

ing of the Redeemer. The Great Antiphons, which almost coincide with the feast of Our Lady's Expectation and its octave, express the longing of the people of God for the Messias. Such should be the attitude of the priest, officially deputed to pray in the name of the Church. As he repeats those beautiful invocations: "O Wisdom . . . O Sun of justice . . . O King of nations . . . come and teach us . . . come and redeem us . . . tarry now no more," his heart should be stirred to its depths with the desire to bring salvation to the world of today which is beset with sin and unhappiness just as much as the world into which Christ was born. Only the truth and the grace of Jesus Christ can remedy the sad conditions that oppress mankind today; but unfortunately there are so many who will not turn to Christ, believing in their pride that they can solve the problems that harrass the human race. Because of this deplorable situation the priest must strive all the more zealously to bring light and healing and comfort to those who are the victims of ignorance and sin and misery. Each Christmas, to the soul of every priest, privileged to raise the Immaculate Host aloft thrice, come divine graces in rich abundance. It should be his fondest wish to be the instrument of similar divine graces for all those who are committed to his priestly solicitude. This he will be enabled to do most effectively if he endeavors to imitate the faith and the love of Mary in her expectation of the Birth of her Divine Son.

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

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

#### CONGREGATIONAL SINGING

We . . . exhort you, Venerable Brethren, to promote with care congregational singing, and to see to its accurate execution with all due dignity, since it easily stirs up and arouses the faith and piety of large gatherings of the faithful. Let the full harmonious singing of our people rise to heaven like the bursting of a thunderous sea and let them testify by the melody of their song to the unity of their hearts and minds, as becomes brothers and the children of the same Father.

—Pope Pius XII in *Mediator Dei*, Nov. 20, 1947  
(NCWC translation, p. 65).

## CATHOLIC ORIENTATIONS ON CHURCH AND STATE

Readers of this *Review* are by now well aware of certain new "orientations in contemporary Catholic thought on Church and state," prevalent among those who are intent upon a major revision of the older and stricter teaching on the subject. To support its position, this school of thought on Church-state relations requires and endeavors to impose — somewhat magisterially — an *outré* notion of the state (thus seeking victory by a kind of *coup d'état*, as it were). From the tone of the polemic in behalf of such views one could get the impression that these, and in particular the aforesaid conception of the state, are endorsed by the ablest modern Catholic experts in the sociological and other pertinent fields, and can even claim a basis in the teachings of the more recent Popes. It may therefore prove enlightening to review one of the latest and most authoritative treatments of questions relevant to the present controversy, by an internationally renowned expert in the social sciences and in socio-political philosophy, one, moreover, whose knowledge of papal teachings and whose sensitivity to their finest nuances are undisputed.

This authority is Fr. Oswald von Nell-Breuning, S.J., one of the editors<sup>1</sup> of, and chief contributor to, the new lexicon, *Beiträge zu einem Wörterbuch der Politik*, now in course of publication.<sup>2</sup> As to this work, its title indicates and its publisher and editors modestly avow that it is but a preparation for some future comprehensive encyclopedia of the social sciences and socio-political philosophy. In the judgment of competent reviewers, however, the *Beiträge* thus far published already constitutes an imposing work and realizes the aim, stated in publisher's and editorial prefaces, of achieving a lexicon which would be scientifically up to date and faithfully responsive

<sup>1</sup> He shares the main editorial burden with Dr. Hermann Sacher, himself editor of the fourth and fifth editions of the celebrated *Staatslexikon* of the Goerresgesellschaft.

<sup>2</sup> Freiburg-im-Br.: Herder, 1947 ff. The following parts (*Hefte*) have appeared to date: I, "Christian Teaching on Society" (1947); II, "Christian Teaching on the State" (1948); III, "The Social Question" (1948); IV, "The Economic Order" (1949); VI, "Woman" (1950); V, "Systems of Social Order," Fascicle 1: A-L (1951).



to the teachings and directives of the Popes, past and present.<sup>3</sup> All in all, this new publication provides further reason to rejoice that the "Verlag Herder" has been able to carry on despite the ravages of World War II, and to salute it on its 150th anniversary.<sup>4</sup>

Our interest lies with Fr. v. Nell-Breuning's teachings in the course of Parts I, II, III, and V/1, insofar as they bear on crucial issues of the current Church-state discussion. From the following outline of some of these teachings, the reader may be able to glean that the Church-state "orientations" of the learned German Jesuit are not those of the new school, that he upholds the older doctrine on the subject, be it as to the concept of the state, be it as to the contention that, *per se*, the state should be a "Catholic state." Two rubrics suffice to guide our review: "The State" and "The Lay State."

