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Ἐν ἑνὶ πνεύματι, μιᾷ ψυχῇ  
συναθλοῦντες τῇ πίστει τοῦ εὐαγγελίου  
Phil. 1:27

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our consideration these four modes: merit, satisfaction, sacrifice, and redemption.

The very order of these modes is important. Each adds a new, and more precise formality than that contained in the previous mode. Thus merit in the concrete is any supernaturally good work, done by one in the state of grace, in God's service, and therefore worthy of reward. Over and above this, satisfaction adds the note that the work done be *penal* both in character and in intent. The notion of sacrifice, in the present economy of salvation, is yet more precise. In general it designates the external offering of a sensible thing, through some change or destruction of it, made to God in witness to His dominion over us; but in the *de facto* order in which sin is a reality it is offered also to placate God whom we have offended by sin. The appeasing of God, the effective placating of Him, is what sacrifice adds over and above satisfaction<sup>10</sup> from the point of view of its manner of achieving its effect,<sup>11</sup> which is our point of view here, necessarily. Thus, as not each merit would have satisfactory value, neither would each satisfactory work constitute true, effective sacrifice. Yet more exact can be the notion of Redemption. This involves a complete, effective sacrificial liberation from slavery to sin and to the devil; and not all sacrifice implies such effective deliverance—for example the sacrifices of the Patriarchs and those of the Mosaic law did not truly redeem: they but foretold Redemption to come.

We must note that Christ's Passion not merely includes each of these modes but ideally, and perfectly, fulfills each. The Passion is one reality, yet so perfect that it realizes every conceivable mode of working for our salvation. For this is a divine work; therefore, no perfection possible and fitting to it can fail to be realized in it.

(To be continued)

THOMAS U. MULLANEY, O.P.

Dominican House of Studies  
Washington, D. C.

<sup>10</sup> *Ibid.*, q. 49, a. 4.

<sup>11</sup> It is patent that the proper nature of sacrifice differs from that of satisfaction. This St. Thomas considers elsewhere; cf. *Sum. theol.*, II-II, q. 85, a. 3 especially.

## THE THEORY OF THE "LAY STATE"

In recent years a theory has been proposed by some theologians concerning the relation between Church and State which has justly aroused great interest among Catholic scholars. The chief proponent and defender of this theory in the United States is Fr. John Courtney Murray, S.J., who has written several lengthy articles in its explanation and support in the course of the last three years, the most recent article being that which is contained in *The American Ecclesiastical Review* for May, 1951.<sup>1</sup>

According to this theory, it is the plan of God that the State (meaning an ordered civil society under a lawfully established government) is subject only to the natural law. In the words of Fr. Murray: "As the law for man emerges from the nature of man as elevated by grace, so the law for the state emerges from the nature of the state, which was not elevated by grace."<sup>2</sup> Fr. Murray asserts that of the Church's divine commission to teach all truth "the state, as the living action that is public order, directly 'knows nothing' (to use the phrase of Durandus, quoted by Bellarmine)."<sup>3</sup> He cites approvingly the view of John of Paris, according to whom: "The finality of his [the prince's] power is determined by its origin; it is of the natural moral order. The ministry of the prince is the ministry of human justice and law. . . . The prince has no direct function with regard to man's transcendent destiny, his supernatural life as a member of the Church. The limits of his direct power are set by natural law."<sup>4</sup> From this theory it follows, Fr. Murray continues, that the state—and evidently this holds even when the vast majority of the citizens and the rulers profess the Catholic religion—has no direct right to

<sup>1</sup> Cf. Murray, "Governmental Repression of Heresies," *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting (Chicago, June 28-30, 1948), pp. 26-98; "St. Robert Bellarmine on the Indirect Power," *Theological Studies*, IX (1948), 491-535; "Current Theology on Religious Freedom," *Theological Studies*, X (1949), 409-32; "The Problem of 'The Religion of the State,'" *AER*, CXXIV, 5 (May, 1951), 327-52.

