

POPE PIUS XII
on

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The World Community

*Discourse of Pope Pius XII to the fifth
annual congress of the Union of Italian
Catholic Jurists, Rome, December 6, 1953*

with commentaries by
EDWARD A. CONWAY, S.J.
and
GUSTAVE WEIGEL, S.J.



Edited by Charles Keenan, S.J.

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About the authors....

POPE PIUS XII is justly called the Pope of Peace.

During the fifteen years of his pontificate the Vicar of the Prince of Peace has devoted scores of major pronouncements to the world's primary problem: how to bring about that "peace which is the work of justice"—the motto of his pontificate.

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(*This formula is now in general use in the Archdiocese of New York*)

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FOREWORD

The following pages contain the discourse of Pope Pius XII to the fifth annual congress of the Union of Italian Catholic Jurists, delivered in Rome, December 6, 1953. The Holy Father's address had two main themes: the organization of the world community, and religious toleration in the organized world community. Two chapters of commentary are added. Rev. Edward A. Conway, S. J., discusses that part of the address which dealt with the organization of the world community. This chapter first appeared as an article in *AMERICA*, December 26, 1953. Rev. Gustave Weigel, S. J.'s discussion of religious toleration in the organized world community was delivered as an address over the Vatican Radio on December 11, 1953 and was published in *AMERICA*, January 9, 1954.

1.

Pope Pius XII
to the
Union of Italian Catholic Jurists

IT GIVES US great satisfaction, beloved sons of the Union of Italian Catholic Jurists, to see you gathered round Us here and to bid you heartfelt welcome.

In the beginning of October another congress of jurists, dealing with international penal law, gathered in Our summer residence. Your convention is rather national in character, but the subject it is treating, "The Nation and the International Community," touches again the relations between peoples and sovereign states.

It is not by chance that congresses are multiplying for the study of international questions, be they scientific, economic or political. The clear fact that relations between individuals of various nations and between nations themselves are growing in multiplicity and intensity makes daily more urgent a right ordering of international relations, both private and public; all the more so since this mutual drawing together is caused not only by vastly improved technological progress and by free choice but also by the more profound action of an intrinsic law of development.?

This movement, then, is not to be repressed but fostered and promoted.

In this work of expansion, communities of states and peoples, whether already existing or only a goal to be achieved, have naturally a special importance. They are communities in which sovereign states, that is to say, states which are subordinate to no other state, are united into a juridical community to attain definite juridical ends.

It would give a false idea of these juridical communities to compare them to world empires of the past or of the present, in which different racial stocks, peoples and states become fused, whether they want it or not, into a single conglomeration of states.

In the present instance, however, states, remaining sovereign, freely unite into a juridical community.

URGE TO WORLD COMMUNITY

In this connection, the history of the world, which shows a continuous succession of struggles for power, no doubt might make the establishment of a juridical community of free states seem almost utopian.

The conflicts of the past have too often been motivated by a desire to subjugate other nations and to extend the range of one's own power, or by the necessity of defending one's liberty and one's own independent existence.

This time, on the contrary, it is precisely the will to prevent threatening conflicts that urges men toward a supranational juridical community. Utilitarian considerations, which certainly carry considerable weight, point toward the working out of peace.

And finally, perhaps, it is precisely because of technological progress that this mingling of men of different nations has awakened the faith, implanted in the hearts and souls of individuals, in a higher community of men, willed by the Creator and rooted in the unity of their common origin, nature and final destiny.

These and other similar considerations show that advance toward establishing a community of peoples does not look, as to a unique and ultimate norm, to the will of the states, but rather to nature, to the Creator.

The right to existence, the right to respect from others and to one's good name, the right to one's own culture and

national character, the right to develop oneself, the right to demand observance of international treaties, and other like rights, are exigencies of the law of nations, dictated by nature itself.

The positive law of different peoples, also indispensable in the community of states, has the office of defining more exactly the rights derived from nature and of adapting them to concrete circumstances; also of making other provisions, directed, of course, toward the common good, on the basis of a positive agreement which, once freely entered into, has binding force.

