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The Pope speaks:

CHRISTIAN TRAINING OF YOUTH

Among the goals set for your action, We are happy to single out once again the commitment to the Christian training of youth that Pius XI wanted to have inserted into your statutes and that Pius XII saw fit to confirm. As far as We can see, the younger generation is facing up to life in a way that is wholly worthy of the traditions of holiness, truth and healthy fearlessness that were proposed to them by the founders of Catholic Youth and blessed by Pius IX. This is a flaming torch that is passed down from hand to hand and that must shine ever brighter.

Beloved sons, as Pius XII reminded you on the 25th anniversary of your association: "Nourish yourselves first of all, in mind and heart, with the substantial food of the Catholic faith as you find it offered in the whole living teaching of the Church, in the Sacred Scriptures that have the Holy Spirit for their author, in the Sacred Liturgy, in approved pious devotions and in all sound religious writings. Then . . ." — Our Predecessor continued, — "take up this truth of the faith and spread it far and wide in every city, in every village, in every corner, no matter how hidden away it might be, of your own hand, like the life-giving breeze

that penetrates everywhere and envelops everything and binds it all together."

But permit Us to say this, beloved sons: this great work will turn out to have been an effort in vain if it does not come from the very heart of Christian families. Here is where children grow up to face the struggles of life; here is where the action and the example of our Catholic men is needed most of all. In families where the father prays, and has faith that is cheerful and carefully thought out, and goes to catechetical instructions and brings his children along, there will be no storms and catastrophes coming from rebellious and spiteful youth. When We speak, We always like to make it words of hope: but We feel sure that in some cases of disturbing manifestations on the part of young people, the greater responsibility lies mostly with their parents and especially with fathers who shy away from the well-defined and serious obligations of their state.

So let this commitment to religious training be the fruitful object of every encouraging development: in yourselves, especially, so that you may, through your words and your example, be town-criers for it in the family, in the school, in the office, in the factory, wherever the Catholic man is at his post of responsibility before God and men.

An Address of
POPE JOHN XXIII
May 13, 1962.

**SANCTISSIMI DOMINI NOSTRI
IOANNIS
DIVINA PROVIDENTIA
PAPAE XXIII**

AD VENERABILES FRATRES PATRIARCHAS, PRIMATES,
ARCHIEPISCOPOS, EPISCOPOS ALIOSQUE LOCORUM
ORDINARIOS PACEM ET COMMUNIONEM CUM APOSTOLICA
SEDE HABENTES AD CLERUM ET CHRISTIFIDELES
TOTIUS ORBIS
ITEMQUE AD UNIVERSOS BONAE VOLUNTATIS HOMINES

**DE PACE OMNIUM GENTIUM
IN VERITATE, IUSTITIA, CARITATE, LIBERTATE
CONSTITUENDA**

VENERABILIBUS FRATRIBUS PATRIARCHIS, PRIMATIBUS,
ARCHIEPISCOPIS, EPISCOPIS ALIISQUE LOCORUM ORDINARIIS
PACEM ET COMMUNIONEM CUM APOSTOLICA SEDE
HABENTIBUS CLERO ET CHRISTIFIDELIBUS TOTIUS ORBIS
ITEMQUE UNIVERSIS BONAE VOLUNTATIS HOMINIBUS

IOANNES PP. XXIII

**VENERABILES FRATRES ET DILECTI FILII
SALUTEM ET APOSTOLICAM BENEDICTIONEM**

PACEM IN TERRIS, quam homines universi cupidissime
quovis tempore appetiverunt, condi confirmarique non
posse constat, nisi ordine, quem Deus constituit, sancte servato.

Nam ex doctrinarum processibus ac technicorum inventis plane discimus, simul in animantibus et in naturae viribus dominari ordinem mirificum, simul in homine eiusmodi inesse dignitatem, qua possit sive ordinem ipsum deprehendere, sive instrumenta apta sibi parare, ad easdem occupandas vires et ad sua commoda transferendas.

Sed scientiarum progressionem ac technicorum inventa primum omnium infinitam Dei magnitudinem ostendunt, qui et rerum universitatem et hominem ipsum creavit. Rerum, dicimus universitatem de nihilo fecit, in eamque sapientiae et bonitatis suae copiam profudit: qua de re alicubi sacer Psaltes hisce verbis Deum laudat: *Domine, Domine, quam admirabile est nomen tuum in universa terra,*¹ hisce alicubi vocibus: *Quam multa sunt opera tua, Domine! Omnia cum sapientia fecisti.*² Hominem item Deus ad imaginem et similitudinem suam³ creavit, intellegentia et libertate praeditum, dominumque constituit rerum universarum; uti Psaltes idem hac sententia profitetur: *Et fecisti eum paulo minorem angelis, gloria et honore coronasti eum; dedisti ei potestatem super opera manuum tuarum, omnia subiecisti pedibus eius.*⁴

Nunc autem cum optimo universitatis ordine mirum quantum pugnat tum singulorum hominum, tum populorum perturbatio; quasi si rationes, quibus inter se continentur, nonnisi vi regi queant.

Attamen in intimo homine mundi Creator ordinem impressit, quem eius conscientia et patefacit et magnopere servari iubet: *Qui ostendunt opus legis scriptum in cordibus suis, testimonium reddente illis conscientia ipsorum.*⁵ Ceterum quemadmodum potest fieri secus? Etenim quaecumque fecit Deus, haec infinitam eius referunt sapientiam, referuntque eo clarius quo absoluteiore eadem perfectione gaudent.⁶

Verum opinionis error praebet frequenter errorem quod multi censeant rationes, quae singulis hominibus cum sua cuiusque re publica intercedant, iisdem legibus, quibus vires et elementa mentis expertia universitatis, posse gubernari; cum huiusmodi leges, alius quidem generis, illinc dumtaxat petendae sint, ubi Parens rerum omnium inscripsit, hoc est in hominis natura.

¹ Ps. 8, 1.

² Ps. 103, 24.

³ cfr. Gen. 1, 26

⁴ Ps. 8, 5-6.

⁵ Rom. 2, 15.

⁶ cfr. Ps. 18, 8-11.

His enim legibus praeclare erudiuntur homines, quibus primum modis mutua sua commercia in humano convictu moderentur; quibus deinde modis rationes componendae sint, quae civibus cum publicis suae cuiusque civitatis magistratibus intercedunt; quibus tum modis mutuo contingantur respublicae; quibus postremo modis inter se contineantur hinc singuli homines et civitates, illinc universarum gentium societas; quae societas, ut tandem condatur, communis omnium utilitas vehementer requirit.

I

Atque primum omnium de ordine disserendum, quem inter homines vigere necesse est.

Porro in quovis humano convictu, quem bene compositum et commodum esse velimus, illud principium pro fundamento ponendum est, omnem hominem personae induere proprietatem; hoc est, naturam esse, intellegentia et voluntatis libertate praeditam; atque adeo, ipsum per se iura et officia habere, a sua ipsius natura directo et una simul profluentia. Quae propterea, ut generalia et inviolabilia sunt, ita mancipari nullo modo possunt.⁷

Quodsi humanae personae dignitatem ex veritatibus divinitus traditis intuemur, tunc fieri non potest quin eam longe maiorem aestimemus; quippe homines sanguine Christi Iesu redempti sunt, superna gratia filii et amici Dei sunt facti, aeternae gloriae instituti heredes sunt.

Atque initio de hominis iuribus sermonem instituturi, animadvertimus hominem vitae habere ius, habere integritatis corporis, habere instrumentorum ad honestum vitae cultum aptorum: cuiusmodi praesertim sunt victus, vestimenta, domus, requies, medicorum curationes, necessaria denique ministeria a civitate impendenda in singulos. Ex quo sequitur, eo etiam iure hominem gaudere, ut sibi consulatur, si adversa corripitur valetudine, si opere et labore debilitetur, si relinquatur in viduitate, si senio conficiatur, si vacare cogatur ab opere, si postremo sine ulla sua noxa rebus deturbetur ad victum utcumque necessariis.⁸

⁷ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, pp. 9-24; et Ioannis XXIII *Sermo*, habitus die 4 mensis Ianuarii anno 1963, A.A.S. LV, 1963, pp. 89-91.

⁸ cfr. Pii XI Litt. *Encycl. Divini Redemptoris*, A.A.S. XXIX, 1937, p. 78; et Pii XII *Nuntius radiophonicus*, datus in festo Pentecostes, die 1 mensis Iunii anno 1941, A.A.S. XXXIII, 1941, pp. 195-205.

Homo praeterea iure naturae postulat, ut in debito habeatur honore; ut bona existimatione afficiatur; ut libere possit verum inquirere, et morali ordine communique omnium utilitate servatis, opinionem suam declarare, vulgare, et artem qualemcumque colere; ut denique ex veritate de publicis eventibus certior fiat.

Naturae simul iure cum homini in partem scientiarum venire liceat, ei idcirco necesse etiam est liceat sive ad praecipuas communesque disciplinas, sive ad technicorum artes, sive ad professiones institui, pro suae cuiusque civitatis in doctrinis progressibus. Ad haec contendendum est et elaborandum, ut homines possint, si sui ingenii vires id ferant, ad altiores studiorum ordines ascendere; ita quidem ut iidem, quoad fieri possit, in humana societate ad munera et officia emergant, tum suo ingenio consentanea, tum peritiae, quam ipsi sibi pepererint.⁹

In hominis iuribus hoc quoque numerandum est, ut et Deum, ad rectam conscientiae suae normam venerari possit, et religionem privatim publice profiteri. Etenim, quemadmodum praecclare docet Lactantius, *hac condicione gignimur, ut generanti nos Deo iusta et debita obsequia praebeamus, hunc solum noverimus, hunc sequamur. Hoc vinculo pietatis obstricti Deo et religati sumus, unde ipsa religio nomen accepit.*¹⁰ Qua de eadem re Decessor Noster imm. mem. Leo XIII haec asseverat: *Haec quidem vera, haec digna filiis Dei libertas, quae humanae dignitatem personae honestissime tuetur, est omni vi iniuriaque maior: eademque Ecclesiae semper optata ac praecipue cara. Huius generis libertatem sibi constanter vindicavere Apostoli, sanxere scriptis Apologetae, Martyres ingenti numero sanguine suo consecravere.*¹¹

Insuper hominibus iure integrum est vitae genus eligere, quod praeoptent: adeoque aut sibi condere familiam, in qua condenda vir et mulier paribus fruantur iuribus et officiis, aut sacerdotium vel religiosae vitae disciplinam capessere.¹²

Quod ad familiam attinet, qua in matrimonio nititur, libere nimirum contracto, uno, indissolubili, ipsam existimari opus est tanquam humanae societatis primum et naturale semen. Ex quo oritur, ut eidem sit diligentissime consulendum, cum in re oeconomica et sociali, tum in provincia doctrinarum et morum;

⁹ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, pp. 9-24.

¹⁰ *Divinae Institutiones* lib. IV, c. 28, 2; PL 6, 535.

¹¹ Litt. *Encycl. Libertas praestantissimum*, *Acta Leonis XIII*, VIII, 1888, pp. 237-238.

¹² cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, pp. 9-24.

quae scilicet omnia eo pertinent, ut familia firmetur et ad munus suum tenendum adiuvetur.

In parentibus vero potissimum ius residet alendi et educandi filios.¹³

Si autem animum ad regionem rerum oeconomicarum referamus, liquet iure naturae datum esse homini, non solum ut operis faciendi sibi copia tribuatur, sed etiam ut opus libere ipse obeat.¹⁴

Sed cum huius generis iuribus ius certe coniungitur exigendi, ut homo in eiusmodi condicionibus opus navet, quibus neque corporis vires debilitentur, neque morum labefactetur integritas, neque iustis adulescentium auctibus noceatur. Quod vero ad mulieres spectat, concedenda iisdem est facultas peragendi operis in talibus rerum adiunctis, quae sive cum uxorum, sive cum matrum necessitatibus et officiis congruant.¹⁵

Ab humanae personae dignitate ius quoque nascitur oeconomicae factitandi negotia, convenienter cum reddendae rationis sensu.¹⁶ Exinde et illud non est tacendum, operario mercedem deberi, ad iustitiae praecepta statutam; quae idcirco, pro administrationis facultatibus, operario eiusque familiae vitae genus permittat, cum hominis dignitate conveniens. Qua de re Decessor Noter fel. rec. Pius XII haec habet: *Cum officio operis faciendi, in natura posito, ius pariter naturale congruit: cuius vi homo pascere potest, ut ex impenso opere sibi suisque filiis necessaria ad vitam proveniant: tam penitus natura iubet hominis conservationem.*¹⁷

Ab hominis natura adhuc ducitur ius privatim bona possidendi, vel gignendis opibus apta; quod videlicet ius, uti alias professi sumus, *efficaciter ad humanae dignitatem personae tuendam, et ad liberam sui cuiusque muneris perfunctionem in omnibus navitatis campis adiuvat; quod postremo domestici con-*

¹³ cfr. Pii XI Litt. Encycl. *Casti Connubii*, A.A.S. XXII, 1930, pp. 539-592; et Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, pp. 9-24.

¹⁴ cfr. Pii XII *Nuntius radiophonicus*, datus in festo Pentecostes, die 1 mensis Iunii anno 1941, A.A.S. XXXIII, 1941, p. 201.

¹⁵ cfr. Leonis XIII Litt. Encycl. *Rerum Novarum*, Acta Leonis XIII, XI, 1891, pp. 128-129.

¹⁶ cfr. Ioannis XXIII Litt. Encycl. *Mater et Magistra*, A.A.S. LIII, 1961, p. 422.

¹⁷ cfr. *Nuntius radiophonicus*, datus in festo Pentecostes, die 1 mensis Iunii anno 1941, A.A.S. XXXIII, 1941, p. 201.