#### THE STATE

What is the state? We have heard an answer from the new school. Its tenor is that one may no longer, with scholastic writers, define the state as *societas naturalis, perfecta, completa*,<sup>5</sup> as *societas civilis* (— *politica*) *perfecta*,<sup>6</sup> or with them identify the state with

<sup>3</sup> See, for example, Heinrich Rommen's extensive review in *Theological Studies*, XI (1950), 652-58, on Parts I-IV. A brief appraisal by E. Welty, O.P., *Herders Sozialkatechismus* (Freiburg-im-Br.: Herder, 1951 ff.), I, 305, describes the work as an excellent achievement, distinguished by deep and comprehensive knowledge both of fundamental principles and of modern conditions, views, and tendencies; by great familiarity with the Christian teaching on society, especially with the encyclicals and other utterances of the Popes; by a courageous tackling of all, including the difficult and delicate, questions of the day.

<sup>4</sup> In this connection it is fitting to mention the richly informative anniversary-supplement of the *Herder-Korrespondenz*: 1. Beiheft, 5. Jahrgang, Sept. 1951.

<sup>5</sup> A "natural" society—one springing from human nature; "perfect"—i.e., self-sufficient and independent in its own order, possessing in and by itself all the resources and means needful for its own end; "complete"—i.e., having an end complete and supreme in its own order. For fuller explanation, see the manuals of Ethics, Public Church Law, Ecclesiology, etc. Not infrequently, "complete" is omitted from the definition, in which case "perfect" does double duty.

<sup>6</sup> Cf. J. Güenechea, S.J., *Principia iuris politici*, 2 vols. (Rome: Gregorian University, 1938-39), I, 20 f.; cf. also 131 ff.

the body politic, political society. For, it is maintained, you must distinguish—and the distinction is long over-due in Catholic manuals—the state from the body politic;<sup>7</sup> the state is rather "that particular subsidiary functional organization of the body politic, whose special function regards the good of the whole," "a set of institutions combined into a complex agency of social control and public service," "a rational force employed by the body politic in the service of itself as a body. . . ."

Such is the state according to the mind of at least some representatives of the new school.<sup>8</sup> Would they have us understand that the state should have been thus conceived all along, or is it that the state has undergone a change in its very essence? The import of this question, the reason for asking it, and perhaps its answer, will come to light in the next paragraphs, as we begin our study of Fr. v. Nell-Breuning's thought on the state.

What is the state, according to Fr. v. Nell-Breuning? It is important to note that he himself insists on a more precisely formulated question: "What is the *supra-temporal essence* of the state?"—as distinct from: "What is the character of (say) the *modern state*?"<sup>9</sup> For, as he points out,<sup>10</sup> the *idea* of the state, the state in the purity and perfection of its idea, and the actual *reality* of states, these are two things not to be confused. The idea of the state transcends time and place, is (objectively) everywhere and always one and the same; it can be known more distinctly and clearly, or it can be misconstrued and distorted, but it itself is immune to change. So long as human nature remains one and the same, the "natural" societies, family and state, remain in their essence one and the same; the varied concrete states known to history and to the present are but more or less imperfect expressions of the one and unalterable idea of the state. Our author brings out the same point elsewhere, as when he declares that according to Christian social

<sup>7</sup> Whence it is now forbidden to speak, as reputable authors have spoken, of the state as the "body politic of a people"; and there is a further reason for the prohibition—in the new school the "body politic" and the "people" are one and the same thing.

<sup>8</sup> Cf. *AER*, CXXIV, 5 (May, 1951), 330, note 6; 341, note 11; 344, note 14; see also *America*, LXXXV, 11 (June 16, 1951), 294. Presently we shall meet similar ideas in the thought of a European leader of the new school.

<sup>9</sup> Cf. *BWP*, II, 3 (= *Beiträge . . .*, Heft, II, col. 3).