In this community of nations, then, every state becomes a part of the system of international law, and hence of natural law, which is both foundation and crown of the whole. Thus the individual nation no longer is—nor in fact was it ever—“sovereign,” in the sense of being entirely without restrictions.

not subject to natural law

TRUE MEANING OF SOVEREIGNTY

“Sovereignty” in the true sense means self-rule and exclusive competence concerning what has to be done and how it is to be done in regard to the affairs of a definite territory, always within the framework of international law, without however becoming dependent on the juridical system of any other state.

Every state is immediately subject to international law. States which would lack this fullness of power, or whose independence of the power of any other state would not be guaranteed by international law, would not be sovereign.

But no state could complain about a limitation of its sovereignty if it were denied the power of acting arbitrarily and without regard for other states. Sovereignty is not a divinization of the state, or omnipotence of the state in the

Hegelian sense, or after the manner of absolute juridical positivism.

DIFFICULTIES TO BE FACED

There is no need to explain to you students of law how the setting up, maintenance and operation of a real community of states, especially one that would embrace all peoples, give rise to many duties and problems, some of them extremely difficult and complicated, which cannot be solved by a simple yes-or-no answer.

Such would be the question of race and origin, with their biological, psychological and social consequences; the question of language; the question of family life, with its relations, varying according to nation, between husband and wife, parents, the larger family group; the question of the equality or equivalence of rights in what regards goods, contracts and persons for the citizens of one sovereign state who either live for a short time in a foreign state or, retaining their own nationality, establish permanent residence there; the question of the right of immigration or of emigration, and other like questions.

The jurist, the statesman, the individual state, as well as the community of states should here take account of all the inborn inclinations of individuals and communities in their contracts and reciprocal relations: such as the tendency to adapt or to assimilate, often pushed even to an attempt to absorb; or contrariwise, the tendency to exclude and to destroy anything that appears incapable of assimilation; the tendency to expand, to embrace what is new, as on the contrary, the tendency to retreat and to segregate oneself; the tendency to give oneself entirely, forgetful of self, and its opposite, attachment to oneself, excluding any service of others; the lust for power, the yearning to keep others in subjection, and so on.

All these instincts, either of self-aggrandizement or of self-defense, have their roots in the natural dispositions of individuals, of peoples, of races and of communities, and in their restrictions and limitations. One never finds in them everything that is good and just. God alone, the origin of all things, possesses within Himself, by reason of His infinity, all that is good.

FUNDAMENTAL PRINCIPLE

From what We have said, it is easy to deduce the fundamental theoretical principle for dealing with these difficulties and tendencies: within the limits of the possible and lawful, to promote everything that facilitates union and makes it more effective; to remove everything that disturbs it; to tolerate at times that which it is impossible to correct but which, on the other hand, must not be permitted to make shipwreck of the community from which a higher good is hoped for.

The difficulty rests in the application of this principle.

PROBLEM OF COEXISTENCE

In this connection, We wish to treat with you who are happy to profess yourselves Catholic jurists, concerning one of the questions which arise in a community of peoples, that is, the practical coexistence (*convivenza*) of Catholic with non-Catholic states.

Depending upon the religious belief of the great majority of citizens, or by reason of an explicit declaration of law, peoples and member states of the international community will be divided into those that are Christian, non-Christian, indifferent to religion or consciously without it, or even professedly atheist.

The interests of religion and morality will require for the whole extent of the international community a well-

defined rule, which will hold for all the territory of the individual sovereign member-states of the international community. According to probability and depending on circumstances, it can be foreseen that this ruling of positive law will be thus enunciated:

Within its own territory and for its own citizens, each state will regulate religious and moral affairs by its own laws. Nevertheless, throughout the whole territory of the international community of states, the citizens of every member-state will be allowed the exercise of their own beliefs and ethical and religious practices, in so far as these do not contravene the penal laws of the state in which they are residing.

CAN CATHOLICS CONSENT?

For the jurist, the statesman and the Catholic state arises here the question: can they give their consent to such a ruling when there is question of entering and remaining in an international community?

Now, in regard to religious and moral interests, a two-fold question arises. The first deals with the objective truth and the obligation of conscience toward what is objectively true and good.

The second deals with the practical attitude of the international community toward the individual sovereign state and the attitude of the individual state toward the international community in what regards religion and morality.

The first question can hardly be a matter for discussion and legal ruling between the individual states and the international community, especially in the case of a plurality of different religious beliefs within the international community. On the other hand, the second question can be of extreme importance and urgency.