*victus compaginem tranquillitatemque confirmat, non sine pacis et prosperitatis in re publica incremento.*¹⁸

Ceterum et hoc opportune animadvertendum est, in privati domini iure munus inesse sociale.¹⁹

Ex eo autem quod homines sunt natura sociabiles illud oritur, ut iure iidem possint et in unum locum se congregare, et societatem cum aliis inire; ut initas societates ea induant forma, quam existiment ad propositum assequendum magis idoneam; ut in societatibus iisdem sua sponte suoque periculo agant, easque ad optatos exitus pervehant.²⁰

Atque, ut Nosmetipsi datis Litteris Encyclicis *Mater et Magistra* magnopere monuimus, omnino opus est, ut bene multa collegia seu corpora interiecta condantur, ad finem paria, ad quem homo singulus non potest tendere efficienter. Haec enim collegia et corpora veluti instrumenta longe pernecessaria sunt habenda ad tuendam humanae personae dignitatem et libertatem, incolumi praestandae rationis sensu.²¹

Tum etiam homini cuilibet iure integrum esse debet in civitatis suae finibus vel tenere vel mutare locum; quin etiam, si iustae id suadeant causae, eidem liceat necesse est, alias civitates petere in iisque domicilium suum collocare.²² Neque ex eo quod quis certae cuiusdam reipublicae est civis, is ullo modo vetatur esse membrum humanae familiae, neque civis universalis illius societatis et coniunctionis omnium hominum communis.

De reliquo illud accedit, quod cum dignitate humanae personae ius cohaeret in partem publicae rei actuose veniendi, atque ad commune civium bonum conferendi. Nam, quemadmodum Decessor Noster fel. rec. Pius XII ait, *tantum abest ut homo, uti talis, sit habendus tamquam vitae socialis obiectum vel iners quoddam elementum, ut magis eiusdem sit existimandus subiectum, fundamentum, finis.*²³

¹⁸ Litt. Encycl. *Mater et Magistra*, A.A.S. LIII, 1961, p. 428.

¹⁹ cfr. *ibid.* p. 430.

²⁰ cfr. Leonis XIII Litt. Encycl. *Rerum Novarum*, Acta Leonis XIII, XI, 1891, pp. 134-142; Pii XI Litt. Encycl. *Quadragesimo Anno*, A.A.S. XXIII, 1931, pp. 199-200; et Pii XII Epist. Encycl. *Sertum laetitiae*, A.A.S. XXXI, 1939, pp. 635-644.

²¹ cfr. A.A.S. LIII, 1961, p. 430.

²² cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1952, A.A.S. XLV, 1953, pp. 33-46.

²³ cfr. *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1944, A.A.S. XXXVII, 1945, p. 12.

Ad humanam personam quoque pertinet legitima suorum iurium tuitio: eademque ad effectum valens, aequalis, ad veras iustitiae normas conformata; uti Decessor Noster fel. rec. Pius XII monet hisce dictis: *Ordinem iuridicalem, quem Deus voluit, ius illud hominis proprium et perpetuum consequitur, quo cuique iuridicalis securitas asseritur, atque certa definitaque iuris provincia eidem assignatur, ab omni precaria impugnatione tuta.*²⁴

Quae hactenus commemoravimus iura, a natura profecta, in eodem homine, cui competunt, cum totidem coniunguntur officiis; eademque iura et officia a lege naturae, qua vel tribuuntur vel imperantur, et originem, et alimentum, et firmissimam vim ducunt.

Itaque, ut nonnullis utamur exemplis, hominis ius in vitam, cum illius cohaeret officio suae vitae conservandae; ius in dignum vitae genus, cum officio decore vivendi; ius veritatem libere vestigandi, cum officio veritatem altius latiusque in dies quaerendi.

Quibus probatis, consequens est etiam, ut in hominum consortione unius hominis naturali cuidam iuri officium aliorum hominum respondeat: officium videlicet ius illud agnoscendi et colendi. Nam quodvis praecipuum hominis ius vim auctoritatemque suam a naturali lege repetit, quae illud tribuit, et conveniens iniungit officium. Qui igitur, dum iura sua vindicant, officia sua vel omnino obliviscuntur, vel aequo minus praestant, iidem sunt cum iis veluti comparandi, qui altera manu aedem exstruunt, altera evertunt.

Cum homines sint natura congregabiles, ii oportet alii cum aliis vivant, atque alii aliorum quaerant bonum. Hanc ob causam recte compositus hominum convictus postulat, ut iidem pariter iura pariter officia mutuo fateantur et faciant. Ex quo etiam nascitur, ut quisque magno animo sociam praebeat operam ad eiusmodi civium consuetudinem parandam, in qua iura et officia diligentius usque et fructuosius praestentur.

Cuius rei ut ponamus exemplum, non satis est homini ius in necessaria vitae tribuere, nisi pro viribus elaboremus, ut eidem quae ad victum pertinent satis suppetant.

Huc accedit quod hominum societas, non modo ordinata esse debet, sed multos etiam ipsis utilitatis fructus afferre. Quod flagitat, ut ii quidem iura et officia mutuo agnoscant et prae-

²⁴ cfr. *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, p. 21.

stent, at vero etiam ut coniunctim omnes in plurimis inceptis intersint, quae huius aetatis civilis cultus vel sinat, vel sua-deat, vel poscat.

Illud praeterea humanae dignitas personae exigit, ut in agendo homo proprio consilio et libertate fruatur. Quocirca, si de civium coniunctione agitur, est profecto cur ipse iura colat, officia servet, atque, in innumeris operibus exercendis, aliis sociam tribuat operam, suo praesertim impulsu et consulto; ita scilicet ut suo quisque instituto, iudicio officiique conscientia agat, iam non commotus coercitione vel sollicitatione extrinsecus plerumque aductis; quandoquidem, si qua hominum societas una ratione virium est instituta, ea nihil humani in se habere dicenda est, utpote in qua homines a libertate cohibeantur, qui contra ad vitae progressus, ad perfectionemque assequendam apte ipsi incitandi sunt.

Quam ob rem civium coniunctio bene composita, fructuosa, humanaeque dignitati conveniens est existimanda, si veritate continetur; ita monente Paulo Apostolo: *deponentes mendacium loquimini veritatem unusquisque cum proximo suo, quoniam sumus invicem membra.*²⁵ Quod sane eveniet, si recte quae sint cum sua iura tum sua erga alios officia quisque fatetur. Talis insuper erit hominum communitas, qualem modo adumbravimus, si cives, iustitia duce: et in aliorum iura colenda et in sua officia obeunda incumbunt; si iidem tali amoris studio sunt ducti, ut aliorum necessitates tamquam suas sentiant. bonorum suorum alios faciant participes, eoque contendant, ut in terrarum orbe optima animi mentisque sensa inter omnes communicentur. Neque haec satis; nam hominum societas libertate coalescit, modis nempe ad civium dignitatem idoneis, qui cum ex natura rationis compotes sint, actionum idcirco suarum periculum in se recipiunt.

Hominum igitur societas, Venerabiles Fratres et dilecti filii, primum omnium tamquam res quaedam ad animum praesertim pertinens est habenda: per quam homines, veritatis lumine colustrante, rerum cognitiones inter se communicent; iura sua vindicare et officia praestare possint; ad bona animi appetenda incitentur; e qualibet re decora, cuicuiusmodi ipsa est, iustam voluptatem mutuo capiant; perpetua voluntate inclinent ad optima ipsorum quaeque in alios transfundenda; studiose spectent ad aliorum animi, bona in animum suum convertenda. Quae quidem bona simul afficiunt simul omnia dirigunt, quae ad doctrinas, ad rem oeconomicam, ad civium coniunctionem, ad rei

²⁵ Eph. 4, 25.

publicae progressus et disciplinam, ad legum praecepta, ad reliquas denique partes pertinent, quae extrinsecus hominum communitatem constituunt continenterque explicant.

Ordo autem, qui in hominum consortione viget, totus incorporali est natura; siquidem in veritate idem nititur, secundum iustitiae praecepta ad effectum perducendus est, mutuo amore animari perficique poscit, postremo, libertate integra, ad equabilitatem cotidie humaniorem est componendus.

At huius generis ordo — cuius principia cum ad omnes pertinent, tum absoluta atque immutabilia sunt — a Deo vero, et eo quidem personali atque humanam naturam transcendente, initium omnino repetit. Deus enim, cum sit veritas omnium prima, summumque bonum, tum vero fons est praealtus, unde vitam vere haurire hominum coniunctio potest, quae nimirum recte constituta sit et frugifera, ad hominumque dignitatem apta.²⁶ Quam ad rem illud S. Thomae Aquinatis pertinet: *Quod autem ratio humana sit regula voluntatis humanae, ex qua eius bonitas mensuretur, habet ex lege aeterna, quae est ratio divina. Unde manifestum est, quod multo magis dependet bonitas voluntatis humanae a lege aeterna, quam a ratione humana.*²⁷

Aetas haec nostra tribus huiusmodi tamquam notis distinguitur.

Ante omnia opificum classes videmus in re oeconomica et sociali gradatim profecisse. Initium enim iidem capientes a suorum iurium vindicatione maxime in ordine rerum oeconomicarum et socialium, deinde ad vindicationem gradum fecerunt rerum politicarum, tum demum ad politioris humanitatis comoda adipiscenda animum intenderunt. Quam ob rem in praesentia opifices, qui ubique sunt, illud vehementer exquirunt, ne umquam ducantur quasi quaedam res rationis et libertatis experts, qua alii arbitrio suo utantur, sed tamquam homines in quibuslibet humanae societatis partibus: hoc est in regione oeconomica et sociali, in re publica, in campo denique doctrinarum et disciplinarum.

Quod deinde mulieres in re publica intersunt, nemo profecto est, cui non pateat: quod fortasse celerius apud populos fit christianam fidem profitentes, et tardius quidem, sed late apud gentes aliarum memoriarum heredes alioque vitae cultu imbutas. Mulieres enim, cum cotidie magis sint suae humanae

²⁶ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942. A.A.S. XXXV, 1943, p. 14.

²⁷ *Summa Theol.* I-II, q.19, a. 4: cfr. a. 9.

dignitatis consciae, tantum abest ut patiantur se vel pro re quadam inanima vel pro instrumento quodam haberi, ut potius sive intra domesticos parietes, sive in civitate iura et officia humana persona digna postulent.

Animadvertimus denique nostris hisce diebus, hominum conjunctionem in novam prorsus rei et socialis et publicae transisse conformationem. Etenim, cum omnes populi sese in libertatem vel vindicaverint, vel sint vindicaturi, ob eam causam futurum est ut brevi neque iam populi exstent qui in alteros dominantur, neque qui alienae pareant potestati.

Homines enim, qui ubique sunt gentium, vel in civium ordine liberae cuiusdam civitatis iam censentur, vel in eo est ut censeantur; neque ullius stirpis communitas alienae dicioni iam esse vult obnoxia. Nam nostro hoc tempore opiniones consequerunt, tot saecula inhaerentes, ex quibus scilicet hinc aliae hominum classes inferiorem sibi locum accipiebant, illinc primas parte aliae postulabant, sive ob statum rerum economicarum et socialium, sive ob sexum sive ob suum cuiusque in civitate gradum.

Latissime e contrario ea opinio pervasit et obtinuit, omnes homines esse naturae dignitate inter se aequales. Quam ob rem, saltem in ratione disciplinaque, nullo modo probatur hominum discrimen, generis causa; quod quidem maximi momenti est et ponderis ad humanum convictum conflandum ex principiis, quae memoravimus. Quod si in homine aliquo conscientia nascitur suorum iurium, in eo etiam conscientia officiorum suorum necesse est nascatur: ita ut qui iura quaedam habeat, in eo pariter officium insit sua iura, tamquam suae dignitatis significationes, repositi; in reliquis vero officium insit iura eadem agnoscendi et colendi.

Atque cum civium disciplina ad iura officiaque informatur, tunc homines continuo res ad animum mentemque pertinentes deprehendunt, plane quid veritas sit, quid iustitia, quid caritas, quid libertas intellegunt, iidemque conscii fiunt se huiusmodi societatis esse membra. Neque id satis; nam huius generis causis commoti homines ad verum Deum melius cognoscendum feruntur, nempe supra humanam naturam positum personae praeditum. Quam ob rem rationes, quae iis cum Deo intercedunt, quasi fundamentum suae vitae existimant: id est vitae, quam vel intus in animo suo vivunt, vel cum reliquis hominibus consociaverunt.

II

Hominum societas neque bene composita, neque bonorum fecunda esse potest, nisi ei adsint qui, auctoritate legitima decorati, instituta servant et, quantum est satis, in omnium comoda operam curamque impendant suam. Iidem vero auctoritatem omnem a Deo ducunt, uti S. Paulus hisce docet verbis: *Non est enim potestas, nisi a Deo.*²⁸ Quam Apostoli sententiam S. Ioannes Chrysostomus explanans haec scribit: *Quid dicis? Omnisque princeps a Deo ordinatus est? Non hoc dico, inquit: neque enim de singulis principibus mihi nunc sermo est, sed de re ipsa. Nam quod principatus sint, et quod alii imperent, alii subiecti sint, neque omnia casu ac temere ferantur, divinae esse sapientiae dico.*²⁹ Enimvero, quoniam Deus homines sua natura sociabiles creavit, quoniamque nulla societas potest consistere, nisi si aliquis omnibus praesit, efficaci similique movens singulos ad commune propositum impulsione, efficitur, civili hominum communitati necessariam esse auctoritatem, qua regatur: quae, non secus ac societas, a natura proptereaque a Deo ipso oriatur auctore.³⁰

Haud tament auctoritas a cuiuslibet imperio vacua putanda est; immo cum eadem ex facultate imperandi ad rectam rationem proficiscatur, illud sane cogitur, ut vim obligandi ex ordine morum ipsa repetat, qui vicissim Deum tamquam principium et finem habet. Qua de causa Decessor Noster fel. rec. Pius XII haec monet: *Absolutus animantium ordo, et finis ipse hominis (hominem dicimus liberum, officiis obstrictum, iuribus inviolabilibus instructum, societatisque humanae originem et finem) civitatem quoque, quasi quandam communitatem necessariam, auctoritateque ornatam attingunt, qua sublata, neque esse neque vivere ipsa posset . . . Qui rerum omnium ordo, quoniam iuxta rectam rationem et maxime iuxta christianam fidem initium non potest quin ducat a Deo omnium nostrum Creatore, eodemque persona praedito, idcirco magistratus ex eo dignitatem accipiunt, quod Dei ipsius auctoritatem quodammodo participant.*³¹

Quocirca quae imperandi facultas sive in minis metuque poenarum sive in praemiorum pollicitationibus posita unice vel

²⁸ Rom. 13, 1-6.