<sup>10</sup> *Ibid.*, col. 10, under the rubric, "Staatsidee und Staatswirklichkeit."



to the teachings and directives of the Popes, past and present.<sup>3</sup> All in all, this new publication provides further reason to rejoice that the "Verlag Herder" has been able to carry on despite the ravages of World War II, and to salute it on its 150th anniversary.<sup>4</sup>

Our interest lies with Fr. v. Nell-Breuning's teachings in the course of Parts I, II, III, and V/1, insofar as they bear on crucial issues of the current Church-state discussion. From the following outline of some of these teachings, the reader may be able to glean that the Church-state "orientations" of the learned German Jesuit are not those of the new school, that he upholds the older doctrine on the subject, be it as to the concept of the state, be it as to the contention that, *per se*, the state should be a "Catholic state." Two rubrics suffice to guide our review: "The State" and "The Lay State."

#### THE STATE

What is the state? We have heard an answer from the new school. Its tenor is that one may no longer, with scholastic writers, define the state as *societas naturalis, perfecta, completa*,<sup>5</sup> as *societas civilis* (— *politica*) *perfecta*,<sup>6</sup> or with them identify the state with

<sup>3</sup> See, for example, Heinrich Rommen's extensive review in *Theological Studies*, XI (1950), 652-58, on Parts I-IV. A brief appraisal by E. Welty, O.P., *Herders Sozialkatechismus* (Freiburg-im-Br.: Herder, 1951 ff.), I, 305, describes the work as an excellent achievement, distinguished by deep and comprehensive knowledge both of fundamental principles and of modern conditions, views, and tendencies; by great familiarity with the Christian teaching on society, especially with the encyclicals and other utterances of the Popes; by a courageous tackling of all, including the difficult and delicate, questions of the day.

<sup>4</sup> In this connection it is fitting to mention the richly informative anniversary-supplement of the *Herder-Korrespondenz*: 1. Beiheft, 5. Jahrgang, Sept. 1951.

<sup>5</sup> A "natural" society—one springing from human nature; "perfect"—i.e., self-sufficient and independent in its own order, possessing in and by itself all the resources and means needful for its own end; "complete"—i.e., having an end complete and supreme in its own order. For fuller explanation, see the manuals of Ethics, Public Church Law, Ecclesiology, etc. Not infrequently, "complete" is omitted from the definition, in which case "perfect" does double duty.

<sup>6</sup> Cf. J. Güenechea, S.J., *Principia iuris politici*, 2 vols. (Rome: Gregorian University, 1938-39), I, 20 f.; cf. also 131 ff.

the body politic, political society. For, it is maintained, you must distinguish—and the distinction is long over-due in Catholic manuals—the state from the body politic;<sup>7</sup> the state is rather "that particular subsidiary functional organization of the body politic, whose special function regards the good of the whole," "a set of institutions combined into a complex agency of social control and public service," "a rational force employed by the body politic in the service of itself as a body. . . ."

Such is the state according to the mind of at least some representatives of the new school.<sup>8</sup> Would they have us understand that the state should have been thus conceived all along, or is it that the state has undergone a change in its very essence? The import of this question, the reason for asking it, and perhaps its answer, will come to light in the next paragraphs, as we begin our study of Fr. v. Nell-Breuning's thought on the state.

What is the state, according to Fr. v. Nell-Breuning? It is important to note that he himself insists on a more precisely formulated question: "What is the *supra-temporal essence* of the state?"—as distinct from: "What is the character of (say) the *modern state*?"<sup>9</sup> For, as he points out,<sup>10</sup> the *idea* of the state, the state in the purity and perfection of its idea, and the actual *reality* of states, these are two things not to be confused. The idea of the state transcends time and place, is (objectively) everywhere and always one and the same; it can be known more distinctly and clearly, or it can be misconstrued and distorted, but it itself is immune to change. So long as human nature remains one and the same, the "natural" societies, family and state, remain in their essence one and the same; the varied concrete states known to history and to the present are but more or less imperfect expressions of the one and unalterable idea of the state. Our author brings out the same point elsewhere, as when he declares that according to Christian social

<sup>7</sup> Whence it is now forbidden to speak, as reputable authors have spoken, of the state as the "body politic of a people"; and there is a further reason for the prohibition—in the new school the "body politic" and the "people" are one and the same thing.

<sup>8</sup> Cf. *AER*, CXXIV, 5 (May, 1951), 330, note 6; 341, note 11; 344, note 14; see also *America*, LXXXV, 11 (June 16, 1951), 294. Presently we shall meet similar ideas in the thought of a European leader of the new school.

<sup>9</sup> Cf. *BWP*, II, 3 (= *Beiträge . . .*, Hef. II, col. 3).