<sup>2</sup> *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, p. 30.

<sup>3</sup> *Ibid.*, p. 73.

<sup>4</sup> *Ibid.*, p. 56.

restrict the proselytizing activities of non-Catholic religious groups, as long as these do not disturb public order and peace. "If there are individuals or groups within society that deny the exclusive right of the Church, as the true Church of Christ, to preach the Gospel, and undertake to preach a gospel of their own, the state has no empowerment from the only source from which its empowerments come (the natural law) to forbid them, provided the tenets of their gospel are not incompatible with the order of justice and the manner of their preaching is not in prudent judgment a threat to the public peace."<sup>5</sup>

Fr. Murray believes that the view he supports represents the core of the principle laid down by Pope Gelasius concerning the radical dualism of Church and State, and suggests that the concept of the state which is "lay" but not "laicized" or "laicizing"<sup>6</sup> has been brought to the fore in recent years by the great development of our ideas of the processes of state, and particularly of the idea of the democratic state. "The general term of all this development in the political order has been the 'adult' state, conscious of the autonomy proper to its adulthood, not merely impatient of any political tutelage exercised from without by the Church, but rightfully free from such external tutelage because the means for its self-direction to right spiritual and moral ends exist within the political order itself—I mean the whole range of democratic institutions."<sup>7</sup> As to the fact that in past centuries the Church has claimed from civil governments a greater measure of recognition and of favor toward the Catholic religion than is contained in the concept of the "lay" state Fr. Murray says: "All the facts of the past and all the actions of the papacy can be given their true meaning only in the light of the particular historical situation which the papacy happened to occupy, not only in relation to the civil power but more especially in relation to the whole of society at the time. . . . Must one maintain, for example, that *Mirari vos* or *Quanta cura* said the last, definitive, immutable word

<sup>5</sup> *Ibid.*, p. 82.

<sup>6</sup> "Contemporary Orientations of Catholic Thought on Church and State," *Theological Studies*, X (1949), 188; *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, p. 64.

<sup>7</sup> *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, p. 63.

on the political problems which the so-called "modern liberties," for all their aberrations and false metaphysical premises, aimed at solving?"<sup>8</sup>

The theory of the "lay state" naturally has a strong appeal for the Catholics of our land since it is quite in harmony with the principle of "freedom of worship," so deeply integrated into American democracy, and with the American tenet that no particular religion has any right to special governmental favor and no citizen is to be restricted in the practice and propaganda of his religious beliefs as long as he does not thereby interfere with public order and the rights of his fellow citizens.

However, the most important question is not the practical adaptation of Catholic principles to actual conditions (for I do not think that any reasonable person will deny that in view of the conditions that prevail in the United States we have the most reasonable and most practical attitude toward freedom of religious worship), but rather the speculative problem as to the theory of the "lay state" in reference to Catholic teaching. Can this theory be harmonized with the doctrine of the Church? Catholic scholars should seriously and courteously discuss this question, with the hope that the problem may be visualized in its entire scope and with all its ramifications and that the true solution may emerge.

It must be emphasized that the fundamental problem centers about the obligation of civil rulers in their official capacity to obey the divine positive law of Jesus Christ rather than about their obligation to obey the laws of the Catholic Church. In other words, the real point at issue is not the relation between the State and the Catholic Church but rather the relation between the State and Christ the King. For, if the Catholic Church possesses the authority to exercise *jure proprio* functions involving a restriction of the rights granted by the natural law to civil rulers, the only possible explanation of this direct power on the part of the Church is the authorization of Jesus Christ, the Son of God. Unless Our Lord Himself imposed on the rulers of nations the mandate to submit in certain matters to the ruling of His Church, there would be no direct obligation on the part of these civil authorities to yield to the demands of the Church in those matters which, by

<sup>8</sup> *Ibid.*, pp. 36 f.

natural law, would be within the scope of civil jurisdiction but which the Church claims as its own. Certainly, it would be a deplorable *petitio principii* to argue: "The civil rulers must yield to the Church's demands, because the Church so decrees." But, if Jesus Christ has actually granted the Church the authority over certain matters which civil rulers would possess by virtue of the natural law, it follows that civil rulers have a correlative obligation to obey the positive divine law in respect to these matters—in other words, that they have obligations in respect to Christian revelation.

