



Commissum Divinitus

On Church And State

Encyclical Of Pope Gregory XVI

May 17, 1835

To the Clergy of Switzerland.

Venerable Brothers and Dearly Beloved Sons, Greetings and Apostolic Benediction.

The duty of the apostolic office which God entrusted to Us demands that We continually watch over the Lord's flock. We especially direct all Our zeal and thoughts to provide as much assistance as We can whenever the eternal salvation of the sheep and the Catholic religion seem to be in danger.. We are aware of and deplore the fact that Our enemies cunningly try many things, and not without success. Their works are an open blow against the Christian flock and an injury to the Catholic cause. This sorrow is aggravated because those who want to deceive the unwary claim that they do not intend to subtract anything from the integrity of the faith. They pretend to have as their only purpose the protection of the rights of the laity. They attempt, by a false pretense of public interest, to introduce, widely disseminate, establish, and somehow sanction the erroneous and wicked teachings which they follow.

2. Hence they dared to call together an assembly to deliberate, and to fabricate a rule whereby aspects of the temporal power in ecclesiastical affairs were revealed and defined. You already know that We are speaking about those things which were nefariously accomplished during January of last year in Baden in the canton of Aargau. Because of them you experienced sharp sorrow and even now they make you anxious and concerned. We cannot keep secret the fact that in the beginning We were influenced to do nothing. We believed that the laymen gathered in the appointed place with no other intention than to study those matters which concern religion. We further believed they wanted to proceed so that they might not only discuss the many aspects of the ecclesiastical power, but also so that they might offer plans to those who wield high civil authority; those persons might then confirm and sanction the plans by force of law.

3. The acts of that meeting were recently published by Gynopedius at Frauenfeld.

These acts contain the names of the men who were present at the meeting, the speeches given by some of them in the sessions, and the articles passed there. We were horrified in reading those speeches and articles and the principles contained in them. We knew then that novelties were being introduced in the Catholic Church which are contrary to its teaching and discipline and which lead to the destruction of souls. We cannot allow this in any way.

4. He who made everything and who governs by a prudent arrangement wanted order to flourish in His Church. He wanted some people to be in charge and govern and others to be subject and obey. Therefore, the Church has, by its divine institution, the power of the magisterium to teach and define matters of faith and morals and to interpret the Holy Scriptures without danger of error. It also has the power of governance to preserve and strengthen in the true doctrine those whom it welcomes as children and to make laws concerning all things which pertain to the salvation of souls, the exercise of the sacred ministry, and divine worship. Whoever opposes these laws makes himself guilty of a very serious crime.

5. This power of teaching and governing in matters of religion, given by Christ to His Spouse, belongs to the priests and bishops. Christ established this system not only so that the Church would in no way belong to the civil government of the state, but also so that it could be totally free and not subject in the least to any earthly domination. Jesus Christ did not commit the sacred trust of the revealed doctrine to the worldly leaders, but to the apostles and their successors. He said to them only: "Whoever hears you, hears Me; whoever rejects you, rejects Me." These same apostles preached the Gospel, spread the Church, and established its discipline not in accordance with the pleasure of lay authority, but even in spite of it. Moreover, when the leaders of the synagogue dared command them to silence, Peter and John, who had used the evangelical freedom, responded: "You be the judge of whether it is right in the eyes of God to listen to you rather than to God." Thus, if any secular power dominates the Church, controls its doctrine, or interferes so that it cannot promulgate laws concerning the holy ministry, divine worship, and the spiritual welfare of the faithful, it does so to the injury of the faith and the overturning of the divine ordinance of the Church and the nature of government.