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Now to give the right answer to the second question. Above all, it must be clearly stated that no human authority, no state, no community of states, whatever be their religious character, can give a positive command or positive authorization to teach or to do that which would be contrary to religious truth or moral good.

Such a command or such an authorization would have no obligatory power and would remain without effect. No authority may give such a command, because it is contrary to nature to oblige the spirit and the will of man to error and evil, or to consider one or the other as indifferent.

Not even God could give such a positive command or positive authorization, because it would be in contradiction to His absolute truth and sanctity.

NORM OF TOLERANCE

Another question, essentially different, is this: could the norm be established in a community of states—at least in certain circumstances—that the free exercise of a belief and of a religious or moral practice which possesses validity in one of the member states, be not hindered throughout the entire territory of the community of nations by state laws or coercive measures?

In other words, the question is raised whether in these circumstances *non impedit* or toleration is permissible, and whether, consequently, positive repression is not always a duty.

We have just adduced the authority of God. Could God, although it would be possible and easy for Him to repress error and moral deviation, in some cases choose the *non impedit* without contradicting His infinite perfection?

Could it be that in certain circumstances He would not give men any mandate, would not impose any duty, and would not even communicate the right to impede or to

repress what is erroneous and false? A look at things as they are gives an affirmative answer.

Be tolerant
of bad
error
guilt

NO ABSOLUTE DUTY TO SUPPRESS

Reality shows that error and sin are in the world in great measure. God reprobates them, but He permits them to exist. Hence the affirmation that religious and moral error must always be impeded, when it is possible, because toleration of them is in itself immoral, is not valid *absolutely and unconditionally*.

Moreover, God has not given even to human authority such an absolute and universal command in matters of faith and morality. Such a command is unknown to the common convictions of mankind, to Christian conscience, to the sources of revelation and to the practice of the Church.

To omit here other scriptural texts which are adduced in support of this argument, Christ in the parable of The Cockle gives the following advice: let the cockle grow in the field of the world together with the good seed in view of the harvest (Matt. 13: 24-30).

The duty of repressing moral and religious error cannot therefore be an ultimate norm of action. It must be subordinate to *higher and more general* norms, which *in some circumstances* permit, and even perhaps seem to indicate as the better policy toleration of error in order to promote *a greater good*.

TWO PRINCIPLES FOR STATESMEN

Thus the two principles are clarified to which recourse must be had in concrete cases for the answer to the serious question concerning the attitude which the jurist, the statesman and the sovereign Catholic state is to adopt in consideration of the community of nations in regard to a for-

mula of religious and moral toleration as described above.

First: that which does not correspond to truth or to the norm of morality objectively has no right to exist, to be spread or to be activated. Secondly: failure to impede this with civil laws and coercive measures can nevertheless be justified in the interests of a higher and more general good.

Before all else the Catholic statesman must judge if this condition is verified in the concrete—this is the “question of fact.”

In his decision he will permit himself to be guided by weighing the dangerous consequences that stem from toleration against those from which the community of nations will be spared if the formula of toleration be accepted.

Moreover, he will be guided by the good which, according to a wise prognosis, can be derived from toleration for the international community as such, and indirectly for the member state. In that which concerns religion and morality he will also ask for the judgment of the Church.

For her, only he to whom Christ has entrusted the guidance of His whole Church is competent to speak in the last instance on such vital questions touching international life: that is, the Roman Pontiff.

INTERNATIONAL INSTITUTIONS COMPARED

The institution of a community of nations, which today has been partly realized but which is striving to be established and consolidated upon a higher and more perfect level, is an ascent from the lower to the higher, that is, from a plurality of sovereign states to the greatest possible unity.

The Church of Christ has, in virtue of a mandate from her Divine Founder, a similar universal mission. She must draw to herself and bind together in religious unity the men of all races and of all times. But here the process is

in a certain sense the contrary: she descends from the higher to the lower.

In the former case, the superior juridical unity of nations was and still is to be created. In the latter, the juridical community with its universal end, its constitution, its powers and those in whom these powers are invested, are already established from the beginning, by the will and decree of Christ Himself. The duty of this universal community from the outset is to incorporate all men and all races (cf. Matt. 28:19) and thereby to bring them to the full truth and the grace of Jesus Christ.