²⁹ In Epist. ad Rom. c. 13, vv 1-2 homil. XXIII: PG 60, 615.

³⁰ Leonis XIII Epist. Encycl. Immortale Dei, Acta Leonis XIII, V, 1885, p. 120.

³¹ cfr. Nuntius radiophonicus, datus prid. Nativ. D.N.I.C. anno 1944, A.A.S. XXXVII, 1945, p. 15.

praecipue est, nullo pacto ad commune omnium bonum quaerendum efficienter incitat; quod si forte fiat, id profecto cum hominum dignitate, qui libertatis rationisque sunt compotes et participes, haudquaquam sit consentaneum. Auctoritas enim cum maxime vi contineatur incorporali, propterea reipublicae curatores sese ad cuiusvis agendi conscientiam referre debent, hoc est ad officium, quo quisque obstringitur, in communes omnium utilitates promptam impendendi operam. Sed quoniam omnes homines in naturali dignitate sunt inter se pares, tum nemo valet alium ad aliquid intimis animi sensibus efficiendum cogere: quod quidem unus Deus potest, utpote qui unus arcana pectoris consilia scrutetur ac iudicet.

Qui igitur personam civitatis gerunt, tunc tantum homines ex animi conscientia obligare possunt, si eorum auctoritas cum Dei auctoritate coniungitur eiusque est particeps.³²

Quo principio probato, civium quoque dignitati consulitur: siquidem qui magistratibus parent neutiquam iis ut hominibus parent, sed re ipsa Deum, providum omnium rerum Creatorem, colunt, qui mutuas hominum rationes, iuxta ordinem a semetipso statutum, administrari iussit; neque vero, quod debitam Deo reverentiam adhibemus, eapropter animos comprimimus nostros, sed magis erigimus et nobiliamus; quoniam servire Deo regnare est.³³

Quandoquidem imperii facultas ex ordine rerum incorporalium exigitur atque a Deo manat, si forte rei publicae moderatores contra eundem ordinem atque adeo contra Dei voluntatem vel leges ferunt vel aliquid praecipiant, tunc neque latae leges, neque datae facultates civium animos obstringere possunt; cum oboedire oporteat Deo magis quam hominibus;³⁴ immo vero tunc auctoritas ipsa plane corrui, et foeda sequitur iniuria; docente S. Thoma Aquinate: *Ad secundum dicendum, quod lex humana in tantum habet rationem legis, in quantum est secundum rationem rectam; et secundum hoc manifestum est quod a lege aeterna derivatur. In quantum vero a ratione recedit, sic dicitur lex iniqua, et sic non habet rationem legis, sed magis violentiae cuiusdam.*³⁵

³² cfr. Leonis XIII Epist. Encycl. *Diuturnum illud*, Acta Leonis XIII II, 1880-1881, p. 274.

³³ cfr. ibid. p. 278; et eiusdem Leonis XIII Epist. Encycl. *Immortale Dei*, Acta Leonis XIII, V. 1885 p. 130.

³⁴ Act. 5, 29.

³⁵ Summa Theol. I^a-II^{ae}, q. 93, a. 3 ad 2^{um}; cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1944, A.A.S. XXXVII, 1945, pp. 5-23.

Attamen ex eo quod auctoritas a Deo nascitur, inde haudquaquam concluditur, nullam in hominibus inesse facultatem eos eligendi qui civitati praesint, et rerum publicarum formam statuendi, et descendendi auctoritatis exercendae rationes et terminos. Ex quo est ut, quam doctrinam exposuimus, ea cum quolibet veri nominis populari civitatis regimine congruere possit.³⁶

Propterea autem quod singuli homines interiectique coetus suam quisque operam ad omnium commoda conferre tenentur, exinde praecipue id consequitur, ut ipsi et suas utilitates ad aliorum necessitates accommodent, et sua bona aministerioque eo vertant, quo civitatis rectores praescripserunt, normis iustitiae, praecipiendique modis et terminis servatis. Qui potestatem videlicet in civitate gerunt, iis actis praecipiant oportet, quae non tantum rite ipsa sint perfecta, sed etiam vel ad civitatis bonum prorsus spectent, vel eodem adducere possint.

Verumtamen cum in communi omnium bono ratio tota sit posita civitatis rectorum, inde plane cogitur, ut hi bonum idem ita quaerant, ut simul eius naturam observent, simul sua praecepta cum praesenti rerum statu componant.³⁷

Porro ea quidem in bono communi insita ducenda sunt, quae sunt propria cuiusvis gentis singulatim;³⁸ sed haec bonum commune omni ex parte minime definiunt. Nam commune bonum, propterea quod cum humana natura penitus cohaeret. idcirco totum et in integro nequit consistere nisi, spectatis boni communis intima natura et effectione, semper humanae personae habeatur ratio.³⁹

Quin et illud accedit, quod hoc bonum, ex sua ipsius natura, omnia membra civitatis participant necesse est, quamquam diversa ratione, pro cuiusque nimirum civis muneribus, meritis et condicionibus. Quam ob cuasam cunctis rei publicae principibus eo est contendendum, ut nullo quidem cive nullove civium ordine praeposito, huius generis bonum ad omnium utilitatem provehant; quemadmodum confirmat Decessor Noster imm. mem. Leo XIII hisce verbis: *Neque ullo pacto committen-*

³⁶ cfr. Leonis XIII Epist. Encycl. *Diuturnum illud*, Acta Leonis XIII, II, 1880-1881, pp. 271-272; et Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1944, A.A.S. XXXVII, 1945, pp. 5-23.

³⁷ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, p. 13; et Leonis XIII Epist. Encycl. *Immortale Dei*, Acta Leonis XIII, V, 1885, p. 120.

³⁸ cfr. Pii XII Litt. Encycl. *Summi Pontificatus*, A.A.S. XXXI, 1939, pp. 412-453.

³⁹ cfr. Pii XI Litt. Encycl. *Mit brennender Sorge*, A.A.S. XXIX, 1937, pp. 65-106.

*dum, unius ut vel paucorum commodo serviat civilis auctoritas, cum ad commune omnium bonum constituta sit.*⁴⁰ At vero iustitiae aequitatisque rationes illud aliquando poscere possunt, ut qui res publicas gerunt plus studii civibus humilioribus navent quippe qui ad sua vindicanda iura et ad legitima commoda sua asserenda minus ipsi valeant.⁴¹

Sed hoc loco filios Nostros admonendos esse opinamur, bonum commune ad integrum hominem attinere, hoc est ad eius tam corporis quam animi necessitates. Ex quo consequens est, ut rei publicae rectores ad bonum illud idoneis viis gradibusque assequendum spectent: ita scilicet ut, recto rerum ordine servato, cum bonis corporis bona pariter animi civibus suppeditent.⁴²

Quae sane principia definite concludere haec sententia videtur Nostrarum Litterarum Encyclicarum *Mater et Magistra* qua in medio posuimus, commune omnium bonum *summam complecti earum vitae socialis condicionum, quibus homines suam ipsorum perfectionem possent plenius atque expeditius consequi.*⁴³

Itaque homines, utpote qui ex corpore et animo immortali constant, intra mortalem hanc vitam neque suas explere necessitates, neque perfectam adipisci felicitatem possunt. Quocirca commune bonum eiusmodi viis atque rationibus parandum est, quibus non modo aeternae hominum saluti non officiat, sed eidem etiam serviat.⁴⁴

Verum cum nostra hac aetate commune bonum maxime in humanae personae servatis iuribus et officiis consistere putetur, tum praecipue in eo sint oportet curatorum rei publicae partes, ut hinc iura agnoscantur, colantur, inter se componantur, defendantur, provehantur, illinc suis quisque officiis facilius fungi possit. Etenim *inviolabilia iura tueri, hominum propria, atque curare, ut facilius quisque suis muneribus defungatur, hoc cuiusvis publicae potestatis officium est praecipuum.*⁴⁵

Quam ob causam, si qui magistratus iura hominis vel non

⁴⁰ Epist. Encycl. *Immortale Dei*, Acta Leonis XIII, V, 1885, p. 121.

⁴¹ cfr. Leonis XIII Litt. Encycl. *Rerum Novarum*, Acta Leonis XIII, XI, 1891, pp. 133-134.

⁴² cfr. Pii XII Litt. Encycl. *Summi Pontificatus*, A.A.S. XXXI, 1939, p. 433.

⁴³ A.A.S. LIII, 1961, p. 19.

⁴⁴ cfr. Pii XI Lit. Encycl. *Quadragesimo Anno*, A.A.S. XXIII, 1931, p. 215.

⁴⁵ cfr. Pii XII *Nuntius radiophonicus*, datus in festo Pentecostes, die 1 mensis Iunii anno 1941, A.A.S. XXXIII, 1941, p. 200.

agnoscant vel violent, non tantum ab officio ipsi suo discedant, sed etiam quae ab ipsis sint imperata, omni obligandi vi careant.⁴⁶

Praeterea ii qui reipublicae gubernacula tractant in praecipuo officio sunt apte convenienterque iura, quibus homines alii cum aliis societate coniunguntur, ita componere et moderari, ne primum cives iura sua persequentes, alteros in suis iuribus interpellent; ne deinde alius sua servans iura, alios officia sua praestantes retardet; ut postremo omnium iura cum efficaciter sarta tecta conserventur, tum in integrum, si quae violata sint, restituantur.⁴⁷

Accedit etiam quod ii, qui civitatis sunt capita, in eo collocare operam re ipsa debent, ut is rerum status existat, in quo singuli cives et possint et facile possint sive sua iura tueri, sive sua officia praestare; cum illud nos usus docuerit, nisi circa rem oeconomicam, circa rem publicam, circa doctrinarum cultum magistratus convenienter egerint, maxime nostris hisce temporibus, inaequalitates latius latiusque inter cives permanere, fierique idcirco, ut hominis iura et officia qualibet effectione careant.

Quapropter qui publicam rem administrant studium curamque in eo defigant necesse est, ut cives sicut in re oeconomica ita in re sociali progrediantur, atque pro explicato rerum gignendarum apparatu, praecipua etiam ministeria explicentur; cuius sunt generis: viarum munitiones, res vectoriae, mutui commercii rationes, aqua ad bibendum apta, domicilia, cauta ad valetudinem adiumenta, expedita subsidia ad religiosae professionem fidei, denique auxilia ad animi relaxationem. In eo etiam civitatis procures enitantur opus est, ut de pecuniae subsidio civibus caveant, ne ipsis, si quando aut calamitas inciderit, aut recepti familiaris officii ratio gravior intervenerit, necessaria ad dignum vitae cultum desint. Neque minus iis, qui reipublicae imperium obtinent, contendendum et efficiendum est, ut operariis ad laborem idoneis facultas praebetur opera suscipiendi cum suis viribus consentanea; ut cuique merces ex iustitiae aequitatisque legibus persolvatur; ut in societatibus ad bona gignenda fundatis liceat opificibus se impensi operis sentire auctores; ut

⁴⁶ cfr. Pii XI Litt. Encycl. *Mit brennender Sorge*, A.A.S. XXIX, 1937, p. 159; et Litt. Encycl. *Divini Redemptoris*, A.A.S. XXIX, 1937, p. 79; et Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, pp. 9-24.

⁴⁷ cfr. Pii XI Litt. Encycl. *Divini Redemptoris*, A.A.S. XXIX, 1937, p. 81; et Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, pp. 9-24.

commode possint interiecta corpora condi, quibus civium convictus et fructuosior fiat et expeditior; ut denique omnes, modis quidem et gradibus opportunis, doctrinarum bona participare queant.

At enim communis omnium utilitas hoc etiam profecto flagitat, ut rei publicae rectores in civium iuribus tum componendis et tutandis, tum provehendis summae serviant aequilibrati, ne videlicet quorundam hominum vel societatum antepositis iuribus, praecipua iisdem commoda in re publica oriantur; neve dum ad iura civium servanda spectant, quominus his ipsi plane fungantur, impedimento absurde sint. *Nam semper illud maneat, publicarum auctoritatum providentiam de re oeconomica, etiam si late pateat atque intimas communitalis partes attingat, eiusmodi tamen esse oportere, ut privatorum libertatem in agendo, non solum non coörceat, sed etiam augeat, modo praecipua cuiusvis humanae personae iura sarta tecta servantur.*⁴⁸

Atque eodem pertinere debent varii generis conatus a civitatis rectoribus ideo suscepti, ut cives facilius possint tam sua vindicare iura, quam officia sua in quibuslibet vitae socialis provincii praestare.

Ceteroquin nequit in universum decerni, quae aptior sit rei publicae forma, quibusve accommodatioribus modis civitatis moderatores sua sustineant munera, qua leges ferendas contingant, qua publicam rem administrandam, qua iudicia exercenda.

Re enim vera ad constituendum qua forma civitas regatur, quave ratione sua exsequatur munera, non potest quin praesens cuiusque populi status et condicio plurimum valeant: quae scilicet pro locis et temporibus mutantur. At illud hominum naturae consentaneum esse opinamur, si civium convictus ita conformetur, ut ex triplici eo magistratuum ordine constet, qui tribus praecipuis publicae auctoritatis muneribus apte respondeat; quandoquidem in eiusmodi civitate, non modo magistratuum munera, sed mutuae etiam civium et publicorum ministrorum rationes sunt ad iuris normam descripta. Quod sane civibus, hinc sua iura tuentibus inde sua colentibus officia, certum affert praesidium.

