; and are, therefore, proper subjects of excommunication and punishment. Since the time of St. Augustine, more than fourteen centuries ago, the doctrine on this subject has been as laid down by him, as follows: "For in all points in which they [heretics] think with us [Catholics] they are also in communion with us—are severed from us only in those points in which they dissent from us. What they have retained of the teaching of the Church, they do not lose by severance from her; hence, the power of conferring baptism may be found outside the Church. Moreover, it is Christ himself who baptizes. The grace of the Sacrament is wholly independent of the qualification of him who administers it." (Alzog, p. 424.)

Thus it is manifest that all Protestants who have been baptized are held to

be in "communion" with the Roman Church for the purpose of punishment for the crime of heresy, and, consequently, they are now, *in the papal view, under sentence of death—the executioner merely waiting for sufficient power to enforce the decree*, which has stood unrevoked and unchanged since the Lateran Council of Innocent III. provided for the extermination of the Albigenses.

Founded upon this enlarged and extraordinary jurisdiction and the subtle reasoning employed to maintain it, the law of the Church distinctly lays down the power of the pope to compel obedience from us all, from the millions of Protestant people in the United States who have vainly supposed themselves to be outside of his jurisdiction. It says: "Baptized infidels, such as heretics and apostates usually are, also baptized schismatics, may be compelled, even by corporal punishment, to return to the Catholic faith and the unity of the Church. The reason is, because these by baptism have become subject to the Church; and therefore the Church has jurisdiction over them, and the power of compelling them through appointed means to obedience, and to fulfill the obligations contracted in baptism." (*)

* "Infidelis baptizati, quales esse solent Hoeretici et Apostate, item Schismatici baptizati cogi possunt, etiam puenis corporalibus, ut rever'tantur ad Fidem Catholicam, et unitatem Ecclesie."

Ratio est, quod isti per Baptismum subditi facti sint Ecclesix: adeoque Ecclesia in eos jurisdictionem habet et potestatem eos compellendi per media ordinata ad obedientiam, et ad implendas obligationes in Baptismo contractas."— DENS, vol. ii., No. 51, p. 80.

It is easy now to understand what the pope, in his Syllabus, and Archbishop Manning, in his pastoral, mean by the right of the Roman Church to employ force to coerce obedience to its decrees. With them the jurisdiction of the papacy is limited only by the boundaries of the world, and professing Christians of every creed are brought within the sweep of the pontifical saber, by a system of ecclesiastical law and ethics, which, built up in ages of superstition and ignorance, they are now seeking to revive. They admit no compromise and practice no moderation. Whatsoever stands in the way of their success is visited with the pontifical wrath; and anathemas and curses, in the name of God, are scattered broadcast over the world, as if God did not delight to exhibit himself more in the sunshine than in the lightning and the storm.

How many of the multitude of criminals upon whom the sentence of condemnation has been already pronounced are destined to pay the penalty of their disobedience, and how many shall escape, are matters concealed in the womb of the future. It is no trifling and idle thing for nations and peoples to find themselves thus plotted against. Nor is it a trifling and idle thing for the people of the United States to find such an enemy, with drilled and disciplined troops, in the very midst of their peaceful institutions. Heretofore they have not failed to meet the necessities of every crisis to which this country has been subjected, and it seems impossible that they can remain listless and indifferent with so formidable and dangerous an adversary

at their very doors.

Continued in [Chapter XX. Papal Infallibility](#)