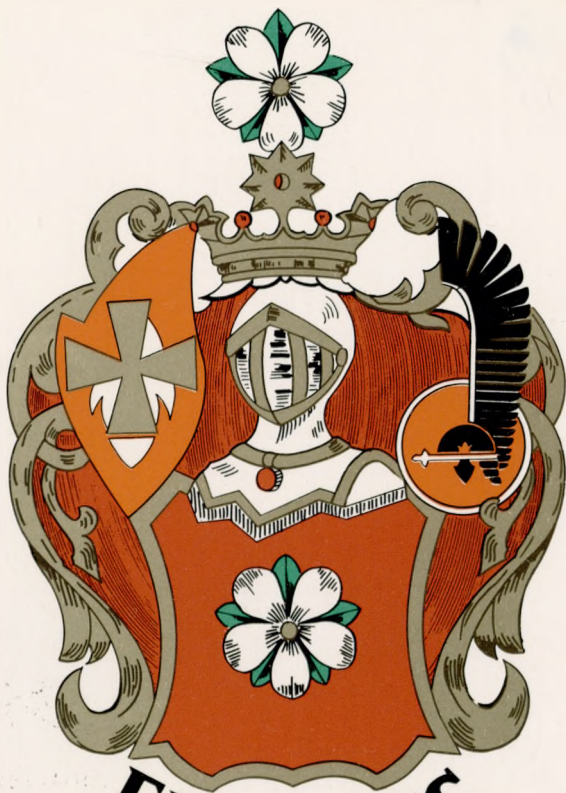


SOCIAL DOCTRINES
OF THE
CATHOLIC CHURCH

ROBERT G. BREHMER, Jr.

SOCIAL DOCTRINES OF THE
CATHOLIC CHURCH



EX LIBRIS
LODA and EDWARD C. ROZANSKI

K 1992

SOCIAL DOCTRINES *of the* CATHOLIC CHURCH

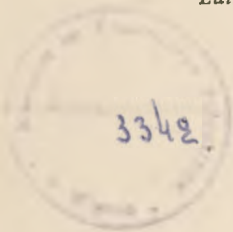
By

ROBERT G. BREHMER, JR.

*European History Scholar, Univ. of Wisconsin, 1925
Formerly of the History Faculty of the Univ. of Missouri
Now with State Board of Control of Wisconsin
as Senior Probation and Parole officer*

WITH A PREFACE BY

REVEREND JAMES M. GILLIS
OF THE PAULIST FATHERS
Editor of the Catholic World



G. P. PUTNAM'S SONS
NEW YORK

1936

CONTENTS

CHAPTER	PAGE
PREFACE	ix
I. NATURAL LAW	11
The Eternal Law, The Natural Law, On Human Law.	
II. RIGHTS AND DUTIES	25
The Properties of Right.	
III. CATHOLIC MARRIAGE	31
IV. BIRTH CONTROL	35
V. COMPANIONATE MARRIAGE	42
VI. DIVORCE	51
VII. THE STATE—ITS NATURE, ORIGIN, AND END	59
The Origin of the State, The State a Natural Institution, The End of the State.	
VIII. CHURCH AND STATE	76
IX. CHURCH AND POLITICS	81
X. THE CHRISTIAN DOCTRINE OF PROP- ERTY	84
XI. CO-OPERATIVES AND CATHOLICISM	98
XII. SOCIALISM	104
XIII. CHARITY	107
XIV. CATHOLIC EDUCATION	111
XV. LABOR UNIONS AND CATHOLICISM .	116
XVI. INTERNATIONAL ETHICS	120
BIBLIOGRAPHY	139

PREFACE

THERE is an old story of the music professor who kept his most promising pupil at the scales for a full year, and at the end of that time saying "now you shall sing the scales for another year." When the period of drill and discipline was in the teacher's judgment completed, he said "Go now, you are the greatest singer in Europe." The story perhaps is only a legend—a parable. In another version a professor of anatomy permits his "star" student to look at nothing else but the skeleton of a fish for an unconscionably long time.

But now the hour seems to have arrived when the parable must be applied not to music or ichthyology but to logic. The contemporary race of "educated" men and women is too impatient to take time to learn to think. Thinking was always a fine art, but it seems to have become a lost art. Prejudices, snap-judgments, *ipse dixit*s of late have taken the place of well considered convictions. Every day in a thousand conversations reason is sacrificed to passion, and fundamental principles are jettisoned at the first sign of an approaching storm of argument.

Take, for example, that crucially important question, the morality of war. Ethical principles, are, by right, of universal application. But if one appeals to those principles in conversation, in debate, in a speech from the platform or a radio address he will—*crede Roberto experto*—stir up violent reaction from "educated" persons whose nationalistic feelings are involved. Cool, clear, calm thinking in that case seems too much to demand. Principles vanish swiftly before the first breath of prejudice.

Or take the problem of marriage and divorce. Many Christians who profess to accept the doctrine and morals of the New Testament, and who do so normally, become infuriated if one quotes them Christ or St. Paul on divorce, if, as it happens, they are themselves divorced or planning divorce.

So, too, in what is perhaps the matter nearest to the mind

Preface

and heart of the American people at this moment, social and economic justice. It requires dispassionate consideration. But have you listened to the characteristic radio speeches on the subject? Or have you had the hardihood to introduce it at what was until you spoke a pleasant dinner party?

Perhaps these are instances of excessive emotion rather than of superficial thinking. But the two go together. Indeed they have to go together for they are the Siamese twins of the mental world. What we need therefore, perhaps before all things else for the solution of the multitudinous problems that perplex our contemporary civilization, is straight thinking, a willingness and a capacity for digging down to bed-rock principles, and once we have them in hand, a tenacity in holding them.

It is for this reason that I rejoice in the courage of Dr. Brehmer who has not hesitated to demand of his readers a rather close attention to the fundamentals set forth in his first two chapters before venturing forward to the easier business of applying those principles in specific cases.

The hurried reader (and who is not hurried in these impetuous days?) glancing quickly at the Table of Contents and seeing such timely topics as "Companionate Marriage," "Birth Control," "Church and State," "Church and Politics," "International Ethics," will be tempted to skip the first two unalluring chapters on Law and Right and Duty. To that hurried reader I venture to give the old familiar advice of Punch to those about to marry—"Don't!" There is really no use in one more dissertation on Marriage, Contraception, War, Diplomacy unless these matters, so often approached emotionally, are to be this time considered in the light of fundamental philosophical principle.

I am confident that the reader who is willing to prepare his mind under Dr. Brehmer's guidance for the fruitful consideration of these "Social Doctrines" will find the whole book both enlightening and enjoyable. To me it seems a most excellent fusion of the didactic with the popular. As such it has been sorely needed. I venture to hope it will be enthusiastically welcomed.

JAMES M. GILLIS.

I

NATURAL LAW

TO BE able to Understand the Catholic Viewpoint on Doctrines of all Kinds and Especially Social Doctrines—it is necessary to Grasp the Interpretation that the Church puts on Natural Law, which is the very Foundation of Catholic Doctrine.

Men are governed by four principal kinds of law, namely: the Eternal, the Natural, the Human, and the (positive) Divine laws. The last of these belongs to revealed science, and need not be considered here. The other three will now be considered at some length.

THE ETERNAL LAW

(I) "As with every artificer," writes Aquinas, "there pre-exists the plan of the things that are set up by art, so in every governor there must pre-exist a plan of the order of the things that are to be done by those who are subject to his government. And as the plan of things to be done by art is called a pattern or exemplar, so the plan of him who governs subjects has the character of a law, if the other conditions are observed, which we have said to be essential to a law. . . . And as the plan of divine wisdom has the character of an exemplar, pattern,

Social Doctrines of the Catholic Church

or idea, inasmuch as by it all things are created, so the plan of Divine Wisdom moving all things to their due end has the character of a law. And thus the Eternal law is nothing else than the plan of Divine Wisdom as director of all acts and governments.”¹

From this passage of Aquinas we shall have no difficulty in understanding the nature of the Eternal law. The Eternal law is the law of God as directing the whole Universe to its end. By it God rules all His creatures, and directs them to their final end, which is Himself. There is nothing which does not come under this law—neither plant, nor animal, nor man, nor angel; for Divine Providence extends to all. We shall show what is the origin of our knowledge of the Eternal law; we shall show that it is known to us through the natural law. Eternal law itself is prior to every other law—to natural and to human law—and that is the ground and principle of every other law.

(2) Now, the planning and the guiding of the created Universe by the Supreme Reason are acts of God, and like all other acts of God they are independent of time (that is, His acts do not succeed one another in time), since God himself is independent of time. God’s actions have no beginning and no ending. The outer effects that attend upon His wishes and commands are, indeed, subject to the time-conditions of the finite Universe—they begin and end at definite moments of the world’s history—but the act from which these effects spring is not subject to time-conditions. It is eternal. God’s law is, therefore,

¹ J. Rickaby, “Aquinas Ethicus,” Vol. I, p. 274.

Natural Law

eternal.² It existed in God before the created world existed, just as the plan precedes the building of a house. It was even promulgated before the world appeared (though its promulgation was not received until creatures existed), for promulgation consists in the expression of the law; and the Divine World, which is God's Mind, expresses itself eternally in the fullest way.

But, it will be objected, any law is meaningless and foolish which is enacted and promulgated before those objects for whom it is destined exist; and as the Eternal law, which is destined for the created world, existed before the Creation, it was a meaningless and a foolish law. If the law which is promulgated is only a means to creatures, then it is a foolish thing to promulgate a law before they to whom it is directed exist and are able to receive it. But the Eternal law is not a means to anything beyond itself. Even the natural law existing in created things is not a means to—that is, is not directed to—the good of created things. Rather is it that which directs created things to their end. It guides, for instance, and directs animals to their end. But human laws, existing in the mind of human legislators, are directed to the attainment of the prosperity of others. They are, therefore, means to something beyond themselves. Now, the Eternal law, like the natural law, is of the nature of a directing principle. It directs things to their end. It produces, no doubt, effects outside of God; but yet it is not directed to created things. For the Eternal law is not

² J. Rickaby, *op. cit.*, p. 267.

Social Doctrines of the Catholic Church

distinct from God.³ It is the will of God Himself, who is the Prime Mover of all things; and hence, if we might be permitted so to speak, it is its own end. Even, therefore, before created things came into Being, the eternal law had reached its end, though it did not produce its effects until the world existed and until the conditions of its fulfilment were realized.

(3) We now consider the scope of the Eternal law or its breadth of application. All things, necessary as well as contingent, are subject to the Eternal law. Necessary and eternal things are subject to the Eternal law because they are subject to the Divine government. And they are subject to the Eternal law exclusively because they are subject to Divine government exclusively. Necessary things are not subject to the government of man. A man can, no doubt, make a law concerning other people's contingent acts; but no earthly ruler could make a law that men are to have or not to have hands and feet. But God could make, and has made, such a law, because nature and natural necessities are subject to the Divine power.

Natural contingent things are also subject to the Eternal law, because they also are subject to Divine Government.⁴ But of these one class comes under human law as well as under the Eternal law—namely, human actions. Other contingent things come under the Eternal law only. The reason of this is interesting. Man can make a law to guide the conduct of human beings, but he could not issue a law to irrational creatures. For man can not, as

³ J. Rickaby, *op. cit.*, p. 275.

⁴ J. Rickaby, *op. cit.*, p. 277.

Natural Law

God does, give to things natural inclinations towards those ends which he wishes them to attain. Hence, anything that is directed by human government must be capable of receiving direction by way of command, and of directing its own acts accordingly. But animals can neither receive a command nor direct themselves. They can not receive a command, for a command can influence to action only in so far as it is understood, and animals can not understand human commands. Neither can they direct themselves to action, because they are not free. Therefore, being unable to receive a command and unable to direct themselves, they are not subject to human government. Any effect, therefore, that a man may wish to bring about in animals he must himself produce in them, without their co-operation. But man can issue a law to other men by imprinting in their minds the knowledge of what they are to do. And in this the human law is, even as a directive force, like the Eternal. For, just as a man guides others by imprinting a principle of action in the minds of others, so God directs by imprinting an inner directive principle in all things—namely, the natural law—by which internal principle they are moved to obey Him.

THE NATURAL LAW

(1) As already pointed out, law being a measure and rule of action, it exists in two ways—in that which rules and in that which is ruled (“in mensurante et in mensurato”).⁵ As existing in God the Supreme law is Eter-

⁵ Rickaby, *op. cit.*, p. 267.

Social Doctrines of the Catholic Church

nal; as existing in the subject ruled it is known as the natural law. And since the ruler comes before that which is ruled, the Eternal law is prior to the natural law and is its cause.⁶

But though ontologically the Eternal law is prior to and is the ground of the natural law, yet we are to conceive the natural law as logically prior in regard to us; that is, as coming first in the order of our knowledge. For just as it is from the existence of the finite world that we come to know of God's existence who is first cause of all, so also it is from the existence of the natural law of the universe that we establish Divine Providence and the existence of the Eternal law. The natural law, since it exists in creatures, is an effect; and, therefore, it presupposes another law above itself from which it springs, and, as we shall see later, of which it is the reflection.

Now, that a natural law exists is evident from the fact that everything in this world is guided and directed to its end by certain natural inclinations (*habent inclinationes in proprios actus et fines*).⁷ For instance, the plant is moved by an inner inclination to take in moisture and to grow; the animal is moved to seek for food and to preserve the race; and these and the other natural appetites are the foundation of the natural law. They are nature's means for the attainment of certain necessary ends. Without them we should not be induced to attain these necessary ends; and without them, therefore, neither the individual nor the race could continue to live. These appetites are

⁶ Rickaby, "Aquinas Ethicus," Vol. I, pp. 281-285.

⁷ J. Rickaby, *op. cit.*, p. 267.

Natural Law

part of the natural constitution of things; that is, they are no mere chance inclinations which the creature can elicit or not elicit at his wish, but are permanent appetites or tendencies proceeding from that inner nature which God has placed in all creatures. The law, therefore, to which they give rise is rightly spoken of as a "natural law."

Now, as the house is only a repetition and a reflection of the idea of the architect received into the material building, and as the movement of the arrow is but an impression of the directive act of the archer, so nature and the natural law, through which the universe is directed from within to its end, are to be regarded as a reflection and participation of the Eternal law of God, who moves all things to their end. And when we speak of the natural law as a "reflection" we do not mean to insinuate that the natural law is something unreal, or that it is a mere image like the reflection of the sun in the waters. The natural law is a reflection in the same sense that the house reflects the idea of the architect; that is, it is a reflection, but real and substantive.

Now the natural law exists in some form or other in every creature. It is present in plants, in animals, in men. But the natural law of plants and animals falls far short of the full conception of law. For law is a function of Reason, whereas animals and plants have no Reason.⁸ In them the Eternal law is, indeed, received, but it is received in a modified form only, and not as a rule of Reason. The natural laws of plants and animals, there-

⁸ J. Rickaby, *op. cit.*, p. 281.

Social Doctrines of the Catholic Church

fore, though resulting from the Eternal law, are rather of the nature of an irresistible force than of a law. But in man the natural law is law in the true sense of the word. It is a dictate of our human Reason as the Eternal law is a dictate of God's Reason. For, even though the natural law does not proceed from or originate with our Reason, yet our own Reason promulgates it to us; and, unlike both plant and animal, we guide ourselves by means of it to our final end. The natural law, therefore, in man is law in the fullest sense of the term, and, as we have already explained, it is known to us before the Eternal law, on which account Aquinas maintains that it is by the natural law that we are primarily directed to the attainment of our end.

(2) As we have already explained, the natural appetites give rise to precepts, and the sum of these precepts we call the natural law. These precepts of the natural law are many and not one. For, besides the appetite of will, which has for its object the good in general, giving rise to the precept "the good is to be done," there are in man other appetites also, having for their objects certain particular "goods," such as life, food, society—and these several appetites give rise to several particular precepts, as that life is to be preserved, society to be maintained, offspring to be trained.⁹ And between these precepts, as already pointed out, there is a natural order depending on the order of appetites. For some appetites are common to all substances, like the appetite for existence, some to all or most animals like that of the care of offspring, whilst

⁹ *Cath. Ency.*, Vol. 9, pp. 53-78.

Natural Law

other inclinations belong to us as rational beings—for instance, inclinations to know the causes of things and particularly the First Cause (in other words, the inclination to the sciences); also an inclination to live in society. These precepts of the natural law follow the order of the respective appetites on which they are grounded, and thus give rise to a hierarchy of laws, varying in breadth of application and importance, according as their objects are of lesser or wider extension and importance.

(3) The natural law being founded on the natural appetites, it follows that the law of nature is both (a) universal and (b) invariable. (a) First, the natural law is universal; that is, is the same for all men (not, indeed, in regard to all its conclusions, but in its first or fundamental principles), for the primary moral principles are founded on the strictest necessities of our nature, the natural appetites and their essential objects, and these are the same in all. How these universal precepts can allow of, or lead on to, difference in individual duties has already been considered.¹⁰

(b) In order to bring out the invariability of the moral law we must say in what different senses a law may be spoken of as invariable or variable. Variability may be either objective or subjective; that is, variation may take place either in things themselves or in our opinions about things. Speaking objectively—that is, of things in themselves—a thing may be changed in either of two ways: either by addition—that is, by allowing other things to be added to it, or by subtraction by the loss of something

¹⁰ J. Rickaby, *op. cit.*, p. 283.

Social Doctrines of the Catholic Church

previously possessed. The natural law is not invariable as regards addition, for it can be supplemented by other laws. But in its first principles and regarded objectively the natural law is invariable in the second sense. What is to-day a necessity of the natural law can not to-morrow cease to be necessary. For our natural appetites are invariable, and the natural appetites are the ground of natural law and of natural necessity.

But though the natural law is invariable in its first principles, the application of these first principles is not invariable, for what is necessary for the satisfaction of appetite under one set of circumstances may not be necessary under another, and the content of the natural law is to be determined according to the circumstances. To that extent there is room for development in the objective law of morals.

Subjectively—that is, in regard to our knowledge of the law—the law of nature may greatly vary, not, indeed, as regards our knowledge of the first principles—for those we can not but know—but as regards the more remote conclusions from these principles.¹¹

(4) The natural law and the question of Divine Immanence. The doctrine here given of the Natural and the Eternal laws, their necessity and their distinction from one another, may be taken as Aquinas' answer to the problem—a problem which seems to have been as pressing in his day as it is in ours, of Divine Immanence and Transcendence. How, the modern philosopher asks, can any law bind me unless it proceeds from one who is

¹¹ J. Rickaby, *op. cit.*, p. 283.

Natural Law

superior to me, and, therefore, is outside of, or transcends, me? On the other hand, how can law beget necessity, the necessity of duty, within my will, unless it be in some sense in contact with my will—unless, that is, it be immanent in me and part of me or I of it?