At vero ut huiusmodi iuridicialis et politica civitatis compositio suas pariat utilitates, res ipsa poscit, ut magistratus ope-

⁴⁸ Ioannis XXIII Litt. Encycl. *Mater et Magistra*, A.A.S. LIII, 1961, p. 415.

ram suam ponant oblatasque difficultates explicent idoneis rationibus atque instrumentis, iisque cum suis ipsorum muneribus, cumque prasenti civitatis statu congruentibus. Idem praeterea postulat ut, rerum condicione se perpetuo vertente, reipublicae legumlatores in agendo numquam debeant neque morum normas, neque civitatis instituta, neque boni communis necessitates neglegere. Deinde sicut a reipublicae administratoribus, qui iam leges plane cognoverint resque adiunctas diligenter perpenderit, omnia ex iure componenda sunt, ita a iudicibus, humana quidem integritate sed nulla partium sollicitatione ductis, ius cuique suum est reddendum. Tum etiam rerum ordo exigit, non minus singulos cives quam interiecta corpora, si qua ipsis iura sint asserenda et officia obeunda, ex lege opportunis munimentis ditari; sive civibus sit inter se agendum, sive cum publicis ministris.⁴⁹

Neque dubium esse potest, quin iuridicialis reipublicae ordinatio, pariter cum iusti rectique normis, pariter cum progressa civitatis disciplina consentanea, summopere ad communes omnium utilitates conducat.

Sed tamen hac nostra aetate vita socialis tam varia, tam multiformis, tam alacris est, ut iuridicialis dispositio, quamvis magna prudentia providentique consilio constituta, saepenumero necessitatibus impar videatur.

Addendum eodem et illud quod rationes, quae primum civibus cum aliis civibus, deinde civibus et interiectis corporibus cum magistratibus, postremo magistratibus cum magistratibus eiusdem civitatis intercedunt, quandoque videmus tam ancipites tamque periculi plenas fieri, ut eas in certos concludere iuris fines nequeamus. Quibus in casibus res ipsa postulat, ut reipublicae moderatores, si velint iuridicalem civitatis disciplinam, iam pro re ipsa, iam pro causis, servare incolumem; si velint praecipuis socialis vitae servire requisitis; si velint ad hodiernae vitae usus et leges ipsas accommodare et novas expedire quaestiones, tum vero iidem recte sentiant, cuius generis sint sua munera quibusve terminis circumscribantur; atque tanta animi aequitate et integritate, tantoque ingenii acumine voluntatisque constantia polleant, ut praeterquam quae facto opus sint sine cunctatione videant, ea etiam tempestive et valenter efficiant.⁵⁰

⁴⁹ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, p. 21.

⁵⁰ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1944, A.A.S. XXXVII, 1945, pp. 15-16.

Quod autem hominibus ad reipublicae administrationem se conferre licet, id est certe suae dignitatis proprium, etiamsi administrationem ipsam modis tantum participare possunt cum civitatis statu convenientibus, cuius sunt membra.

De cetero ex eo quod hominibus fas est ad reipublicae administrationem accedere, novae propterea iisdem amplissimaeque praebentur utilitatis facultates. Quoniamque in hac rerum conditione ii qui civitati praesunt frequentius in civium congressum et colloquium veniunt, ideo aptius quae ad commune bonum valeant ipsi cognoscere queunt; atque etiam, cum alii publici ministri in aliorum locum certis temporibus subeant, eorum idcirco auctoritas tantum abest ut senescat, ut potius pro humanae societatis progressionibus quodammodo revirescat.⁵¹

Quibus ex propositis rebus plane emergit, nostra hac aetate in iuridicali civitatum compositione postulari primum, ut iurium praecipuorum, quae hominum sint propria, summa quaedam, sententiis nimirum concisis et perspicuis conclusa, exaretur, inque universa reipublicae disciplina intexatur.

Postulatur deinde, ut, verbis adhibitis ad iuris doctrinam accommodatis, uniuscuiusque civitatis publica constitutio adornetur; qua scilicet definiatur quibus modis reipublicae rectores designentur, quo vinculo hi coniungi alii cum aliis debeant, quae nam eorum sint singulae dictiones, denique qua via rationeque ad agendum ipsi obstringantur.

Postulatur denique, ut in specie iuris et officii rationes describantur, quibus cives cum reipublicae moderatoribus contineantur; utque distincte decernatur praecipuum eorumdem esse munus, civium iura et munera agnoscere, colere, invicem componere, tueri, ad processus provehere.

Probari tamen eorum placitum nequit, qui profitentur sive e singulorum hominum sive e quarundam societatum voluntate, tamquam a primo et unico fonte, cum civium iura et officia oriri, tum publicae constitutionis obligandi vim manare, tum postremo civitatis principum imperandi potestatem proficisci.⁵²

At hae, de quibus diximus, animorum appetitiones illud etiam manifesto testantur, nostro hoc tempore homines magis magisque fieri suae dignitatis conscios, atque adeo incitari cum

⁵¹ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1942, A.A.S. XXXV, 1943, p. 12.

⁵² cfr. Leonis XIII Epist. Apost. *Annum ingressi*, Acta Leonis XIII, XXII. 1902-1903, pp. 52-80.

ad reipublicae administrationem participandam, tum ad poscendum, ut propria inviolabiliaque iura in publica civitatis disciplina serventur. Neque haec satis; nam homines nunc illud insuper poscunt, ut nempe civitatis auctoritates et ad normam publicae constitutionis creentur, et sua munera intra eiusdem terminos obeant.

III

Quod de civitatibus Decessores Nostri saepe docuerunt, idem placet nunc auctoritate Nostra confirmare: mutua scilicet inter nationes iura et officia intercedere; ac propterea earum necessitudines ad normam veritatis, iustitiae, alacris animorum coniunctionis, libertatisque componendas esse. Quae enim naturae lex singulorum civium vivendi disciplinam regit, eadem mutuas etiam rerum publicarum rationes moderetur oportet.

Quae sententia cuique facile patet, si consideret, moderatores civitatum nullo modo posse naturali sua excidere dignitate, dum suae communitatis partes agunt eiusque bono prospiciunt; atque adeo nullo pacto iisdem licere naturae legem, qua obstringuntur, deserere, quae est ipsa regula morum.

Ceterum animo ne fingi quidem potest, homines, idcirco quod publicae rei regimini praeponuntur, necessitate cogi suam exuere humanitatem. Contra iidem ob eam causam amplissimae huiusmodi dignitatis gradum obtinuerunt, quod, spectatis egregiis animi dotibus atque ornamentis, partes reipublicae praestantissimae habiti sunt.

Quin etiam ex ipso morali ordine consequitur, ut civili hominum communitati necessaria sit auctoritas, qua regatur; utque auctoritas in ipsum ordinem torqueri non possit, quin ilico corruat, fundamento suo destituta. Scilicet, quae est Dei ipsius admonitio: *Audite ergo, reges, et intelligite; discite, iudices finium terrae. Praebete aures, vos qui continetis multitudines, et placetis vobis in turbis nationum. Quoniam data est a Domino potestas vobis, et virtus ab Altissimo, qui interrogabit opera vestra, et cogitationes scrutabitur.*⁵³

Denique tenendum est, etiam quod attinet ad mutuas ordinandas civitatum rationes, auctoritatem ita esse gerendam; ut commune omnium bonum promoveat, utpote quae ad id in primis sit constituta.

⁵³ Sap. 6, 2-4.

In maximis autem communis boni praeceptis illud ponendum est, ut moralis ordo agnoscatur eiusque iussa inviolate serventur. *Bene constitutus civitatum ordo in honestatis norma tamquam in rupe immota atque immutabili inniti debet, quam mundi Auctor in ipsa rerum natura manifestam voluit, in animisque hominum notis indelebilibus insculpsit. Eadem, clarissimi luminis instar, praeceptorum suorum luce rectum iter necessario ostendi cum singulis hominibus, tum nationibus; qui quidem ex eius monitoriis, salutaribus providisque signis normas semper ductumque sumere debent, ne quidquid laboris atque industriae ad novum rerum ordinem instaurandum ab ipsis susceptum sit, saevis veluti procellis tradatur ac naufragio intereat.*⁵⁴

Atque principio statuendum est, mutuas civitatum rationes veritate gubernari oportere. Veritas autem postulat, ut hac in re nulla prorsus ratio habeatur stirpium discriminis; ac propterea sanctum firmumque habeatur, civitates omnes naturae dignitate inter se pares esse. Ad unamquamque earum igitur iure pertinet ut sit, ut proficiat, ut adiumenta ad id necessaria possideat, ut denique in hoc obtinendo adipiscendoque primum in se periculum recipiat; itemque legitimo iure postulare potest, ut bona fruatur opinione, utque sibi debiti tribuantur honores.

Hoc nos docuit usus, homines saepissime inter se discrepare, et quidem valde, scientia, virtute, ingenii vi, bonorumque externorum copia. Exinde tamen numquam iusta causa nascitur, cur ii, qui ceteris praestent, alios sibi obnoxios quoquo modo faciant; quin potius iidem graviore obligantur officio, ad singulos universos pertinente, alios iuvandi ad perfectionem mutua opera adipiscendam.

Similiter contingere potest, ut inter nationes aliae aliis praestent scientiarum incrementis, humanitatis cultu ac rationum oeconomicarum progressu. At tantum abest ut ob hanc excellentiam iis liceat iniuste dominari in alias, ut eadem maiorem conferre operam debeant ad communem populorum profectum.

Ac re vera nequeunt homines natura aliis superiores esse, cum omnes pari excellant naturali dignitate. Ex quo consequitur, civiles quoque communitates nihil inter se differre, si ipsarum dignitas a natura orta spectetur; singulae enim respublicae cuiusdam corporis similitudinem gerunt, cuius membra sunt homines. Ceterum, ut usu cognitum habemus, iis omnibus rebus, quae

⁵⁴ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1941, A.A.S. XXXIV, 1942, p. 16.

ad sui nominis dignitatem quoquo modo attinent, populi tangi solent, nec immerito sane, quam maxime.

Tum veritas iubet, in plurimis illis inceptis, quae post recentiora technicorum inventa in usum inducta sunt, et quorum ope populorum mutua cognitio fovetur ac propagatur, serenas aequitatis normas omnino servari. Quod minime prohibet, quominus populi suas ipsi virtutes in praecipua luce collocent. Sed reiciendae sunt prorsus eae pervulgandi nuntios rationes, quibus alicuius populi fama laedatur, veritatis et iustitiae praeceptis violatis.⁵⁵

Praeterea mutuae civitatum necessitudines ad normam iustitiae componendae sunt; quod requirit, ut simul iura mutua agnoscantur, simul mutua officia persolvantur.

Quoniam vero civitates ius habent et vivendi, et progrediendi, et adiumentorum copiam adipiscendi suo profectui necessariam, et primarias partes in hac re gerendi, et bonam famam suam honoresque sibi debitos tuendi, ex eo efficitur, ut civitates pariter obstringantur officio efficaciter tuendi singula huiusmodi iura, et eos actus praetermittendi, qui eadem laedere possint. Sicut enim in suis privatis negotiis homines nequeunt sua persequi commoda, cum iniusto aliorum detrimento; eodem modo civitates non possunt, citra scelus, illud rerum suarum incrementum appetere, quo aliae nationes iniuriam accipiant vel inique opprimantur. In quam rem apte cadere videtur haec S. Augustini sententia: *Remota iustitia, quid sunt regna nisi magna latrocinia?*⁵⁶

Profecto contingere potest, ac revera contingit, ut commoda utilitatesque, quae civitates sibi quaerere contendant, inter se pugnent; discidia tamen inde orta non armorum vi, nec fraude vel dolo sunt dirimenda, sed, ut homines addecet, mutua rationum animorumque aestimatione, rebus mature atque ex veritate perpensis, et contrariis sententiis ad aequitatem compositis.

Quam ad rem peculiari modo pertinet ille publicarum rerum cursus, qui inde a saeculo XIX ubique terrarum increbuit passim atque invaluit, quo fit ut homines eiusdem stirpis sui iuris esse velint atque in unam nationem coire. Quod cum pluribus de causis non semper effici possit, illud exinde oritur, ut gentes

⁵⁵ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1940, A.A.S. XXXIII, 1941, pp. 5-14.

⁵⁶ *De civitate Dei*, lib. IV, c. 4, PL 41, 115; cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1939, A.A.S. XXXII, 1940, pp. 5-13.

pauciores numero intra fines nationis alius stirpis saepe contineantur, atque ex hoc quaestiones magnae gravitatis existant.

Hac in re aperte profitendum est, quidquid contra has gentes agatur ad coercendum stirpis vigorem atque incrementum, iustitiae officiis graviter adversari; idque multo magis, si prava huiusmodi molimina ad ipsam gentis internecionem spectent.

Immo vero iustitiae praeceptis apprime respondet, a reipublicae moderatoribus efficacem dari operam provehendis humanis condicionibus civium stirpis numero inferioris, nominatim quod attinet ad eorum linguam, ingenii cultum, avitas consuetudines, opera et incepta in re oeconomica.⁵⁷

Nihilo minus animadvertendum est, hos cives numero pauciores, sive ob rerum statum, quem aegre ferre cogantur, sive ob praeteritorum temporum eventus, haud raro proclives esse ad ea, quae suae gentis sunt propria, plus aequo efferenda; adeo quidem, ut vel ipsa bona posthabeant, quae omnium hominum sunt propria, quasi humanae familiae bonum bono suae ipsorum gentis servire oporteat. Rationi vero consentaneum est, ut iidem cives commoda quoque agnoscant, sibi ex peculiaribus hisce rerum adiunctis orta: ad ingenii sui nempe atque animi perfectionem non parum conferre cotidianam cum civibus alio civili cultu imbutis consuetudinem: cum ex hac paulatim ipsi virtutes, quae ad aliam gentem pertineant, in sucum et sanguinem suum convertere possint. Hoc tamen tantum eveniet, si cives numero pauciores, cum circumiectis populis societate quadam inita, horum usus et instituta participare studeant; non autem, si iidem contentiones serant, quae iacturas pariant innumeras, ac civilem nationum progressionem cohibeant.

