

They Have Uncrowned Him (1988)
Archbishop Marcel Lefebvre

APPENDIX

Central Pontifical Commission preparatory to the Second Vatican Council

"Constitution on the Church"
A Schema Proposed by the Theological Commission

Second Part

Chapter IX

On the Relations Between the Church and the State and On Religious Tolerance

Most Eminent and Reverend Cardinal Alfredo Ottaviani, Chairman

N.B. The doctrinal schema presented by Cardinal Ottaviani comprised in its original Latin version was 7 pages of text and 16 pages of references, going from Pius VI (1790) to John XXIII (1959). It was set aside from the first session of the Council, to the benefit of the schema drawn up by the Secretariat for Christian Unity under Cardinal Bea. This latter schema, which was intended to be pastoral, extended to 14 pages, *without any reference* to the Magisterium¹ that preceded it.

The Ottaviani schema does not enjoy a magisterial authority, but it represents the state of Catholic doctrine on the eve of Vatican II and expresses substantially the doctrine that the Council would have had to propose if it had not been turned away from its purpose by the *coup d'Etat* of those who made of it the "States general of the people of God," a second 1789!²

Let us add finally that the Council would have been able to bring to this statement all useful points of precision or improvements.

¹ [KW note] *Magisterium*. "The perennial, authentic, and infallible teaching office committed to the Apostles by Christ and now possessed and exercised by their legitimate successors, the college of bishops in union with the pope." <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/teaching-authority-church-magisterium>

² [KW note] 1789 is a reference to the French Revolution and the Declaration of the Rights of Man, which furthered the separation between Church and State to the detriment of both.

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1. Principle: Distinction between the Church and civil society, and subordination of the goal of the city to the goal of the Church.

Man, destined by God for a supernatural end, needs both the Church and civil society to attain his full perfection. Civil society, to which man belongs because of his social character, must watch over earthly goods and act in such a way that, on this earth, the citizens can lead a "calm and peaceful life."³

The Church, into which man must incorporate himself because of his supernatural vocation, has been founded by God in order that, always expanding more and more, it may lead its faithful by its doctrine, its sacraments, its prayer, and its laws, to their eternal end.

Each of these two societies is rich with the necessary resources to accomplish its own mission as it should. Each is also perfect, that is to say, supreme in its class and thus, independent of the other, holding the legislative, judicial, and executive powers. This distinction of the two cities, as a constant tradition teaches it, rests on the words of the Lord: "Render therefore to Caesar what is Caesar's, and to God what is God's."⁴

Nevertheless, as these two societies exercise their power over the same persons and often with regard to one same object, they cannot ignore each other. They must even proceed in perfect harmony, in order to flourish themselves, no less than their common members.

The Holy Council, with the intention of teaching which relations must exist between these two powers, according to the nature of each of them, declares in the very first place the firm obligation of holding that both the Church and civil society have been instituted for the usefulness of man; that temporal happiness, entrusted to the care of the civil authority, nevertheless is worth nothing for man if he is going to lose his soul.⁵

Therefore the end of civil society must never be sought by excluding or by endangering the ultimate end, namely, eternal salvation.

2. The power of the Church and its limits; the duties of the Church toward the civil authority.

As the power of the Church thus extends to everything that leads men to eternal salvation; as that which concerns only temporal happiness is placed, as such, under the civil authority; it follows from this that the Church is not concerned with temporal realities, except to the extent they are ordered to the supernatural end. As for the acts ordered to the end of the Church as well as to that

³ 1 Tim. 2:2.

⁴ Mt. 22:21

⁵ Cf. Mt. 16:26; Mk. 8:36; Lk. 9:25

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of the city, like marriage, the education of children, and other similar things, the rights of the civil authority must be exercised in such a way that, in the judgment of the Church, the higher goods of the supernatural order do not undergo any injury.

In the other temporal activities which, divine law remaining unharmed, can be considered or accomplished legitimately and diverse manners, the Church does not interfere with them in any way. Guardian of its own rights, perfectly respectful of the rights of others, the Church does not reckon that there belongs to it the choice of a form of government, or that of the institutions proper to the civil domain of the Christian nations: of the diverse forms of government, it does not disapprove of any, on the condition that religion and morals are safe. Likewise, indeed, as the Church does not renounce its own liberty, in the same way it does not prevent the civil authority from freely making use of its laws and its rights.