Aquinas' answer is that both laws exist. The world is ruled or directed to its end by a two-fold law—the Eternal law and the Natural law. The first dwells in God's Personal Reason. It is above the world, and therefore it is outside of or transcends the world. The second, or the Natural law, which arises from, and is dependent on, the Eternal, is yet immanent in the world, and rules things from within, whether unconsciously, as in the case of plants, or by sensitive instincts, as in the case of animals, or as a Rule of Reason, as in man. This second law is related to the first as the reflection is related to the original source of light, as the ectype to the archetype.

ON HUMAN LAW

For the proper direction of the Community, and the securing of the common good, the Natural law has to be supplemented by certain other rules of action in which special account is taken of the needs of particular communities. These rules of action are known as positive or human laws, because they must be enacted by human rulers.¹² They are necessary for two reasons: first, in order to enforce the necessary conclusions of the natural law—conclusions which many men might either not be

¹² Rickaby, "Aquinas Ethicus," Vol. I, pp. 286-294.

Social Doctrines of the Catholic Church

aware of or might be inclined to disregard; secondly, in order to determine certain things which the natural law leaves undetermined, and the determination of which depends on particular circumstances. Thus, the natural law requires that the State be maintained, but the best mode of maintaining the State depends upon many contingent circumstances, which the natural law does not consider.

Thus, the positive law is derived from the natural law, and in a twofold manner. Some of its enactments are derived by way of conclusion from the general principles; others are derived by way of determination—particularizing what is vague in nature. Laws derived by way of conclusion are natural laws rather than human. Those derived by way of determination are essentially human, for which reason we find human law sometimes described as “*determinans indeterminata a lege naturae.*”

(1) Some have thought that human laws do not bind in conscience. Human laws are either just or unjust. If they are just they bind in conscience by virtue of the natural and Eternal law from which they are derived. If they are unjust they do not bind, and are not, properly speaking, laws.¹⁸ The only question, then, that arises in regard to the binding power of a law is the question of its justice or its injustice. Now, to be just a law should be just in respect of (a) its ends; that is, it should be ordained to the common good; (b) its author—the law should not exceed the legislative powers of the Ruler; (c) in respect of form—the burden imposed by the law should be properly distributed. A law that is just in all

¹⁸ J. Rickaby, *op. cit.*, p. 291.

Natural Law

these respects is binding in conscience. If it fails in regard to any of these it does not bind, and is not a valid law.

(2) Human law possesses neither the universality nor the invariability that belong to natural law, for human law depends on the contingent and varying conditions of the State. And for this reason it is sometimes right and necessary to change or abrogate a human law—namely, when it becomes unsuitable to the altered conditions of a nation and when its observance would do harm. But a law should not be changed without grave reason, for change of a law weakens the very principle of law, there being no better bulwark for the protection of law against the tidal wave of revolution than the custom which arises from long-continued observance of it. Custom makes the observance of a law seem easy, whereas a new law tends to offend our sense of freedom, and the observance of it is always attended with some difficulty.

A law, we said, should change when the general good requires its abolition, but this change can only be effected by the lawgiver. We can, however, effect this change in either of two ways: either directly, by positive personal interference, or indirectly, by allowing a contrary custom to obtain. This second mode of legislation requires to be explained.¹⁴ Every law emanates from the Reason and Will of the lawgiver. But a lawgiver may manifest his wishes by deeds as well as by words; and, by allowing a custom to obtain against a law, a lawgiver may be regarded as indicating, indeed, if not in word, his desire

¹⁴ J. Rickaby, *op. cit.*, p. 296.

Social Doctrines of the Catholic Church

for its abolition. For when the violation of a law is frequently allowed to pass unnoticed by the legislator, his attitude seems to spring, not from sloth or inactivity or from some momentary desire, but from a deliberate judgment of his Reason as to what should be done. Hence, Custom can expound, abolish, or even make a law.

We should remark, however, in regard to custom that the legal value of custom is very different in different States. Where the people are the rulers (a form of government for which Aquinas makes express provision), a custom may more easily become law than under an absolute monarchy, since, in the former case, it is the lawgivers themselves that institute the custom. We should also remark that custom of itself can never become a valid law. It becomes a valid law only in so far as it represents the will of the lawgiver.¹⁵

¹⁵ J. Rickaby, "Aquinas Ethicus," Vol. I, pp. 281-285, pp. 286-308.

II

RIGHTS AND DUTIES

LAW is a binding rule of action. It is the expression of the will of a Lawgiver binding us to do or to avoid certain things. Sometimes that to which the Law obliges one is the doing of some good to another person or the refraining from doing him an evil. The effort of such a law is to establish in one person the duty to do or not to do something, and in the other person the right to its being done or avoided.

Right, then, is a result of law. It springs from law simultaneously with duty. Right and duty are the two termini of the one relation created by laws. Thus, the law that binds a man to pay for what he buys, establishes a relation between the seller and the buyer, which relation is, on the side of the seller, a right to payment, and, on the side of the buyer, a duty of payment. So, also, the law that binds parents to support their children establishes in the parent the duty, and in the child the right of support.¹

It is evident from the examples we have just given—that of the seller of goods and that of the child—that Right is always a power of some kind, something which enables one to have or to do something. But Right is a

¹ J. Rickaby, "Aquinas Ethicus," Vol. II, pp. 7-9.

Social Doctrines of the Catholic Church

power of a very particular kind, as will be seen from the following example. Every man has a Right to the exercise of his faculties. He has a Right to walk, to speak, to work, to eat, without interference from other people. A man's power to keep off unjust interference from others is two-fold: First, he can ward off interference by means of physical power—the physical power of hands, and feet, and firearms. But this is evidently not the kind of power referred to when men speak of Right. For, even when physical force avails us nothing, when, for instance, others so overpower us that we are unable to resist them physically, or even when the State is unwilling or unable to help us, there still remains to us in many cases another power in virtue of which we are justified in claiming something as ours, of calling something our own, even though we know we may never succeed in keeping or obtaining that thing.² This power we speak of as a moral power. It is the power conferred on us by the moral law, a law which forbids undue interference with our liberty, a law which creates in others, if not a mind, at least a duty of respecting our liberty. And to this moral power we give the name of Right, which, therefore, we define as the “moral power (*facultas*) of doing or possessing something.” The existence of such a power in us depends on the existence of a moral law, from which law Right follows as necessarily as any effect follows from its cause. If there be, for instance, in existence a moral law that parents should support and educate their children, then children have a Right to sup-

² J. Rickaby, *op. cit.*, p. 8.

Rights and Duties

port and education. Right is a relation established by law, and it is a necessary consequence of law.

The question how far this kind of power is efficacious which concerns the meaning of Right only. But it may not be out of place at this point to quote the Catholic view that, though bad men may respect only physical power, with good men the moral power would seem to be the more efficacious, for most good men avoid injustice, not because of the terrors of punishment, but from an inner sense of their duty to others, and of respect for others' Rights.

THE PROPERTIES OF RIGHT

Right has three principal properties, namely: (a) inviolability, (b) limitation, (c) coercion.³

Inviolability. The first and fundamental property of Right is its inviolability, or the fact that a man must not be interfered with in the exercise of his Right. By inviolability we mean that if a man has a Right to sing, to work, to hunt, then no one can lawfully prevent him from doing these things. Every Right involves this property of inviolability; that is, every Right involves necessarily and essentially, besides the conception of lawfulness to do a thing, the conception of a duty in some other person not to hinder the doing of it. In no intelligible sense could I be said to have a Right to walk the street if every man could lawfully prevent me from doing so. When prevented from walking, I protest, and when asked why

³ J. Rickaby, *op. cit.*, p. 8.

Social Doctrines of the Catholic Church

I protest, or why I should not be prevented, I answer, because I have a Right to my liberty, meaning thereby, not merely that I am physically able to walk, or that it is lawful for me to walk, but, also, that if others prevent me from doing so they do wrong.

Limitation means that one Right can limit the exercise of another, that in the exercise of a Right we are not free to disregard the counter-claims of others. We must conceive the moral laws from which rights spring as making up one organic system, just as the parts of the body make up one organic bodily system. And just as the functions of one part of an organism limit the functions of others—that is, as no part should be exercised prejudicially to the others—so due regard must be had in exercising any Right, or in following any law, to the whole system of Rights and laws that regulate human conduct. Thus, the law which gives a man power to keep for himself what he produces is limited and conditioned by other laws, such as the law of charity, which binds a man to help his neighbor. Also, the Right of one man to liberty in the use of his faculties is limited by the Right of another man to the same. The extent of a man's Rights depends largely upon this property of limitation.⁴

Coaction. The third property of Right is that of coaction. (*Erzwingbarkeit.*) The power or Right of coaction is the moral power that attaches to each Right of using such violence as is necessary for its defense. Naturally the necessity for violent defense appertains to external Rights only. Thus, a father could not compel

⁴ J. Rickaby, *op. cit.*, pp. 8-9.

Rights and Duties

the love of his children by violence, though he has a Right to their love. But external Rights, like that of property, carry with them this Right of defense or of coercion—a power which arises from the fact that he who has a Right to the end has a Right to such means as are necessary for obtaining the end. Hence, if a man has a Right to possess a house, he has a Right to the use of violence, either personally or through the State, in its defense, provided that in defending his house he offend against no law and no other person's Right.

We distinguished between natural and positive (or human) Rights; that is, between Rights conferred by natural law and Rights conferred by human law.⁵ Many deny that any rights are natural, and insist that all Rights are conferred by positive human law or by the State. We have already shown that the natural law is a reality, and since Right is a consequence of law, it follows that any particular Right must necessarily take on the character of the law in which it originates. The natural law, therefore, will give rise to natural rights, as the positive law confers positive rights. Thus, the right which every man has to his own life, and to such means as are necessary for sustaining it, is a natural Right. Also, the right of men to the fulfilment of contract, to their good name, to the fruits of their labour, the Right of a husband to fidelity on the part of his wife, the Right of parents to respect on the part of their children, and of children to support on the part of parents, the Right of the State to co-operation and obedience on the part of its subjects,

⁵ J. Rickaby, *op. cit.*, p. 8.

Social Doctrines of the Catholic Church

and of subjects to protection by the State, the Right of individual liberty (within certain well-defined limits), or of immunity from interference from others, the Right of personal development, the Right of the State to maintain itself and to oppose aggression from other states—all these Rights are from Nature, since the laws on which they are grounded are natural laws, these laws being again grounded on natural appetites.⁶

Taking it for granted, then, that by making good the doctrine that appetites and laws are natural, we have also shown that Rights are natural.

⁶ J. Rickaby, "Aquinas Ethicus," Vol. 5, pp. 7-9. "Cath. Encyclopedia," Vol. 5, pp. 215-218.

III

CATHOLIC MARRIAGE

CATHOLIC Christian marriage as such is a contractual, sacramental and indissoluble society of one man and one woman for the begetting and bringing up of offspring. The essence (and primary perfection) of marriage is the "indissoluble society" of one man and one woman. The primary end (and secondary perfection) is the begetting and bringing up of offspring. Secondary ends are (a) the strength and comfort of home life, and (b) the allaying of lust.

"The primary end of marriage is the begetting and bringing up of offspring; the secondary, mutual help and the allaying of lust." (Codex Juris Canonici, 1013 P#1.) The marriage service of the church of England still retains this traditional doctrine: "First, it (Matrimony) was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord. . . . Secondly, it was ordained for a remedy against sin and to avoid fornication. . . . Thirdly, it was ordained for the mutual society, help and comfort that one ought to have of the other. . . ."

According to the Codex Juris Canonici, marriage is invalid if one or both of the contracting parties by a positive act of the will excludes either (1) the marriage itself,

Social Doctrines of the Catholic Church

or (2) all right to the conjugal act, or (3) any essential property of marriage. The essential properties of marriage are Unity and Indissolubility (Can. 1013). Acts which would invalidate the contracting of a marriage would be sinful when performed in a marriage already contracted. As the procreation of children is the primary end of marriage, and as venereal pleasure is attached to the sex act in order to induce men and women to the altruistic procreation of offspring, it is clear that the venereal pleasure can not be sought or procured except in relation to the procreation of offspring. Robbed of this and it becomes but a form of masturbation. Inside the married state it may be called mutual marital masturbation. The sin as such is equal whether the preventive means taken are physical or artificial.¹ But this sin committed in wedlock is greater than if committed outside wedlock, because it is against the contract of marriage which God has raised to the dignity of a sacrament.

A common agreement to accept marriage and to use it only with neo-malthusian birth-control would manifestly annul the marriage. But short of this there are cases where, without making a common and explicit agreement, there is an understanding that it should be used with neo-malthusian birth-control; such cases are not easy to settle on the essential principles of marriage.

When this deliberate or decisive interference with the primary end of marriage is joined to an almost explicit intention to obtain divorce in case of difficulties, the present state of the institution of monogamous marriage

¹ Codex Juris Canonici, 1013.

Catholic Marriage

becomes more than uncertain. No doctor has the right to say to a married couple: "You ought not to have any children at all; or, if at all, then, only after a long interval." All that may be said is a bare statement of the medical fact, in such words as: "In my opinion, if you have another pregnancy at any time, or soon, you will die, or be ill, or risk the life of the child, etc., etc." "Ought" is an ethical category which should not be used by a doctor, who, professionally speaking, is consulted on the physiological and pathological effects of the case. Still less should the word "ought" be used, say, by a lawyer or an economist who is consulted on the mere economics of the case. If this categorical imperative "ought" is to be used at all, then only by the spiritual physician, the priest, to whom is commissioned the care of the soul.²

Again, a doctor can not advise a contraceptive as such. Great misuse is made of the principle "We can devise the lesser of two evils." This principle rarely applies; and only when it is a question of two moral evils that hurt no one but the doer.³ It does not apply to the physical evils. Indeed, when physical evil is coupled with moral evil, our advising the use of the principle may be a sin. Thus, if a man is contemplating murder, we can not use the principle of "two evils" by advising the use of a safe method of killing.⁴ We can not say, "Well, if you will kill, I, as an expert on homicide, advise the use of a slow poison which can not be detected." In the same way no doctor and no

² Encyclical "Arcanum Divinae Sapientiae," 1880, Leo XIII.

³ Cath. Encyclopedia, Vol. 9, pp. 691-714.

⁴ Codex Juris Canonici, 1013.

Social Doctrines of the Catholic Church

priest can say, and especially can not accept a fee for saying, "Well, as you are bent on neo-malthusian practices, I advise this or that method as being less dangerous to your health." This would be to co-operate in the sin. If there be good reasons, as distinguished from selfish reasons, why the size of a family should be limited, the Church tells her children to abstain from intercourse by the exercise of self-control; and, if that proves to be beyond their strength, to limit intercourse to the week preceding a menstrual period, a time when conception is not likely to occur. This differs from artificial birth control as day differs from night, because: 1. No direct mechanical obstacle is used to prevent pregnancy; 2. There are no ill effects on the health of the man or woman; 3. The intercourse is natural; 4. It is a rightful use of liberty, just as entire abstinence would be; 5. Self-control is practiced.⁵

⁵ J. Rickaby, "Aquinas Ethicus," Vol. II, p. 329.

IV

BIRTH CONTROL

IT is the unanimous opinion of the Catholic Theologians and the definite teaching of the Catholic Church that it is sinful to frustrate the natural primary end of the generative faculty; and even if the practice of birth control had no evil social effects it would none the less be sinful, just as a lie is sinful even though no one is deceived by the lie.¹

I am here concerned with birth control only in so far as it interests the sociologist and the economist, especially as resulting in a voluntary reduction in the birth-rate. It has been suggested that the fall in the birth-rate is due to a decrease in human fecundity, but against this explanation is the hard fact that the decline is not uniform throughout the world.

According to the Catholic ideal the human race should continue to exist until the day determined from all eternity by Almighty God when He will appear in His Majesty to judge the living and the dead. But if the race is to continue to exist, it must, of course, be propagated; and from that follows the inborn natural right of men and women to choose for themselves the state of marriage with all its responsibilities. Yet it is not the Catholic

¹ "Social Aspects of Birth Control," *Cath. Monthly Rev.*, pp. 2-3.

Social Doctrines of the Catholic Church

ideal that the race should merely continue to exist, but that it should exist to the glory of God, and that means that the members of the race should strive after spiritual perfection, after the life which is truly proper to man, the life of virtue, of self-discipline and the love of God and man. There is nothing in the married state to render this life of the spirit impossible, and to say that there is would be to put oneself outside of the Catholic Church; but given the fact that man's nature is a fallen nature, a life of celibacy undertaken for religious motives, is an easier way to perfection than the married state, and the example of such celibate lives, when lived faithfully, is an enormous help to those who have chosen the married state. In other words, the existence of a celibate class devoted to the service of God is of great social advantage. As Professor Foerster has well written: "It should never be forgotten that family life itself degenerates, unless it is kept in subjection to higher aims. Now celibacy is an extremely valuable means of representing the independence of higher aims in life against the ascendancy of family impulses and family cares, thus safeguarding marriage against being degraded from a sacrament to a mere matter of gratification. . . . The oath of voluntary celibacy, so far from degrading marriage, is a support to the holiness of the marital bond, since it gives material shape to the spiritual freedom of men in the face of natural impulses."²

Those who mock at celibacy as unnatural and impossible, know not, in very truth, what they do. This may seem like a digression, but my purpose is to explain why the

² Lewis Watt, S. J., *op. cit.*, p. 2.

Birth Control

Catholic Church, while insisting upon the natural right to choose the married state, exalts the state of religious celibacy, and to show that from her social point of view no fault can be found with her attitude. Not merely the individual, but the whole race, benefits from the existence of a class of religious celibates, even though they are not engaged, as most of them are, in the active service of their neighbor.

The Catholic sociologist, then, does not desire that mankind should become a race of splendid animals. He does not measure social progress by the growth of luxury, by the number of motor cars which can be seen on the streets, by the speed of railway trains or aeroplanes. He looks beyond these material things to the life of the spirit; and he asks, Are men becoming better men? Not merely better technicians or better organizers. He asks, Is our material progress helping or hindering our spiritual progress? How can it be best applied for the advancement of Christ's kingdom on earth? Not, How can we all get richer and richer every day, so that at last there may be a sort of millennium?

We hear a great deal nowadays of the "standard of comfort." It would appear that according to some the social ideal is to raise everybody's "standard of comfort" and to keep on raising it indefinitely. That again is not the ideal of Catholic sociologists. They think that a great many people are too comfortable as it is, and that it would be much better for them and for the race if they were less so. To take mere comfort as ideal is to renounce

Social Doctrines of the Catholic Church

human heritage and to say farewell to virility and true progress.