The Church, in the fulfilment of this her mission, has always been faced and is still faced in large measure by the same problems which the functioning of a community of sovereign states must overcome; only she feels them more acutely, for she is obligated to the purpose of her mission, determined by her Founder Himself, a purpose which penetrates to the very depths of the spirit and heart of man.

In this state of affairs conflicts are inevitable, and history shows that there have always been conflicts. There still are, and according to the words of the Lord, there will be till the end of time.

For the Church with her mission has been, and is, confronted with men and nations of marvelous culture, with others of almost incredible lack of civilization, and with all possible intermediate degrees: diversity of extraction, of language, of philosophy, of religious belief, of national aspirations and characteristics; free peoples and enslaved peoples; peoples that have never belonged to the Church and peoples that have been separated from her communion.

CHURCH CANNOT IGNORE REALITY

The Church must live among them and with them; she can never declare before anyone that she is "not interested."

The mandate imposed upon her by her Divine Founder renders it impossible for her to follow a policy of non-interference or *laissez faire*.

She has the duty of teaching and educating in all the inflexibility of truth and goodness, and with this absolute obligation she must remain and work among men and nations that in mental outlook are completely different from each other.

Let Us return now, however, to the two propositions mentioned above: and in the first place to the one which denies unconditionally everything that is religiously false and morally wrong. With regard to this point there never has been, and there is not now, in the Church any vacillation or any compromise, either in theory or in practice.

Her deportment has not changed in the course of history, nor can it change whenever or wherever, under the most diversified forms, she is confronted with the choice: either incense for idols or blood for Christ.

The place where you are now present, Eternal Rome, with the remains of a greatness that was and with the glorious memories of its martyrs, is the most eloquent witness to the answer of the Church. Incense was not burned before the idols, and Christian blood flowed and consecrated the ground.

But the temples of the gods lie in the cold devastation of ruins howsoever majestic; while at the tombs of the martyrs the faithful of all nations and all tongues fervently repeat the ancient Creed of the Apostles.

TRADITION OF TOLERANCE

Concerning the second proposition, that is to say, concerning tolerance in determined circumstances, toleration even in cases in which one could proceed to repression, the Church—out of regard for those who in good conscience

(though erroneous, but invincibly so) are of a different opinion—has been led to act and has acted with that tolerance, after she became the state Church under Constantine the Great and the other Christian emperors, always for higher and more cogent motives.

So she acts today, and also in the future she will be faced with the same necessity. In such individual cases the attitude of the Church is determined by what is demanded for safeguarding and considering the *bonum commune* on the one hand—the common good of the Church and the State in individual states; and on the other, the common good of the universal Church, the reign of God over the whole world.

In considering the “pro” and “con” for resolving the “question of fact,” as well as what concerns the final and supreme judge in these matters, no other norms are valid for the Church except the norms which We have just indicated for the Catholic jurist and statesman.

The ideas We have set forth may also be useful for the Catholic jurist and statesman when, in their studies or in the exercise of their profession, they come in contact with the agreements (concordats, treaties, agreements, *modus vivendi*, etc.) which the Church (that is to say, for a long time now, the Apostolic See) has concluded and still concludes with sovereign states.

PURPOSE OF CONCORDATS

The concordats are for her an expression of the collaboration between the Church and the State. In principle, that is, in theory, she cannot approve complete separation of the two powers. The concordats, therefore, must assure to the Church a stable condition in right and in fact in the state with which they are concluded, and must guarantee to her full independence in the fulfilment of her divine mission.

It is possible that the Church and the State proclaim in a concordat their common religious conviction; but it may also happen that a concordat have, together with other purposes, that of forestalling disputes with regard to questions of principle and of removing from the very beginning possible matters of conflict.

When the Church has set her signature to a concordat, it holds for everything contained therein. But, with the mutual acknowledgment of both high contracting parties, it may not hold in the same way for everything.

It may signify an express approval, but it may also mean a simple tolerance, according to those two principles which are the norm for the co-existence (*convivenza*) of the Church and her faithful with the civil powers and with men of another belief.

This, beloved sons, is what We intended to treat of with you rather fully.