Quoniam mutuae civitatum necessitudines ad normam veritatis atque iustitiae componi oportet, tum ex actuosa virium animorumque coniunctione eae incrementum capere debent. Id autem effici potest hinc atque illinc sociata multiformiter opera; quod nostra aetate non sine salutaribus fructibus evenit, quod attinet ad rationes oeconomicas, ad rem socialem et politicam, ad ingenii cultum, ad civium valetudinem et ad gymnicos ludos. Qua de re ante oculos habeamus necesse est, publicam potestatem suapte natura non ad id constitutam esse, ut homines intra fines dumtaxat suae cuiusque nationis coerceat, sed ut tueatur

⁵⁷ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1941, A.A.S. XXXIV, 1942, pp. 10-21.

in primis commune civitatis bonum, quod quidem a bono totius humanae familiae secerni certo nequit.

Ita fit ut civiles communitates, in suis consecrandis utilitatibus, non solum aliis nocere non debeant, verum etiam inter se consilia viresque coniungere, ubi singularum civitatum nisus ad optatos exitus pervenire non valeant; qua in re maximopere cavendum est, ne quod quibusdam civitatibus prosit, aliis potius incommodum, quam utilitatem afferat.

Tum etiam commune universale bonum requirit, ut in unaquaque natione inter cives et interiectas societates commercium omne genus foveatur. Cum enim in multis terrarum orbis partibus exstent hominum coniunctiones stirpe plus minusve inter se dissimiles, prospiciendum est, ne alius stirpis homines impediantur, quominus cum alius stirpis hominibus commercium habeant; quod aperte a nostrae aetatis rationibus dissidet, qua intervalla prope submota sunt, quibus a populis populi seiunguntur. Neque praetereundum est homines cuiusvis stirpis, praeter proprias peculiaresque dotes, quibus a reliquis distinguuntur hominibus, alias habere cum iisdem communes, easque magni momenti, quibus possunt magis magisque progredi et sese perficere, praesertim in iis, quae ad bona animi pertinent. Iis igitur ius et officium est vitam degere cum ceteris societate coniunctis.

Res est omnibus plane perspecta, alicubi terrarum distantiam esse inter agrorum exercendorum spatia et incolarum numerum; alicubi inter soli divitias et prompta agrorum vertendorum instrumenta; at que adeo necessitatem a populis sociam operam postulare, quam sequatur facilior sive bonorum, sive fortunarum, sive hominum ipsorum commeatus.⁵⁸

In huiusmodi causis peropportune fieri censemus, ut, quoad possit, res operam, non autem opera rem quaerat. Tunc enim plurimis civibus facultas praebetur rei familiaris amplificandae, quin, patrio relicto loco, cum magna animi aegritudine et aliam petere sedem, et novum amplecti rerum statum, et cum aliis civibus novas inire rationum consuetudines cogantur.

Utpote qui paternae caritatis sensibus Deo movente universos diligamus homines, acerbo cum animi maerore eorum casus reputamus, qui politicarum rerum causa depulsi patria sunt; horum enim profugorum multitudinem, nostra aetate sane innumeram, plurimi incredibilesque dolores semper comitantur.

⁵⁸ cfr. Ioannis XXIII Litt. Encycl. *Mater et Magistra*, A.A.S. LIII, 1961, p. 439.

Id profecto ostendit, quarundam nationum principes plus nimio circumscribere iustae libertatis fines, intra quos singulis civibus liceat vitam agere homine dignam; immo in huius exempli civitatibus quandoque vel ipsum libertatis ius aut in dubium vocatur, aut etiam plane tollitur. Quod cum accidit, rectus civilis societatis ordo penitus evertitur; nam potestas publica suaapte natura ad tutandum communitalis bonum spectat, cuius praecipuum officium est agnoscere honestos libertatis fines eiusque iura sarta tecta servare.

Quapropter abs re non erit hoc loco homines ad illud revocare, huiusmodi profugos personae dignitate ornatos esse, iisque personae iura esse agnoscenda. Quae iura profugi amittere non potuerunt, propterea quod nationis suae civitate sint destituti.

Iamvero inter humanae personae iura illud etiam recensendum est, licere cuique se in eam nationem conferre, ubi aptius se posse speret sibi atque suis necessariis prospicere. Quare rei publicae moderatorum officium est alienos venientes excipere, et, quantum suae communitalis sinit non fucatum bonum, eorum proposito favere, qui forte novae societati sese velint aggregare.

Quas ob causas, publice probamus laudamusque, hac data opportunitate, ea omnia incepta, quae fraternae coniunctionis vel christianae caritatis principiis conformata, eo pertinent, ut aerumnae eorum releventur, qui a suis locis ad alia semigrare adiungantur.

Ac facere non possumus, quin omnibus cordatis hominibus ad laudandum proponamus illa ex variis nationibus instituta Consilia, quae in hac gravissimi ponderis re omnes curas collocant.

In contrariam vero partem non sine magno doloris sensu videmus, in quibus civitatibus res oeconomicae magis profecerint, inibi immania parata esse bellica arma atque adhuc parari, in id maximis sive animi sive corporis bonis collatis. Quo fit, ut, dum harum nationum civibus haud levia onera tolerare est opus, aliae civitates subsidiis indigeant, quibus in re oeconomica et sociali progrediantur.

Cuius quidem militaris apparatus probabilis causa ex eo peti solet, quod pacem aiunt in hisce rerum adiunctis tutam esse non posse, nisi pari armorum apparatu innitatur. Quare si militaris res alicubi incrementum capit, fit continuo, ut aliis etiam locis studia augendorum armorum certatim ingravescant. Ac si qua natio in atomicis belli instrumentis parata est, hoc

aliis nationibus causam praebet, cur id genus arma, pari delendi vi praedita, sibi parare contendant.

Inde consequitur, ut populi perpetuo in metu sint, quasi in eos procella impendeat, quae quovis temporis momento horridifico impetu commoveri possit. Nec immerito, cum revera arma non desint. Quodsi vix credibile est, homines esse, qui neces immanesque ruinas e bello orituras in se recipere audeant, infitiandum tamen non est, necopinato incertoque facto posse belli incendium exciri. Ac praeterea, quamvis immanis militaris apparatus potentia hodie homines a bello suscipiendo deterreat, nihilominus tamen est cur timeatur, ne ipsa atomicorum instrumentorum experimenta belli causa suscepta, nisi cessent, varia vitae genera in terris grave in discrimen adducere possint.

Quare iustitia, recta ratio, humanaeque dignitatis sensus instanter requirunt, ut desinant aemula rei militaris augendae studia; ut bellica instrumenta, quae variis civitatibus praesto sunt, hinc inde, per idemque tempus minuantur; ut atomica arma interdicantur; ut tandem ad congruentem ab armis discessum omnes ex conducto deveniant, mutua efficacique cautione adhibita. *Omnibus viribus prohibendum est* — admonebat Decessor Noster fel. rec. Pius XII — *quominus generale omnium gentium bellum, quod tot pariat iacturas in re oeconomica et sociali totque flagitia ac morum perturbationes habeat coniuncta, tertium saeviat in humanam familiam.*⁵⁹

Omnibus tamen persuasum esse debet, non posse neque rei militaris augendae intermitteri studia, neque arma imminui, neque — quod caput est — usquequaque armamenta de medio tolli, nisi huiusmodi ab armis discessus plenus expletusque sit atque ipsos attingat animos: nisi scilicet omnes concordem sinceramque dent operam, ut ex animis metus atque anxia belli exspectatio pellantur. Id autem requirit, ut pro suprema lege, qua hodie pax continetur alia prorsus subiciatur, qua statuatur, non in pari rei militaris apparatu, sed in mutua tantummodo fide, veri nominis pacem inter populos firmam posse consistere. Quod Nos fieri posse confidimus, cum de causa agatur, non tantum rectae rationis normis imperata, sed etiam summo opere optabili et bonorum uberrima.

Agitur in primis de causa ratione imperata. Ac revera,

⁵⁹ cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1941, A.A.S. XXXIV, 1942, p. 17; et Benedicti XV *Adhortatio* ad moderatores populorum belligerantium, data die 1 mensis Augusti anno 1917, A.A.S. IX, 1917, p. 418.

quemadmodum inter omnes constat, aut saltem constare debet, mutuae civitatum necessitudines, haud secus ac singulorum hominum rationes, non armorum vi, sed ad rectae rationis normam, hoc est ad normam veritatis, iustitiae actuosuaeque animorum coniunctionis sunt componendae.

Deinde huiusmodi causam vehementer dicimus expetendam. Quis enim flagrantissimis non exoptet votis, ut belli discrimina arceantur, pax vero incolumis servetur, firmioribusque in dies muniatur praesidiis?

Denique haec causa est bonorum uberrima, cum eius commoditates in omnes prorsus recidant: scilicet in singulos homines, in domesticos convictus, in populos, in universam demum humanae gentis familiam. Qua de re haec Decessoris Nostri Pii XII monitoria vox sonat adhuc ac vibrat in auribus nostris: *Pace nihil perire; bellum omnia perdere posse.*⁶⁰

Quae cum ita sint, Nos qui vices in terris gerimus Servatoris mundi pacisque auctoris, Christi Iesu, incensissima totius humanae familiae optata interpretati paternaque erga universos homines caritate permoti, officii Nostri partes esse existimamus, homines rogare et obsecrare, eos in primis qui publicam rem moderantur, ut nullis curis nullisque laboribus parcant, donec humanarum rerum cursus cum hominis ratione dignitateque confruat.

In virorum consiliis, qui prudentia auctoritateque praestant, penitus investigetur, qua potissimum ratione in universo terrarum orbe mutuae civitatum necessitudines ad humaniorem aequilibratam conformentur, aequilibratam dicimus, quae in mutua fide, in pactionum sinceritate, in condicionibus inviolate servatis posita sit. Haec autem quaestio ita omni ex parte perpendatur, ut caput emergat, unde amica, firma ac perutilia foedera initium capiant.

Ad Nos quod attinet, supplices Deo preces admovere non intermitteremus, ut superna ope sua hos labores prosperet atque fecundet.

Quin et illud accedit quod mutuae rerum publicarum rationes ad libertatis normam sunt ordinandae. Cuius sententiae vis haec est, ut nulli nationi quidquam facere liceat, quo alias iniuste opprimat, aut earum negotiis se immerito interponat. Omnes contra aliis opitulentur necesse est, ut hae magis magis-

⁶⁰ cfr. Pii XII *Nuntius radiophonicus*, datus die 24 mensis Augusti anno 1939, A.A.S. XXXI, 1939, p. 334.

que sibi sint officiorum suorum consciae, ut nova et utilia conentur, ut in quolibet navitatis genere per se ipsae proficiant.

Quandoquidem omnes homines communi consortio et originis et christianae Redemptionis et superni finis inter se copulantur et ad unam coniungendam christianam familiam vocantur, idcirco in Encyclicis Litteris **Mater et Magistra**, civitates opulentiores hortati sumus ad opem multimodis ferendam civitatibus, quarum oeconomicae progressionessent in cursu.⁶¹

Atque nunc, non sine magno animi Nostri solacio fatemur, huiusmodi monita late excepta esse; ac fore confidimus, ut eadem in posterum adhuc latius excipiantur; ut scilicet civitates egentiores quam primum ita in re oeconomica progrediantur, ut cives vitam ducere valeant humanae dignitati magis parem.

At in promptu illud est iterum iterumque ponendum ita populis subveniatur opus esse, ut hi incolumem libertatem suam servare queant, atque, in hoc rei oeconomicae et socialis progressu, sive praecipuas partes sibi essetribuendas sentiant, sive in se huius efficiendae rei onus potissimum recidere.

Qua de re Decessor Noster fel. rec. Pius XII sapienter haec docuit: *Novus rerum ordo, honestatis normis innixus, prorsus prohibet quominus libertas, integritas atque incolumitas laedantur aliarum nationum, quaecumque sunt earum amplitudo ac tuendi se facultas. Quodsi fere necessario contingit, ut maiores civitates, utpote quae uberioribus opibus floreant ac potentia praestent, in societatibus de re oeconomica cum minoribus civitatibus coniungendis normas ipsae statuunt, nihilo minus tamen his minoribus civitatibus aequae ac ceteris praecidi nequit, salvo communi omnium bono, ius rem publicam libere administrandi nullique se addicendi parti in nationum contentionibus, ut praecipit ipsum ius naturale et ius gentium; itemque ad has minores civitates ius pertinet suum tuendi rei oeconomicae incrementum. Etenim, tantummodo hisce iuribus in tuto positis, fieri potest, ut hae minores nationes congruenter promovere queant commune omnium bonum ac simul suorum civium prosperitatem, sive in bonis externis, sive in rebus, quae ad animi cultum et profectum attinent.*⁶²

Florentiores igitur respublicae, dum egentioribus multis modis succurrunt, summopere vereantur necesse est peculiares cuiusque gentis notas earumque civilia instituta a maioribus

⁶¹ A.A.S. LIII, 1961, pp. 440-441.

⁶² cfr. Pii XII *Nuntius radiophonicus*, datus prid. Nativ. D.N.I.C. anno 1941, A.A.S. XXXIV, 1942, pp. 16-17.

tradita, itemque cavere debent a quovis dominandi consilio. Quod si factum erit, *non parum certe proderit ad omnium rerum-publicarum veluti communitatem iungendam, quarum singulae, sibi suorum iurium officiorumque consciae, pari ratione ad omnium populorum prosperitatem spectent.*⁶³

Magis magisque nostris temporibus hominum animos persuasio pervasit, controversias, quae forte inter populos oriantur, non armis, sed pactis et conventis dirimendas esse.

Persuasio haec, fatemur quidem, plerumque a terrifica delendi vi, quae cum hodiernis bellicis instrumentis coniuncta est, atque a timore calamitatum et horrendarum ruinarum, quas arma id genus ederent, initium ducit. Quare aetate hac nostra, quae vi atomica gloriatur, alienum est a ratione, bellum iam aptum esse ad violata iura sarcienda.

Attamen saepe pro dolor populos videmus timori, tamquam supremae legi, esse obnoxios, atque idcirco in rem militarem pecuniam impendere amplissimam. Quod se facere affirmant — nec est cur iisdem fidem non adiungamus — consilio Ductos non opprimendi, sed deterrendi alios ab impetu faciendo.