But to deny that we should aim at a progressive advance in the general standard of comfort is not to deny that every one who does his share of the world's work should receive enough of the good things of this world to enable him to live a decent human life. It was Pope Leo XIII who said, "It must not be supposed that the entire attention of the Church is so fixed upon the spiritual progress of mankind that she neglects their temporal and earthly interests."⁸ The end of society, as of man, is a spiritual end, but a certain amount of material well-being is, normally, a necessary means towards the achievement of that end. Sufficient nourishing food, clothing suited to the climate in which he lives, decent housing conditions, these at least the normal human being needs if he is not to be hindered in his spiritual growth. For a developed social life other things are no doubt necessary—easy means of communication and transport, and so on; nor must we overlook the help to the life of the spirit afforded by music, literature, the arts and science. The desirability of material welfare of this sort has never been called in question by Catholics, even while they have insisted that temporal welfare must not be looked upon as an end in itself. A certain amount of material prosperity is necessary to man, a larger amount may be useful and good, but it does not follow that human progress consists in passing from a sufficiency of goods into comfort, and from comfort into luxury.

⁸ Lewis Watts, S. J., *op. cit.*, p. 3.

Birth Control

The Catholic ideal, then, is that the human race should continue to exist, that it should increase in accordance with the natural laws of human fecundity working within the institution of holy matrimony, and that its members should strive first and foremost at Christian perfection. Further, this ideal implies the possibility of securing to all men, women and children at least a decent sufficiency of this world's goods.

There are those who maintain that a declining birth-rate is a good thing because in their opinion population is beginning to press upon the means of subsistence, so that an increasing population will involve a lowered standard of life. Perhaps the most distinguished exponent of this theory in the last few years is Mr. J. M. Keynes, but the father of it was Malthus. If their views are correct, the Catholic ideal is impossible, so it is necessary to consider them in some detail.⁴

I should like to make it clear that Malthus was by no means what is called a neo-Malthusian. He did not approve of birth-control. His remedy was deferred marriages, a remedy which neo-Malthusians reject as "impracticable and productive of the greatest possible evils to health and morality." Without entering into a criticism of this statement, it is enough to say that for many the remedy of deferring marriage would be morally dangerous. There may be cases in which one would advise a man to wait until his income was larger before marrying; but we are not concerned here with individual cases of

⁴ Rev. Vincent McNabb, "Ethics and Psychology of Birth Control," pp. 1-8.

Social Doctrines of the Catholic Church

hardship (often arising from defective social conditions), but with the question of whether the natural relation between population and means of subsistence is such as to make deferred marriage a necessity if our social ideal is to be achieved.

A very popular argument with birth controllers is that unless birth control is taught to the working class the race will deteriorate. We are constantly being confronted with a table of statistics to show that manual laborers have a much higher birth-rate than teachers and doctors. We are assured by the neo-Malthusians that this means a "dysgenic" tendency, that it is the worst stocks which are reproducing themselves instead of the best. One author goes so far as to say that "on the whole the elements in the working classes who are restricting their families represent the cream and those who are not practicing represent the dregs." This sort of remark is too common among birth controllers, and I should like to record the deep indignation with which all Catholics read it. It is a slander against workingmen and workingwomen.⁵ From the most important point of view, which is that of morality, the men and women who refuse to have anything to do with the birth controllers and all their works are the cream of the country. From the physical point of view, our miners are some of the finest men in the country, and indeed most of our manual workers are as physically fit as a doctor or a lawyer. From the intellectual point of view, there is no reason to suppose that natural intelligence is the sole prerogative of any social

⁵ Rev. Vincent McNabb, *op. cit.*, p. 4.

Birth Control

class, though under existing social conditions education is, unfortunately, not open to all in the same degree. Improve our social conditions, secure a better distribution of wealth, abolish the slums, and you will destroy even the shadow of an excuse for asking the worker to sin lest the race deteriorate. If the professional classes wish to restore the balance between their birth-rate and that of the manual workers, they have the remedy in their own hands; let them turn their backs on the birth-controllers and refuse to follow their counsels.

Birth control is not a good thing even from the point of view of improving the quality of the population. It will not make the race more hardy, more virile, more unselfish, less pleasure-seeking. It will do just the opposite. It tends to encourage the notion that comfort, luxury even, is the end of life. It tends to destroy that healthy family life which is the foundation of a healthy nation. It fosters the growing desire for a life of pleasure. Its fatal results show themselves at times of national danger in the weakened moral fiber and power of resistance of the population.⁶

⁶ Canon Law and the Sacrament of Marriage are violated in Birth Control devices, as they are in Companionate Marriage. Violation of Canon 1013 of the Canon Law is the Roman Catholic reason for condemning the practice of Birth Control and Companionate Marriage.

V

COMPANIONATE MARRIAGE

ACCORDING to Catholic Doctrine Companionate Marriage is not marriage at all, in any sense of the word, because at least two pre-nuptial conditions render this "marriage"¹ invalid from the start: the condition not to have children until and when and if the contracting parties find it mutually agreeable to have them, and the condition that the parties may divorce each other at any time, without giving reasons to a court, or even to each other.

The third condition that the wife will not call upon the husband for support during the companionate period, but will enjoy economic independence, sounds the death-knell of all home life: both are in industry during the day, and neither has the obligation or the inclination to perform household duties at night. In the companionate union recently featured by the press, both young people were to live with their parents. What companionate marriage adds to courtship is freedom from all moral restraint in yielding to sexual impulses; it takes the sixth commandment out of courtship and calls the result marriage.

¹ Codex Juris Canonici 1013. Companionate marriage violates in all respects the Canon Law and Sacrament of Marriage.

Companionate Marriage

It is highly significant that in all the discussion of companionate marriage, the name of the Church never occurs. Her legislation is never consulted. Her teachings are ignored, or sneered at as medieval superstitions. The sacramental character of the marriage tie, its indissolubility except by death, the primary end of matrimony, which is to beget and train children for citizenship here and hereafter, all are swept away, that men and women may be as free as the beasts of the field in the indulgence of their lower natures. "Right reason is denied a hearing and conscience is silenced by the cry that the Barabbas of sensuality be liberated and the Christian morality crucified anew. The slaughter of the innocents at Bethlehem is renewed on a universal scale, but cloaked under the soothing title of "companionate marriage."

In this latest attempt to legalize birth control, the very term is a misnomer; it means, if the parties so wish, the complete prevention of birth, and the loss of all control over human passion. A better term than birth control would be birthless indulgence. The laws of God and the lessons of human experience cry out against this conspiracy to nullify Nature's law, stultify human consciences and deify passion under the honored cloak of marriage. The champions of this sinful companionship, which would masquerade as marriage, are deaf alike to the voice of God, and the warnings of experience and the teachings of medicine.

Birth control, which would deny the boon of existence to children, defies the Divine Legislator by completely and wantonly defeating His purpose in establishing and

Social Doctrines of the Catholic Church

sanctifying marriage. There is no moral difference between denying birth to little ones and robbing them of existence after they are born, though one may be called birth control and the other stigmatized as murder.²

Why call this sin "control," when it is the absence of all control and all obligation to exercise control? It legalizes, as marriage, unbridled sexual indulgence, while defeating the very purpose of the marriage bond. If you call this destruction of child life "control," why not call the murder of wives "wife control"? and the murder of husbands "husband control"? and the murder of lovers "lover control"? and the murder of policemen "police control"? The whole nauseating situation could be saved by a little self-control, by a little obedience to the laws of Nature by those who are attempting to abolish them. This abomination, misnamed birth-control, out-pagans the pagans who destroyed the weak and sickly after birth, whereas the birth controlist would destroy all child life, fit or unfit, before birth.

The voice of history warns us that Nature will not be mocked, and the nations that practice birth control soon disappear from the stage of life, leaving no historian so poor as to do them reverence. The birth control of the individual becomes the suicide of the race. Augustus ruled from the Atlantic to the Euphrates, over an empire that died, moaning, "Where are my children"? Polybius tells us that in Greece depopulation was caused by the selfishness of the Greeks who, addicted to pleasure, either did

² Rev. Vincent McNabb, "Ethics and Psychology of Birth Control." T. M. O'Leary, "Companionate Marriage."

Companionate Marriage

not marry at all or refused to rear more than one or two children, lest it should be impossible to bring them up in extravagance and luxury.³

Thus birth prevention, which made marriage companionate after the first child, if not before, was the civic canker which destroyed "the greatness that was Greece and the grandeur that was Rome." With France and England and Germany fighting to check a falling birth-rate, it is not consoling to America to recall that history does not record the name of a single nation that, a victim of birth control, ever rallied from its ravages. As nations and individuals sow, so shall they reap. If they sow birth prevention they reap race suicide, and clear the stage for sturdier, more Godfearing successors.

Medical science sounds the same warning to individuals that historical science does to nations. Nations can not mock God with impunity, much less than individuals. It is the experience of those who will not have children when they can that they can not have them when they will. A lonely old age, embittered by the reminders of a guilty conscience, is their earthly "sorrow's crown of sorrows." Too late they learn, in earth's bitter school of experience, that God is not mocked, that

*The mills of God grind slowly
But they grind exceedingly small;
Though with patience stands He waiting
With exactness grinds He all.*

³ Rev. Vincent McNabb, *op. cit.*, pp. 1-4.

Social Doctrines of the Catholic Church

Dr. Mary Sharlieb then gives the common experience of medical men and women: "An experience of well over forty years convinces me that the artificial limitation of the family causes damage to a woman's nervous system. The damage done is likely to show itself in inability to conceive, when the restriction voluntarily used is abandoned, because the woman who is never to receive financial support from her husband has a powerful material motive for refusing to bear him children. The prospect of passing through the pangs of childbirth only to face the financial obligations of bringing a child into the world is an added incentive to make birth control absolute.

As children can not come until both agree to permit old-fashioned marriage, the one who first longs for a family must convince the partner before that longing can be satisfied. Should a woman first desire to change a mockery into a reality, she has the unenviable task of persuading a man to depart from an arrangement which safeguards him against threats of alimony, suits for non-support, and the financial obligations of a home. Should friend wife prove stubborn in defense of her motherly instincts, he has but to hand her a divorce under a system which excuses him from giving a reason for his action.⁴

If the companionate marriage has lasted a long period, the poor deluded woman finds that her age prevents her from ever attaining what her companionate husband robbed her of—home happy with the love and smiles of little ones.

⁴ Rev. Vincent McNabb, *op. cit.*, pp. 1-4.

Companionate Marriage

Then, too, across her life lies that perpetual shadow—the possibility that when she wants children and her husband consents an outraged nervous system will cry No. If companion husband wants the children, the system allows him to abandon her who, partly through his guilt, can not bear them, and try his fortune elsewhere. The system encourages this heartless desertion by leaving her no financial redress, and freeing him from any obligation to explain his action.

The longer husband and wife cling to their individual ease and economic independence, the more certain it becomes that their union will be childless; the voices of pleasure and luxury and indulgence will never call them to duty, and the voice of duty is silenced by the very marriage called companionate.

During the period of economic independence, should husband prosper and wife fail financially, what then? Let the one still poor in this world's goods ask for children so as to have a home the other is always free to check these importunities by handing his partner in guilt a ticket of leave in the form of a bill of divorce, which frees him automatically from furnishing her "bed and board"—and these he never furnished.

This economic independence, too, has a serious industrial aspect. It keeps women in industry in competition with men. The very competition tends to lower wages, and the very presence of married women in industry frees the employers of labor from any obligation of paying married men enough to support a wife and family. Thus, in

Social Doctrines of the Catholic Church

this economic independence, all roads lead to divorce, and no road leads to a home.⁵

There is so little to divorce in this companionship that a divorce seems hardly called for to end a union which puts Christian marriage out of date. Companions do not need any divorce. The agreement to have no children, or at least to dictate to God as to the number and accept no dictation from Him, makes the marriage invalid from the first moment. It is not a Christian marriage at all, and therefore there is nothing to divorce.

However, do not misunderstand the Church as approving of divorce. On that unchangeable legislation comes from the Church. "Whom God hath joined together let no man put asunder." Neither Henry VIII nor Napoleon could make the Church swerve one jot or tittle from the sanctity of that law. The Church takes the stand with the Apostle: "We must obey God rather than man," and His command is: "Let no man put asunder."

All America is alarmed at the prevalence of divorce, the frivolous reasons for which they are granted, the diversity of laws which enable a man, at the same time, to be married, single and divorced in different states. This condition has made marriage a football and home-life a chaos. Millions of homes have been broken up, and the very concept of the Christian family is disappearing. The sponsors of this companionate idea would solve the problem of easy divorce by making it easier, and the triviality of the reasons for divorce by exacting no reason.

Easy divorce is the logical complement of birth con-

⁵ Lewis Watts, S. J., "Social Aspects of Birth Control," p. 2.

Companionate Marriage

trol. In view of almost certain divorce, children are an encumbrance, and so the companionate union is more certainly foredoomed to childlessness. Sterility, of old the reproach of womanhood, is the goal of the voluntarily childless companionate, another indication that companionate unions will prove the royal highway to race suicide.⁶

According to the Church limitation of birth does not improve the quality of the few if none are born, and companionate marriage would legalize that extreme. Where only one or two are allowed they usually become spoiled children, accustomed to being pampered in the lap of luxury, and no one could be less fitted to do the world's work. The spoiled child, trained to look down on those less fortunate, is a misfit in a democracy.

Medical science corroborates this view of common sense, for it tells us: 1. A civilization can not be maintained with an average of less than four children per marriage; 2. Heredity strongly favors the third, fourth, fifth and subsequent children born to a given couple, rather than the first two, who are peculiarly apt to inherit some of the commonest physical and mental defects, so that a population with a low birth rate tends to degenerate; 3. History fails to show that nations with a low birth rate attain a higher level of civilization. Rather, they have been thrust into the background by their hardier neighbor. Such stubborn facts as these led the late Theodore Roosevelt, himself a historian of note, to declare: "The greatest of all curses is the curse of sterility, and the severest of all

⁶ Lewis Watts, S. J., *op. cit.*, 1.

Social Doctrines of the Catholic Church

condemnations should be that visited upon wilful sterility. The first essential in any civilization is that the man and the woman shall be the father and the mother of healthy children, so that the race shall increase, and not decrease.”

The Catholic Church condemns and forbids birth control, the deliberate frustration of a natural act which might have issued in a new life: this is an unnatural crime, akin in malice, to murder. The Church does not forbid self-control, where it is advisable, owing to the health of the mother, or for prudent reasons distinct from selfishness. Self-control, however, means the practice of moderation and self-restraint in the exercise of marital rights. The Church urges her people to strengthen their self-restraint by observing the penitential seasons, by fasting and abstaining from flesh meat at other times; by seeking that supernatural help which comes to all who receive the sacraments worthily. Self-control is the virtue of the strong; birth control is the alibi of the weak. Self-control is mastery over the passions; birth control is enslavement to the passions.⁷

⁷ McNabb, “Ethics and Psychology of Birth Control.”

VI

DIVORCE

DIVORCE, or the breaking of marriage during the lifetime of the parties, may be of two kinds: first, imperfect divorce or separation *a mensa et toro*, i.e., merely ceasing to live together, neither party being free to enter another marriage; second, perfect divorce or divorce *a vinculo*, i.e., the dissolution of the marriage tie during the lifetime of the parties, enabling either or both of them to enter a new marriage. In the present discussion we have nothing to do with imperfect, but only with perfect divorce, or divorce *a vinculo*, and our enquiry is whether the marriage tie is by the law of nature indissoluble, enduring to the end of life, so that neither party can contract a valid marriage while the other is still alive. The doctrine is that the marriage tie is by the law of nature indissoluble, with, however, certain distinctions and reservations.¹

1. The essential properties and laws of marriage are chiefly determined by its primary natural end. Anything that is indispensably required for attaining that end is a requirement of natural law. Anything that opposes or seriously interferes with the attainment of that end is

¹ Condemned because it violates Canon 1013. *Codex Juris Canonici* 1013.

Social Doctrines of the Catholic Church

strictly forbidden by natural law. The primary natural end of marriage is the birth and rearing of children, and, therefore, by natural law it is indispensably necessary that marriage should last at least as long as is required for the birth and upbringing of the child, i.e., it should last at least until the child is able to take full care of, and to provide for itself (*quosque proles ad perfectam aetatem ducatur*). This is the shortest period contemplated by natural law in regard to marriage.

If the only end contemplated by nature in the institution of marriage was the birth and rearing, by each man and woman, of one child, then a father and mother would have fully discharged the duties imposed upon them by the primary natural precepts by remaining together for a space of about twenty years after the birth of the child, at which age the natural period of tutelage is supposed to end. This would be the shortest period of time contemplated by nature in relation to marriage, and any sundering of the marriage tie before the end of that period would be impossible in natural law.²

In the institution of marriage, nature aims at the full use of the powers which she has bestowed on the sexes, she aims, that is, at the birth of not one but of many children. Moreover, the birth of only one child does not represent the normal condition of the family, and it is by the normal conditions that the natural laws and properties of marriage are determined. After the child is born, it has to be nurtured and trained by its parents, for which purpose the father and mother must stay together, as we

² *Cath. Encyclopedia*, Vol. 5, pp. 54-68.

Divorce

have already said, for a space of about twenty years; now, normally it is to be expected that during that period other children will have been born, on which account the marriage union must be still further extended; it will, in fact, continue throughout the full period of fecundity, and also for the twenty additional years required for the upbringing of the last or youngest child. Thus, normally, the primary requirements of marriage will not have been met before the parents reach the very advanced age of about seventy years. And since, as we said, the laws of nature are determined, not by what is exceptional, but by what is normal and ordinary, this is the least period contemplated by nature in regard to the marriage union.

And here the great contrast already described between the few shortlived requirements of the animal offspring, and the almost complete and continuous dependence of the human child upon its parents, is confirmed and emphasized in a remarkable way. The young bird is able to rise from its nest, fully fledged and independent, in the very same season in which its parents meet and begin their love. Then, nature's task being fully accomplished in regard to offspring, and before a new love-season arrives, instinctively the parents' love dissolves, the conjugal union ceases, and they are free again until the next love-period arrives, "When Hymen in his usual anniversary season summons them again to choose new mates." Not so with the union of man and woman. A large portion of their lives will already have gone by before nature's commands in regard to their first child can possibly have been met, and in that time, normally speaking, other nurture-period

Social Doctrines of the Catholic Church

in the case of the human family does not close until very late in the parents' lives, during all which time the marriage union is necessary in the interest of the child.

St. Thomas Aquinas may be quoted.