Fr. Murray admits that civil rulers in their official capacity can be bound *indirectly* to respect and to approve the laws and customs of the Catholic Church—that is, through their obligation to grant to their fellow citizens the right to determine freely the course of their personal and family lives, as far as this is compatible with good order. Thus, he tells us that the State owes the Church the duty of "assisting in the creation of those conditions in society, political, social, economic, cultural—which will favor the ends of human personality, the peaceful enjoyment of all its rights, the unobstructed performance of all its duties, the full development of all its powers."<sup>9</sup> With respect to marriage and education he says: "When, as in the case, the laws of the family derive from positive divine or ecclesiastical laws, as well as from natural law, it is the duty of the state to invest these laws too with the formal legality that it has the power to confer and to do its part to create the conditions for their full observance by the family. But this duty derives formally from the natural law, the law of the state's own nature as servant of the family."<sup>10</sup>

Now, while it is quite reasonable to hold that certain rights can be granted to the Church in this manner, just as certain rights can be granted to her through concordats, the question still remains whether or not the Church also possesses certain rights granted to her by Jesus Christ which imply a limitation of the natural-law authority of the state. Certainly the tradition and practice of the Church seem to indicate that she does possess such rights, and that consequently the state is bound by divine positive law to recognize some restrictions of the rights it could exercise by virtue of the natural law. Whether this obligation of the state should

<sup>9</sup> *Ibid.*, p. 71.

<sup>10</sup> *Ibid.*, p. 73.

be called "direct" or "indirect" (that is, through the mediation of the Church's rights) is a matter of little consequence as long as the idea itself is properly understood. I prefer to refer to it as a "direct" obligation, to distinguish it from the type of obligation admitted by the defenders of the "lay state" theory, imposed on the state through its duty toward its citizens. I am speaking of laws laid down for all states under the Christian dispensation—whether they be Christian states or not—by Jesus Christ, as King over civil rulers, by which laws they must yield to His Church in certain matters over which they would have jurisdiction by natural law. And since civil rulers could not be expected to yield in this matter without examining the claims of the Church, it is within the scope of their official duty to find out whether or not the Church is authorized by God to demand certain rights. In other words, the state may not (to use Fr. Murray's phrase) "know nothing" of the Church's divine commission, but must investigate the validity of its credentials. And since only the Catholic Church among all religious organizations has received the divine commission and can give adequate proof of its divine authorization, the state is bound *per se* to yield to the claims of the Catholic Church alone in those matters which involve a limitation of the state's natural-law authority.

In the pages of *The American Ecclesiastical Review* I have already endeavored to prove that the doctrine of the Kingship of Jesus Christ, proclaimed by Pope Pius XI in the Encyclical *Quas primas*, ascribes to civil rulers the obligation to obey the positive law of Our Saviour in their official acts.<sup>11</sup> Fr. Murray interprets the statements of the Pope as meaning that state or government or society is bound by the law of Christ "as determined by the action and end proper to each of these realities"<sup>12</sup>—which, in his theory, would mean that the state is subject to the law of Christ only to the extent of the precepts of natural law. Now, while the natural law can be called the law of Christ by *communicatio idiomatum*, the unqualified phrase "law of Christ" in Catholic theology ordinarily includes the precepts over and above the natural law, promulgated by Our Lord as Man. For,

<sup>11</sup> "Christ the King of Civil Rulers," *AER*, CXIX, 4 (Oct. 1948), 244-53.