For the rest, We are confident that the international community can banish every danger of war and establish the peace, and, as far as the Church is concerned, can guarantee to her freedom of action everywhere, so that she may be able to establish in the spirit and the heart, in the thoughts and the actions of men, the Kingdom of Him who is the Redeemer, the Lawgiver, the Judge, the Lord of the world, Jesus Christ, who rules as God over all things, blessed forever (Rom. 9:5).

While with Our paternal good wishes We follow your work for the greater good of nations and for the perfecting of international relations, from the fulness of Our heart We impart to you, as a pledge of the richest divine graces, the Apostolic Benediction.

2.

Organization of the World Community

IN HIS DISCOURSE on December 6 to the Union of Italian Catholic Jurists, commenting on the theme of their fifth annual congress ("The Nations and the International Community"), the Holy Father reaffirmed a proposition by now familiar: the shrinking of the world into a neighborhood makes it daily more necessary to regulate international relationships, both private and public. This is all the more mandatory, declared the Holy Father,

since this mutual drawing together is caused not only by vastly improved technological progress and by free choice but also *by the more profound action of an intrinsic law of development*. This movement then is not to be repressed, but fostered and promoted (emphasis added).

A conviction that this innate drive toward unity must eventually be satisfied is apparent in the first third of the Holy Father's address, to which this article is restricted. This conviction may account for the comparatively optimistic tone of his remarks.

The Holy Father's next paragraph calls for the most careful exegesis. He begins by alluding to "*questa opera di ampliamento*," which I take to mean the task of enlarging the area of unity. Of particular importance in this work are "communities of states and peoples, whether already existing or only a goal to be achieved." Which, we might wonder, are these communities that "already exist"? Benelux,

the Council of Europe, Nato, the United Nations? Which are the ones in blueprints? The six-nation European Political Community, Atlantic Union, or a world federal government? It is difficult to decide. His Holiness continues with a definition which fits only a world federal government or perhaps the European Political Community as originally projected. They are communities, the Holy Father explains,

in which sovereign states, that is to say states which are subordinate to no other state, are united into a juridical community to attain definite juridical ends. It would give a false idea of these juridical communities if one were to compare them with world empires of the past or of the present, in which different racial stocks, peoples and states become fused, willy-nilly, into a single conglomeration of states (*unico complesso statale*). In the present instance, however, states, remaining sovereign, freely unite into a juridical community.

“The present instance” to which His Holiness refers must be his present conception of the ideal international community, since the one he defines is nowhere concretized in the world today.

A JURIDICAL WORLD COMMUNITY UTOPIAN?

His next words seem to bear out this interpretation. The history of the world, says the Holy Father, recording as it does a continuing series of struggles for power, would doubtless make the setting up of a juridical community of free states seem almost utopian. In our time, however, a contrary current is running. Instead of the will to war, this time

(it is precisely the will to forestall quarrels imperiling the peace (*minacciosi dissidi*) that urges men toward

a supranational juridical community. [Besides,] practical considerations, which certainly carry considerable weight, are being directed toward works of peace. Finally, perhaps it is precisely this mingling of men of different nations because of technological progress (*l'avvicinamento tecnico*) that has awakened the faith, implanted in the hearts and souls of individuals, *in a higher community of men, [the one] willed by the Creator and rooted in the unity of their common origin, nature and final destiny* (emphasis added).

One can hardly escape the impression that the present Pontiff thinks that both man's technology and his nature are ineluctably propelling mankind toward political unity. At any rate, he proceeds at once to set up guideposts to that goal, emphasizing in the process the primacy of the natural law, and explaining a little more fully what he meant by the phrase, "an intrinsic law of development":

These and other similar considerations show that advance toward establishing a community of peoples does not look, as to a unique and ultimate norm, to the will of the states, but rather to nature, to the Creator. The right to existence, the right to respect from others and to one's good name, the right to one's own culture and national character, the right to develop one's self, the right to demand observance of international treaties and other like rights are exigencies of the law of nations, dictated by nature itself. The positive law of different peoples, also indispensable in the community of the states, has the office of defining more exactly the rights derived from nature and of adapting them to concrete circumstances. It also has the function of making other provisions, directed,

of course, toward the common good, on the basis of a positive agreement, which, once freely entered into, has binding force.