"We observe," he writes, "that in those animals, dogs for example, in which the female by herself suffices for the rearing of the offspring, the male and female stay little time together. . . . But with all animals in which the female by herself does not suffice for the rearing of offspring, male and female dwell together . . . so long as is necessary for the rearing and training of the offspring. This appears in birds whose young are incapable of finding their own food immediately after they are hatched; for since the bird does not suckle her young with milk according to the provision made by nature in quadrupeds, but has to seek food abroad for her young, and, therefore, keep them warm in the period of feeding, the female could not do this duty all by herself; hence divine providence has put in the male a natural instinct of standing by the female for the rearing of the brood. Now in the human species the female is clearly insufficient of herself for the rearing of offspring, since the need of human life makes many demands which can not be met by one parent alone.³ Hence the fitness of human life requires man to stand by woman . . . and not to go off at once and form connexions with any one he meets. . . . Nor is this reasoning traversed by the fact of some particular woman having wealth and power enough to nourish her offspring all by herself; for in human acts the line of natural recti-

³ J. Rickaby, "Aquinas Ethicus," Vol. II, pp. 328-29.

Divorce

tude is not drawn to suit the accidental variety of the individual, but the properties common to the whole species.

“A further consideration is that in the human species the young need not only bodily nutrition, as animals do, but also the training of the soul. Other animals have their natural instincts (*suas prudentias*) to provide for themselves, but man lives by reason, which takes the experience of a long time to arrive at discretion. Hence, children need instruction by the confirmed experience of their parents; nor are they capable of such instruction as soon as they are born, but after a long time, the time, in fact, taken to arrive at the years of discretion. For this instruction, again a long time is needed. And then, moreover, because of the assaults of passion, whereby the judgment of prudence is thwarted, there is need not of instruction only but of repression also. For this purpose the woman by herself is not competent, but at this point especially there is requisite the concurrence of the man, in whom there is at once reason more perfect to instruct, and force more potent to chastise.⁴ Therefore in the human race the advancement of the young in good must last not for a short time, as in birds, but for a long period of life. Hence, whereas it is necessary in all animals for the male to stand by the female for such time as the father’s concurrence is requisite for bringing up of the progeny, it is natural for men to be tied to the society of one fixed woman for a long period, not a short one. This social tie we call marriage.”

In other connections before a contract is voided by the

⁴ J. Rickaby, *op. cit.*, p. 329.

Social Doctrines of the Catholic Church

courts, even at the instance of the framers of the contract, the interests of third parties are always considered. But in the divorce court, the interest not of a third party but of the first party, and the only first, the party to whose good the marriage contract is, in the order of nature itself, wholly subordinate—that interest is not only left unprotected but is even contemptuously ignored; only the passions and the feelings of the parents are considered. The marriage union brings the child into existence; in the order of nature it is for the sake of the child that marriage as an institution exists at all. From the day, then, that marriage is entered upon, the first responsibility of the parents is not to one another but to the child. At divorce, on the other hand, the child's life and interest are completely ignored, and its future sacrificed to the convenience of its parents. In comparison with this tragedy of the betrayal of the child at divorce every other tragedy of the home shrinks into insignificance.⁵ Circumstances may, indeed, arise in which the child loses apparently little in the loss of its parents' care. But nature frames her canon of good and evil not in accordance with such abnormalities, but in accordance with the usual needs of men. And, to the child, the loss of parents, regarded in itself, is naturally a loss of the first magnitude.

Indissolubility is established from the nature of marital love. The love which a husband should bear to his wife is not a love of sense merely—it is not mere animal love based on passion. His love should be a human love, a love based on friendship more than on passion—a

⁵ J. Rickaby, *op. cit.*, p. 330.

Divorce

love, therefore, which not merely receives but gives also. The love of passion is selfish and, therefore, it lasts a short time only, i.e., as long as the attractiveness of the woman lasts. The love of friendship is unselfish, it increases with every year that passes, and endures till death. The man, therefore, who is attracted to stay with his wife while she is young and beautiful, and throws her aside when she is old, has never loved her in a human way, but as an animal only.⁶ True human love is not expressed by the formula, "I love you for a year or as long as you are young" (that would be a travesty of human love); but by the formula, "I love you," or which is the same thing, "I love you absolutely, and without restriction of time, i.e., for ever." "Love," says the poet, "is love for evermore."

Finally, we may note that any recognition of divorce is bound to lead to endless multiplication of the causes for which divorce may be obtained, and, in the end, the dissolution of marriage will be left practically to the will of the parties. Marriages will even be entered upon with a view to their speedy termination, for the sake of the freedom enjoyed by unmarried persons, and at the same time avoid the disgrace attaching to illicit union. Moreover, divorce will be sought at the earliest possible period so as to enable the parties and particularly the woman, to find other partners in life; and thus the children, if there should be children, will be left uncared for even in their tenderest years. In this way the recognition of divorce leads on to

⁶ J. Rickaby, *op. cit.*, p. 329.

Social Doctrines of the Catholic Church

a condition little short of promiscuity, and in the end to racial decay and death.

By the primary laws of nature, marriage is an enduring union, lasting as long as is required by the birth and the rearing of children, and since, in nature's intentions, the birth of many children is contemplated, and since the natural laws are framed according to the natural requirements, it follows that the marriage union by the primary natural laws is not a brief union—on the contrary, it must endure till near the end of life. By the secondary laws of nature, however, based on the more perfect relation of parent to child, and also on the needs of the parents themselves, marriage is an indissoluble union, broken only by the death of one of the parents.⁷

⁷ Codex Juris Canonici 1013.

CHAPTER VII

THE STATE—ITS NATURE, ORIGIN, AND END

THE State is a perfect and self-sufficing society, consisting of many families, united under a common ruler, for the attainment of the complete welfare and life of the community.

First, the State is a perfect society. By a perfect society is meant one which is not subject to the end of any other, its end not being part of or tributary to the end of any other. The State is subject to one other natural society. It is the highest of all because its end is the highest and widest possible in the order of nature.

There is another sense in which we sometimes speak of a society as perfect, viz. : that it has at its disposal all the means necessary for attaining its end, in other words, that it is self-sufficing. The State is perfect in this sense also. Self-sufficing is not only an attribute, but the chief distinguishing mark also of the State, as will be seen in our discussion on the origin of the State. The State, therefore, is a perfect society in the fullest sense.¹

The State consists immediately of families and remotely of individuals. This we know from the position of the family in the order of nature. In nature there are three perfectly definite and distinctive units, the individ-

¹ Encyclical "Immortale Dei," Leo XIII, 1885.

Social Doctrines of the Catholic Church

ual, the family, and the State. In the order of nature the family stands midway between the individual and the State, just as in the human body the organs stand midway between the cells and the whole organism. And just as on account of this order of nature the body is said to be composed immediately of organs or limbs, and not of cells, so also society or the State is to be conceived as composed immediately of families and not of individuals.

The State is an organism presided over by a common ruler, for without a ruling authority the State could not attain its end. This I shall attempt to establish more fully in the discussion on political authority.

The chief end of the State is the attainment of the complete life and welfare of the community. It is not the function of the State to procure the welfare of the individuals or the family. The individual and the family are provided by nature with faculties and energies for pursuing their own good. The end which the State procures is the welfare of the social body as such. Again, a community falling very short of the degree of differentiation and organization required for a State might succeed to some extent in promoting even the public welfare. But it is only by the State that man can develop to the full extent of his natural faculties, and attain to the complete life.²

The meaning and significance of this definition will be more fully understood from what is now to follow on the origin of the State.

² Encyclical "Rerum Novarum" 1891, Leo XIII.

The State—Its Nature, Origin, and End

THE ORIGIN OF THE STATE

As I have said, the first and most elementary form of human society known to nature is the family. We speak here of the family in a wide sense as consisting of parents, children, grandchildren, and the other immediate blood relations. These constitute one definite and distinctive natural unit.

The Church claims that the family is provided by nature with capacities and energies for promoting its own welfare. But the welfare which the single family is capable of promoting is of necessity narrow and elementary. It extends to the mere daily wants of the family; and it falls very far short of what we speak of as the developed or the higher life of man. In every relation of life there are things the providing of which requires the co-operation of many minds and hands; and these the mere family could not supply.³

But as the family grows, the end which the family becomes capable of attaining also grows. The children of the original family increase in number, and in their turn marry and found new families, and thus a social environment begins to form in which exchange of services or division of labor becomes possible, and so the conditions of the higher or more developed life begin to be provided. It is to such collections of interrelated families, united together for mutual companionship and support, that Aristotle gives the name of "village community." Socially it represents a distinct advance on the simple family, and it

³ J. Rickaby, "Aquinas Ethicus," Vol. I, p. 283.

Social Doctrines of the Catholic Church

represents also the first distinctive stage attained in the development of society out of the family.

But when the "village community" has appeared and co-operation and organization have been made possible and the more developed life has already begun, many of the most essential requirements may still be wanting. There will be need, for instance, of some kind of military organization for providing protection from enemies without; need also of economic organization within, so that the units may not be altogether at the mercy of chance for their supplies from abroad and of the weather for their home crops; above all, there will be need of some degree of juridical organization, i.e., of a common ruler, of a common body of laws for unifying the forces and capacities of the community and directing them to one end, and of tribunals of justice for settling disputes between the members. It is only gradually that such a degree of organization is finally reached as really puts the growing community into a position to provide for all its wants. Before this condition is reached, aggregation may or may not occur of a small group of these consanguine villages, but when this condition is finally attained, and in whatever way it is attained, the community is no longer to be regarded as a mere group of distinct individuals or units, even units in alliance, but as a single unit, animated by a single life, self-centered, independent, self-sufficient.⁴ It is this condition of self-sufficiency that marks the end of the process whereby the family grows, develops itself economically, differentiates itself politically, and finally

⁴ Aristotle, *Politics* Book VII, pp. 7-9.

The State—Its Nature, Origin, and End

emerges as a complete State. The condition of self-sufficiency is not only the end of the process but also the differentiating mark of the State. Of course, it is possible that even a single consanguine village-community might in some cases so increase in numbers and develop in organization under the direction of a family head as to reach the stage of self-sufficiency without addition from outside; normally speaking, however, a high degree of differentiation and organization can only be attained by the aggregation of several consanguine village-communities each with its own head. But, in whatever way it is attained, the condition of self-sufficiency brings the community so developed and organized under a perfectly new social category, distinct altogether in end and aim, in potentialities and function, in its rights and obligations, from the family or limited group of families out of which it sprang. But it is because for the most part it is out of the union of several village-communities that the State is formed that Aristotle takes account of this "aggregate" form of union only, in his definition. "When several villages," he writes, "are united in a single community, perfect and large enough to be nearly or quite self-sufficing, the State comes into existence," and, again, the State is "a union of families and villages, having as its end a perfect and self-sufficing life."⁵

We see, therefore, how, naturally, the family widens into the village-community, and how the village-community comes gradually to acquire such a degree of

⁵ Aristotle, *Politics* Book I, pp. 2-3.

Social Doctrines of the Catholic Church

organization as makes it a self-sufficient society or a State.

Of course, it is to be admitted that a State might also originate in other ways than as a development out of the family. For instance, just as to-day a number of individual men wholly unrelated by blood might meet together, organize themselves into a single society, appoint a ruler, and declare themselves a State, claiming equality with the other States of the world, so it is possible that in the beginning many persons unrelated by blood might come together from different districts, attracted, let us say, by the rich pasturage afforded to their cattle, and these persons might either gradually or suddenly become organized into a single community possessed of all the characteristics of a State. But such accidental occasions as these, if they ever occurred, must have been very rare and exceptional, since in the prehistoric period it was the blood-tie that offered the surest guarantee of protection from enemies without, and of friendship and co-operation within. And, therefore, the most natural, and, as a consequence, the normal way in which the State would take its rise would be as a development out of the family. It is to this extent that Aristotle also defends the family origin of the State. The family was not the only possible origin of the State, but it was the most natural origin. "The most natural form of the village," writes Aristotle (since the most natural so also the commonest form), "appears to be that of a colony from the family, composed of children and grandchildren."⁶

⁶ Aristotle, *op. cit.*, pp. 2-3.

The State—Its Nature, Origin, and End

It is, therefore, right to speak of the State as normally originating in the family through the medium of the village-community.

From all this it is possible to determine in a general way the manner in which the State first made its appearance among men. Its first appearance was not of sudden occurrence; rather its coming was of gradual growth and the result of a very long process of development. Again, though each stage in the growth of the State was itself a result of conscious effort on the part of man, striving ever to meet the growing needs of the community, and though for this reason it would not be right to speak of the State as in its origin wholly outside of human purpose, since to aim at the successive stages by which self-sufficiency is reached is, in effect and virtually, to aim at complete self-sufficiency which is the characteristic mark of the State, nevertheless, the State itself could not be said to have been consciously and formally aimed at from the beginning. Men do not, as a rule, aim at conditions of which they never had experience, more particularly conditions which it would be difficult to conjure up in imagination without experience. The State, therefore, was a growth, and to a large extent it followed the ordinary laws of growth. It grew to some extent as plants grow, spontaneously and independently of the contrivance of reason.⁷ "It glided imperceptibly into existence as men became successively aware of the various needs bound up with their nature." The work of forming political socie-

⁷ Newman, "The Politics of Aristotle," Book I, p. 27.

Social Doctrines of the Catholic Church

ties was, as Mr. Bryce⁸ tells us, "done by tribes and small city communities before they began to be conscious that they were forming institutions under which to live." The State, therefore, was a growth and was not from the beginning clearly conceived by reason. But the stages that led to its formation were, as we have said, for the most part devised by reason, and to that extent the State is to be described, not like the plant as a spontaneous growth, but as a human contrivance, as a product of human reason. In the first chapter of his work on Representative Government John Stuart Mill gives an account of two opposing extreme theories on the origin of the State, one of which represents it as a natural growth independent altogether of human thought and contrivance, the other of which likens it to a machine that is made by human hands and is wholly a result of human effort and purpose. Evidently the view defended by Aristotle and the view which is given here of the origin of the State occupies a mean position between these two theories. The State is to a large extent a spontaneous growth, a gradual expansion from the family. But it is largely also a result of thought, it is a product of many converging acts of human reason. And as it depended on human reason in its origin, so it is reason that directs it now, and forms and shapes it, as the needs of man increase, to ever newer and higher perfections.⁹

I now go on to describe very briefly the later relations of the State to the family before the State assumed the

⁸ Bryce, "Studies in History and Jurisprudence," Vol. II, p. 97.

⁹ Sir J. R. Seeley, "Introduction to Political Science," p. 55.

The State—Its Nature, Origin, and End

condition of complete and final independence of the family out of which it sprang. Having developed out of the family, the State would, in the beginning, and for a long time afterwards, retain the outward forms of the family organization, for instance, the monarch might be the patriarch of the community, and it would retain these forms for one particular reason, viz., on account of the strength and the rigidity which the family organization imparted to society in the beginning, at a period, viz., when "coherence," as Spencer tells us, "was still small and the want of structure great." But in its nature and purpose the State is, as we saw, distinct from the family, and, therefore, it is to be expected that in process of time the State would find itself necessitated to put off the outward form of government that had come down to it from the family, and proceed to initiate and develop other forms of government more suitable to its own special aims and requirements.

Only in this way could the State have been enabled finally to put off the shackles that the rigidity of the family structure imposed upon it, and to obtain for itself freedom to expand in the directions and to the degree to which its own capacities entitled it. This transition from the family form of organization to other more proper and more efficient because less rigid forms is thus described by Seeley.¹⁰ "The authority of the pater-familias may or may not be primeval and universal; but certainly in those cases where we are able to trace the history of States further back, the starting-point seems not to be a condi-

¹⁰ Sir J. R. Seeley, "Introduction to Political Science," p. 55.

Social Doctrines of the Catholic Church

tion of universal confusion but a powerful and rigid family organization. The weak were not at the mercy of the strong, because each weak man was a member of the family, and the family protected him with an energy of which modern society can form no conception. . . . In these cases, too, we are able to trace that the State was not suddenly introduced as a kind of heroic remedy for an intolerable confusion, but that the germ of organization given by nature was developed artificially; that the family grew into something more than a mere family, that it developed itself gradually so much, and acquired so much additional organization as to disengage itself from the literal family which now reappeared as an independent form within it, and that at last the conventional or fictitious family (i.e., the State) acquired a character of its own, until it first forgot and then at last denied and repudiated its connection with the natural family.¹⁰

THE STATE A NATURAL INSTITUTION

From all this it is clear that the State is a natural institution, an integral portion of the design of nature, and not a product of chance or convention of any kind. It is natural, first, because it is founded on the most natural of all social institutions, the family. Secondly, it is natural because it grew out of the family naturally, the State being nothing more than the natural expansion of the family. As the family developed, without formally aiming at the State, it approached ~~nearer and nearer~~ nearer to the condition of a State. The State was only the flower that

The State—Its Nature, Origin, and End

marked the coming to maturity of the expanding family. It is, of course, true that the State might in a particular case take its rise independently of the family.¹¹ It might in a particular case be brought into existence by a compact on the part of a number of citizens unrelated to one another by blood. But for the most part it must have arisen out of the family, and granted that the family expanded at all within the limits of its natural capacity, it had to expand into a State—there was nothing else into which it could expand. Thirdly, the State is natural because its end is natural, and the State is necessary for that end. Without the State, development would be impossible. Without it our natural capacities should have remained capacities merely. They would never have attained to their natural objects. All that has been attained in the way of knowledge and all that has been accomplished by human energy in the way of art, science, commerce, all, in fact, that goes to make up our natural civilization, with the exception of the merest rudimentary beginnings, all or nearly all of this has been attained through the instrumentality of the State. And that is why the State was from the beginning a necessity to man, why, granted that men aimed at development in any sense, the State had to appear. It had to appear because without it human perfection could not be attained, because without it man would be dwarfed and cramped on the mental side just as confinement in a dungeon would cramp him in his physical capacities. The State is our natural environment, and in it alone the fullness of our natural

¹¹ Cath. Encyclopedia, Vol. 14, pp. 256-257.

Social Doctrines of the Catholic Church

rational life becomes possible. "In the State," writes Bryce, "man breathes at last his native air, reaches his full stature and attains the end of his being."¹² And as that which is necessary for our physical life is a natural necessity to man, so the State is natural, since, without it, development is impossible and the fullness of our natural perfection remains unattained.

THE END OF THE STATE

The end of the State is the furtherance of man's natural welfare in regard to those things which can not be attained by the activities of the family alone. And since, as we saw, the family is capable of attaining to no more than the ordinary daily necessities, or what Aristotle speaks of as "mere life," it becomes the function and end of the State to supply the things that are necessary for the better or more perfect, or the more developed life. It is a well-known maxim of economic theory that a man's interests are, generally speaking, looked after more effectively by himself than by others; and, therefore, it can be no part of the natural end of the State to promote the private interests of any individual or family, or take over control of the things that are strictly and naturally their proper interest, or what we speak of as their private good. But there is a common good as well as a particular or private good—a good of society as such as well as a good of the individual as such; and, just as the individual good ought to be entrusted to the individual, so the common good

¹² Bryce, *op. cit.*, p. 98.

The State—Its Nature, Origin, and End

ought to be entrusted to, and indeed can be secured only by, the community or the State.¹⁸ This is the first and chief end of the State—the promotion of the common good or the good of the social body as such.