<sup>12</sup> *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, p. 30.

even in His human nature He is the supreme Ruler of all men, both rulers and ruled. Naturally, the state cannot be bound by all the laws of Christ intended for individuals. The state cannot be baptized or receive the Holy Eucharist or strive for life eternal. But the state can be bound by the positive law of Christ in the sense that civil rulers as such can be directly (and not merely through consideration for the beliefs and desires of the citizens) bound to acknowledge in the Church of Christ the authority to exercise certain functions which otherwise would belong to the state itself by natural law, and to promote in certain respects the supernatural activities of the Church.

That the state is bound by the law of Christ in this meaning was stated clearly by Pope Leo XIII. "We mean by the law of Christ, not only the natural precepts of morality or those which the ancients received from God, all of which Jesus Christ perfected and brought to their highest state by declaring, interpreting and sanctioning, but also the rest of His teaching and all things expressly instituted by Him." Then, after stating that all men are bound to accept the law of Christ as taught by the Catholic Church, the Pope continued: "What holds in respect to private individuals is almost the same in respect to empires; these necessarily fall into disastrous plights if they swerve from the *Way*. The Son of God, the Creator and also the Redeemer of human nature, is the King and Lord of the world, and holds supreme power over men, both as individuals and as united by law. . . . Therefore, the law of Christ must prevail in human association and in society so that it is the ruler and teacher, not only of private but also of public life."<sup>13</sup>

Let us consider some particular instances in which the positive law of Christ imposes on civil rulers obligations over and above those imposed by natural law. When Our Lord was about to leave this earth, He bade the apostles to "make disciples of all nations" and to "go into the whole world and preach the gospel to every creature."<sup>14</sup> This commission has always been interpreted by the Catholic Church as meaning that she may send her missionaries to any land, irrespective of the laws that may prevail

<sup>13</sup> Encyclical *Tametsi futura*, Nov. 1, 1900; *AER*, XXIII, 6 (Dec. 1900), 629.

<sup>14</sup> *Matt.* 20: 28; *Mark*, 16: 15.

regarding the entrance of foreigners and the preaching of religious doctrine. Such is the principle expounded in the Code of Canon Law when it states that "it is the right and the duty of the Church, independently of every civil power, to teach all nations the doctrine of the Gospel."<sup>15</sup> Surely, this implies on the part of civil rulers the obligation to allow the preachers of the Gospel to teach their people the truths of salvation—and this, in turn, implies the obligation binding the civil rulers to investigate the credentials of those who claim to bear a divine message, to find out whether or not their doctrine bears the seal of divinity. It is absurd to say that in such a case the rulers are bound to allow the preaching of the Catholic doctrine on the ground that the citizens have a right to the practice of their religion, because in the case visualized the citizens have not as yet accepted the Catholic religion. In other words, the right of the Catholic Church to preach the Gospel *independently of every civil power* implies an obligation on the state, imposed directly by Jesus Christ, to permit the legitimately delegated preachers of the Gospel to enter its territory and to announce their message to the people without hindrance. Surely, this is an obligation over and above the obligations prescribed by natural law.

Again, there is the matter of marriage impediments. According to the natural law, the right to establish impediments belongs to the civil authority.<sup>16</sup> On the other hand, under the Christian Dispensation the Church possesses the exclusive right to establish matrimonial impediments for baptized persons.<sup>17</sup> Whence have the rulers of nations the obligation to recognize this claim of the Church? The only logical answer is that they are subject to this obligation by virtue of the positive law of Jesus Christ, who has elevated Christian marriage to the dignity of a sacrament and committed to His Church the right to protect it by the establishment of marital impediments.

Fr. Murray proposes this explanation: "By the law natural to its being, which commands that the state be the form of the society that is given, the state reckons with the marriage code that is *aliunde* obligatory on its citizens. If it fails to do so, it

<sup>15</sup> Can. 1322, §2.

<sup>16</sup> De Smet, *De sponsalibus et matrimonio* (Bruges, 1927), n. 433 sq.

<sup>17</sup> Can. 1038, §2.