<sup>10</sup> *Ibid.*, col. 10, under the rubric, "Staatsidee und Staatswirklichkeit."



philosophy the state has its foundation in human nature, whence its essence and essential meaning and purpose are withdrawn from arbitrary human decision.<sup>11</sup>

Such emphasis on an immutable essence of the state is most opportune and welcome. It is clear that Fr. v. Nell-Breuning would not hold with Canon Jacques Leclercq, a European leader of the new school (his thought on Church-state problems has not been without influence in the U.S.A.), if, as it seems,<sup>12</sup> the Louvain sociologist is of the following mind:

The modern state is something essentially—and therewith also conceptually—different from the ancient state, from the medieval state or that of the 17th century. . . . Democracy and state are sociological, not philosophical categories, that is, they stand in the stream of time, not in the world of ideas! . . .

The transformation of the state in our day does not embrace only the constitution, the forms of government, the measure of state intervention. The role of the state in society as a whole, its relation to the citizens, and to the other societies they constitute, has changed. The essence of the state has become fluid (*Das Wesen des Staates ist in Fluss geraten*), and therefore the concept of the state classic in Catholic philosophy is, along with all the conclusions one draws therefrom, no longer pertinent (*trifft nicht mehr ins Schwarze*). . . . The state is evolving more and more into an institution for technical services, and state office-holders are becoming technical functionaries. . . . Hence, under present conditions, and above all under those of the foreseeable

<sup>11</sup> *BWP*, I, 49. Worth remarking, perhaps, is Fr. v. Nell-Breuning's repeated use of "essence of the state," which shows a calm disregard for the possibility that some might find this or related expressions glib, and tending to connote a transference of the state into the order of substance.

<sup>12</sup> Cf. Jacques Leclercq, "Lo Stato di domani," in the Italian periodical *Humanitas*, 1950, I, 58-67. The present writer has not seen the article itself, but is relying on the extensive abstract given in the unsigned article, "Wohin treibt die Entwicklung des modernen Staates?" *Herder-Korrespondenz*, IV, 10 (July, 1950), 464 ff. The latter article, after asking the question, "Gibt es einen Wesensbegriff vom Staat?" offers in answer a free summary of the *Humanitas* article (with occasional references to a distinguished American stalwart of the new school, associating his thought with that of Leclercq in several instances). Since several issues of the *Herder-Korrespondenz* have reported the views of the new school with evident predilection, and since the same sympathy is equally obvious in the article cited above, we may reasonably suppose that the latter is a faithful reflection of the *Humanitas* article.

future, the state is no longer what the Scholastics viewed it to be, the highest and most thorough (*intensivste*, i.e., complete) natural community, the *societas completa*; it is, instead, pre-eminently a technical apparatus, used by a multitude of human individuals and communities, societies, to realize their ends. . . .<sup>13</sup>

Worth pointing out here are the different ways in which the above views can be exploited by the new school. For one thing, if the state is subject to change in its very essence, then, contrary to the older and conservative teaching, there can be no perennially valid formulation of what, *per se*, should be the relations between Church and state.<sup>14</sup>

Then further, if this "*coup d'état*" of "the-state-is-(purely)-a-sociological-not-philosophical-category" cannot be brought off, or if it seems too bold, all is not yet lost. For, the overthrow of the traditional teaching on Church-state relations can still be attempted by yet another "*coup d'état*." One can, namely, take the line that, anyway, the state is (whether it was always this, or whether it just got that way, these questions can be left up in the air<sup>15</sup>) an institution for technical services, a technical apparatus (or, if you will, a "subsidiary functional organization of the body politic . . .," "a set of institutions combined into a complex agency of social control and public service"). For, if this is the state, purely a technical apparatus, then obviously it is not within the competence of the state to choose between the churches, or to support the truth and moral values—to judge as to these things no more belongs to the state than it does to any other technical administration or administrative apparatus. To be sure, the state would, in a sense, owe some measure of material assistance to that which is the true Church; not, however, because it is the true Church (for of this the state "knows nothing"), but rather and simply because its members

<sup>13</sup> *Herder-Korrespondenz*, IV, 10 (July, 1950), 467, under the rubric: "Wandel des Staatsbegriffs notwendig."

<sup>14</sup> Compare the article just cited, p. 467.