Thus the state which becomes part of this community of peoples "is fitted into the system of international law and hence into the order of the natural law, which sustains and crowns the whole."

WHAT IS "SOVEREIGNTY"?

Here, the Holy Father launches into the most extended discussion he has ever devoted to the much-mooted question of "sovereignty":

In this way, the individual nation is no longer—nor in fact was it ever—"sovereign" in the sense of being completely unlimited. "Sovereignty" in the true sense of the word means self-rule (*autarchia*) and exclusive competence concerning what has to be done and how it has to be done in regard to the affairs of a definite territory (*alle cose e allo spazio*), always within the framework of international law, without, however, becoming dependent on the juridical system of any other state. Every state is immediately subject to international law. States which would lack this fulness of power, or whose independence of the power of any other state would not be guaranteed by international law, would not be sovereign. But no state could complain about a limitation of its sovereignty just because it was denied the power of acting arbitrarily and without regard for other states. Sovereignty is not a divinization of the state, or omnipotence of the state in the Hegelian sense, or after the manner of absolute juridical positivism.

DIFFICULTIES TO BE OVERCOME

Speaking as though his ideal of an international com-

munity is still feasible, the Holy Father next discusses the obstacles that lie in the way of the "establishment, maintenance and functioning of a real community of states, *especially of one which would embrace all the peoples*" (emphasis added). He hardly had to explain to jurists, he said, that such an undertaking would give rise to a host of problems, "some of them extremely difficult and complicated, which cannot be solved by simple yes-or-no answer." For example, he said, everyone concerned must take into account the "innate tendencies" of both individuals and groups either to assimilate others, even to the point of forcibly absorbing them, or to exclude them, even to the point of destroying those who seem unassimilable.

Among the more specific problems, he said, are those of race and origin, with their biological, psychical and social consequences; the language question; the differing interpretations of property rights and contractual obligations; the rights of aliens in either temporary or permanent residence; and finally the whole immigration-emigration problem.

The Holy Father did not list these difficulties to discourage immediate efforts toward unification. He suggested a "fundamental theoretical principle for coping with these difficulties and tendencies":

Within the limits of the possible and the lawful, to promote everything that facilitates union and makes it more effective; to raise dikes against anything that disturbs it; to tolerate at times that which it is impossible to correct, but which, on the other hand, must not be permitted to make shipwreck of the community of peoples, because of the higher good that is expected from it.

The Holy Father, after setting out his "fundamental the-

oretical principle," rather wryly remarked: "The difficulty rests in the application of that principle."

His Holiness then addressed himself to one question which presents itself in a community of the peoples, that is, "the practical living together of the Catholic and non-Catholic communities." Comment on this portion can be left to those who have been debating the question of religious tolerance for the past several years. I have concentrated on the first third of the Pope's address, since I feared it would be overlooked because of the discussions the remaining two-thirds are bound to arouse. (News reports from Vatican City did in fact feature the section on toleration.)

UN CHARTER REVISION IMPLIED

In the latter part of the long discourse, however, are several remarks which seem to shed light on the Holy Father's present attitude toward the United Nations. At one point he compared and contrasted two international organizations, the temporal and the spiritual:

The setting up of a community of peoples, *which today has been partially realized*, but which is striving to be established and consolidated on a more elevated and perfect level, is an ascent from the lower to the higher, that is, *from a pluralism of sovereign states to the greatest possible unity* (emphasis added).

That, in effect, is what Cardinal Stritch, chairman of the Bishops' Committee on the Pope's Peace Plan, remarked to the Catholic Lawyers' Guild in Chicago November 1: "Attempts have been made to obtain an international society under law, but the organization that now exists is only a start."

The Catholic Church, continued the Holy Father, has a universal mission similar to that of the community of the peoples. This ascription of a universal mission to the

community under discussion, coupled with the reference to a community "which embraces all the peoples," seems conclusive proof that he was not limiting his remarks to a European political community, as most news reports have suggested. He never mentioned a *European* community.

The constitution of the Church and all its powers and their depositories were from the beginning established by the will and institution of Christ himself. The "higher juridical unity of the community of the peoples," on the other hand, "had to be, or still has to be, created."