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violates the law of Christ, if you will, but by violating the law of its own nature as a state."<sup>18</sup> In other words, as he had just said previously, the state is bound to adapt its marriage legislation to *the law binding on Catholic people of which the state is the political form.*

But this explanation fails to take into consideration the case of baptized persons who are not Catholics and do not wish to accept the marriage code of the Catholic Church. Fr. Murray is unfortunate in his reference to *the marriage code of the Church as binding on the Catholic people*, for, according to Catholic doctrine the marriage laws of the Church bind all the baptized, whether Catholics or non-Catholics, to the extent that the Church wishes them to bind. And his explanation of the "indirect" way in which the Church acquires the right to apply its marriage laws—from the fact that "it is the duty of the state to invest these laws with the formal legality that it has the power to confer"<sup>19</sup>—cannot be regarded as satisfactory. For example, if in a country whose citizens are, for the greater part, non-Catholics, the civil law determined as the age for valid marriage eighteen for a boy and sixteen for a girl, it would certainly be true that the state was acting reasonably and justly from the standpoint of the natural law. And, if a boy of seventeen and a girl of fifteen married, the civil authority would declare their union null and void—and such a decision would be reasonable and just from the standpoint of the natural law. Yet, if the couple in this instance happened to be baptized (though non-Catholics) the Church would regard their marriage as valid. On what grounds would the Church base its decision? Surely, not on the grounds that the state had found the marriage code of the Catholic Church prevailing among its people—for these are non-Catholics, quite content with the eighteen-sixteen age law—but on the grounds that Our Lord had imposed on civil rulers the obligation to accept the ruling of the Church regarding the conditions for Christian marriage, even when these differ from the state's own rulings within the scope of the natural law.

In this connection it is well to recall the declaration of Pope

<sup>18</sup> *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, p. 31.

<sup>19</sup> *Ibid.*, p. 73.

Pius VI, in his condemnation of the Synod of Pistoria, to the effect that the Church "always could and can by its own right (*jure proprio*) establish impediments for the marriages of Christians, which not only prohibit but even render invalid a marriage, and by which Christians are bound even in the lands of unbelievers."<sup>20</sup> Evidently, the state is bound to recognize the Church's laws regarding marriage whether or not the (baptized or unbaptized) citizens acknowledge these laws themselves.

Another grave difficulty confronts the theory of the "lay state" in connection with the dissolution of the marriage bond with the approval or through the authority of the Church in the case of the Pauline privilege and the *matrimonium ratum non consummatum*. Although theologians differ regarding particular points in explaining these cases, there is common agreement that they rest ultimately on a dispensation from the natural law granted by Jesus Christ and applied through the ministerial activity of the Church. Now, if the civil authorities are to regulate their official conduct by the natural law alone, are they not obliged to reject the claim of the Church to be authorized to declare or to decree the dissolution of a marriage in contravention to the natural law? And, in such an event, would not the decision of the state, based on the natural law, dominate over the decision of the Church, based on the divine positive law, since in the event of a conflict of these two, the natural law prevails?<sup>21</sup>

Fr. Murray's answer to this difficulty is that by virtue of the natural law, the law of its being and action, the state is bound to accept the marriage code which is accepted by its Catholic citizens.<sup>22</sup> Now, while this might furnish a solution as far as the Catholic Church is concerned, it would lead to further serious difficulties. For, if a state "knows nothing" about the Church's divine commission to teach all truth—in other words, if it is obliged to show equal consideration to all religions—the civil rulers would be obliged to concede exceptions to the natural law of marriage to any religious group that claimed to have a right to it, as long as their marriage customs did not disturb the order of justice and

<sup>20</sup> *DB*, 1559.

<sup>21</sup> Noldin-Schmitt, *Summa theologiae moralis* (Innsbruck, 1939), I, n. 207.