6. These principles are firm, unchangeable, and supported by the authority and tradition of the ancient Fathers. Bishop Ossius of Cordoba wrote to Emperor Constantius: "Do not become involved in ecclesiastical matters nor give us orders concerning these affairs. But rather learn this from us: God gives you the empire; He entrusts ecclesiastical power to us. Whoever secretly tries to snatch the empire away from you opposes God. By the same token, take care that you do not draw ecclesiastical power to yourself and become guilty of a great crime." The Christian leaders were aware of this and they considered it a glorious thing to acknowledge publicly. Among them was the great leader Basil who said in the eighth synod: "What more can I say about you lay people? I have nothing else to say except that it is not permitted for you to speak concerning ecclesiastical matters. It is the duty of patriarchs, popes, and priests, to whom the duty of governing has been

entrusted, to investigate and study these matters. They have the power of binding and loosing and of sanctifying. They are the ones who have the ecclesiastical and heavenly keys, not those who must be fed, sanctified, bound, and loosed."

7. However, in the Baden meeting the matter was discussed differently. The articles which came forth from it attack the sound doctrine of ecclesiastical power and lead the Church itself into a scandalous and unjust slavery. It is even subject to the judgment of lay authority in the promulgation of decrees concerning dogma, and its disciplinary laws are declared to lack force and effect unless they are promulgated by the agreement of secular authority with an added proposition concerning the penalties against those who disobey. What then? Power is given to that same civil authority either to approve or to oppose the celebration of the diocesan synods, to inspect the synods, to oversee seminaries, and to confirm the system of their internal governance established by bishops, to remove clerics from ecclesiastical duties, to govern the religious and moral instruction of the people, and finally to regulate everything which, they claim, pertains to the external discipline of the Church, although these things may be of a spiritual nature or character and may concern the worship of God and the salvation of souls.

8. There is nothing which belongs more to the Church and there is nothing Jesus Christ wanted more closely reserved for its shepherds than the dispensation of the sacraments He instituted. The power to judge concerning their dispensation belongs only to those whom He established as ministers of His work on earth. It is wicked if the civil authority appropriates for itself anything in this holy office! It is wicked if the civil authority prescribes anything at all concerning it or gives orders to the ministers of the sacraments! It is wicked if it tries with its laws to oppose the rules handed down to Us in writing or by oral tradition from the early Church concerning the distribution of the sacraments to the Christian people. Our predecessor St. Gelasius said in his letter to Emperor Anastasius: "You know, most merciful son, that you are allowed to rule over the human race. Nevertheless, submit yourself to the bishops and seek from them the means of your salvation. In receiving the heavenly sacraments and in distributing them appropriately, you know that you should be subject rather than govern. You know therefore that in these things you depend on their judgment and that they do not want to be subjected to your power." What seems to be incredible and portentous is that the meeting at Baden progressed to the point that even the right and office of dispensing the sacraments was attributed to secular authority. The articles which were rashly written concerning the sacrament of marriage in Christ and the Church certainly incline in this direction as does the support given for contracting mixed marriages. The requirement that Catholic priests bless these marriages while ignoring the religious differences between the spouses and the threats of punishment for those who refuse to do this illustrate this tendency.

9. These things ought to be condemned because the civil authority makes laws concerning the celebration of a divinely established sacrament and dares to order the priests in such a serious matter. But they ought to be reproached even more so

because they foster an absurd and impious idea which they call "indifferentism;" indeed they depend on it as necessary. Moreover, they oppose Catholic truth and Church doctrine which forbids mixed marriages as disgraceful because of the communion in holy things and because of the serious danger of the perversion of the Catholic spouse and the perverted education of the future children. Nor did the Church ever grant the free power to contract such a marriage unless conditions were added which prevented the causes of danger and deformity.

10. Jesus Christ conferred on His Church the supreme power of administering religion and governing Christian society. This is not subject to the civil authority. In his letter to the Ephesians the apostle teaches that Christ established this ecclesiastical power for the benefit of unity. And what is this unity unless one person is placed in charge of the whole Church who protects it and joins all its members in the one profession of faith and unites them in the one bond of love and communion? The wisdom of the Divine Lawgiver ordered that a visible head be placed over a visible body so that "once so established, the opportunity for division might be removed." Wherefore, although for all the bishops whom the Holy Spirit placed as governors of the Church of God there is a common dignity and in matters of rank there is nevertheless equal power, there is not the same rank in the hierarchy for all and they do not all have the same extent of jurisdiction.