Nihilo secius fore sperandum est, ut populi, mutuis institutis necessitudinibus et negotiis, melius agnoscant humanae naturae vincula, quibus invicem consociantur; intellegantque pulchrius, in praecipuis communis naturae officiis hoc esse collocandum, ut singulorum hominum populorumque consuetudines amoris obtemperent, non timori; nam in primis amoris est homines adducere ad sinceram ac multiformem rerum animorumque coniunctionem, unde tot bona in ipsos manare possunt.

IV

Recentiora scientiarum artiumque incrementa, cum plurimum humanos mores affecerint, homines, quotquot ubique terrarum sunt, commovent, ut magis magisque mutuam coniungant operam interque seipsos consociantur. Hodie enim rerum, doctrinarum hominumque commeatus valde sunt adaucti. Quare summopere increbruerunt mutuae necessitudines civium, familiarum, interpositorumque societatum ad varias nationes pertinentium, frequentioresque ineuntur inter moderatores variarum civitatum rationes. Per idem tempus aliarum civitatum res oeco-

⁶³ Ioannis XXIII Litt. Encycl. *Mater et Magistra*, A.A.S. LIII, 1961, p. 443.

nomicae magis in dies rebus oeconomicis aliarum continentur; rationes oeconomicae nationum adeo inter se gradatim consociantur, ut ex singulis simul iunctis quaedam quasi ordinatio rerum oeconomicarum totius orbis exsistat; denique progressus socialis, ordo, securitas ac tranquillitas cuiusvis civitatis necessario cum ceterarum conectuntur.

Hisce positis, patet, singulas civitates, separatim a reliquis, suis utilitatibus congruenter consulere, seseque, ut oportet, perficere prorsus non posse. Prosperitas enim ac processus alicuius civitatis iam omnium aliarum prosperitatem ac progressum partim consequitur, partim efficit.

Humanae unitatem consortionis nulla delebit aetas, cum ex hominibus eadem constet, naturalem dignitatem aequo iure participantibus. Hac de causa flagitabit semper necessitas, ex ipsa hominis natura orta, ut convenienter bono universali studeatur, quod scilicet ad cunctam hominum familiam interest.

Praeteritis temporibus rerum publicarum rectores visi sunt satis posse bono communi universali consulere; qui quidem ad id contendebant sive per suae nationis legatos, sive per conventus et colloquia hominum in civitate praestantissimorum, sive per pacta et conventa: viis nempe instrumentisque adhibitis, quae vel iure naturali, vel iure gentium, vel iure omnibus nationibus communi describebantur.

Nostris vero diebus mutuae civitatum consuetudines magnas habuerunt mutationes. Ex altera namque parte bonum omnium gentium commune quaestiones proponit summae gravitatis, arduas et quam primum solvendas, quod praesertim attinet ad totius orbis securitatem pacemque tuendam; ex altera, singularum nationum moderatores, utpote qui inter se eodem sint iure, quantumvis conventus studiaque multiplicent ad aptiora iuris instrumenta reperienda, id tamen satis non assequuntur; non quo sincera voluntate et alacritate ipsi careant, sed quia ipsorum auctoritas idonea caret potestate.

In hodiernis igitur humanae societatis adiunctis, tum rerum publicarum constitutio ac forma, tum vis, qua in universis terrarum orbis nationibus pollet publica auctoritas, bono omnium populorum communi provehendo sunt impares habendae.

Iamvero, si diligenter perpendantur hinc intima boni communis ratio, illinc publicae auctoritatis natura atque perfunctio, nemo est quin videat inter utramque rem necessariam intercedere convenientiam. Etenim moralis ordo, quemadmodum publi-

cam auctoritatem postulat ad bonum commune in civili societate promovendum, similiter requirit, ut eadem auctoritas id reapse efficere possit. Ex quo fit, ut civilia instituta — in quibus publica auctoritas vertitur, operatur suumque finem consequitur — tali forma ac tali efficacitate sint praedita, ut ad commune bonum conducere valeant viis ac rationibus, quae variis rerum momentis apte respondeant.

Cum autem hodie commune omnium gentium bonum quaestiones proponat, omnes contingentes populos; cumque huiusmodi quaestiones nonnisi publica quaedam auctoritas explicare possit, cuius et potestas, et forma, et instrumenta aequa sint amplitudine, cuiusque actio tam late pateat quantum terrarum orbis; tum exinde sequitur, ut, ipso morali ordine cogente, publica quaedam generalis auctoritas constituenda sit.

Haec autem generalis auctoritas, suius imperium ubique terrarum vim habeat idoneisque instrumentis ad commune bonum universale conducat, omnium utique populorum consensione condenda est, non vero vi imponenda. Quod ex eo nascitur, quod, cum huiusmodi auctoritas efficaciter munere suo perfungi debeat, idcirco aequabilis in omnes, a studio partium prorsus aliena, atque ad commune omnium gentium bonum intenta sit oportet. Nam si a potentioribus nationibus haec universalis auctoritas vi imponeretur, timendum sane esset, ne ea vel paucorum commodis serviret, vel ab aliqua staret natione; atque propterea ipsius actionis vis et efficacia in discrimine versaretur. Licet enim nationes valde inter se discrepent bonorum externorum incremento armorumque apparatu, tamen summa studio tuentur iuris aequalitatem suaeque vivendi disciplinae praestantiam. Quare non immerito civitatis aegre potestati subsunt, aut quae ipsis vi iniungatur, aut a qua condenda afuerint, aut quam sua sponte non sint amplexae.

Ut de singularum civitatum communi bono, ita de generalibus omnium civitatum utilitatibus iudicari non potest, nisi ratione habita humanae personae; quapropter publica universalisque auctoritas eo maxime spectare debet, ut humanae personae iura agnoscantur, in debito habeantur honore, innoxia serventur, in re augeantur; quod efficere potest vel ipsa per se, si res ferat, vel in universo terrarum orbe rerum condicionibus institutis, quibus iuvantibus singularum civitatum principes sua possint commodius munera sustinere.

Ad haec, sicut in singulis civitatibus rationes, quae publicae auctoritati sunt cum civibus, familiis, interpositisque societatibus, regi ac temperari opus est subsidiarii officii principio:

eodem aequum est necessitudines componi, quibus publica auctoritas universalis cum publicis auctoritatibus singularum nationum continetur. Nempe proprium huius auctoritatis universalis est quaestiones perpendere ac dirimere, quae boni communis universalisque causa existant, et vel res oeconomicas, sociales, politicas attingant, vel ingenii cultum; quaestiones, dicimus, quae, cum summae sint gravitatis, latissime pateant, atque acriter urgeant, difficiliore sunt habendae quam ut a moderatoribus singularum civitatum feliciter expediantur.

Scilicet eiusdem auctoritatis universalis non est neque coercere neque ad se revocare acta, quae sunt publicae potestatis propria aliarum civitatum. Ex contrario ea contendat opus est, ut in toto terrarum orbe eiusmodi rerum status condatur, in quo non solum publica cuiusque nationis potestas; sed etiam singuli homines et interpositi coetus possint tutius sua munera obire, sua praestare officia, sua iura vindicare.⁶⁴

Ut sciunt omnes, die XXVI mensis Iunii anno MDCCCCLV conditum est Foederatarum Nationum Consilium — compendiaris litteris O. N. U. distinctum — cui subinde adiecta sunt minora Consilia, ex membris composita publica variarum nationum auctoritate nominatis, quibus magni momenti munera delata sunt, ubique terrarum in provinciis explenda, quae ad rem oeconomicam et socialem, ad ingenii cultum, ad educationem et ad publicam valetudinem pertinent. Porro Foederatarum Nationum Consilio id maxime propositum est, ut populorum pacem tueatur atque confirmet, utque inter eos amicitiae necessitudines iuvet ac foveat, in principiis sitas aequalitatis, mutuae observantiae ac multiplicis conspirationis in omnibus humanae industriae campis.

Cuius Consilii providentiae perspicuo est argumento *Professio Universalis iurium humanorum*, die X mensis Decembris anno MDCCCCLVIII a Foederatarum Nationum Coetu generali rata habita. In cuius exordio Professionis asseveratur, illud potissimum populis ac nationibus universis esse expetendum, ut iura omnia libertatisque formae, in Professione descripta, reapse agnoscantur et innoxia serventur.

Nos profecto non praeterit, quaedam Professionis huius capita minus probanda nonnullis visa esse; neque id immerito. Nihilominus Professionem eandem habendam esse censemus quen-

⁶⁴ cfr. Pii XII *Allocutio* ad iuvenes ab Actione Catholica ex Italiae dioecesibus Romae coadunatos, habita die 12 mensis Septembris anno 1948, A.A.S. XL, p. 412.

dam quasi gradum atque aditum ad iuridicalem politicamque ordinationem constituendam omnium populorum, qui in mundo sunt. Siquidem ea universis prorsus hominibus sollemniter agnoscitur humanae dignitas personae, atque iura cuivis homini asseruntur veritatem libere exquirendi, honestatis sequendi normas, iustitiae officia usurpandi, vitam exigendi homine dignam. alia deinceps cum hisce coniuncta.

Illud igitur expetimus vehementer, ut Foederatarum Nationum Consilium magis atque magis valeat formam atque idonea instrumenta sua ad munus suorum amplitudinem nobilitatemque accommodare. Utinam quam primum tempus adveniat, quo Consilium hoc humanae personae iura efficienter tueri possit: iura dicimus, quae, cum ab humanae personae dignitate proxime oriantur, hanc ob causam universalia, inviolabilia atque incommutabilia sunt; eo vel magis, quod, cum hodie homines in sua cuiusque natione publicae rei magis in dies participes sint, actuosiore usque studio res omnium populorum prosequuntur, atque plus plusque sibi sunt conscii, ad universam hominum familiam se ut membra viva pertinere.

V

Hoc loco filios Nostros iterum adhortamur, ut in partem rei publicae administrandae alacriter veniant, utque sociam navent operam ad totius humani generis et suae cuiusque civitatis commoda provehenda. Neque minus iidem, christiana luce colustrati caritateque ducti, contendant opus est, ut instituta sive ad res oeconomicas, sive ad res sociales, sive ad doctrinas civilemque cultum pertinentia adeo homines non impediant, ut etiam adiuvent ad se meliores faciendos, in ordine cum rerum naturalium, tum rerum, quae supra naturam sunt.

Tamen nihilo minus ad civilem cultum rectis normis christianisque principiis imbuendum, satis non est filios Nostros caelesti fidei lumine frui atque boni provehendi ardore permoveri; quin etiam requiritur, ut ipsius civilis cultus institutis se interserant efficacie actione eadem intus attingant.

Verum, cum praesens humanae civilisque vitae cultus maxime doctrinis et technicorum inventis conspicuus sit, nemo sane potest se publicis institutis insinuare, nisi sit scientia ac doctrina peritus, sit ad technicorum artes idoneus, sit denique professionis suae exercendae expertus.

Quae tamen omnia nullo pacto sufficere existimanda sunt, ut cotidianae vitae necessitudines ad humaniorem usum conformentur; qui utique veritate innitatur necesse est, iustitia temperetur, vim suam a mutua hominum caritate capiat, libertatis consuetudinem teneat.

Ad quorum consiliorum effectum ut re vera homines perveniant, iisdem diligentissime elaborandum est, ut primum in huius vitae rebus efficiendis leges servant, uniuscuiusque rei proprias, normasque retineant, uniuscuiusque naturae convenientes; ut deinde suas ipsorum actiones ad morum praecepta conforment, atque idcirco ita se gerant, perinde ac si vel ius suum exerçant vel officium praestent. Quin et illud ratio flagitat, ut homines quasi Dei providis consiliis mandatisque, ad nostram salutem spectantibus, obtemperantes, animique conscientiam non praetermittentes, ita in vitae actione se habeant, ut res ad scientias, ad technicorum artes atque ad professiones suas attinentes, cum praecipuis animi bonis omnino coniungant.

Est hoc etiam in confesso, in civitatibus nempe, christiana doctrina antiquitus excultis, civilia instituta in praesenti florere quidem scientiarum artiumque progressionibus et instrumentis abundare ad quaelibet proposita assequenda idoneis, sed saepe christianis veluti incitamentis et afflatu tenuiter imbui.

Quomodo autem id fieri potuerit iure merito quaeritur, cum ad illiusmodi leges instituendas operam haud exiguam contulerint et conferre pergant, qui christianum profiteantur nomen ac re vera vitam suam saltem ex parte ad evangelicas normas conforment. Cuius rei causam ex eo proficisci putamus, quod ipsorum agendi ratio cum sua fide non cohaereat. Par ergo est, ut mentis animique unitas ita in iis reficiatur, ut in eorum actionibus fidei lumen amorisque vis simul dominantur.

Quod in christifidelibus religiosa fides ab agendi ratione saepe saepius dissidet, id ex hoc etiam oriri censemus, quod iidem christianis moribus christanaeque doctrinae institutione haud satis sunt exculti. Contingit enim nimium saepe plurimisque locis, ut non aequae religiosis rebus cognoscendis atque externis iidem operam dent, atque, cum studia scientiarum ad summum perducant, circa vero religiosam institutionem, elementa communiter non excedant. Cogit igitur necessitas, ut adolescentium institutio sit plena, sit continua, sit talibus modis tradita ut religiosarum rerum cultus animique probitas aequis passibus procedant una cum scientiarum cognitione et cum cotidie

progredientibus technicorum artibus. Praeterea adulescentes instituuntur oportet ad sua cuiusque munera apte sustinenda.⁶⁵

Verumtamen hac in re opportune monere iuvat, quantopere sit arduum satis recte intellegere quid re ipsa inter humanos eventus et iustitiae rationes intersit, hoc est probe circumscribere, quibus gradibus quibusve formis principia doctrinae et monita sint ad praesentem humani convictus statum componenda.

Atque eo difficilius est gradus et formas huius generis definire, quo aetas haec nostra, in qua quisque debet operam suam ad commune bonum universale ponere, celeriore agendi impetu incitatur. Quam ob causam, cum cotidie videndum sit quemadmodum res sociales ad iustitiae rationes sint congruentius accomodandae, tum vero est cur filii Nostri non opinentur, se cessatione posse consistere, et in habito acquiescere itinere.