The implication of those parts of the Holy Father's address I have discussed seems to be that what he called the law of development toward unity immanent in human nature, aroused and incited by scientific developments, has already "partially realized" the community of the peoples in the form of the United Nations. What remains to be done, he seems further to imply, is to transform this "pluralism of sovereign states" into the "higher unity" of a "supranational juridical community."

COMPLETE PAPAL TEACHING

Since April 6, 1951, the Holy Father has devoted three discourses to describing how the world should be organized for peace. In his 1951 address to members of the World Movement for World Federal Government, he specified what he mean by "federalism" as opposed to the "mechanical unitarism" which destroys all differences in a monolithic, materialistic state. In his little-noticed but highly provocative speech to the International Congress of Penal Law on October 3, 1953, he unflinchingly followed the demands of the natural law by calling not only for an international penal code but for a court with jurisdiction reaching into individual "sovereign" states.

This December 6 discourse completes a trilogy which

should be studied as an organic whole. That study will reveal, I believe, a papal conception of the ideal organization of the world as profoundly wise as it is daringly imaginative.

3.

Religious Toleration in the World Community

PHILOSOPHERS and poets have always dreamed in beautiful colors of the day either past or future when men live in a single society enveloping and protecting all other social groupings. This thought has always been appealing to the idealist and romantic youth, but mankind as an existent reality has shown no great readiness to actualize such a dream. In fact, sober observers have declared that such a single, unitary world society is impossible. For them, the inevitable selfishness of individuals and of the limited societies which they form prevents the juridical organization of the great society which is mankind.

Today the thesis of the impossibility of a world society, juridically structured, needs re-examination. It is no longer so clear that this impossibility is objective. The ever-increasing numbers of human beings populating the earth, the conquest of space and time by modern means of locomotion and communication, the widespread destructiveness of conflicts between un-united nations, are pushing the men of our day to do something more than dream of a world society. There are many who think that it alone can effect the survival of mankind, and man's urge to survival is so great that he will adopt all means necessary thereunto, even though in the past such means as a world federation were judged impossible.

For those who are engaged in the planning of the new society many obstacles present themselves. Religion, one of the strongest forces in the making of human history,

seems a divisive element rather than a unifying cement. Islam divides Mohammedan from Hindu, Catholicism separates its adherents from Protestants, Judaism cuts off Israel from the Gentiles. Will not religion itself be the great stumbling block to world union, even though at first gaze the notion of the fatherhood of one God and the brotherhood of all men should seem to be a unifying force?

This disconcerting reflection need no longer terrify the pioneers in the work of juridically organizing the nations into one family. The message of Pope Pius XII to the national convention of the Italian Catholic Union of Jurists in Rome on December 6, 1953 shows the way out of the religious difficulty. In his carefully meditated study, the Pope outlines the juridical solution of the problem of religious disunion.

TRUE MEANING OF "TOLERATION"

The Holy Father makes it quite clear that the world union our age is contemplating cannot be built on the foundation of a common religion or in terms of one religious vision. The union can only be based on the one universal natural law which is achieved by human reason alone. The bearing of such a new juridical society to religion is clearly explained in accord with the perennial doctrine of Catholicism.

According to the Pope, the position of the new juridical world order in the matter of religion will be friendly and cordial toleration. This word has hideous overtones for many men today because it seems so negative, so condescending, so smugly narrow-minded. However, in the discourse of the Pope, the notion is positive and broad. In the realm of medicine the word "toleration" has a meaning which is only good. If a man cannot take penicillin because instead of doing him good it threatens his life, we

say that he is intolerant to penicillin. Yet this does not mean that he is fanatically and blindly opposed to antibiotics, but only that he cannot assimilate them to his advantage. If he can take the wonder drug, we say that he is tolerant to it. In such a context the word "tolerance" denotes an enriching quality which is highly desirable and salutary.

APPLICATION TO NEW "WORLD UNION"

In the same sense the new world union would be tolerant of different and theoretically conflicting religions. The new society would not try to impose one definite religion on all men nor make such religious uniformity a condition for the new federation. The ecumenical society would protect and befriend religion and religious belief without taking on itself the office of becoming the arbiter of what that religion must be, for it is not the function of a purely natural organization to presume to such a role. It is God alone who tells us what the true religion is, and He has done so supernaturally, using media which are above and beyond the powers of nature. Even God permits the existence of religions other than the one He Himself has structured. A prudent government will do well to imitate its Creator.