<sup>15</sup> This much, at any rate, seems clear from *AER*, CXXIV, 5 (May, 1951), 330, note 6: We are to take it that the state-not-body-politic-but-set-of-institutions was a fact in the days of Leo XIII. For the note ends with the reflection that it was not necessary for the Pope, in his argument with Continental Liberalism, to observe this nicety of political vocabulary.



constitute a notable group of citizens who, as such, have some claim upon the services of the technical apparatus, the state, toward the realization of their ends. And, for the same reason, the state would owe similar assistance to the religious societies of other citizens.<sup>16</sup>

Thus, in one way or the other, do the new views as to the state come to the rescue of the new school. Unfortunately, however, such views find no confirmation in the teaching of Fr. v. Nell-Breuning. For him, as has been seen, there is such a thing as a supra-temporal, immutable, essence of the state. And, as we now come to say, when he undertakes to define it, when he seeks to formulate the state in the purity and perfection of its idea, he seizes upon the Scholastic definition of old, "as apposite as it is concise"; *societas naturalis, perfecta, completa*.<sup>17</sup>

His appended explanation of the definition may be passed over, since it accords with the usual one of the Scholastics.<sup>18</sup> But, before we move on to other matters, one remark will not be amiss. Seeing that here and elsewhere it is "the state" that Fr. v. Nell-Breuning terms a natural society, one deriving from human nature and therefore from God, the author of human nature, we may conclude that he would greet the assertion, "the state is a creature of God," as a

<sup>16</sup> Compare *Herder-Korrespondenz*, IV, 10 (July, 1950), 467.

<sup>17</sup> *BWP*, II, 4; this definition recurs again and again, as in *BWP*, I, 4, 36. In this definition of the state our author is faithful to the language of the Popes, who still refer to "the state" in terms of "a perfect society"—and this on occasions when they may reasonably be considered to have been observing "the niceties of political vocabulary." Thus, for example, Pope Pius XII, in his Allocutions to the Roman Rota, Oct. 2, 1944, and Oct. 29, 1947: *AAS*, XXXVI (1944), 289 ("Fra Chiesa e Stato, come rilevammo nella menzionata Enciclica sul Corpo mistico di Cristo, sebbene ambedue siano nel pieno significato della parola società perfette, vi è tuttavia una profonda differenza"); *AAS*, XXXIX (1947), 494 ("Chi volesse intendere così la retta dottrina che la Chiesa e lo Stato sono due distinte società perfette, andrebbe errato").

<sup>18</sup> The reader may, however, welcome his lucid explanation of what is meant when it is said that the state is a "natural" society: "one to which an inescapable need of their nature impels men, so that, though the establishment of these or those states, with this or that form, is left to their free decision, men are not free as to whether to live or not to live in a state at all."

quite literal truth,<sup>19</sup> though to ears of the new school the statement is a "resounding generality,"<sup>20</sup>—another such.<sup>21</sup>

After applying the social principles of subsidiarity and of solidarity to the society which is the state,<sup>22</sup> Fr. v. Nell-Breuning then deals with a topic of special interest to us, the double aspect of the state.<sup>23</sup> As must be realized by now, he refuses to equate the state—as does the new school—with "a set of institutions" and the like.<sup>24</sup> On the other hand, he does not deny that the state is, under any aspect, institution or "set of institutions." It is hoped that the following summary will not do injustice to his thought on this point.

Up to the present stage, our author says, the state has been considered chiefly as (that which it is first of all and essentially<sup>25</sup>) a society or community of persons. There is, however, another aspect to the state. The state exhibits a double aspect, insofar as every state is both "Personengemeinschaft," community of persons, and "Anstalt," institution: two sides of one and the same state.

Before discussing the latter aspect of the state, Fr. v. Nell-Breuning first enlarges on the state as community of persons.<sup>26</sup> So considered, the state again exhibits a twofold aspect, insofar as

<sup>19</sup> Cf. J. Güenechea, *op. cit.*, I, 61; H. Rommen, "The State in Catholic Thought," St. Louis: Herder, 1945, p. 366.

<sup>20</sup> The assertion becomes, of a sudden, a "resounding generality" by the magic of the new school's distinction between body politic and state, or, what amounts to the same thing, by the new school's magisterial reservation of the term "state" for "a set of institutions"; and after this scholarly legerdemain has thus transformed the state into an abstract entity, the challenge can then be issued: ". . . in what sense are the institutions of the Presidency, the Congress, and the Supreme Court 'creatures of God'?" Cf. *AER*, CXXIV, 5 (May, 1951), 330, note 6, last paragraph, and 344, note 14.