Immo enimvero omnes homines decet iudicare ea, quae ad hoc usque tempus a se facta sint, non esse ad necessitatem satis, atque adeo sibi esse in dies maiora et aptiora incepta suscipienda, quod attinet ad societates bonis gignendis, ad corporum hominum collegia, ad coetus civium artes profitentium, ad publicas rationes civium securitati procurandae, ad instituta ingenii cultui provehendo, ad iuris disciplinam, ad rei publicae formam, ad valetudinis auxilia, ad exercitationes ludricas, postremo ad huius generis cetera. Haec namque omnia aetas nostra desiderat, qua homines, post individua corpora inventa, caelique spatia perrupta, vias rimantur novas ad infinita prope spectantes.

Quae ad hunc locum principia in medio posuimus, tum ex ipsa rerum natura, tum persaepe ex ordine iurium naturalium initium capiunt. Qua de re in huiusmodi principiis efficiendis contingit crebro, ut catholici homines operam multimodis socient vel cum christianis ab hac Apostolica Sede seiunctis, vel cum hominibus christianae quidem fidei omnino expertibus, sed rationis participibus et naturali morum integritate ornatis. *Quod cum evenit, ii qui catholicum profitentur nomen, maxime prospiciant, ut sibimetipsis semper constent, neve ad ea media consilia descendant, e quibus aut religionis aut morum integritas aliquid detrimenti capiat. Pariter tamen se tales praebeant, qui et aliorum sententiam aequa perpendant benignitate, et omnia ad utilitates suas non referant, et parati sint ad ea cum*

⁶⁵ cfr. Ioannis XXIII Litt. Encycl. *Mater et Magistra*, A.A.S. LIII, 1961, p. 454.

*fide coniunctisque viribus efficienda, quae vel suapte natura sint bona vel ad bonum conducibilia.*⁶⁶

Porro errores ab iis qui opinione labuntur semper distinguere aequum est, quamvis de hominibus agatur, qui aut errore veritatis, aut impari rerum cognitione capti sint, vel ad sacra vel ad optimam vitae actionem attinentium. Nam homo ad errorem lapsus iam non humanitate instructus esse desinit, neque suam umquam personae dignitatem amittit, cuius nempe ratio est semper habenda. Praeterea in hominis natura numquam facultas perit et refragandi erroribus, et viam ad veritatem quaerendi. Neque unquam hac re providentissimi Dei auxilia hominem deficiunt. Ex quo fieri potest, ut, si quis hodie vel fidei perspicuitate egeat, vel in falsas discesserit sententias, possit postmodum, Dei collustratus lumine, veritatem amplecti. Etenim si catholici homines, rerum externarum causa, cum hominibus consuetudinem iungant, qui vel nullo modo vel non recte in Christum credant, quia in errore versantur, tum vero illi sive occasionem sive incitamentum his dare possunt, ut ad veritatem traducantur.

Inde deinceps par omnino est, a falsis philosophorum placitis de natura, de origine, de fine mundi et hominis plane incepta distinguere, quae sive res oeconomicas et sociales, sive ingenii cultum, sive civitatis temperationem contingunt, etiamsi incepta hoc genus ab illis placitis originem et incitamentum ducant; quoniam, dum formula disciplinae, postquam definite descripta est, iam non mutatur, incepta illa utpote quae in mutabilibus rerum condicionibus versentur, his non possunt quin sint admodum sane obnoxia. De reliquo quis eat infitias, in hisce inceptis, quatenus videlicet cum rectae rationis praeceptis congruant et iustas hominis appetitiones referant, posse aliquid boni et probandi inesse?

Has ob causas cadere aliquando potest, ut quae congressiones de rerum usu antehac ad nullam partem utiles visae sint, nunc vero fructuosae aut iam re vera sint, aut futurae prospiciantur. Sed diiudicare utrum eo perventum sit necne, praetereaue statuere quibus modis quibusve gradibus sint coniunctim quaerendae veri nominis utilitates in regione vel rerum oeconomicarum et socialium, vel doctrinarum vel publicae administrationis, haec omnia una docere potest prudentia, virtutum cunctarum moderatrix, quibus cum singulorum tum consociatorum hominum vita regitur. Quare si res catholicorum hominum agitur,

⁶⁶ *ibid.* p. 456.

de huius exempli causis decernere ad eos viros potissimum pertinet, qui in civium communitate inque harum rerum provincia primas agunt; dummodo tamen praeterquam principia iuris naturalis servant, doctrinae etiam de rebus socialibus, quam tradit Ecclesia, obsequantur, auctoritatumque ecclesiasticarum monitis pareant. Neminem enim praetereat oportet, Ecclesiae ius itemque officium esse, non solum fidei morumque doctrinam tutari, sed etiam auctoritatem suam apud filios suos in regione rerum externarum interponere, cum diiudicare opus est quomodo doctrina eadem sit ad effectum adducenda.⁶⁷

Re ipsa non desunt qui, utpote magnitudine animi ornat, cum sibi rerum adiuncta occurrant vel parum vel nullo modo cum iustitiae rationibus convenientia, tum et omnia instaurandi studio flagrent, et ad id tali ferantur impetu, qui rerum publicarum quaedam quasi conversio videatur.

Quibus illud esse in promptu velimus, ex naturae necessitate omnia crescere gradatim, atque idcirco in humanis institutis nihil posse ad melius perduc, nisi pedetemptim ab interiore parte agatur. Quod idem Decessor Noster fel. rec. Pius XII monet his verbis usurpatis: *Iam non in veteri disciplinae perturbatione, sed in bene constituta rerum progressionem salus atque iustitia sitae sunt. Etenim animi effrenatio omnia semper destruxit, nihil aedificavit; cupiditates incendit, numquam sedavit. Ea denique, cum nonnisi odia ruinasque serat, tantum abest ut altercatores inter se conciliet, ut magis homines politicasque factiones cogat supra parietinas, discordia partas, pristinum opus summo labore restituere.*⁶⁸

Cum gravissimis igitur magnanimorum virorum muneribus illud maxime coniungi putandum est, ut, veritate, iustitia, caritate, libertate magistris ac ducibus, novas iidem necessitudinum rationes in hominum societate constituent: hoc est tum singulorum civium inter se; deinde inter cives et civitates suas; tum civitatum inter se; tum denique hinc inter singulares homines, familias, interposita corpora, singulas civitates, illinc universorum hominum communitatem. Quod profecto munus memo prae-

⁶⁷ *ibid.* p. 456; cfr. Leonis XIII Epist. *Encycl. Immortale Dei*, *Acta Leonis XIII*, V. 1885, p. 128; Pii XI Litt. *Encycl. Ubi Arcano*, A.A.S. XIV, 1922, p. 698; et Pii XII *Allocutio* ad Delegatas Unionis Internationalis Sodalitatum mulierum catholicarum ob communem Conventum Romae coadunatas, habita die 11 mensis Septembris anno 1947, A.A.S. XXXIX, 1947, 1947, p. 486.

⁶⁸ cfr. Pii XII *Allocutio* ad opifices ex Italiae dioecesis Romae coadunatos, habita in festo Pentecostes, die 13 mensis Iunii anno 1943, A.A.S. XXXV, 1943, p. 175.

clarissimum non censuerit, quippe quo vera pax, iuxta ordinem a Deo statutum, coalescere possit.

Ad hos ergo viros, nimis certe pro necessitate paucos, sed de hominum consortione mirifice meritos, dignum est a Nobis pertinere publicam laudem, simul invitationem ad urgendum propositum salutiferum. At per idem tempus in spem inducimur, fore ut ad hos viros alii multi, praesertim e christifidelibus, officii conscientia et caritate incitantibus, accedant. Quicumque enim Christo nomen dederunt, eos admodum decet in hac hominum congregatione et lucis veluti scintillas, et amoris quasi alimenta, et totius tamquam fermentum multitudinis fieri; quod eo magis evenerit, quo cuiusque animus artius cum Deo coniungetur.

Nam nulla sane pax, in hominum universitate insidet, nisi in uniuscuiusque hominis animo ea insederit: nisi videlicet quisque in semeptipso ordinem servaverit, quem Deus servari iussit. Qua de re ita S. Augustinus hominem rogat: *Vult autem mens tua idonea esse vincere libidines tuas? Subdatur maiori et vincet inferiorem: et erit pax in te: vera, certa, ordinatissima. Qui est ordo pacis huius? Deus imperat menti: mens carni: nihil ordinatius.*⁶⁹

Nimirum igitur quae hactenus de quaestionibus docuimus, hominum societatem tantopere in praesentia sollicitantibus, cumque humanae communitatis profectibus quam maxime coniunctis, ea utique in animum Nostrum acerrima illa desideratio iniecit, qua omnes homines flagrare constat, quotquot bona voluntate ornantur: pacem nempe hisce in terris confirmari.

Quippe qui - licet muneri impares - eius vicaria potestate fungamur, quem nuntius ille, praesagientis animi divinatione, *Principem pacis appellavit*,⁷⁰ Nostrarum esse partium ducimus cogitationes, curas viresque Nostras huic communi omnium bono provehendo dicare. Attamen pax inane verbum est, nisi in ea rerum compositione vertitur, quam omni quidem spe commoti Nostris hisce Litteris Encyclicis quasi primis lineis adumbravimus: compositionem dicimus in veritate positam, ad iustitiae praecepta constitutam, caritate altam et expletam, libertate postremo auspice effectam.

Quae quidem res tam magnifica tamque excelsa est existimanda, ut eam homo, etsi bona laudeque digna voluntate prae-

⁶⁹ *Miscellanea Augustiniana. S. Augustini Sermones post Maurinos reperti*, Roma, 1930, p. 633.

⁷⁰ *cfr. Is. 9. 6.*

ditus, si suis dumtaxat viribus elaboret, ad exitum ullo modo perducere nequeat. Scilicet ut hominum societas regnum Dei quanta maxima potest similitudine referat, ipsius caelestis Numinis auxilio vehementer est opus.

Rerum gitur ordo ipse poscit, ut per sacros hos dies, supplices illi admoveamus preces, qui suis acerbissimis cruciatibus suaeque morte non modo peccata diluit, fontem et caput discolorum, miseriarum, inaequalitatum, verum etiam suo profuso sanguine hominum genus cum caelesti Patre suo in gratiam reduxit, pacis muneribus impertitis: *Ipse enim est pax nostra, qui fecit utraque unum. . . Et veniens evangelizavit pacem vobis, qui longe fuistis, et pacem iis qui prope.*⁷¹

Atque in sacris horum dierum ritibus idem resonat nuntius: *Surgens Iesus Dominus Noster, stans in medio discipulorum suorum dixit: Pax vobis, alleluia: gavisi sunt discipuli viso Domino.*⁷² Itaque pacem nobis Christus attulit, pacem reliquit: *Pacem relinquo vobis, pacem meam do vobis: non quomodo mundus dat, ego do vobis.*⁷³

Hanc ergo pacem a divino Redemptore nobis allatam, ab ipso summis precibus petamus. Abstergeat ille ab hominum animis quidquid pacem labefactare potest, omnesque in veritatis, iustitiae fraterneque caritatis testes fingat. Suo praeterea lumine eorum qui populis praesunt mentes collustret, ut una cum dignis prosperitatibus, civibus pulcherrimum pacis donum tutum praestent. Ad ultimum omnium hominum voluntates Christus incendat ad repagula perfringenda, quibus alii distineantur ab aliis, ad caritatis mutuae confirmanda vincula, ad alios intellegendos, ad ignoscendum denique iis qui iniuriam intulerint. Ita nimirum ut, eo auctore et auspice, populi omnes inter se fraterno more complectantur, in iisque semper floreat semperque dominetur optatissima pax.

Extremum id ominantes, Venerabiles Fratres, ut eiusmodi pax ad greges prorepat vobis commissos, per commodum maxime tenuissimorum hominum, qui peculiari egeant adiumento et tutela, Apostolicam Benedictionem vobismetipsis, sacerdotibus ex utroque clero, religiosis, et christifidelibus omnibus, sed iis

⁷¹ *Evh.* 2, 14-17.

⁷² *Resp.* ad *Mat.*, in feria VI infra oct. Paschae.

⁷³ *Io.* 14, 27.

nominatim, qui Nostris hisce hortationibus magno animo parebunt, peramanter in Domino impertimus. Universis vero bonae voluntatis hominibus, ad quos etiam hae Litterae Nostrae pertinent, salutem et prosperitatem a summo Deo imploramus.

Datum Romae, apud S. Petrum, in Cena D.N.I.C., die XI mensis Aprilis anno MDCCCCLXIII Pontificatus Nostri quinto.

IOANNES PP. XXIII

ROMAN CURIA

SACRA CONGREGATIO DE SEMINARIIS ET DE STUDIORUM UNIVERSITATIBUS

EXCELLENTISSIMIS LOCORUM ORDINARIIS
PRO IV AB INSTITUTIS SEMINARIIS CEN-
TENARIO RITE CELEBRANDO.

Excell.me ac Rev.me Domine,

Cum, ut nosti profecto, memoria quarti revoluti saeculi a Seminariis in Tridentino Concilio (Sess. XXIII, can. 18) die 15 Iulii 1563 institutis hoc anno celebretur, Sacra haec Congregatio, cuius munus honorque est ea provehendi, suum esse censet ad singulare huius commemorationis momentum animum convertere Tuum, eo vel magis quod Concilium Oecumenicum Vaticanum II, de impensiore vita christiana in hodiernam societatem inducenda sollicitum, non poterit omnem iis sacris ephebeis non praestare curam, quorum est eis instituere ac parare, qui ex divino mandatu sal esse debent terrae atque lux mundi.

Etenim "necessitatis huius sibi conscia ac memor Ecclesia nihil fortasse magis, per saeculorum decursum, actiosa maturatione sollicitudine provexit, quam idoneam suorum conformationem sacerdotum" (Pius XI, "Ad catholici sacerdotii", pars III). Neque intellectu difficilis est huius curae ratio, cum Sacerdotium ex divina institutione regiam constituat viam, qua Redemptionis fructus ad homines proveniant, vocatos ad participandum regnum iustitiae, amoris et gratiae a Christo auspiciatum: quae dignitas et officium, cum unici illius sacerdotii Christi emanatio continuatioque sint, sacerdotes Angelis ipsis excelsiores atque veros Dei hominumque mediatores constituunt.