Let me briefly attempt to determine what is contained in this important conception. By the common good is not meant the common element in all individual goods or the things that all men in common require. For instance all men require food and drink, but these things it is not the business of the State to supply. The common good, as I said, means the good of society as such, and it is opposed to and contrasted with the good of the individual as such. For instance, it is the business of the State to protect the community from enemies without, and to furnish the machinery and prepare the organization required for this end. Again, it is the business of the State to make laws for the community, to set up tribunals for administering justice, to establish a proper educational system, to regulate commerce so that the whole community may not suffer by the inordinate action of a few individuals. All these things are matters appertaining to the good of the community as such. Again, it is the business of the State to provide and maintain such an environment, physical and moral, as is required for the welfare of individuals, physical and moral, for though individuals may benefit by such an environment, it really is, properly speaking, a "good," of the whole community, and the providing of it is wholly outside the capacity of individuals. Men could not be healthy in unsanitary surroundings. Virtue can prosper

¹⁸ J. Rickaby, "Aquinas Ethicus," Vol. I, p. 267.

Social Doctrines of the Catholic Church

only with difficulty where the level of public morality is low and the atmosphere morally offensive.¹⁴

In determining the end of the State, however, one ought not to interpret the common good in a narrow sense as including only the things that are in strictness common, that is, necessary for all. For there are many necessities that are not the interests of all, which yet are not to be regarded as private interests merely; they are public interests since they are necessary for the public of a particular place; and these things may also be regarded as a part of the common good and as falling within the end of the State. If a bridge is necessary, or if a railway is required for developing the resources of a particular district, the State may reasonably be expected to concern itself with such things and lend encouragement and even pecuniary aid—whether out of the general treasury or the local revenues is quite another question.¹⁵

But the question arises: Is the promotion of the common good in the broad sense just given, which manifestly is the chief end of the State, also its only end? Has the State no concern with the individual good? To answer this question we have again to appeal to the problem of the ground and origin of the State, on which depends the whole theory of its end and function. The State we have seen to be necessary for man because the individual and the family are not self-sufficient. Neither individual nor family can supply the things required for the developed life. The State can, and does, and is instituted in order

¹⁴ J. Rickaby, *op. cit.*, p. 283.

¹⁵ J. Rickaby, *op. cit.*, p. 284.

The State—Its Nature, Origin, and End

to, supply them. The measure of her function, therefore, is to be found in the necessities of man and in the ability of the individual and the family to provide these necessities. Anything, therefore, which is necessary, whether for the individual or for society at large, and which the individual or the family is not in a position to supply, may legitimately be regarded as included in the end of the State. Here, however, we have to institute a narrower rule than that followed in the interpretation of the common good. The common or social good is naturally a function of society or the State, and, therefore, it was right that we should interpret this idea in the broadest spirit when determining the end of the State. In other words, in connection with the common good, we may put as much on the State as it can possibly bear. But the individual good is naturally the concern of the individual only, and, therefore, in attempting to define the rights of the State in regard to the individual interest it is necessary to confine her rights within the narrowest possible compass. The State may certainly concern itself with the individual good, but only in so far as the individual is wholly debarred from attaining the things necessary. It is not part of the end of the State to help an individual to amass a fortune, or to avoid financial failure.¹⁶ But the functions of the State do extend to the case of paupers and lunatics who are wholly unable to provide for themselves. Only in one case is it open to the State to help a failing industry, viz., where its maintenance is in some way a public necessity and subvention of some kind is

¹⁶ Aristotle, "Politics," Book III, pp. 6-8.

Social Doctrines of the Catholic Church

absolutely required. It could never be allowed to spend public money on a business in the interest of the individual alone.

From all this we see how wide and all-inclusive are the end and office of the State. Ever since the seventeenth century writers have been formulating theories as to the end of the State, which on account of their restrictive characters are spoken of as "limitative" or "minimizing" theories, and these stand in direct and marked contrast to the broad and essentially reasonable theory advocated by Aristotle.¹⁷ By some the State is regarded as possessed of one function only, viz., to protect individuals from aggression on the part of other individuals within the same community, or, what is practically the same idea, to determine the limits within which human activities ought to be restricted if they are not to hinder the activities of others.¹⁸ Certain writers also, though favoring a wider function than this (for instance, the promotion of the best life) would yet limit the means which it is open to the State to utilize for this purpose to the negative function of "hindering hindrances" to the best of life. How different in every essential is Aristotle's exposition where the end of the State is represented as in the first place, positive like the State itself, and in the second place as co-extensive practically with life, or at all events with the developed life.¹⁹

And this is the view which alone harmonizes with rea-

¹⁷ Hobbes, Locke-Kant favor the "Legal State."

¹⁸ Aristotle, "Politics," Book III, pp. 6-9.

¹⁹ Spencer, "Man vs. State," p. 105; "Justice," p. 23, *op. cit.*

The State—Its Nature, Origin, and End

son and with fact. For, first, the State came into existence in order that man might become possessed of those things which could not be obtained by individual effort, and the end of anything ought to be as wide as the necessities that give it rise. Again, the State has never itself confined its operations within the narrow sphere assigned to it in these limitative theories. It has not only intervened to prevent injustice and to hinder hindrances to development, but it has itself assumed offices of immense magnitude lying wholly outside the sphere of litigation and justice, and has undertaken work that could in no sense be regarded as negative or preventive. And what the State normally does may, as a rule, be regarded as consonant with, or rather as a part of its natural function. The State, therefore, has, in its own operations, set at nought every limitative theory, as cramping and hindering it, and as falling short of its own capacity for good, and we believe it is for this reason more than any other that political theorists have of late years shown so marked a tendency to discard what is called the modern for the more ancient theory of the end of the State. "As to the question" (of the limits of State action), writes Sir Frederick Pollock, "I do not think it can be fully dealt with except by going back to the older question—what is the State for? And although I cannot justify myself at length I will bear witness that for my own part I think this is a point at which we may well say 'Back to Aristotle.'"²⁰

²⁰ "History of the Science of Politics," p. 124.

VIII

CHURCH AND STATE

THE relations between religion and politics, and more precisely between Church and State, have always aroused great interest and even violent passions. An attempt was made to draw Christ Himself into the discussion by the insidious questions as to the right of Caesar to claim a tributary tax from a people who was unwillingly subject to Roman authority. To rebel against Caesar was to thwart recognized authority. To comply meant a default in solidarity among God's own people; it would be equal to renouncing all that was sacred in their independent life; it would be curtailing their liberty and therefore their mission of imparting the truth which had been given unto them. The objections which the Pharisees put forth to the Divine Master contain the substance and the synthesis of the difficult and serious question. The very fact that the problem was presented to history and to Christian society in its earliest era demonstrates that in the conscience of both men and civilization, it is impossible to make will and reason independent of a moral law, and on the other hand it demonstrates that this moral law has its origin in absolute and religious principles.

On this point, judging from collective sentiment in

Church and State

the various and successive ages, there seem to have been almost no divergent views. But discussion arises when one endeavors to establish the boundaries which separate the zones of jurisdiction and influence, and the points in which moral law, and consequently religion, interferes with political action; that is, the relations between the Church on one side, and, on the other, State authority, social activities and political parties.¹

“Politics” may mean two things: firstly, the art of Government in general; and, secondly, the programme, activities, aims, of individual “political” parties or groups within the same State. It is clear that all “politics,” understood in either sense, are subject to moral law. We can, therefore, say that while some moral actions have absolutely no relation to politics, political actions can not be dissociated from moral law. They are, therefore, submitted to a two-fold judgment, moral and political, and the former will always be superior to the latter, because it is vaster, and embraces principles that apply to every human action. Furthermore, because of the intimate connection between morality and religion—which in the mind of believers are two interdependent terms—we find that politics, which is also governed and disciplined by moral laws, is closely connected and interferes with religion, and is therefore subject to another spiritual authority.²

According to Catholic logic, the Church, which is the custodian of religion, which interprets, teaches, and ap-

¹ Encyclical “*Immortale Dei*,” 1885, Leo XIII.

² J. Rickaby, “*Aquinas Ethicus*,” Vol. I, p. 271.

Social Doctrines of the Catholic Church

plies religious principles, which endeavors to bring morality and social life into conformity with its teachings, can not ignore politics; neither can politics repudiate the guidance and the advice of the Church. While the fields must be clearly divided, relations between them must of necessity exist in connection with every problem in which the spiritual and the moral element is associated with the material element, and every problem which affects that which Thomas Aquinas defines as "the common good" proper to civilized society. And in the attainment of this, the claims of eternal ends which overshadow all things temporal—as ends always overshadow means—are not obstructed, but are even furthered by the establishment of earthly welfare and justice.

Problems comprising both a religious and moral aspect often enter the political field, and occasionally become actual political issues. We might name an infinite number of such, problems relating to the family and to the schools, to the relations between Church and State, to public morality both in the press and in private conduct, and so on. The Church's attitude in these matters is based on two fundamental principles, which can be summarized as follows:

I. The end does not justify the means; no political aim, however just and noble it may be, may be attained by illicit means.

II. Respect must be accorded to law, in which the Church sees the guaranty of public order, healthy social life, and uninterrupted progress.

The Catholic Church, therefore, has always opposed

Church and State

every infraction of these two cornerstones of social structure. And despite the accusations that have been made regarding its action, it has in no way been the thought or intention of the Church illegitimately to invade a field which was not within its jurisdiction. In the same spirit the Church has taken a stand in the political field in defense of the indissoluble character of marriage, of the free and Christian school, of the sacred rights of the Church itself side by side with those of the State, and of the disciplines necessary to prevent corruption and immorality.³

This action on the part of the Church, this point of its technical code, is all the more worthy of consideration in that the distinction between the two powers, religious and temporal, was made by Jesus Christ, and has been affirmed by Christianity: "Give unto Caesar the things which are Caesar's, and unto God the things which are God's." This commandment, this evangelic principle, was ignored by pagan antiquity, by the Egyptians, the Chaldeans, the Persians, the Indians, the Chinese, the Greeks; it was ignored by the Romans, for whom Caesar was not only Imperator, but also Pontifex.

The Church and State are independent in their own sphere, and the Church claims to have faithfully enacted the principle. As soon as persecution ceased against the religion of Christ, the distinction between Pontifex and Caesar became apparent to the people, and it dominated the last Roman era; the battle to take from Caesar what was owing to God was won morally at Canossa, politically

³ Encyclical "Immortale Dei," 1885, Leo XIII.

Social Doctrines of the Catholic Church

at Worms. At a later age there was a return of the Caesar-Pontifex in the world of the Oriental Schism, and in non-Catholic countries. The Catholic world is exempt from it; it remains true to the principle of giving unto Caesar the things which are Caesar's, and unto God the things which are God's. The Catholic Church in its aspect of a perfect and independent society does not wish to be a part of, nor to be confused with, other social organizations; it does not take unto itself the mission of imparting civil government to constituted States. "Each of the two powers," says Leo XIII, in the Encyclical "Immortale Dei," "is sovereign within its own sphere, in which it has every right to move and act."

In other ages the Catholic Church has, in the face of serious danger and under the pressure of events, been able to take the place of civil authority which was either lacking or unworthy of governing. Some man belonging to the Church may have gone too far, or may have fallen into error; these are, however, historical exceptions and personal fallacies. The Catholic Church did not go beyond the aforesaid principles. Therefore it affirms that its doctrine is all the more authoritative and devoid of suspicion once we have clearly stated the relations existing between the two fields, the two powers, the two activities.⁴

⁴ Cath. Encyclopedia, Vol. 14, pp. 250-257.

IX

CHURCH AND POLITICS

AS Pius IX points out in the Syllabus, it does not logically follow as a consequence of what has been said before that the distinction and independence of the two powers excludes the authority of the Church, which is really the expression of moral and religious influences, from interfering in temporal and political matters; it does not follow that politics and religion, civil power and religious power, are to be regarded as two ideal and practical activities destined according to a liberal theory to move along parallel lines and never meet. The Catholic Church, therefore, affirms the principle of collaboration between the two powers in a Christian State. The separation between Church and State in principle, and especially when hostile to religious interests, is not admitted; it is even condemned.¹

For this reason Leo XIII affirms that "it is necessary to have between the two powers a harmonious unity of purpose, which can be justly compared to the unity of the soul and the body"; and the same Pope, in 1892, wrote as follows to the Bishop of Grenoble: "We do not endeavor to enter into politics, but when politics comes to be intimately connected with religious interest, it is the duty

¹ "Syllabus of Errors," 1854; Pius IX.

Social Doctrines of the Catholic Church

of the Pope to determine the way by which these interests can be appropriately safeguarded."

This can be summarized as follows: The Church does not exercise a political function; it exercises a moral and religious function; politics has a part in its programme only when some political action reflects on moral and religious principles.²

So far we have dealt with politics considered as the art of governing. We now come to the question of politics considered as life, movement, the struggle among factions, and the development of their programmes. And here it is obvious that the Church must be aloof. By the word Catholic the Church defines her universal character; she embraces and governs all her faithful. Political parties, on the other hand, represent separate and particular fields of life and thought; the citizens are divided among them without prejudice to their religious principles. The Church defines her position by stating that she remains "outside and above all political parties." Cardinal Gasparri, Secretary of State to Pope Benedict XV, stated in 1919 that the action of the Church "went beyond and above purely material and political problems," which form the basis and reason of existence for political parties. The Church recognizes the legitimate right of these parties to exist as natural associations fostering interests which the members have in common. Leo XIII wrote: "If it comes to question of a purely political nature, dealing with the best form of Government, with this or the other system of administration, honest divergencies are

² Encyclical "Immortale Dei," 1885, Leo XIII.

Church and Politics

permissible. There is no doubt that outside of the questions of truth and justice, it is permissible to introduce and enact those ideas which are likely to contribute efficaciously to the common welfare. But to attempt to enlist the Church itself in partisan struggles, for parties to expect its support in the vanquishing of their enemies, is an indiscreet abuse of religion.”³

The Church, therefore, can not descend into the arena of opposed parties, but it can take a stand against them when the rights of justice and truth are neglected or threatened. This, however, is not a case of political activity or party struggle, but the legitimate and dutiful action of the Church which always opposes injustice and error by whomsoever expressed or organized. We may regard as absolutely definite the words of Benedict XV in his letter to the Portuguese Bishops in 1919: “The Church must not take sides with factions; neither is she to be used by political parties.”

Up to now we have spoken of the Catholic Church as such; that is, regarded as the religious power existing beside the civil power in its own field of activity. But if we turn our discussion to the political parties themselves, and to the various currents of thought aroused by political activities, we come to a different and singular aspect of the problem, which is no less interesting. We no longer have to deal with the relations between Church and State, but with Catholic citizens in their relations to politics and parties.⁴

³ Encyclical “*Immortale Dei*,” 1885, Leo XIII.

⁴ *Cath. Encyclopedia*, Vol. 14, pp. 250-257.

X

THE CHRISTIAN DOCTRINE OF PROPERTY

ALL the radical movements for industrial reform involve the institution of private property. Socialism would abolish private ownership of the instruments of production; the Single Tax System would substantially abolish private ownership of land. Public ownership of such things as railroads, telegraphs, and municipal utilities would restrict very considerably the scope of private ownership, and even such milder proposals as profit-sharing and labor participation in management would cause a redistribution of the existing powers and functions of ownership.

The relations between capital and labor and the manner in which the product is distributed are what we find them to-day mainly because our industrial system is based upon a certain form of private property. The instruments of production are owned and managed by private individuals and organizations. The conditions and terms of employment and the distribution of the industrial product, are likewise determined by the fact that capital is private property, not the property of the State. Both these matters are arranged by agreement between the workers on the one hand, and the owners of capital on the other. Hence, both capitalist and laborer are vitally interested in

The Christian Doctrine of Property

the institution of private property. The former prizes the institution as a means of livelihood and a source of social and industrial power; the latter is no less keenly interested although in a somewhat different way, and for somewhat different reasons. The worker wishes to own his wages and the things that his wages will buy, and he frequently desires to restrict the social and industrial power which ownership confers upon the capitalist.¹

All the efforts of revolutionists and reformers for the abolition or for a reorganization of the system of private property, and all the disputes between labor and capital concerning employment conditions and the distribution of the product, assume that there is involved an ethical principle, a principle of justice. To that supreme principle all make their final appeal. Inasmuch as the Church is the teacher and interpreter of morals, in economics no less than in the other relations of life, her doctrine of property is of the highest importance.

The founder of Christianity is sometimes represented as a revolutionist, a communist, or at least as one who did not believe in private property. No such claim can be substantiated by any fair study of the Gospels. Christ nowhere condemned the private ownership of goods as unjust or unlawful. Probably the nearest approach to such a declaration is found in His reply to the rich young man who asked what he should do in order to have life everlasting.² When Christ enumerated the principal commandments, the young man replied: "All these have

¹ J. Rickaby, "Aquinas Ethicus," Vol. I, p. 284.

² *Ibid.*, p. 283.

Social Doctrines of the Catholic Church

I kept from my youth. What is yet wanting to me?" The answer of Jesus was: "If thou wilt be perfect, go sell what thou hast and give to the poor, . . ." In these statements Our Lord drew quite clearly the distinction between what is necessary and what is of counsel. The young man was not required to divest himself of his goods unless he wished to be perfect, but he was not commanded to be perfect. Moreover, the fact that Christ counseled the young man to "sell" his goods, shows that He did not regard private ownership as unlawful in itself. Had he meant to teach such a doctrine, He would have required the young man to give away his goods, not to convey the title of ownership to another by a sale. The young man could not have sold what was not his. Christ became a guest in the house of the rich man, Zaccheus, and assured him, "this day is salvation come to this house." Zaccheus had said: "Behold, Lord, the half of my goods I give to the poor." Christ did not command him to give away the other half as a condition to salvation.

Jesus Christ did, indeed, emphasize the dangers of riches and denounce the rich in severe terms. "It is easier for a camel to pass through the eye of a needle, than for a rich man to enter into the Kingdom of Heaven." Nevertheless, He immediately added, "With men this is impossible, but with God all things are possible." The rich man who had rejected the plea of the beggar Lazarus is pictured in hell. The poor widow who contributed two brass mites to the treasury is praised above the rich men who had given of their abundance.

What Christ required was not that men should refrain

The Christian Doctrine of Property

from calling external goods their own, but that they should make a right use of such goods. He declared that salvation was come to the house of Zaccheus when He heard that the latter was in the habit of giving half of his wealth to the poor. In His description of the last judgment He promised heaven to those who would feed the hungry, give drink to the thirsty, and clothe the naked. These are only a few of the Gospel indications that Christ made the right use and the proper distribution of private property one of the most binding and important of His commandments.