<sup>21</sup> The resounding phrase, "resounding generality," is by now a familiar one in literature of the new school. It has been applied, for instance, to the dictum that "Error has no rights"; Leo XIII and Pius XII, it would then appear, indulged in "resounding generalities."

<sup>22</sup> *BWP*, II, 4-7.

<sup>23</sup> *BWP*, II, 7-10.

<sup>24</sup> Cf. also J. Messner, *Social Ethics* (translated from the German by J. Doherty), St. Louis: Herder, 1949, p. 492.

<sup>25</sup> As he emphasizes elsewhere, *BWP*, II, 15.

<sup>26</sup> Understood, of course, not as a collection of unrelated individuals, but as coalescing from the manifold societies and communities within the state, in such wise, however, that the individual persons are nonetheless immediately members of the state; *BWP*, II, 7.



it is, first of all, a "Genossenschaftsverband," then again, "Herrschaftsverband." In the first instance, the state presents itself to us as a union of free selves, a fellowship of freely collaborating persons, coextensive with all the members of the state. These are the bearers of the life of the state; they stand responsible for each other and for the whole; it is in their free and responsible cooperation in the common tasks that the genuine life of a state consists. This side of the state finds expression in the consciousness: "We are the state." But the state is also a "Herrschaftsverband," which wishes to convey that it is also a union of persons subject to authority. For, since the state is charged with establishing and maintaining the juridical order, it must and does have authority and power to command, and at need compel, the citizens;<sup>27</sup> whence these, though they are the sole subjects or bearers of the life of the state, are nonetheless at the same time objects of the power of the state, i.e., "subjects,"—and this even in the most perfect democratic state imaginable.

But while the state is first of all and essentially a community of persons, it also has its "institutional" side: it is "Anstalt." Indeed, says Fr. v. Nell-Breuning, the institutional aspect of the state has, in modern times, taken on such proportions that it has almost obscured the state as a community of persons; so much so that, at mention of the word "state," the majority think only of the impersonal apparatus of the state, its offices, bureaus, institutions, rather than of the fact: "We are the state."

Throughout this section Fr. v. Nell-Breuning insists on the paramount importance of a proper balance between these various aspects of the state: between the two aspects proper to the state as a community of persons, and again between the state considered as a community of persons and the state considered as institution. This importance he illustrates from the doleful lessons of the past<sup>28</sup> (he, too, is alert to the affirmations of history). Indeed, it is a lesson of the quite recent past (National Socialism) which inspires his conclusion: "More forcefully than any socio- or politico-philosophical reflection does this experience make it clear to us: community of persons and institutionality—or in other words—state

<sup>27</sup> Whence the state is "Rechts—und Machtorganization"; on this cf. also *BWP*, II, 23.

<sup>28</sup> Cf. also *BWP*, V/1, 211, f.

as society (*Staatsgesellschaft*) and state as institution (*Staatsanstalt*) are an indissoluble unity, form the one and indivisible state."

Much else in Fr. v. Nell-Breuning's teaching on the state clamors for mention here, as e.g., his readiness to view the state as a "moral person."<sup>29</sup> By now, however, enough has been said to show that, when this modern authority talks about the state, he is content to use the terms which have long been in honor in Catholic circles, and which are employed by the conservative school of thought on Church-state relations. It remains for us to suggest, briefly, that his accord with the latter school extends even further, to the very subject of Church-state relations.

#### THE LAY STATE

In his review of Parts I-IV of the *Beiträge*, Dr. Rommen remarked upon the absence of any treatment of the topic of relations between Church and state, and expressed the hope that a later contribution would cover the subject. There are, however, in those first portions of the lexicon, many passages, in a variety of contexts, which already reveal much of Fr. v. Nell-Breuning's thought on Church-state relations;<sup>30</sup> and, in any case, the article desired by Dr. Rommen appears to be now at hand, in the most recently published (1951) portion of the *Beiträge*, wherein Fr. v. Nell-Breuning treats of "Laicism."<sup>31</sup> What interests us most is his position on the question of the "Catholic" state. The following summary will show him to hold that, *per se*, the state should be a "Catholic" state, i.e., should, for example, acknowledge the Catholic Church to be what it claims to be and is, the Church established by Jesus Christ, the Son of God.