Using the words of St. Leo the Great; "Among the holy apostles there was a similarity of honor but a distinction of power: while the election of all was equal, it was given only to one to have preeminence among the others ... because the Lord wanted the sacrament of evangelical duty to belong to the office of the apostles; thus He placed it principally in St. Peter, the head of all the apostles." He granted this to Peter alone out of all the apostles when He promised him the keys of the kingdom of heaven and entrusted to him the obligation of feeding the Lord's sheep and lambs and the duty of strengthening his brothers. He wanted this to extend to Peter's successors whom He placed over the Church with equal right. This has always been the firm and united opinion of all Catholics. It is Church dogma that the pope, the successor of St. Peter, possesses not only primacy of honor but also primacy of authority and jurisdiction over the whole Church. Accordingly the bishops are subject to him.

11. In the words of St. Leo, who continues speaking about the Holy See of Peter: "It is necessary that the Church throughout the world be united and cleave to the center of Catholic unity and ecclesiastical communion, so that whoever dares to depart from the unity of Peter might understand that he no longer shares in the divine mystery." St. Jerome adds: "Whoever eats the lamb outside of this house is unholy. Those who were not in the ark of Noah perished in the flood." Just as he who does not gather with Christ, so he who does not gather with Christ's Vicar on earth, clearly scatters. How can someone who destroys the holy authority of the Vicar of Christ and who infringes on his rights gather with him? It is through these rights that the pope is the center of unity, that he has the primacy of order and jurisdiction, and that he has the full power of nurturing, ruling, and governing the

universal Church.

12. We tearfully admit that this was attempted at the meeting in Baden. The pope alone and no bishop has the right to transfer the days fixed by the Church for celebrating feasts and observing fasts and to annul the precept of attending Mass. This was clearly established in the constitution *Auctorem fidei* published by Our predecessor Pius VI on August 28, 1794, against the Pistoians.

13. The items contained in the Baden articles are contrary to this and are much more harmful because on the issue of discipline they reserve the right for the civil authority. The special privilege of removing religious congregations which live under a rule from the jurisdiction of the bishops and subjecting these congregations directly to himself belongs to the pope—a right popes have used from the earliest times. The articles of the Baden convention abridge this right. They make no mention of the necessity of asking and obtaining the permission of the Holy See. Thus plans may be undertaken by a secular authority through which, after the exemption of the monastic orders is abolished in Switzerland, regular congregations can be made subject to the authority of the ordinary bishops.

14. To these, We should add those things which they indicate have been authorized concerning the rights of bishops. If these things are examined more deeply and referred back to the principles from which the articles made in the Baden conference proceed, they seem to confirm that the jurisdiction of the bishops neither can nor should be swayed by the supreme authority of the pope. Nor should they be circumscribed by any limitations. Neither should We omit those things which were proposed concerning either the erection of a metropolitan see or the unification of some of those dioceses to another cathedral church located beyond the boundaries of Switzerland. The rights of the Holy See in this matter were ignored. Thus civil authority acted as if it were totally free in these serious issues to establish by its own right those things which it considered to be advantageous for the spiritual needs of the people. We pass over many other things which would be too tiresome to enumerate individually. However, they inflict great harm on this Holy See of Peter and threaten, violate, and despise its dignity and authority.

15. Since this is the situation and the Church is confronted by so great and open a disturbance of sound doctrine and ecclesiastical rights and by so great and serious a danger to the Catholic cause in these regions, it behooved Us to raise Our voice from this holy mountain soon after the meeting of Baden was held and to openly criticize, reprove, and condemn those articles to everyone who participated in the conference. We delayed Our decision on their wickedness up until now because We hoped that those who administer civil affairs would totally reject and disapprove of them. The matter did not, for the most part, come to pass according to Our expectation. On the contrary, We, greatly sorrowing, learned that laws were enacted which confirmed those articles and protected them by public decree.