<sup>22</sup> *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, pp. 31, 73.

the public peace. From this it would seem to follow that the state would be obliged to allow polygamy to a community of Mormons, claiming that this is permitted to them by divine revelation. At any rate, the "lay state" would be bound to allow divorce, even in the case of a *matrimonium ratum et consummatum*, to non-Catholics who accept this in their marriage code—at least if the reason alleged is adultery, in accordance with their interpretation of Matt. 19:9. If this be true, it is difficult to understand why theologians, and Pope Pius XII himself in his recent address to jurists, permit a Catholic judge to grant a civil divorce to a validly married (even non-Catholic) couple only when there are reasons of great weight.

In the theory of the "lay state" it is difficult to explain the law of the Church forbidding civil officials under pain of excommunication to arrest and to judge before the civil tribunal dignitaries of the Church, especially cardinals and bishops.<sup>23</sup> Now, while the natural law forbids an unjust sentence, it certainly does not forbid the officials of a state to arrest or judge citizens merely because they possess ecclesiastical dignity. Whence, then, does this immunity of the Church arise—an immunity which imposes on civil rulers a measure of restriction of their natural-law rights? It could arise, indeed, from concordats between the Holy See and governments; and doubtless it is included in some of the many concordats that the Sovereign Pontiffs have entered into with various governments. But, the general manner in which this legislation is expressed in Church law indicates that its origin is deeper, that this immunity of the Church has its ultimate source in the will of Jesus Christ, who granted this privilege to His Church in order that the dignity and the liberty of His earthly representatives might be more effectively maintained. And, correlative to this divinely authorized right of the Church is a divinely imposed obligation on the state to yield to the Church a portion of the right it would possess if it were subject only to the natural law. In this connection it is appropriate to note that Pope Pius IX condemned the proposition: "The immunity of the Church and of ecclesiastical persons had its origin from civil law."<sup>24</sup>

It is true that Fr. Murray admits the right of the Church to

<sup>23</sup> Can. 120, 2341.

<sup>24</sup> *DB*, 1730.

excommunicate temporal rulers for serious "ecclesiastical crimes."<sup>25</sup> But, in his theory, such crimes can be only violations of the natural law, since it is the only law by which a civil ruler is bound in his official capacity. This would hardly explain the excommunication inflicted on a civil official because of his violation of ecclesiastical immunity, which is the violation of a divinely granted privilege.

It should be remembered, also, that to have a knowledge even of the moral (natural) law in all its details, revelation is morally necessary.<sup>26</sup> How, then, can civil rulers know their duties of natural law unless they have recourse to revelation, as interpreted by the one authentic teacher of revealed truth, the Catholic Church? If a person tries to solve the moral problems connected with sterilization, euthanasia, contraception, etc., he will very easily go astray unless he relies on Christian revelation as proposed by the teaching authority of the Church. This involves the obligation to investigate which is the true Church. Yet, in the theory of the "lay state" the civil ruler "knows nothing" of the divine commission of the Church to teach all truth.

The fact that the primary object of the state is to promote the temporal happiness of the citizens offers no argument that the state is bound only by the natural law. For the *temporal* is not identical with the *natural*. A person cannot have true *temporal* happiness (that is, happiness in the present life) unless he enjoys *supernatural* blessings; and consequently, if the state is concerned with the temporal welfare of its citizens, it will have some concern for their supernatural happiness in this world. This does not, indeed, include the right to legislate or to pass judgment in matters referring to the life of grace which the citizens of the state should possess; but, according to Catholic tradition, it includes on the part of civil rulers the right to restrict non-Catholic propaganda and proselytising, as an influence calculated to injure the citizens in the temporal (though supernatural) sphere.

I have proposed some of the objections to the theory of the "lay state" which I believe the advocates of this theory should seriously consider. It must be very evident that this theory is a very definite and radical departure from what has hitherto been

<sup>25</sup> *Proceedings of the Catholic Theological Society of America*, Third Annual Meeting, p. 59.