This conviction of his is already insinuated in his discussion of the "Christian State,"<sup>32</sup> where, among other things, he endeavors to determine the notion of a truly "Catholic" state (*katholischer Glaubensstaat*). This, our author says, is one whose citizens profess the Catholic faith, and whose entire activity has as its norm the moral values proper to the Catholic faith and Catholic philosophy;

<sup>29</sup> Cf. *BWP*, II, 25-26.

<sup>30</sup> Cf., e.g., the various materials in the course of *BWP*, I, 12-19; II, 17-23, 121-26; III, 8-11, 182-83.

<sup>31</sup> "Laizismus," *BWP*, V/1, 189-98.

<sup>32</sup> *BWP*, II, 20-21.



a state which, acknowledging the truth of the Church's claims of divine origin and mission, accepts the Church's teaching on and interpretation of the natural moral law (e.g., as regards the indissolubility of marriage, the unborn child's right to life, etc.); a state which when its undertakings and institutions require the ministrations of religion, e. g., for the spiritual welfare of convicts, seeks these from the Catholic Church.<sup>33</sup>

All this is what is meant when it is said that the Catholic religion is the "religion of the state." Where the underlying supposition is not verified, i.e., where the members of the state are not truly united in the Catholic faith, then, Fr. v. Nell-Breuning agrees, a "Catholic" state is impossible, and the declaration of the Catholic religion as the religion of the state can then mean no more than this, that the Catholic religion is to enjoy the protection of the state and a more or less privileged position.

Does Fr. v. Nells-Breuning hold that, *per se*, it is a matter of religious obligation that the state be truly a "Catholic" state, in the sense described above? If his mind on this point is not already evident enough from the foregoing, it is unmistakably revealed in the course of his article on "Laicism."<sup>34</sup> There he comes to discuss the distinction urged by some French Catholics and others, between the "état laïque" and the "état laïciste." The former, which may be termed the "lay state"—in opposition to the "laicist state," is defended by these Catholics as compatible with, and even required by, Catholic principles on Church and state, especially as laid down by Leo XIII.

Fr. v. Nell-Breuning finds nothing false in the doctrine of a "lay state" insofar as it wishes to be an affirmation of the distinction between Church and state, and of the state's autonomy in its own sphere—for this is pure Leonine doctrine. But, we are also given to understand, it is not the Leonine share of Leonine doctrine. The theory of the "lay state" contains "only half of the Catholic teaching on Church-state relations, as developed by Leo XIII; and so, by its inattention to the other and at least equally important half,

<sup>33</sup> Cf. also *BWP*, II, 19, where it is remarked that, for its exercise of divine worship, the state is dependent on the Church.

<sup>34</sup> *BWP*, V/1, 189-98.

it is always in danger of degenerating into a half-truth, and of gliding over into the laicism of the laicist state."<sup>35</sup>

This other half of the teaching of Leo XIII, overlooked by the theory of the "lay state," and rejected in theory or in practice by the "laicist state," is then sketched by Fr. v. Nell-Breuning, along the following lines. Just as the individual human being, so too is the state bound by God's moral law; the Church is the divinely appointed teacher and interpreter of this moral law, whose teachings and interpretations thereof are, therefore, binding on everyone, including the state—and, indeed, on principle and without exception, every state. Just as the individual human being, so too is the state, in the final analysis, possessed of a supernatural last end. Whether the state knows of and acknowledges this, its inclusion in the supernatural order, does not alter the objective fact, any more than the inculpable or culpable unbelief of the individual human changes anything in his supernatural destination. Finally, notwithstanding the clean-cut distinction between Church and state, they have manifold relations with each other. Since, in the final analysis, there is only one last end, to be served by the Church immediately and by the state mediately, it is incumbent upon the two to promote and assist each other, in view of the fact that they have, ultimately, a common last end. The Church knows that it has a responsibility for the well-being of the state, a responsibility to be discharged by assistance, not by interference; at the same time, the Church also knows that its own well-being is a responsibility of the state.<sup>36</sup>

Guided by this papal teaching, Fr. v. Nell-Breuning takes his stand with the conservative school of thought on Church-state relations when, speaking on principle, he says: "That state alone does justice to the Church, which recognizes and acknowledges the Church for what it is, the foundation of Jesus Christ, the Son of God; but such a state would be a Catholic state (*katholischer Glaubensstaat*)."<sup>37</sup>

Our sketchy review of Fr. v. Nell-Breuning's thought on Church-state relations ends here. By reporting the teaching of this eminent authority on the subject, the review was intended to suggest that an uncritical acceptance of the newer theories, as though

<sup>35</sup> *Ibid.*, 194.