16. We, in Our role as teacher and universal doctor, ought diligently to beware lest anyone be led into error by Our action and conclude that the articles of the Baden meeting are not inconsistent with the teaching and discipline of the Church. We know that We cannot hesitate or be silent any longer. As this is a matter of very serious importance, We subjected these articles to a careful examination. We have heard the advice and received the opinions of the cardinals of the Holy Roman Church and have considered the entire matter carefully by Our own will and with sure knowledge. With the fullness of the apostolic power, We reprove and condemn the aforementioned articles of the meeting of Baden as containing false, rash, and erroneous assertions; as detracting from the rights of the Holy See, overthrowing the government of the Church and its divine constitution, and subjecting the ecclesiastical ministry to secular domination; and as proceeding from condemned premises. We decree that they should forever be considered condemned.

17. While We intend to point these things out openly because of Our apostolic duty, it remains for Us to speak with paternal affection to you who have taken on a part of His governance, the fullness of which the Prince of Shepherds entrusted to Us. Among so many evils which besiege the Catholic Church in these evil times, what great trials press upon Our heart! We have experienced great sadness, especially from those things which were daringly attempted recently. It should be enough to direct your attention to it, and it should not be necessary to explain the details.

18. In Our sorrow We must not neglect to mention that what you did in guarding the Catholic cause and caring for the salvation of the flock entrusted to your care brought Us great solace. Therefore, We give thanks to the Father of mercies and the God of all consolation who comforted Us with you while We were oppressed by such tribulation. We must arouse your devotion. We exhort you to fight for the cause of God and the Church with greater zeal as the attacks of the enemy become more severe. It is your duty to stand as a wall so that no other foundation can be placed other than the one which has already been laid. It is also your duty to keep the faith undefiled. There is another sacred trust which you should firmly defend, namely, the holy laws by which the Church establishes its discipline, and the rights of this Apostolic See. Therefore, act according to the position which you hold, according to the dignity with which you are vested, according to the authority which you received, according to the sacrament by which you bound yourselves in solemn consecration. Unsheathe the sword of the spirit which is the word of God. Denounce, beseech, rebuke in all patience and teaching. Labor and struggle for the Catholic religion, for the divine authority and laws of the Church, for the See of Peter and its dignity and rights "so that not only those who are upright may remain safe but also so that those who were deceived by seduction may be called back from error."

19. Moreover, so that the desired outcome may result from these cares and labors under taken by Our venerable brothers, We also address those of you who are ministers of the sacraments, shepherds of souls, and preachers of the divine word.

It is your duty to be totally united with them in will, to be inflamed with the same zeal, and to be in harmony with them in this work so that the people might be protected from all danger of error and contamination. Exert yourselves so that everyone thinks the same thing and no one allows himself to be led astray by strange teachings. Let everyone avoid profane novelties, cling to the Catholic faith, and submit himself to the power and authority of the Church. Each person should bind himself ever more firmly to this See which the strong Redeemer of Jacob placed as an iron pillar and as a bronze wall against the enemies of religion. You should receive these enemies as people who ought to be educated in the law of Christ and of the Church.

20. It should be obvious that the secular power and those laws enacted by it concerning the welfare of civil society ought to be obeyed, not only because of the fear of wrath but also because of conscience. It is never permitted, however, to shamefully abandon the faith because of it. Since the spirits of the people are trained in this way, consider your labors to be both for the tranquility of the citizens and the welfare of the Church; these two things cannot be separated from one another.

21. May the most merciful God, from whom comes every perfect gift, accomplish these Our wishes. May Our apostolic blessing which We lovingly impart to you, venerable brothers, to Our brothers in the Lord, and to the faithful be a sign of good things which We ardently desire for this part of the Catholic flock.

Given in Rome, at St. Peter's, on the 17th day of May in the year 1835, the fifth year of Our Pontificate.