<sup>26</sup> *Encyclical Humani generis*, *AAS*, XLII (1950), 562.

commonly regarded as Catholic doctrine regarding the obligation of the state to acknowledge and obey the law of Jesus Christ, and to recognize in His Church certain rights and privileges granted by divine positive legislation. Any defenders of this new theory who believe that it affords a means of smoothing the way toward a better understanding of the Catholic Church on the part of the non-Catholics in America should realize that the traditional ideas of the relation between Church and state provide all that is necessary to give assurance to fair-minded people that the Catholic Church constitutes no menace to the cherished spirit of liberty so dear to all our citizens. Catholics have no intention or desire of modifying the system prevailing under our Constitution, the system of allowing all our citizens full liberty of conscience, complete equality of all religious denominations before the law. But this does not require any compromise of the principle that Jesus Christ established a Church to which He gave special rights and immunities, to the end that it might bring to all men the message of His Gospel and the means of attaining life eternal.

FRANCIS J. CONNELL, C.S.S.R.

*The Catholic University of America*  
Washington, D. C.

#### CHARITY AND THE MISSIONS

Since Jesus Christ has proclaimed that the special sign of discipleship in Him is that we "have love one for another," can we give a mark of greater love for our neighbors than by assisting them in putting behind themselves the darkness of error and instructing them in the true faith of Jesus Christ? As a matter of fact, this type of charity surpasses all other kinds of good works inspired by love just as the mind surpasses the body, heaven surpasses earth, and eternity surpasses time. Every one that acts thus, inspired by love and according to the full measure of his ability, demonstrates that he esteems the gift of faith in the manner in which one should esteem it.

—Pope Pius XI, in his encyclical *Rerum ecclesiae*, issued Feb. 28, 1926.

Replacement (p. 7-18) ordered  
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## CIVILTÀ CATTOLICA CENTENARY

### PART II

#### PERIOD OF DEVELOPMENT

It could easily have been seen from the objectives which *Civiltà Cattolica* set up for itself that its development would be impeded by those it opposed directly and by those who did not appreciate its purpose. Immediately after the publication of its program, even before the first regular number was issued, there was a serious protest from the government of Naples.<sup>1</sup> It was enough for the review to indicate in announcing its program that it intended to go along with any legitimate and just form of government for the absolutists of Naples to become alarmed. It took all the wisdom of Fathers Curci and Liberatore to convince Ferdinand II that the principles on which they operated were in conformity with Catholic doctrines.<sup>2</sup> But this protest was merely a foreboding of future events. Just a few months later, the government of Naples set up a bureau of censure with such police regulations on the press that it was impossible for the review to carry on as an organ of free discussion and criticism. On Sept. 21, 1850, Fr. Roothaan ordered that the administration, the writing, and the printing of the review be done in Rome. The November 1850 number was issued from Rome;<sup>3</sup> its leading article was entitled "The *Civiltà Cattolica* in Its Proper Place."<sup>4</sup> In this article, Fr. Curci deplored the attacks made on the review both "by the demagogues who hated all authority and by the monarchists who recognized no authority in this world except their own." Moreover, the police of Naples were given a new pretext for retaliation when Fr. Taparelli revealed "the insufficiency of secret trials and imprisonments without pronouncement of sentence" to check the activities of the conspirators in the uprisings in Milan and in the

<sup>1</sup> Cf. articles by P. Pirri in *Civiltà Cattolica*, 1924, II, 21-31; 397-406, 504-13.

<sup>2</sup> P. Pirri, *Carteggi del P. Luigi Taparelli d'Azeglio* (Turin: Biblioteca di storia italiana recente, 1932), pp. 289 ff. "Le idee del P. Taparelli sui governi rappresentativi," *Civiltà Cattolica* (1924), I, 206 ff.

<sup>3</sup> P. Pirri, *Carteggi del P. Luigi Taparelli d'Azeglio*, pp. 586 f.; 590 f.

<sup>4</sup> *Civiltà Cattolica* (Series I), IV, 5 ff.