What is more, governments in a world society would have the obligation of practising such tolerance. The state is not an Hegelian idolatrous absolute but only the working instrument for society's welfare. The peace of the citizenry and their prosperity in the secular order are the state's sole purpose. Peace means a condition of freedom compatible with public order and the exigencies of living together. Moreover, for the end of conjoint harmonious living in a concrete society conditioned by its own history and culture, it will be necessary for the State of that society to accept

situations not of its own making but inherent in the evolution of the community it serves.

At times such situations, from a theological point of view, are not ideal, but in vital practice the state is obliged to maintain them lest peace and its consequent freedoms be destroyed by the state, whose only purpose is to preserve them. In the new world union it cannot be the obligation of the state to deal with the theological question of religious truth. Its sole obligation will be to keep together in peace and harmony citizens who are free and responsible agents, who will one day meet their Maker to give a reckoning for their personal religious decisions.

EXPECTED EFFECT OF PAPAL STATEMENT

This lofty doctrine of Pope Pius XII, the highest authentic teacher of the Catholic Church, will be enthusiastically received by all men of good will. It certainly clarifies the obscurities lurking in the minds of so many of our non-Catholic brethren who feel that the Catholic Church is a conspiracy to rob them of their right to follow conscience in their religious decisions. It will encourage those who are striving for world union because they will know that the great spiritual force of Catholicism is propitious to their efforts. Above all, it will end the accusation of not a few who assert that the Catholic Church has a double norm for solving Church-State relationships.

According to the accusation, the Church demands liberty for personal religious belief in countries where Catholics constitute a minority, while Catholic uniformity is imposed on all citizens in lands where Catholics form a political majority. The doctrine of the Pope is wholly different, for he speaks of a tolerant world-wide society formed by individual sovereign states, Catholic and non-Catholic, which will govern in their own communities in accord with

the principles obtaining in the total world federation. This, according to the Pope, is in thorough harmony with the abiding doctrine of the Catholic Church.

The Pope's discourse makes it evident again how much the Catholic Church strives for a lasting peace for the whole world. It is not the peace induced by a coercive government, but the harmony and concord of free communities in a world where uniformity of vision is not to be found.

When the world society envisioned by Pope Pius will eventually come into being, no one can say. However, the ideal is inspiring. It shows the path we must follow in our precarious search for peace.

READING LIST

- Catholic Association for International Peace, *The Role of the Christian in the World for Peace: A Symposium*, Washington, D. C., 1953
- Catholic Commission on Intellectual and Cultural Affairs, *Unesco and Catholic Collaboration* (Proceedings of Eighth Annual Meeting). Washington, D. C., 1953
- Conway, Edward A., S.J., "Catholics and World Federation," *AMERICA* (New York), LXXX, 231-33, Dec. 4, 1948
- "Pius XII and World Federation," *ibid.*, LXXXV, 93-95, April 28, 1951
- "Catholics and Revision of the UN Charter: I," *ibid.*, LXXXVIII, 230-32, Nov. 29, 1952
- "Catholics and Revision of the UN Charter: II," *ibid.*, LXXXIX, 129-131, May 2, 1953
- "Case for World Federation," *Catholic Mind* (New York), Feb., 1954
- D'Souza, Jerome, S.J., "The United Nations," *Jubilee* (New York), Oct., 1953
- Higgins, Msgr. George G., "Religious Critics of the United Nations," *Catholic Mind*, May, 1954
- Koenig, Msgr. Harry C., "Pius XII and the UN," *ibid.*, March, 1954

Lynch, William F., S. J., "Nationalism and Internationalism," *ibid.*, March, 1954

Pope Pius XII, "World Federalism," *ibid.*, June, 1951

-----"International Penal Law," *ibid.*, Feb., 1954

-----"1953 Christmas Eve Address," *ibid.*, March, 1954

Zizzamia, Alba, *Catholicism and Internationalism: A Papal Anthology*. New York: Fordham Univ. Press, 1954.
(A reprint from *Thought*, Winter, 1953-54)

-----"A Catholic Looks at Unesco," *Catholic Mind*, Dec., 1953



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