What great benefits the Church procures for civil society while accomplishing its mission, the heads of nations should recognize. Indeed, the Church itself cooperates in the citizens becoming good by their virtue and their Christian piety. If they are such as Christian doctrine prescribes, in the testimony of St. Augustine,⁶ beyond any doubt, great will be the public welfare. The Church also imposes onto the citizens the obligation of complying with legitimate orders "not only through fear of chastisement, but from a motive of conscience."⁷

As for those to whom the government of the country has been entrusted, it warns them of the obligation to exercise their function, not through the desire for power, but for the good of the citizens, as having to render an account to God,⁸ of their power received from God. Finally, the Church inculcates the observance as well of the natural laws as of the supernatural ones, thanks to which all civil order, and order among citizens and among the nations, can be realized in peace and in justice.

3. Religious duties of the civil authority.

The civil authority cannot be indifferent with regard to religion. Instituted by God in order to help men acquire a truly human perfection, it must not only supply its subjects with the possibility of procuring temporal goods for themselves, either material or intellectual, *but besides favor the abundance of spiritual goods, permitting people to lead a human life in a religious manner.*

⁶ Ep. *ad Marcellinum*, 138, 15.

⁷ Rom. 13:5

⁸ Cf. Heb. 13:17

Now, among these goods, nothing is more important than to know and to recognize God, and then to fulfill one's duties towards God: here indeed is the foundation of all private and, still more, public virtue.

These duties towards God oblige, towards the divine Majesty, not only each one of the citizens but also the civil authority, which, in its public acts, incarnates civil society. God is indeed the author of civil society and the source of all the goods which flow down through it to its members. Civil society must therefore honor and serve God. As for the manner of serving God, this can be no other, in the present economy, than that which He Himself has determined, as obligatory, in the true Church of Christ; and this not only in the person of the citizens, but equally in that of the Authorities who represent civil society.

That the civil authority has the power to recognize the true Church of Christ is clear from the manifest signs of its divine institution and mission, signs given to the Church by its divine Founder. The civil authority also, and not only each of the citizens, has the duty of accepting the Revelation proposed by the Church itself. Likewise, in its legislation, it must conform itself to the precepts of the natural law and take a strict account of the positive laws, both divine and ecclesiastical, intended to lead men to supernatural happiness.

Just as no man can serve God in the manner established by Christ if he does not know clearly that God has spoken through Jesus Christ, likewise civil society itself cannot do this, if the citizens do not have at first a sure knowledge of the fact of Revelation, just like the civil authority, to the extent that it represents the people.

It is thus, in a very particular way, that the civil authority must protect the full liberty of the Church and not prevent it in any way from integrally carrying out its mission, either in the exercise of its sacred Magisterium, or in the arrangement and performance of its worship, or in the administration of the sacraments and the pastoral care of the faithful. The freedom of the Church must be recognized by the civil authority in everything that concerns its mission, especially in the choice and the formation of its aspirants to the priesthood; in the election of its bishops; in the free and mutual communication between the Roman Pontiff and the bishops and the faithful; in the foundation and the government of institutes of the religious life; in the publication and propagation of writings; in the possession and administration of temporal goods; as also, in a general way, in all those activities which the Church, without disregarding civil rights, judges appropriate for leading men towards their ultimate end, not making an exception of secular education, social works and so many other miscellaneous resources.

Finally, it devolves seriously upon the civil authority to exclude from legislation, government, and public activity everything which it would judge to be capable of impeding the Church from attaining its eternal end; indeed further, it must apply itself to facilitating the life which is

founded on principles that are Christian and consistent at their highest point with this sublime end for which God has created men.

4. General principle of application of the doctrine set forth.

That the ecclesiastical authority and the civil power maintain different relations according to the manner in which the civil authority, personally representing the people, understands Christ and the Church founded by Him -- this is what the Church has always recognized.