<sup>36</sup> *Ibid.*, 194-195.

<sup>37</sup> *Ibid.*, 195.



the older thesis were quite obsolete and abandoned, would be precipitate and unwise. The conservative teaching is still very much alive, and is being ably represented and defended by such other European authorities as Fr. A. Messineo, S.J., sociological expert on the staff of the Roman Jesuit organ, *La Civiltà Cattolica*,<sup>38</sup> and by Fr. E. Guerrero, S.J., editor of the Spanish Jesuit publication, *Razón y Fe*.<sup>39</sup> While the mention of these Spanish and Italian writers on Church and state may strike a neuralgic nerve somewhere in the new school, we refer to them in the belief that there are others who can read Latins without tears.

GEORGE W. SHEA

*Immaculate Conception Seminary*  
Darlington, N. J.

<sup>38</sup> Of his several articles in the course of 1950 and the first half of 1951, we mention but two: "Democrazia e libertà religiosa," *La Civiltà Cattolica*, CII, Vol. II (April 21, 1951), 126-37; "Democrazia e laicismo dello Stato," *La Civiltà Cattolica*, CII, Vol. II (June 16, 1951), 585-96.

<sup>39</sup> Again we mention but two of many articles: "Las Conversaciones Catolicas de San Sebastian," *Razón y Fe*, December, 1949, pp. 398-418 (see especially pp. 412-16); "El Estado laico como ideal cristiano," *Razón y Fe*, November, 1950, pp. 341-54.

#### THE PREACHING OF SACRED SCRIPTURE

Let priests, therefore, who are bound by their office to procure the eternal salvation of the faithful, after they have themselves by diligent study perused the sacred pages and made them their own by prayer and meditations, assiduously distribute the heavenly treasures of the divine word by sermons, homilies and exhortations; let them confirm the Christian doctrine by sentences from the Sacred Books and illustrate it by outstanding examples from sacred history and in particular from the Gospel of Christ Our Lord; and—avoiding with the greatest care those purely arbitrary and far-fetched adaptations, which are not a use but rather an abuse of the divine word—let them set forth all this with such eloquence, lucidity and clearness that the faithful may not only be moved and inflamed to reform their lives, but may also conceive in their hearts the greatest veneration for the Sacred Scripture.

—Pope Pius XII in *Divino afflante Spiritu*, Sept. 30, 1943 (*Rome and the Study of Scripture* [St. Meinrad, Ind., 1946]), pp. 102 f.

#### PROLONGED FASTING AND THERESA NEUMANN

The recent book by Miss Hilda Graef,<sup>1</sup> arguing strongly against the supernatural character of "the case of Theresa Neumann," evoked widespread and lively comment. Some of the comment has been sharply opposed to Miss Graef's conclusions; more of it has been in general agreement with her outlook. While it might seem that the case has, for the time being, reached a stage where nothing can be settled merely by further discussion, there is at least one point that does merit consideration. Not only is it, in many respects, the crucial point in the particular case of Theresa Neumann; it is also a point which is of wider interest than her particular case and has more than a little apologetical significance. It is the question of prolonged complete fasting, sometimes technically called *inedia*.

As is generally well known, it is claimed of Theresa Neumann that she has been living for years without eating or drinking. More exactly the claim is that since August, 1926, she has taken no nourishment of any kind, excepting only Holy Communion. From August, 1926, to September, 1927, she took no liquid other than a few drops of water after Communion to help her swallow the host, and since September, 1927, she is said to have taken no water or liquid at all.

Questioning the supernatural character of Theresa's fast, Miss Graef proposes two main alternatives. The first is that the fast is not even a reality. In defending this possibility, Miss Graef contends that it would not necessarily involve deliberate fraud on Theresa's part, that Theresa might be taking some nourishment while in a somnambulant state and therefore without herself being aware of it.<sup>2</sup> Miss Graef does nevertheless quote, presumably with approval, the opinion of another author that Theresa might be engaging in deliberate, though well-intentioned, fraud, a "pious fraud."<sup>3</sup>

The other main alternative proposed by Miss Graef is that Theresa's fast, even though real, is not beyond the powers of

<sup>1</sup> *The Case of Therese Neumann* (Westminster, Maryland: The Newman Press, 1951).

<sup>2</sup> *Ibid.*, p. 51.

<sup>3</sup> *Ibid.*, pp. 63 f.