There is another element of Christ's teaching which has a very important bearing upon the doctrine of property. That is His insistence upon the intrinsic worth and sacredness of the human individual, and the essential equality of all human persons. From the fact that every human being has intrinsic worth, it follows that he has a moral claim upon the common means of life and of livelihood; from the fact that all persons are equal in the eyes of God and equally destined for eternal life, it follows that they have equal claims upon God's earthly bounty for at least the essentials of right and Christian living. It is true, indeed, that Christ nowhere formulated these propositions in the terms just used; nevertheless, they are a correct rendering of His teachings on these subjects. Because of this teaching, St. Paul could adjure Philemon to take back his runaway slave, one Simus, "not now as a servant, but instead of a servant a most dear brother." Christ's teaching concerning the intrinsic worth and the essential equality of all human beings has important im-

Social Doctrines of the Catholic Church

plications, not only with regard to spiritual goods and welfare, but also with respect to all things necessary for Christian living, including access to material goods. These implications have been recognized and applied by the authorities of the Church from the beginning until the present time.³

The most radical application of the doctrine of equality was made by the first Christians of Jerusalem who sold their individual possessions and "had all things in common, . . . and divided them to all, according as every one had need." This was the Christian Communism which Socialists and other extremists sometimes point to as exemplifying the normal and necessary Christian attitude toward property. However, this contention is unsound, for two very good reasons. First, the arrangement was entirely voluntary, as we see from the words of St. Peter to Ananias: "Whilst it remained, did it not remain to thee? And after it was sold, was it not in thy power?" Here is a clear indication that none of the early Christians was morally bound to contribute his private property to the common store. In the second place, there is no evidence that community of goods was continued more than a few years among the early Christians. Apparently, it was due to the peculiar conditions of the faithful in Jerusalem, and possibly to the first fervor of new converts.

It is in the writings of some of the great Fathers of the Church in the fourth and fifth centuries that we find the most striking recognition of the claims of all men upon

³ J. Rickaby, *op. cit.*, Vol. II, p. 54.

The Christian Doctrine of Property

the bounty of the earth, and of the obligations of proprietors to make a right and social use of their goods. St. John Chrysostom exclaimed: "Are not the earth and the fullness thereof the Lord's? If, therefore, our possessions are the common gift of the Lord, they belong also to our fellows: for all the things of the Lord are common." Speaking of the rich of his day, St. Basil declared: "That bread which you keep belongs to the hungry; that coat which you preserve in your wardrobe, to the naked; those shoes which are rotting in your possession, to the barefooted; that gold which you have hidden in the ground, to the needy."⁴ According to St. Augustine: "The superfluities of the rich are the necessities of the poor. They who possess superfluities, possess the goods of others." St. Ambrose declared that God intended the earth to be "the common possession of all," and that "the earth belongs to all, not to the rich." In the words of St. Gregory the Great: "When we give necessities to the needy, we do not bestow upon them our goods; we return to them their own; we pay a debt of justice, rather than fulfill a work of mercy." St. Jerome quoted with approval a saying that was common in his time: "All riches come from iniquity, and unless one has lost, another can not gain."

While very few subsequent writers or teachers of the Church used quite such strong language as that just quoted, they all taught the same doctrine in substance. According to St. Thomas Aquinas, it is right that property should be private with respect to the power of acquisi-

⁴ J. Rickaby, *op. cit.*, Vol. II, p. 55.

Social Doctrines of the Catholic Church

tion and disposal, but that it should be common as regards its use; the abundance of the rich belongs by natural right to the poor; the order of reason requires that a man should possess justly what he owns, and use it in a proper manner for himself and others; and finally the man who takes the goods of another to save himself from starvation is not guilty of theft. When Cardinal Manning, some years ago, reiterated this doctrine of the right of the starving man to appropriate alien goods to save himself from starvation, he was denounced as an anarchist by some of the newspapers of that day.⁵ These journals showed that they were ignorant of the traditional Christian teaching of property rights; they knew only a false ethics of property.

According to the Christian conception, and according to the law of nature and of reason, the primary right of property is not the right of exclusive control, but the right of use. In other words, the common right of use is superior to the private right of ownership. God created the goods of the earth for the sustenance of all the people of the earth; consequently, the common right of all to enjoy these goods takes precedence of the particular right of any individual to hold them as his exclusive possession. To deny this subordination of the private to the common right, is to assert in effect that nature and nature's God have discriminated against some individuals, and in favor of others. Obviously, this assertion can not be proved by any evidence drawn either from revelation or from reason. The fact that the State sometimes violates this order, ex-

⁵ J. Rickaby, "Aquinas Ethicus," Vol. II, p. 433.

The Christian Doctrine of Property

aggrerating the privileges of private owners to such an extent as to deny the common right of all the general heritage, merely shows that the State can sometimes do wrong.

Nevertheless, this common right of property, the right of use, is not a sufficient provision for human welfare. Men need not only the general opportunity to use goods, the general right of access to the bounty of others, but also the power of holding some goods as their own continuously. They require the power of excluding others from interference with those goods that they call their own. Without such a right and such powers, personal development, personal security, and adequate provision for family life are impossible.⁶ All this is evident with regard to those things which economists call "consumptive goods;" that is, those goods which are necessary for the direct and immediate satisfaction of human wants; such as food, clothing, shelter, household furniture, and some means of amusement, recreation, and moral, religious, and intellectual activities. The necessity of private ownership in these articles is not denied by any one to-day, not even by Socialists.

As the term is ordinarily understood, private ownership means more than ownership of consumptive goods. It embraces more particularly productive goods, the natural and artificial means of production; such as lands, mines, railroads, factories, stores and banks. To-day, all these are owned by private individuals or by corporations. With regard to this kind of property, the Catholic Church, especially through Pope Leo XIII, denounced it as detri-

⁶ J. A. Ryan, "Social Reconstruction," pp. 207, 208-211.

Social Doctrines of the Catholic Church

mental to the working people and to society, and as contrary to the natural rights of the individual. According to the Catholic doctrine, therefore, the right of the individual or of a group of individuals to acquire and hold in private ownership some of the means of production, is in harmony with, and required by the moral law of nature. The institution of private ownership, even in the means of production, is declared to be necessary for human welfare. Therefore, the State would injure human welfare and violate the moral law if it were to abolish all private property in the instruments of production.⁷

However, care must be taken not to exaggerate the implications of this doctrine. All that it asserts is that the institution of private property in some of the means of production is morally lawful and morally necessary; all that it condemns is that contradictory system which would put the State in the position of owner and manager of all, or practically all, natural and artificial capital.

Therefore, the Catholic teaching does not condemn public ownership of what are called public utilities, such as railroads, telegraphs, street railways, and lighting concerns. It does not even condemn public ownership of one or more of the great instruments of production which are not included in the field of public utilities. For example, it has nothing to say against State ownership of mines, or State ownership of any other particular industry if this were a necessary means of preventing monopolistic extortion to the great detriment of the public welfare. Where the line should be drawn between State ownership

⁷ J. A. Ryan, *op. cit.*, p. 207.

The Christian Doctrine of Property

of industries which is morally lawful and State ownership which encroaches upon the right of private property, can not be exactly described beforehand. The question is entirely one of expediency and human welfare. In any case, the State is obliged to respect the right of the private owner to compensation for any of his goods that may be appropriated to the use of the public.⁸

Another caution concerns the actual distribution and the actual enjoyment of private property. While the Church opposes Socialism, it does not look with favor upon the restriction of capital ownership to a small minority of the population. Indeed, the considerations which move the Church to oppose the Socialist concentration of ownership are an argument against a concentration in the hands of individuals and corporations. Every argument which Pope Leo XIII uses against Socialism is virtually a plea for wide diffusion of capital ownership. The individual security and the provision for one's family which a man derives from private property, are obviously benefits which it is desirable to extend to the great majority of the citizens. It is not enough that private ownership should be maintained as a social institution. The institution should be so managed and regulated that its benefits will be directly shared by the largest possible number of individuals. Therefore, Pope Leo XIII declared explicitly that it is the duty of the State "to multiply property owners."

Therefore, those ultra conservative beneficiaries of the present order who see in the Church's condemnation of

⁸ J. A. Ryan, *op. cit.*, pp. 206-207.

Social Doctrines of the Catholic Church

Socialism approval of the existing system with all its inequities, are utterly mistaken. They have missed the fundamental principles and aims of the Church's teaching. The Church advocates private ownership indeed, but she does not defend the present unnatural and anti-social concentration of ownership. She is interested in the welfare of all the people, and wishes that all should share directly in the benefits which private property provides.

So much for the right of private ownership. The duties of the proprietor occupy a no less important place in the Christian teaching. In general, they are a limitation upon the right of property. The right is exclusive as regards other individuals; that is to say, it excludes others than the proprietor from exercising the essential control which is conferred upon the proprietor. As regards God, the right of the proprietor is limited. Neither Christian teaching nor sound philosophy regards this right as absolute.⁹

The private owner is a steward of his goods rather than an irresponsible master. It is from the pagan code of Roman law, from the virtually pagan Code Napoleon, and from the unmoral and immoral principles of economic liberalism that has arisen the pernicious doctrine that "one may do what one pleases with one's own." The so-called "right of use and abuse" which has obtained such wide currency in industrial thought and practice, is in fundamental opposition to the Christian teaching.

The limitation set by that teaching to the powers and rights of the private owner follow logically from the

⁹ J. A. Ryan, *op. cit.*, pp. 209-210.

The Christian Doctrine of Property

Christian doctrine concerning the common bounty, and the recognition of the right of use as the primary right of property. Some of the duties of the private owner have already been pointed out by implication in our discussion of the teaching of the Fathers of the Church. In a general way, the obligations of the proprietor with regard to the right use of his goods may be thus formulated. He must so use and administer his property that other men shall enjoy the benefit of it on just terms and conditions. Only thus can the private right of property be reconciled with the superior common right of access to the bounty of the earth. One inference from the general principle was drawn by St. Thomas Aquinas, when he declared that a man's superfluous goods belong by natural right to the poor. For the time and society in which St. Thomas wrote, this was probably the most important particular application of the principle.¹⁰ In the present social and industrial system, with its immense aggregations of capital and its enormous numbers of people whose livelihood depends upon their relation and access to these industrial enterprises, right use of property and the sharing of its benefits "on just terms and conditions," have different and far wider applications. Chief among these applications is the right of the worker to a living wage, and the right of the consumer to just prices. So much is certain. Right use, reasonable access to the common bounty, and participation in the benefits of property on just and reasonable conditions may also require, and sometimes they do require, the recognition of labor unions, sharing by the

¹⁰ J. A. Ryan, *op. cit.*, pp. 210-211.

Social Doctrines of the Catholic Church

workers in industrial management and in profits, and the limitation of rates of industrial interest by the State.

In any case, the general principles are clear: The earth is intended by God for all the children of men; individuals or corporations that have appropriated any portion of the common bounty to their exclusive control and disposition hold it subject to this primary and fundamental social purpose; therefore, they are morally obliged to administer it in such a way that all who live by it, or depend upon it, shall enjoy the economic opportunity of a reasonable and normal life.

Although Pope Leo XIII condemns State ownership and management of all the instruments of production, he did not reject State regulation of private property. On the contrary, he laid down a principle which would give to the State all the power and authority which any reasonable person could desire over industrial relations, and for enforcing the limitations of ownership: "Whenever the general interest or any particular class suffers or is threatened with injury which can in no other way be met or prevented, it is the duty of the public authority to intervene." This principle would justify legislation of many kinds for a better use of private property and for a wider distribution of its benefits.¹¹

The Christian doctrine of property is sufficient, on the one hand, to protect the common interest and claims of all human beings, and on the other hand, to safeguard all the reasonable rights of individual proprietors. The evils which have existed and still exist in connection with pri-

¹¹ Cath. Encyclopedia, "Property," Vol. 12, pp. 465-67.

The Christian Doctrine of Property

vate property are not inherent in the institution, as that institution is understood and defended by the Christian teaching. The most dangerous enemies of the institution are neither the exponents of the Christian teaching nor the social reformer generally, but those extreme upholders of the present system who cling to an autocratic and irresponsible theory of ownership which is as inconsistent with human welfare as it is contrary to the ideals of democracy.¹²

¹² Cath. Encyclopedia, Vol. 12, pp. 462-472.

XI

CO-OPERATIVES AND CATHOLICISM

THE remedies for modern capitalism are the legal prohibition or control of monopoly, co-operative enterprises, and the legal prevention of methods of adulteration.

Monopoly is either natural or artificial. No kind of monopoly should be allowed to be unregulated. When the monopoly is an artificial one it is sometimes able to defy the law for a long time. Government price-fixing can prevent only the more extreme abuses. Government competition with refractory monopolies may be necessary in some cases. Even government ownership of a whole monopolized commodity under democratic management, and with control of prices, might be the only adequate remedy in extreme cases.

Co-operative societies remove middlemen because the members of the societies perform for themselves the work of the retailer and wholesaler.¹ They are also able to take the place of brokers, commission men, etc. They reduce the superfluous expenses of an excessive number of middlemen, and they save the profits of all the middlemen excluded. That co-operative societies can be successful is a proven fact. In the matter of food products,

¹ J. A. Ryan, "Social Reconstruction," pp. 59-61.

Co-operatives and Catholicism

co-operative marketing associations among the farmers can be very helpful to the consumer as well as to the producer.²

Adulteration of goods can be lessened by the enactment of laws and rigid inspection. If the consumers were also organized in co-operative societies, their influence upon inspection and upon business practices would be of assistance.

The credit system can be improved by means of co-operative banks and by further regulation of the banking system so that preference would be given to producers, farmers included, instead of to speculators.³

The Church has no official teaching on the subject, but from Bishop Ketteler down, Catholic bishops and priests have been prominent in the movement everywhere. Co-operative societies composed of consumers as well as those composed of producers correspond more closely to Catholic principles than any other economic system. Co-operative societies restore and preserve the strength of individuals, and unite them as strong individuals in brotherly action.

Better distribution of wealth can be attained by higher wages for the underpaid, social insurance, profit-sharing, co-partnership, co-operative production, and taxation will be more justifiable.⁴

So long as that condition does not exist, the industries in which workers spend their lives ought to provide for all

² J. A. Ryan, "Social Reconstruction," pp. 167-169.

³ Leo XIII Encyclical, "Condition of Labor."

⁴ Leo XIII Encyclical, "Rerum Novarum."

Social Doctrines of the Catholic Church

the life needs of the workers. Until this becomes practicable, the most of social insurance will have to be borne in some measure by the State and the workers, as well as by the employers. However, no worker whose wages are so low that they are all required to meet his present reasonable needs, should be compelled to pay any part of the insurance premiums.

By profit-sharing is meant giving to the laborer in addition to his regular wages a part of the surplus profits; that is, a part of those profits which remain after all expenses have been paid and capital has received a fair rate of interest, while by co-partnership is meant an arrangement by which the wage-earners are permitted to become owners of shares of stock in the corporation that employs them, and to receive the regular dividend which the stock yields.

The ownership and management of a concern by the workers themselves is co-operative production. The chief advantages of co-operative production are that men would control their own work and the returns would all go to those who worked. It would also increase production because men always work harder when they own the tools and the product—when they work for themselves rather than for others. Moreover, groups of co-operative producers would compete among themselves as equals or as approximate equals, and monopolistic control of commodities would be much more difficult than it is to-day. The spirit of co-operation and brotherhood would be strengthened, and the spirit of economic warfare weakened.

The industrial system is so closely knit that many things

Co-operatives and Catholicism

which would help in production and in buying and selling would have an influence also upon the distribution of wealth. Collective bargaining, labor sharing in management, minimum wage laws, labor boards of conciliation and arbitration, remedies for unemployment, the shorter work-day, safety and health in work, co-operative stores and banks, and the measures recommended to meet the evils of monopoly, would all influence for the better the distribution of wealth and income.

The Church has made no explicit pronouncement on any of them. Pope Leo's declaration that the workers should become property owners would be realized through co-partnership and co-operation. His principle of State intervention would justify social insurance. The authoritative private teachers in the Church, namely, the moral theologians, approve the principle of progressive taxation, but maintain that it should not be so far extended as to produce confiscation. In general, the Church teaches that private property is a limited right, existing for human welfare, and to be regulated, but not abolished, by the State in the interest of human welfare.

Strong labor unions, minimum wage laws, social insurance, profit-sharing, co-operative production, co-operative consumers' societies, the remedies for monopolies, would all have direct and great beneficial effects.

Cities could help the housing situation by buying land and constructing houses for their citizens, and by co-operating with efficient private effort. The houses could be leased or sold on long term loans at a low rate of interest. State and federal subsidies to such undertakings

Social Doctrines of the Catholic Church

would not be out of place. The States could also establish a system of loans to home-builders.

Legal and economic remedies would not of themselves solve the social question. They are of considerable value, but there must also be a change in the spirit and ideals of men and women.

Even the legal and economic remedies plus the religious and moral remedies would not solve the question completely. Men will never be entirely satisfied on this earth, and a large part of their dissatisfaction will always be connected with economic conditions. There will always be a social question.

When the discontent is very grave and widespread, it is harmful not only because it is a sign of grave and widespread injustice, but also because when unremedied, it leads to grave excesses.

To the extent that it impels men to strive for genuine social betterment by reasonable and orderly methods, indifference to grave social wrongs is spiritually and morally harmful.

The Pastoral Letter of the American Hierarchy says: "Whatever may be the industrial and social remedies which will approve themselves to the American people, there is one that, we feel confident, they will never adopt. That is the method of revolution. For it there is neither justification nor excuse under our form of government. Through the ordinary and orderly processes of education, organization and legislation, all social wrongs can be righted. While these processes may at times seem distressingly slow, they will achieve more in the final result

Co-operatives and Catholicism

than violence or revolution." The wage-earner has a right, and frequently is morally obliged to try to improve his conditions of labor and living.⁵ The Church, says Pope Leo XIII, desires that "the poor should rise above poverty and wretchedness and better their condition in life." The same Pope points out that there are "bodily and external commodities, the use of which is necessary to virtuous action." Hence, to assert that the Church has no more comforting message for the workers than that of patience and endurance is fallacious.⁶ On the other hand, the oppressed worker should bear in mind that he can make the hardships of his condition a means of moral discipline, spiritual progress and supernatural merit. After all, "a man's life doth not consist in the abundance of things which he possesseth." Nor does an "abundance of things" bring happiness. The man who is in humble circumstances can more easily find contentment than the man who is enslaved by a multitude of satisfied material wants. The workingman who, while striving by all legitimate means to better his condition, performs his present task honestly, lives a far more contented and more useful life than the man who sullenly shirks his work and bitterly bemoans the lack of an impossible heaven on earth.

⁵ J. A. Ryan, "Social Reconstruction," p. 75.

⁶ Bishops' Program, J. R. Ryan, "Social Reconstruction," pp. 201-205

XII

SOCIALISM

SOcialists propose the common ownership and management of all the means of production and distribution by the government, or all except very small industries dealing in luxuries and works of art, etc. The government, national and local, would be the owner and manager of all land, factories, banks, stores, and means of transportation, and all persons who worked in these industries would be employes of the government.