5. Application in a Catholic City.

The whole doctrine, put forth above by the Holy Council, cannot be applied except in a city where the citizens not only are baptized but profess the Catholic Faith. In this case, it is the citizens themselves who freely choose that civil life be formed according to Catholic principles and that thus, as St. Gregory the Great says, "The road to Heaven be more widely opened."⁹

Nevertheless, even in these fortunate conditions, the civil authority is not permitted in any way to compel consciences to accept the Faith revealed by God. Indeed, the Faith is essentially free and cannot be the object of any constraint, as the Church teaches by saying, "That no one be compelled to embrace the Catholic Faith unwillingly."¹⁰

Still, this does not prevent the civil authority from having to procure the intellectual, social and moral conditions required in order that the faithful, even those less versed in knowledge, be able to persevere more easily in the Faith received. Thus then, in the same way that the civil authority judges that it has the right to protect public morality, likewise, in order to protect the citizens against the seductions of error, in order to keep the city in the unity of Faith, which is the supreme good and the source of manifold, even temporal, benefits, *the* civil authority *can*, by itself, regulate and moderate the public manifestations of other cults and defend its citizens against the spreading of false doctrines, which, in the judgment of the Church, put their eternal salvation at risk.

6. Religious tolerance in a Catholic city.

In this safeguarding of the true Faith, one must proceed according to the requirements of Christian charity and of prudence, in order that the dissidents be not alienated from the Church through terror, but rather drawn to it; and that neither the city nor the Church undergo any damage. Therefore, both the common good of the Church and the common good of the State

⁹ Ep. 65, *ad Mauricium*

¹⁰ 1917 Code of Canon Law, Canon 1351.

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always have to be considered, by virtue of which a just tolerance, even sanctioned by laws, can, according to the circumstances, be imposed onto the civil authority.

This, on the one hand, would be in order to avoid greater evils, such as scandal or civil war, a hindrance to conversion to the true Faith, and other evils of this kind; on the other hand, in order to obtain a greater good, like civil cooperation and the peaceful coexistence of citizens of different religions, a greater freedom for the Church, and a more effective accomplishment of its supernatural mission, and other similar goods.

In this question, there must be taken into consideration not only the good of national order, but the welfare of the universal Church (and of international civil welfare). By this tolerance, the Catholic authority imitates the example of divine Providence, which permits evils from which it draws greater goods. This tolerance is to be observed chiefly in countries where, for centuries, there have existed non-Catholic communities.

7. Application in a Non-Catholic City.

In the cities where a great part of the citizens do not profess the Catholic Faith or do not even know the fact of Revelation, the non-Catholic civil authority must, in matters of religion, conform at least to the precepts of the natural law. Under these conditions, this non-Catholic authority should concede civil liberty to all the forms of worship that are not opposed to natural religion. This liberty is not opposed in such a case to Catholic principles, it being given that it suits the good of the Church as well as that of the State.

In the cities where the Authorities do not profess the Catholic religion, the Catholic citizens have above all the duty to bring it about, through their virtues and civic actions. By means of these, united with their fellow citizens, they promote the common good of the State, that there be granted to the Church the full freedom to accomplish its divine mission. From the free action of the Church, indeed, the non-Catholic city also suffers no harm and even derives numerous and remarkable benefits. In this way, then, the Catholic citizens must do their best so that the Church and the civil authority, although still separated juridically, lend each other a mutual benevolent aid.

In order not to harm either the Church or the State through unconcern or imprudent zeal, the Catholic citizens, in the defense of the rights of God and of the Church, must submit to the judgment of the ecclesiastical authority: to it belongs judgment on the good of the Church, according to the diverse circumstances, and the directing of Catholic citizens in the civil actions intended to defend the altar.

8. *Conclusion*

The Holy Council recognizes that the principles of the mutual relations between the ecclesiastical authority and the civil authority must not be applied otherwise than according to the rule of conduct given forth above. Nevertheless, it cannot permit these same principles to be obscured by some false laicism, even under pretext of the common good.

These principles, indeed, rest on the absolute and firm rights of God; on the unchangeable constitution and mission of the Church; also on the social nature of man, which, remaining always the same throughout the centuries, determines the essential purpose of civil society itself, notwithstanding the diversity of political systems and the other vicissitudes of history.¹¹

¹¹ Translated from a French translation drawn up with the valuable cooperation of Professor Gabriel Chabot. N.B. We have omitted the numerous notes which this document carried. If anyone wants to become familiar with these, let him refer to the original Latin text.

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