The economic proposals of Socialism would be ineffective because, says the Church, men would not have sufficient incentives to efficient work. Fixed salaries could not bring out the best efforts of those who managed industry, while the rank and file of the workers would either be compelled to labor under despotic regulations or would have such control over the management that they could hold their jobs without working hard. All persons would be compelled to sell their labor to and buy their goods from one source, namely, the government.

Other objections against Socialism arise from the dependence of the individual and his absorption into the State, or the economic group of which he is a part. The State would have not only all the power that it now enjoys, but also all the power that goes to a monopolistic-

Socialism

capitalist, and the unimaginable power of these two in combination. The individual would be helpless.¹

The Socialist movement has been based hitherto upon a form of materialism. It has insisted that all social institutions, religion included, are caused in the last analysis by economic conditions. To put it grossly, there is no God; God was created by men for the purpose of increasing the subjection of the poor. Religion, so the movement has proclaimed, is an opiate lulling men to contentment with the hope of a reward in the world to come.

Socialism holds that the family, too, is merely a product of economic conditions, that the good of society is paramount, and that society must dominate men and their families. The family is not to their mind a unit with natural rights. The ties of the family should be very loose, so that society can intervene very easily, according to its desires, or the desires of the majority, do whatever it wills with the children and the whole family unit. Consequently, it favors the freest kind of divorce, and in the name of freedom proclaims its adherence to a loose conception of family ties.

Pope Leo XIII rejected and condemned Socialism as injurious to those whom it is designed to benefit, as contrary to the natural rights of mankind, and as certain to introduce confusion and disorder into the commonwealth. Such, in fact, has been the unvarying attitude of the Church since the doctrines of Socialism first became prominent. It must be kept in mind, however, that what

¹ J. A. Ryan, "Special Reconstruction," pp. 177, 206.

Social Doctrines of the Catholic Church

the Church condemns is Socialism in the strict and complete sense.²

To call a proposal Socialistic does not make it Socialism. Socialism is common ownership and management of substantially all the means of production. For the government to own a few industries and manage them is not Socialism; for the men in an industry to own it and manage it co-operatively under one form or another is not Socialism; for the government to own a few industries and the men in the industry either alone or with the assistance of the government to manage those industries is not Socialism. Workmen's compensation acts and social insurance laws are not Socialism. Oftentimes "Socialistic" is hurled at proposals merely to deter people from adopting them. Whether a certain extension of government control over industry is "Socialistic" in the sense that it impels society toward Socialism, is a complex question. In some cases such government action would have the precisely opposite effect. In every case there is presented a choice between two evils, namely, the possibility of an impulse toward Socialism, and the continued toleration of existing wrongs and hardships. The safest guidance in any such situation is provided by the principle set forth by Pope Leo XIII: "Whenever the general interest, or any particular class, suffers or is threatened with mischief which can in no other way be met or prevented, the public authority must step in and deal with it."³

² J. Rickaby, "Aquinas Ethicus," Vol. I, p. 267.

³ Encyclical "Rerum Novarum," 1891, by Leo XIII, is used as the basis for Catholic doctrine and policy regarding labor unions, capital, labor and industry.

XIII

CHARITY

AMAN is bound to be charitable towards, in the sense of loving, his neighbor, first, because his neighbor is one with him in his human nature. In benevolence we put another man in our own place, and love him as an alter ego; and we are enabled to do this because of the unity of all men in their common human nature. Through this unity of all with all in their common human nature, nature has laid on us an obligation of loving all men, this love being only a natural extension of, or development from, our love of ourselves. This ground of benevolence determines the measure also of the law of benevolence—we must love others as we love ourselves is not to be understood as meaning that we must love others with the same intensity with which we love ourselves. It means that our love of others must be like that which we bear to ourselves. We must wish them well in the same way that we wish well to ourselves.¹

Secondly, we are bound to love the rest of mankind because we are all parts of one society, and it is a natural law that the part exists for the whole and should promote the good of the whole. It is true that the individual man is not so much a part of society as that his interests are

¹ Encyclical "Providentissimus Deus," Leo XIII.

Social Doctrines of the Catholic Church

to be treated as wholly subordinate to those of society; nevertheless the individual is a part, and should, therefore, love his fellowmen and seek their good.

Thirdly, we should love our fellowmen because all men have the same origin and are travelling to the same end. We have come from God and God is our end and home. Things that have the same nature have the same end. If, in this world, men pass as strangers to one another it is because the conventionalities and perhaps the exigencies of society make it difficult for us to realize, in all the relations of our lives, the fact of our common origin and end, the full and vivid realization of which fact, if allowed full play in our imaginations, could not fail to unify all in the bonds of universal love and sympathy, as all are unified in their origin and their end. It is our imperfections as men that prevent the links of charity from being forged or that cause them to break and disappear as fast as nature and reason tend to form them. However, being imperfect and below the proper standard of human nature, it is as well that the degree of friendship and brotherhood which our common origin and end would justify and even ought to entail, should not in this world be allowed to come to complete fruition.

The love that nature demands from us is not without its due order; for men are not all related to one another with the same degree of closeness. Other bonds exist besides those of origin, nature, and final end. Husband and wife are most closely related in their common life and in the identity of their immediately daily aims; parents

Charity

and children, sisters and brothers are identified in community of blood. All these must extend to one another love in its highest degree. Others are related as superiors and subjects, or as comrades carrying on the same work. The bonds here are close and intimate and the love they owe each other should be of a degree commensurate with those bonds. Others, again, are related as compatriots, patriotism being a strong and sacred link. It also should beget a special love.² But all men have at least one tie, viz., the element of their common humanity, and, therefore, love is owing to all.

The claims also to which this love gives rise vary as the closeness of men's relationship varies. When aid, for instance, pecuniary or personal, is needed, those who are closest to us have the first claim. But there is no one who has not in absolute distress a claim on our generosity. In pecuniary matters, indeed, it is not possible for any man to help all that require aid, but practically all can help some one, and everyone can at least sympathize with all.³

Our love of our neighbor has many effects, and is opposed by many sins. Its effects are, internally, joy at another's good, sadness at another's woes, the desire for peace with others; externally, beneficence, alms-giving, friendly reproof, administered, not anywhere, at any time, and to anybody, but only when and where there is a hope of producing good results. Opposed to the love of one's neighbor are hatred, a sour temperament, envy, discord,

² J. Rickaby, "Aquinas Ethicus," Vol. I, pp. 351-353.

³ Cath. Encyclopedia, Vol. III, pp. 592-604.

Social Doctrines of the Catholic Church

contentiousness, sedition, scandal. Greatest sin of all these is, perhaps, a wasteful and unjust war, where men, on one side and on the other, are treated as beings without rights and as the mere slaves of wanton rulers.⁴

⁴ J. Rickaby, "Aquinas Ethicus," Vol. I, pp. 183, 351-373.

XIV

CATHOLIC EDUCATION

THERE never has existed a people without religion or that did not insist on religion as a matter of the highest importance to the individual and to the tribe or nation to which he belonged. Whether the religion was pagan or Christian, reasonable or superstitious, true or false, the fact to be borne in mind is that religion of some kind has always been a prime factor in the life of every people on the globe. For nearly 1900 years Christianity has been a great civilizing power in the world. Europe owes to the Church some grand and most lasting elements of her civilization. Faith in Jesus Christ, the sanctity and stability of family life, the abolition of slavery, the honor of womanhood, and the learning of the ages. Take away the story of Christianity from our history and traditions, pluck from human society the customs sanctified by centuries of use, and handed down to us as precious heirlooms by those who have gone before us in the faith of Christ; destroy Christian art and architecture, and all that uplifts humanity, enhances the worship of God, and unites the living and the dead in one great communion; quench, if you can, the hope of immortality in the human breast, and what has the world left to boast of but the bare bones of an empty skeleton of worldly

Social Doctrines of the Catholic Church

pomp and pride, with nothing beyond it but blank despair?¹

The Catholic Hierarchy is the chief offender—indeed, it might be called the chief heresy—of our age, in its attitude to certain Governments and organizations and to Christian education. The religious school is regarded by many as an intruder, an institution that has no right to exist, and that continues to function only by the will of legislators, and by the toleration of organizations that presume they would be perfectly justified in demanding its abolition. These people forget that the Christian school was at work centuries before secular education had a single institution to its name. Even in the United States religious schools were the first, and for many years continued to be the chief institutions that imparted knowledge of any kind to the children.

If I were to attempt to educate an American child without ever mentioning America or endeavoring to stir up in that child's heart a love for, and an attachment to, his native country; if I were to take from the school all symbols of loyalty and patriotism, I should be doing the child and the country a grievous wrong; I should be inflicting a deep wound on the heart of the nation by gross neglect of its highest interests. Now, the child does not first belong to the nation, but to God. To Him, indeed, it belongs first and last. Hence, if I do wrong in educating a child without imparting to him a knowledge and love of his country, much more do I sin by failing to educate him in the knowledge and love of God. It is

¹ *Cath. Encyclopedia*, Vol. V, pp. 294-304.

Catholic Education

God's right that man, created and sustained by Him, should be brought up in His knowledge and service, and should thus be prepared for the eternal citizenship of heaven.²

As to the child itself, unless we deny its supernatural destiny we must admit that it has an indisputable title to the religious training enabling it to attain that destiny. To fill the child's mind with facts of physical science and a knowledge of material things—of history, literature, and the arts—and not to speak to it of the Author of all nature, and the source of all knowledge, is to leave its education imperfect and its equipment for life altogether incomplete. The acquiring of knowledge must be accompanied by the formation of character, but character without the fibre and inspiration imparted to it by religion lacks its most vital force, and remains cramped and undeveloped within the boundary of world standards.³ Man is the one creature of God's earthly creation capable of knowing and loving its Creator. Of him alone it was said, "Let us make man to our image" and likeness of God demands a corresponding cultivation and perfection of the powers of the soul which only religious education can give. Hence the Church has always combined religious education with the imparting of secular knowledge so as to make the complete man, according to orthodox Christianity.

Not only God's claim and man's very nature, but the welfare of society demands that children should have a

² J. Rickaby, "Aquinas Ethicus," Vol. II, pp. 420, 432.

³ J. Rickaby, "Aquinas Ethicus," Vol. II, pp. 420, 432.

Social Doctrines of the Catholic Church

religious training which can only be effectually given in the atmosphere and work of religious schools. Far from impeding national progress, the religious school is the greatest bulwark of the nation, because it does not stop at regulating outward human actions, but reaches the heart, the conscience and the will which are their source. Congress may assemble and legislate and devise many things for the good order and prosperity of the Commonwealth, but it can not make good, law-abiding citizens, nor does it profess to do so. Unless its subjects are trained in the ways of righteousness, in vain will Congress multiply laws and punishments. It is precisely for that training that the religious school exists, and it is on that account that it has ever been important in the life of a nation. The school is at the very foundation of the nation. What the school is, the nation will be. The enemies of Christianity and social order know this well, and they feel that the elimination of the religious school is the only sure road to the overturning of stable government and good order in the world. In America many young people are growing up without any proper moral sense of the grossness of sexual crime, or the degradation of many other forms of vice. We hear on all sides complaints of irreverence on the part of the young and increase of juvenile crime, empty churches and empty cradles. These are portions of the legacy left by the laws that some centuries ago placed religious education outside the pale of government support, and left it to shift for itself. In Congress and from the press, we now hear condemnation of Bolshevism, and we do not want it to grip our land. One of the chief aims of

Catholic Education

Bolshevism is "death to the religious school, and to religious teaching." The press and Congress and all those who dread and strenuously oppose the Bolsheviks, are guilty of an unpardonable incongruity when they say in effect, "we will not root out the Christian school, for that would be a gross piece of intolerance, but we will starve it out; we will deny it all support, and leave it to live or die."

The aim of Catholic education is not to segregate the Catholic body from their fellow citizens, but to keep them loyal to God, and make them worthy of this great country to which they have the privilege to belong; to make them share in the work of developing her resources, glory in her free institutions, and co-operate in promoting the peace, happiness and prosperity of every section of her people. As far as the advancement of America is concerned, we are all—no matter of what creed—in the one boat, and our institutions must aim at the highest good to our civilization.⁴

⁴ Cath. Encyclopedia, Vol. V., pp. 296-300.

XV

LABOR UNIONS AND CATHOLICISM

THE main remedies proposed by the labor unions are: Better wages, a reasonable day's work, and good conditions of employment. These are to be obtained by collective bargaining. All the men in a trade or industry unite in one organization and bargain with single employers or with organizations of employers. When the attempt to obtain a collective agreement fails, the union sometimes authorizes a strike. The purpose of the strike is to force the employers to meet the demands of the employes.

Trade union action alone will prove ineffective to increase incomes sufficiently for three reasons: First, because the poorest paid sections of the working class can not be organized with sufficient effectiveness; second, because even a general increase in wages will not be adequate without an increase in productive efficiency, and the trade unions have no systematic program to bring about such an increase; third, the unions can not provide the workers with either security of employment or continuous employment.

The main defects of the trade unions are: Their tendency to benefit mainly the skilled and better-paid workers; their neglect hitherto of methods whereby employers and em-

Labor Unions and Catholicism

ployes would unite to increase production through common agreement; their disregard of the interests of consumers and the general public in relation to strikes and arbitration; and sometimes their unreasonable demands as regards wages and working rules and conditions.¹

These defects are not necessarily greater than the defects in the industrial conduct of the employing class. If many employes in their unions have not taken sufficient interest in greater production, many employers have not considered the need of taking into their confidence and intrusting responsibility to their rule of business the highest possible profits, and, according to that rule, have diminished production or stopped it entirely.

Labor unions are necessary. They are necessary because they are the only means that the employes have of determining the conditions of their work and their livelihood. As single individuals they can do almost nothing. When united with other employes in the same trade or industry, they can choose representatives who have both the skill and the independence to obtain a better bargain from the employer than would be otherwise possible. Moreover, when the individual employe quits his job because of dissatisfaction with working conditions, his action has little or no beneficial effect. If he quits in combination with others, the employer is frequently compelled to concede better terms and conditions of work. In our industrial system the individual employe has not equal bargaining power with the individual employer.²

¹ J. A. Ryan, "Social Reconstruction," pp. 125-126.

² J. A. Ryan, *op. cit.*, p. 125.

Social Doctrines of the Catholic Church

In his encyclical on the Condition of Labor, Pope Leo XIII strongly defended the right and necessity of the workers to organize, and ended the discussion with the following statement: "We may lay it down as a general and lasting law that workingmen's associations should be so organized and governed as to furnish the best and most suitable means of attaining what is aimed at, that is to say, for helping each individual member to better his condition to the utmost in body, mind, and property."³ The Archbishops and Bishops of the United States affirmed, in their Pastoral Letter of 1920, "the right of the worker to form and maintain the kind of organization that is necessary, and that will be the most effectual in securing their welfare." The four American Bishops who issued the Program of Social Reconstruction proclaimed the "right of labor to organize and to deal with employers through its chosen representatives," and expressed the hope that "this right will never again be called in question by any considerable number of employers."⁴

About five million workers are in labor unions in the United States. This is between twenty and twenty-five per cent of all those who can reasonably be called organizable.

Employes have the same human nature as the employers and, therefore, the same temptations to act selfishly and to abuse their economic power. Their exhibitions of selfishness are sometimes cruder and more spectacular than are the selfish actions of employers, because their

³ Encyclical *quadragesimo anno*, Pius XI—1931.

⁴ Encyclical "*Rerum Novarum*," 1891.

Labor Unions and Catholicism

weapons are of a coarser and more obtrusive kind; for example, the strike and its occasional violent feature. They generally lack the more refined methods of warfare which are within the reach of those who possess financial power. If the sympathy of competent and impartial persons is more generally on the side of labor than of capital, the sufficient reason is not a belief in the superior virtue of the former, but the knowledge that on the whole labor has not been treated as fairly as capital in our industrial system.⁵

⁵ "Social Reconstruction," J. Ryan, 1920, pp. 125-126.

XVI

INTERNATIONAL ETHICS

AS a science, international ethics investigates and establishes the principles and precepts of international morality; that is, those moral truths and rules which govern the dealings of states with one another. As a system of principles and rules it constitutes an international moral code. While exemplifying in some degree the former use of the term, its main object is to set forth a system of ethical principles and rules applicable to the relations among states.

International ethics differs on the one hand from the Law of Nations (*Jus Gentium*) and on the other hand from what men ordinarily have in mind when they pronounce the words "international law." In the usage of the Roman Jurists and the Schoolmen, the Law of Nations comprises those secondary precepts, or universal applications, of the natural law which are recognized as such, or at least are rather generally adopted, in the legislation of particular states. While these ordinances apply in part to international affairs, their main province comprises the relations among fellow citizens and between a state and its own citizens. Since the precepts of the Law of Nations are based upon human nature, they are the same for

International Ethics

all peoples. They constitute a common code of world law, even though all nations may not interpret or apply them in exactly the same way.¹

International law may be defined as the sum total of the duties and rights, customs and usages, by which states are bound together in their dealings with one another. Like the domestic law of states, it contains two elements: natural and positive. The former comprises those principles and rules of governing international relations which are immediately drawn from the moral law of nature written there by its Creator. The positive element consists mainly of treaties, customs and usages which the states have formally accepted or sanctioned. In so far as accepted international law does not include precepts of the natural law, that is, in so far as it fails to recognize all the duties and rights which it ought to recognize, it falls short of completeness; in so far as it contains articles contrary to the precepts of the natural law it loses all binding force and frustrates its own purpose.

Indeed, the problem of creating an adequate international code is for the most part the problem of incorporating the principles and conclusions of the natural law in a form applicable to the actual conditions of civilized nations. An ideal code of international law would contain the pertinent principles and rules of the natural law plus all those positive enactments which are necessary for right relations among states. We can, then, define international ethics as the sum total of these principles and rules and

¹ Encyclical, *International Relations*, Benedict XV.

Social Doctrines of the Catholic Church

these positive enactments in so far as they have binding force.²

Among the ancient peoples the precepts of international ethics were not entirely unknown. To a very great extent indeed, they identified right with might and showed little respect for justice, charity or pity on the battlefield; nevertheless, they recognized some ethical principles in their relations with one another. Many of them respected the sanctity of treaties, especially when these had been confirmed by oaths. They distinguished between just and unjust wars. Some of them even held that the conduct of war was subject to law. Aristotle, the Stoics, Cicero and Justinian had clear, even though inadequate, notions of international morality.

Being a supra-national religion, Christianity exercised a profound and extensive influence in making the nations conscious of their common membership in the family of humanity. Although Christ and the Apostles formulated no system of international ethics, they enunciated doctrines and principles in which such a code was implicit. Accordingly, we find St. Ambrose³ citing as a long established principle the obligation of states to exemplify love and justice toward their enemies in war, and St. Augustine severely condemning warfare which originated in national selfishness and sought international domination. The Church effected a considerable measure of unity among the nations that she governed, while the Popes, with the

² Encyclical, quadragesimo anno, Pius XI—1931.

³ De Officiis, 4-1, C. 29.

support of the emperors, frequently acted as international arbitrators.⁴

Owing to the practical efficacy of these principles and personages, and to the fact that the political organizations of the time was feudal, the formulation of a specific code of international right was for a long time delayed. It did not seem to be immediately necessary. The need for it became pressing only after the destruction of Christian unity by the Protestant Reformation and after the formation of national states.

The first systematic work in creating a system of international ethics, or international law, was performed by the theologians, Francisco de Vittoria (d. 1546) and Domingo Soto (d. 1560) and the jurist, Balthasar Ayala.⁵ These were followed by the Jesuits, Molina and Suarez. The first Protestant writers on the subject came considerably later than Vittoria and Soto. Gentili published his *De Legationibus* in 1583 and his *De Jure Belli* in 1589. The great work of Grotius, *De Jure Belli et Pacis*, did not make its appearance until 1625. Hence, it is scarcely accurate to call Grotius the founder of international law. Most of the underlying principles had been laid down in the works of St. Thomas Aquinas, while the more specific principles were fairly well systematized in the writings of the theologians cited above. From these sources Grotius borrowed not a little of the doctrines which he set forth in *De Jure Belli et Pacis*.

Although many modern writers on the subject regard

⁴ *De Civitate Dei*, 4-4, C. 6.

⁵ *Cathrein-Moral Philosophie*, II-740, 741, 742.

Social Doctrines of the Catholic Church

international law as a purely positive collection of treaties, customs and usages accepted by the nations, the classical Protestant authors, as Grotius and Vattel, understood it as including principles and precepts of the natural law and as resting upon that foundation. The table of contents of the former's treatise is sufficient to show that the discussion is to a much greater extent natural than purely positive. Of course, the Catholic writers have always set forth and stressed the natural law as the more pervasive and more fundamental element. International ethics is, therefore, important not merely in relation to world peace but as a guide and form for the nations in all their dealings with one another.

The most important principles of international ethics are those which concern the end of the state and its sovereignty. If we regard the state as an end in itself we logically declare it free from the moral law, in relation both to its own members and to foreign states and persons. The prevalence of this view in the nations of antiquity and the international immoralities which it inspired and sanctioned are among the commonplaces of history. The very considerable influence which it has exercised in the policies of many modern states is likewise well known. The literature and the propaganda of the Great War made us familiar with the names of Hegel, Von Hartmann, Lasson, Treitschke, as prominent protagonists of the doctrine that neither states nor the public acts of statesmen are subject to the ordinary rules of morality. However, not all the political writers who de-

International Ethics

fended this theory in modern times were born in Germany; and many modern countries have exemplified it in their diplomacy and international policies.

The theory has been virtually, if not formally, accepted by many British and American writers in their teaching on sovereignty. They have pretty generally followed John Austin, who held that political sovereignty is legally or juridically unlimited. While this proposition explicitly declares nothing more than that no sovereign state has a right to interfere in the affairs of another sovereign state, and that there is no legal power within the state, it easily lends itself to the inference that the power of the state is absolute. And this inference has been drawn by more than one adherent of the Austinian formula. Professor Burgess declares that the state is the best interpreter of the laws of God and of reason, that it is the human organ least likely to do wrong; therefore, we must hold to the principle that the State can do no wrong.⁶ In current controversies on the relations between church and state, the number of participants who assume that the good citizen must obey every enactment of the state, indicates a very wide acceptance of the principle laid down by Professor Burgess.

While the latter was speaking in the passage just summarized of international sovereignty, his principle is equally applicable to international affairs. If a state can do no wrong in its dealings with its own members it is likewise morally immune, or infallible, in its relations with

⁶ Burgess, *Pol. Science and Constitutional Law*, II, 44-47.

Social Doctrines of the Catholic Church

other states.⁷ Speaking of political authority in general, another American writer says: "If in any case the limitations of the divine law are recognized, the State in the last analysis must be the interpreter of the divine will, so that in fact the restriction is nothing but a self-limitation. In other words, the principles of morality, of justice, of religion, etc., so far as they constitute limitations upon the sovereign, are simply what the consciousness of the State decides them to be, for there can be no other legal consciousness than that of the State."⁸

Against all theories which either expressly or by implication assert that the state is independent of the moral law, I set forth the Catholic position that states, like individuals, are subject to the moral precepts of both nature and revelation.

When two or more individuals unite to form a private society, such as a business partnership or a benevolent association, they are obviously bound by the moral law in their corporate acts. A moral or corporated person is subject to ethical rules quite as definitely and extensively as a physical or natural person. To deny this principle would be to authorize men to exempt themselves from the moral law in large spheres of conduct through the simple device of a formal association. In their corporate capacity they could lawfully do that which is forbidden them as individuals. This would be especially convenient in

⁷ John Eppstein, "The Catholic Tradition of the Law of Nations," p. 28.

⁸ Garner, *Introduction to Political Science*, p. 254.

International Ethics

economic relations. The business corporation and the trade union could do no wrong.

Since the state is a community of human beings, it is as truly subject to the moral law as any private society. The fact that it is a necessary society does not affect its character as a moral person. Its acts are the acts of an organized group of human beings. While its end is primarily the welfare of its own members, it must attain that end with due regard to the welfare of persons who are outside its jurisdiction, just as the acts of a family must be consistent with the rights and the claims of other families. Hence, the state is bound by the precepts of justice, charity, veracity and all the other moral rules which govern human relations.

To be sure, some provisions of the moral law do not apply to states in the same way as to individuals. When crime has been committed the state may deprive men of liberty, property and even life. The state has a right to wage war. On the other hand it may not subordinate itself or the welfare of its members to the interests of some other political community. Reservations and modifications of this sort, however, have to do with the manner, not the fact, of the subjection of the state to the moral law.

From another point of view the same truth emerges. Man is bound by the moral law in all the circumstances of life, whether individual, social or civil. Nothing in the nature of the human person, either individually or socially considered, can be adduced as a logical basis for the supposition that he becomes exempt from the moral law in

Social Doctrines of the Catholic Church

his political or international relations. In the words of Chancellor Kent: "States or bodies politic are to be considered as moral persons having a public will, capable and free to do right and wrong, inasmuch as they are collections of individuals, each of whom carries with him into the service of the community the same binding law of morality and religion which ought to control his conduct in private life."⁹

Finally, the welfare of the human race requires that states be governed by the moral law. Every international action of a state must be justified or condemned in the light of its effect upon the welfare of human beings. And the moral claims of all state groups are of equal intrinsic worth. Now, injury done by one state to another is injury done to human beings. Therefore, just as no state has a right to harm its own members, neither is it justified in causing damage to the members of other states.

Justice requires a state to promote peace for the sake of its own members, while charity obliges it to pursue the same end for the welfare of both itself and other nations. These duties rest not only upon governments, but upon peoples, particularly upon those persons and organizations which can exert influence upon public opinion and upon political rulers.

The first and most generally obligatory means and action is education. The people require instruction concerning the universality of brotherhood, the possibility of permanent peace and the fallacy of indefinite prepared-

⁹ Commentaries, I, p. 2.

International Ethics

ness, while statesmen stand in particular need of becoming familiar with the principles of international ethics.

Human brotherhood must be intensively and extensively preached to all groups and classes; in theological seminaries, in colleges and schools; in the pulpit and in catechetical instructions; in religious books and periodicals. The individual must be taught a right attitude of mind toward all foreigners. It is not enough to declare that "every human being is my neighbor." The obligations which are implicit in this phrase must be explicit. They must be set forth in detail with regard to foreign races and nations. Men must be reminded that "every human being" includes Frenchmen, Germans, Italians, Englishmen, Japanese, Chinese, and all other divisions of the human family. And this doctrine should be repeated and reiterated. Effective teaching and adequate assimilation depend largely upon the simple process of repetition.

In the second place, the duties of patriotism must be expounded in a more restrained and balanced way than that which has been followed heretofore. Men must be taught that it is not "sweet and becoming to die for one's country" if one's country is fighting for that which is unjust.¹⁰ Without denying or weakening the sentiment of national patriotism, we can set forth that wider and higher patriotism which takes in all the peoples of the earth. A large part of our efforts in this field must be specifically, courageously and persistently directed against the spirit of exclusiveness and narrowness which charac-

¹⁰ John Eppstein, "The Catholic Tradition of the Law of Nations," pp. 114-24.

Social Doctrines of the Catholic Church

terizes that perversion of national sentiment now stigmatized as nationalism. "The national state through education in national school, national army and national journalism, through the social pressure of national patriotism, inculcates in its citizens the fancy that they are a world by themselves, sufficient unto themselves; it teaches them that they are a chosen people, a peculiar people, and that they should prize far more what is theirs as a nationality than what is theirs as human beings."¹¹ This fundamentally erroneous and unchristian education has had a long start in every modern state. The task of arresting and counteracting it will be long and arduous. Until it is accomplished, however, no fundamental progress can be made in the prevention of war and the safeguarding of peace.¹²

Another urgent task is to bring about a profound shifting of emphasis in formal statements of the conditions which justify war. Instead of laying stress upon the lawfulness of engaging in a war of self-defense, we should clearly and fully and frequently set forth all the conditions which are required according to the principles of morality. We should challenge disproof of the conclusion that all these conditions have rarely been available to justify the outbreak of war. If it be objected that statesmen have assumed the presence of these conditions and, therefore, have made war in good faith, the reply is that statesmen have very rarely taken the trouble to ask themselves deliberately and conscientiously whether the justifying con-

¹¹ Hayes, *Essays on Nationalism*, p. 258.

¹² John Eppstein, *op. cit.*, pp. 218-232.

ditions were really present. They have seldom given the question an amount of honest consideration proportionate to the evils entailed by a declaration of war. Hence the obligation of examining into and observing all the conditions should be urged in a special way upon the rulers of states. We should put particular emphasis upon the fourth condition, namely, the exploration of all specific methods for avoiding a bloody conflict.

Finally there should be kept before men's minds the fundamental ethical truth that as a whole, as a two-sided performance, war is always wrong. In the words of Rev. Theodore Meyer, S.J.: "Bellum nequite esse, objetivo loquendo, ex utraque parte formaliter et materialiter justum."¹³ If one state is defending its rights the other is necessarily violating rights. Even the former is guilty of injustice if it has begun hostilities in disregard of any one of the other necessary conditions.¹⁴

The mental attitude of the people must be changed and reformed with regard to the possibility of establishing permanent peace. One of the greatest obstacles to peace has always been the lazy assumption that wars must come; that there will always be war while men are men. So long as this pessimism prevails, the majority of persons will not assert themselves in the cause of peace. World peace is largely, if not mainly, a matter of human faith. If the majority of people believe that peace can be established and secured, peace will be established and secured. We must persistently show that a reign of peace is fea-

¹³ *Institutiones Juris Naturalis*, II, p. 94.

¹⁴ John Eppstein, *op. cit.*, pp. 310-28.

Social Doctrines of the Catholic Church

ible, until this idea and this faith become a dominating and effective element in the habitual thinking of an average man and woman. According to the newspaper reports, Pope Pius XI said to Nicholas Murray Butler, in the summer of 1927: "In order to reach a just and lasting peace it is necessary that the love of peace be deep-rooted in the hearts of men."

As regards indefinite preparedness, two facts should be emphasized. First, this doctrine and policy provokes international distrust, suspicion and competition in armament. This is true even of the United States. Even though we may be free from any desire to use our military forces unjustly, we can not reasonably expect other nations to accept this view in the light of our unnecessary and unprovoked declarations of war upon weaker states. No competent American historian holds that we were morally justified in our war against Mexico or in our war against Spain.¹⁵

The second point to be stressed about preparedness refers to more than one country, but it has particular application to the United States. We are already in a condition of adequate preparedness. We are not in danger of attack by another state or combination of states. While such an event is possible, the utmost preparedness of which our country is capable would not suffice to forestall every possible act of aggression or to give our country complete security. All that a nation can hope for, all that any nation is warranted in attempting, is to be adequately prepared against reasonably probable contingencies. On

¹⁵ Encyclical, *Quadragesimo Anno*, Pius XI—1931.

International Ethics

the other hand, it is neither necessary nor wise for our country to reduce considerably its present military and naval equipment until the most powerful foreign states agree to do likewise.¹⁶

The second great duty in fulfilling our obligation of promoting world peace is to consider fairly and to support, so far as our abilities and conscience permit, practical proposals and arrangements for preventing war and making peace secure. In general terms these methods are pretty definitely formulated and pretty generally accepted. They were all set forth by Pope Benedict XV. In fact, he was the first to recommend them as a comprehensive and consistent scheme. In his letter to the belligerents, August, 1917, he proposed: that moral right be substituted for the material force of arms in the reciprocal dealings of nations; that the nations enter upon a just agreement for the simultaneous and reciprocal reduction of armaments; that armed force be replaced by the noble and peaceful institution of arbitration, with the provision that penalties be imposed upon any state which should refuse either to submit a national question to such a tribunal or to accept the arbitral decision.¹⁷

In his letter to the American people on the last day of the year 1918, he expressed a fervent desire for an international organization which, "by abolishing conscription will reduce armaments; by establishing international

¹⁶ John Eppstein, "The Catholic Tradition of the Law of Nations," pp. 418-424.

¹⁷ John Eppstein, "The Catholic Tradition of the Law of Nations," pp. 500-535.

Social Doctrines of the Catholic Church

tribunals will eliminate or settle disputes; and by placing peace on a solid foundation will guarantee to all independence and equality of rights.”¹⁸

In his encyclical on “International Reconstruction,” the same Pontiff laid particular stress upon the association of the states in an international organization: “All states should put aside mutual suspicion and unite in one sole society or rather family of peoples, both to guarantee their own independence and safeguard order in the civil concert of the peoples. A special reason, not to mention others, for forming this society among the nations is the need generally recognized of reducing, if it is not possible to abolish entirely, the enormous military expenditure which can no longer be borne by the state, in order that in this way murderous and disastrous wars may be prevented and to each people may be assured, within just confines, the independence and integrity of its own territory.”

The substitution of moral right for material force, general disarmament, compulsory arbitration of disputes among states, the codification of international law, an international tribunal of justice and an association of nations, such is a complete and coherent summary of the practical methods available and necessary for preventing war and assuring peace. In the present condition of international affairs they all seem to be not only in harmony with, but demanded by the principles of morality, the principles of international right. World peace seems to be unattainable unless every one of these proposals and devices is somehow made to function. As sincere lovers

¹⁸ Encyclical, *International Relations*—Benedict XV.

International Ethics

of peace, it is our duty to consider them sympathetically and adequately, and in the light of that examination to support any of them that wins our approval. Unless we strive for peace by specific and practical methods, all our pacific professions are hollow and futile. The obligation to attain an end implies an obligation to use the appropriate means.¹⁹

¹⁹ Encyclical, *Quadragesimo Anno*, Pius XI—1931.

The author has tried to place in book form a correct, concise, integrated exposition of the socio-economic teachings of the Catholic Church.

He wishes to express profound thanks for the use of books and source material, the inspiration and incentive of the scholars to whom he is most deeply indebted. They are as follows: See Bibliography.

ROBERT G. BREHMER, JR.

October 14, 1936.
Madison, Wisconsin.

BIBLIOGRAPHY

PRIMARY WORKS

- Pius IX, *Syllabus of Errors*, 1854
The Encyclicals of Leo XIII (Benziger Bros., Chicago, Ill.),
Rerum Novarum, 1891; *Immortale Dei*, 1885; *Providentissimus Deus*, *Arcanum Divinae Sapientiae*, *Condition of Labor*
Benedict XV, *The Encyclical International Relations*
Pastoral Letters of the American Hierarchy, 1792-1919, published by the National Catholic Welfare Conference
Codex Juris Canonici
Institutiones Juris Naturalis, Vol. II
Augustine, St., *De Officiis*, *De Civitate Dei*
Aristotle, *Politics*, Books I, III and VII
Pius XI, *Quadragesimo Anno*

SECONDARY WORKS

- Balmes, James, *European Civilization*
Bryce, Lord, *Studies in History and Jurisprudence*, Vol. II
Burgess, *Political Science and Constitutional Law*, Vol. II
Catholic Encyclopedia, Natural Law, Rights and Duties, State, Family, Matrimony, Divorce, Property, Socialism, Charity, Education, Labor
Cathrein, *Moral Philosophie*
Chenon, Emille, *Le Role Social de l'Eglise*, Paris, Blond and Gay, 1921
Cooper, *Religious Outlines for Colleges*
Eppstein, John, *The Catholic Tradition of the Law of Nations*

Social Doctrines of the Catholic Church

- Garner, *Introduction to Political Science*
Hayes, C. J., *Essays on Nationalism*
Jarrett, Bede, *Social Theories of the Middle Ages*, Little, Brown & Co., 1926
Kent, Chancellor, *Commentaries*, Vol. I
Kerby, *The Social Mission of Charity*
Koch-Preuss, *Moral Theology*, Five Volumes, Herder Book Co., St. Louis, Mo.
McEntee, Georgianna, *Social Catholic Movement in Great Britain*
McLean, *Morality of the Strike*
McNabb, Rev. Vincent, *Ethics and Psychology of Birth Control*
Metlake, Kettler, *Christian Social Reform*, The Dauphin Press
Moon, Parker T., *Labor Problems and Social Catholic Movement in France*
Newman, *The Politics of Aristotle*
O'Brien, *An Essay on Economic Medieval Doctrine*, Longmans, Green and Co.
O'Leary, Rt. Rev. Thomas M., D.D., *Companionate Marriage a Mockery*, America Press, New York, May, 1928
Pesch, Heinrich, *Lehrbuch der Nationalökonomie*, Five Volumes, Herder Book Co., St. Louis, Mo.
Pollock, Sir Frederick, *History of the Science of Politics*
Rickaby, Joseph, *Aquinas Ethicus*, Two Volumes
Ross, *Ethics*
Ryan, J. A., *Distributive Justice*, Macmillan Company; *The Living Wage*, Macmillan Company; *Church and State*, Macmillan Company; *Church and Labor*, Macmillan Company; *Declining Liberties*, Macmillan Company; *Social Reconstruction*, Macmillan Company.
Ryan and Husslein, *The Church and Labor*, Macmillan Company
Seeley, Sir J. R., *Introduction of Political Science*

Bibliography

Spencer, Herbert, *Man Versus the State*.

Staatslexicon, Two Volumes, Görres Gesellschaft, Herder
Book Co., St. Louis, Mo.

Wanninger, *Social Catholicism in England*

Watt, Lewis, S.J., *Social Aspects of Birth Control*