I. — Nihil igitur Ecclesia, cui divinum hoc negotium concreditum est, praetermisit ut "ministri Christi et dispensatores mysteriorum Dei" (1 Cor. IV, 1) pares semper essent tanto suo muneri explendo. Cum vero in rerum naturam cadat ut quis eo aptior suo muneri praestando sit, quo magis illud rite perfungendum didicerit, postulat Mater Ecclesia ut candidati ad sacerdotium congruenti tirocinio parentur; et quo iniquiora sunt tempora, quo vehementiores sunt impiorum impetus, eo impensiore studio suas veluti sub alas eos colligit, prostratas vires virtutesque excitat et confirmat novasque inserit, quibus nova florentior renascatur iuventa.

Ex hanc igitur necessitate idoneos parandi sacrorum administratos repetenda est ratio renovatae institutionis clericorum, quam sacrum Tridentinum Concilium instauravit cuiusque fructus etiamnunc copiosos percipimus. Canon enim 18 Sessionis XXIII "De Reformatione", Patrum omnium consensu probatus, verbis temperatus et praescriptionibus perspicuus ac definitus, felicissimum habuit exitum. Siquidem autem ratione et historia compertum est christiani populi mores plerumque congruere cum sacerdotum doctrina et sanctitate, decretum "Cum adolescentium aetas" necessario consequitur ex rationibus ab ipso Concilio initis ad clerum saecularem in eum locum honoremque restituendum, quos eius munus regendi populum christianum postulat. Etenim, "nihil est quod alios magis ad pietatem et Dei cultum assidue instruat quam eorum vita et exemplum, qui se divino ministerio dedicaverunt; quum enim a rebus saeculi in altiorem sublatis locum conspiciantur, in eos, tamquam in speculum, reliqui oculos coniiciunt, ex iisque sumunt quod imitentur" (Sess. XXII, "De Reformatione", c. 1).

Ne ideo exoptatus hic finis inane evaderet votum, Concilium, tametsi graves obstabant difficultates pravaeque consuetudines, rationem constituere voluit constantem et aptam ad integrum validumque perpetuandum sacerdotium: scholam dicimus, quae perennis exstaret procreatrix sacerdotum; quae alumnos, longo tirocinio a pueritia conformatos ad pietatem et sacras profanasque disciplinas, ad futurum exercendum ministerium requisitas, in omnes vel remotissimas dioecesis partes sine intermissione mitteret, germanae Christi doctrinae magistros; quae, denique, esset "pacis sedes, studiorum domus, virtutum officina" (Bened. XV in Ep. "Probe nostis"), verum coenaculum in quo alumni, Spiritu Sancto operante, "novi homines" fierent, qui "ipsi possideant Dominum et possideantur a Domino" (S. Hier., Ep. 52, 5).

Cum vero novum hoc institutum, quam vis idem ubique et natura et praecipua ratione assenquendi finem, aliquo modo ad varias temporum locorumque condiciones accommodandum sit, Tridentinum decretum, magis de legibus quae eius vitam tueantur ac servant, quam de eius natura accuratissime definienda sollicitum, paucis et fecundis verbis spirituales formationem describit, sancitque in ecclesiastica institutione rationem praecavendi, seu quae lapsus praeventat, ita ut adolescentes clerici ad sinceram pietatem morumque integritatem fingantur praemuniendo infirmam eorum naturam, ac simul latentes in animis virtutes excitando ac perficiendo, ut gradatim absolutam christiani hominis formam assequantur et placeant Deo, facti "conformes imaginis Filii eius" (Rom. 8, 29). Praecavere igitur peccata devitando occasiones, seque in virtutum palaestra exercere; temperantiam, ordinem, obedientiam in rebus omnibus promptam constanter servare; in studia ita incumbere, ut praeparatio scientifica intellectus per humanae divinaeque veritatis acquisitionem et praeparatio voluntatis per virtutis et sanctitatis adaptionem indissolubiler coniungantur; vitam agere communem, quam foveat ac firmet mutua benevolentia et amor, sub paterna Moderatoris vigilantia, quem omnes ut Dominum pietate et reverentia prosequantur; haec est sacerdotalis vitae instituendae ratio, quam Tridentinum Concilium in Ecclesia constituit, ut esset in ea validum instrumentum ad reformationem "in capite et in membris" perficiendam, arx munitissima sacerdotii catholici, spes certa sanctioris vitae constantisque progressus Ecclesiae.

Quanti momenti ac ponderis hoc Tridentinum decretum fuerit, Patres ipsi Concilii probe intellexerunt, qui uno ore affirmarent "vel hoc unum decretum, etiamsi nihil aliud effecisset Concilium, omnes labores molestiasque compensare, neque eius diuturnitatem gravesque exortas difficultates et aerumnas esse incusandas (Cf. Card. S. Pallavicino, *"Istoria del Concilio di Trento"* XXI, 8, 3). Illud enimvero in historia ecclesiasticae institutionis veluti culmen constituit eiusque perfectissimam formam. Neque alia aptior concipi posse videtur, quippe quae sit perfecto germanoque Evangelii spiritu imbuta ac vivificata. Tridentini Patres voluerunt profecto fundamenta iacere verae apostolicarum virtutum palaestrae in qua dilecti adolescentes mature coniunctissime cum divino Magistro vivere, eius imbuti spiritu, ut, Apostolorum exemplo, deinceps essent "forma gregis ex animo" (1 Petr. 5, 3). Nomen ipsum "seminarium" — quo aptissime virgulta significantur maturescentia laete, calidis afflata auris ac divino rore perfusa — sponte evangelicam repetit

vineam Domini, in quam transferentur aliquando, ut uberes in ea apostolici muneris fructus ferant.

Post quattuor revoluta saecula, Seminaria, ob ingentia in Ecclesiam collata beneficia, principem locum tenent inter opera, quae, post Tridentinum Concilium, ad rationem christianae vitae instaurandam propagandamque fidem iuvarunt. Immo vero, illud Patrum Tridentinorum decretum adeo fecundum exstitit, ut, constanti Sanctae Sedis cura Pastorumque studio et auxilio virorum sanctitate insignium, nunc, quam cum maxime, summum attigerit ubertatis splendorem. Si igitur hodie laetatur Episcopus quisque de suo Seminario in eoque omnem collocat ad spiritualem sui gregis vitam instaurandam; si ova quaevis constituta dioecesis extruendum in primis spectat saltem Seminarium Minus, quod tamquam germen grandescat patulosque ramos diffundat; si in quibusvis Missionum locis Evangelii praeco, vix posito tentorio, dum segentem messi maturam circumspicit, praevertit desiderio Seminarium pro clero idoneo constituendum, quo latius ac solidius inceptum opus prosequatur; haec omnia salutari illi Decreto Tridentino debentur, quod profecto quasi quoddam miliarium constituit in historia ecclesiasticae institutionis atque adeo in ipsa vita Ecclesiae.

II. — Haec igitur quater saecularis Tridentini Decreti commemoratio peropportuna hisce temporibus contingit atque aptissima est ad augendam in Christifidelibus aestimationem muneris Seminariorum, "quorum cum statu fortuna Ecclesiae coniungitur maxime" (Leo XIII, Epist. "Paternae Providaeque", 18 sept. 1899). Ad hoc autem consequendum:

1. Sacra haec Congregatio Te, Excellentissime Domine, enixe orat, ut, hanc anni quater centenarii occasionem nactus, clero Tibique commissis christifidelibus illustres—aptissimo quo censebis modo—Seminarium institutum, quod maxime omnibus cordi esse debet; nec dubitamus quin omnes fortunati illi adolescentes, qui, dicto audientes Domino, incumbunt "corde magno et animo volente" in ecclesiasticam institutionem, flagrent studio sanctum suum assequendi propositum. Ceterum hac in re probe novimus nos interpretari communem Pastorum voluntatem, quibus "officiorum omnium sanctissimorum, quaecumque Apostolici muneris amplitudo complectitur, nullum sane nec maius est nec patet latius" (Pius XI, Ep. Ap. "Officiorum omnium", 1 aug. 1922), quam quod Seminaria respicit et ecclesiasticam institutionem.

Praeterea vero peropportunum esse videtur, ut die ac ratione a Moderatoribus dioecesis praestituendis, in ipsa Semi-

narii sede haec quater centenaria commemoratio decore apteque celebretur. Interim Sacra haec Congregatio, consentiente Summo Pontifice, Romae dignam parat rei celebrationem, ad quam adsciscuntur etiam legati adolescentium clericorum cuiusvis gentis.

2. Ut fausta haec celebratio diu multumque valeat ad sacerdotii candidatos informandos, decet maxime ut cuiusque Seminarii Moderatores Professoresque varia ratione et industria promoveant quae pietatem et doctrinam spectent. Praesertim vero alumnos admoveant ad assidue preces Domino fundendas, ut constantem Seminariorum progressum in eorum Dioecesi et Patria, atque adeo in tota Ecclesia, Dominus fortunet. Perutile est pariter alumnos, maiores praecipue, excitare ad ea investiganda et illustranda quae ad Seminaria et clericorum formationem pertinent: ut historiam ecclesiasticae institutionis aprimis Ecclesiae temporibus ad Concilium Tridentinum; partes iuridicas et theologicas tridentinae reformationis; peculiare rationes quibus haec reformatio in varias gentes inducta est; antiqua et recentia Pontificum documenta de Seminariis et clericorum educatione, et alia huiusmodi argumenta, quibus res nostra quacumque ratione illustretur. Confidimus enim has et alias huiusmodi industrias, quas moderatores sapienter adhibebunt, haud exiguos fructus in ipsis etiam alumniis esse allaturas.

3. Denique optandum sane est ut peculiare illi dies, qui pro locorum consuetudine quotannis in unaquaque Dioecesi celebrantur ad ecclesiasticas vocationes fovendas christianoque populo illustrandas, quo magis ille earum momentum sentiat et incrementum iuvet (ut sunt dies Dominici Boni Pastoris et Pentecostes diesque festus Corporis Domini, etc.), hoc anno quater centenario Decreti Tridentini dedicentur eo illustrando instituto, in quo, tamquam in aptissima sede, adolescentes in sortem Domini vocati maturescunt idoneique Ecclesiae ministri formantur. Praeclara haec etiam erit occasio digne illustrandi Seminarium utpote "Dioecesis cor, unde in omnes Ecclesiae venas spiritualis vita diffunditur" (Bened. XV, "Probe nostis", 30 nov. 1921), ideoque praecipuum ipsius Dioecesis institutum, in quod convertantur oportet aestimatio et amor christifidelium, qui, si excipiantur militantes in apostolatu laicorum, saepius, pro! opus illud ignorant cui acceptos referunt pastores animarum suarum, cuique igitur et gratias habere et precibus auxilioque adesse debent.

Antequam has litteras concludit Sacra de Seminariis Congregatio Tibi, Excellentissime Domine, significare exoptat sperare se et confidere ut quam pretiosam hereditatem nobis Tri-

dentinum Concilium reliquit, Concilium Vaticanum II tueatur, confirmet et augeat, cum Ecclesia in quovis humanae et socialis historiae discrimine necessitatem sentiat illi accommodandi clericorum institutionem et "cogendi instruendique copias suas, nocentes nemine, plurimis auxiliantes, in pacifico regno quod saluti humani generis Christus in terris fundavit" (Leo XIII, Ep. "Officio sanctissimo", 22 dec. 1887). Hac potissimum in parte elucet prompta illa et sana accommodatio, qua Eccleisa potest sacerdotum institutionem ad necessitates locorum conformare, in quibus operam suam navare debent, ita ut, de instituta sacerdotalis vitae ratione nihil remittentes, pares sint suo muneri integre explendo.

Cum primum Concilii Oecumenici Vaticani II nuntium Ioannes XXIII, P.M., dedit, praecipue eius idem praestituit proposita: promovere catholicae fidei incrementum et rectam christiani populi morum renovationem, atque aptius ecclesiasticam disciplinam ad nostrorum temporum necessitates rationesque accommodare (cf. Litt. Enc. "Ad Petri Cathedram", 29 iun. 1959). In his tamen assequendi propositis, quibus tota prope vita et opera Ecclesiae perstringitur novoque fulgore splendet intaminatus Sponsae Christi vultus, primas partes habeat necesse est clerus catholicus, cuius impensiori remissiorive studio respondet tum fidei incrementum, tum animorum renovatio et mira illa Divini Spiritus effusio in homines huius futuraeque aetatis. At clerus is erit, quam nos formaverimus: id praestabit quod in Seminario facere edoctus fuerit.

Seminarium igitur vota nostra apostolica complectitur, certum constituit pignus futuri progressus Ecclesiae, inconcussum praesidium validumque remedium contra eius hostes, spem firmam salutis animarum, lapidem angularem totius nostrae aedificationis. Si ergo, Tridentinam secuti consuetudinem, omni sollicitudine et studio Seminaria nostra in primis curabimus, nobis consci erimus primo praecipuoque pastoralis munere nos esse perfunctos.

Hanc feliciter occasionem nacti, prospera quaeque Tibi adprecamur plurimamque in Domino salutem dicimus.

Datum Romae, ex Aedibus SS. CC., die XXII mensis Februarii, Cathedrae S. Petri Ap. sacro, a D. MDCCCXIII.

IOSEPHUS Card. PIZZARDO, *Praefectus*

✠ Dinus Staffa, *a Secretis*

DIOCESAN CURIAE

I M U S

JUBILEE PASTORAL LETTER

To the Rt. Rev. Vicar General and other Officials of the Curia, the Very Reverend Consultors, Rev. Parish and Assistant Priests, Members of Religious Congregations of both Men and Women, Heads of Catholic Schools, Officers and Members of our Diocesan Mandated Units, and to our beloved Faithful in general:

DEDICATION —

We write to dedicate the following humble lines to all of you, on the occasion of our Silver Sacerdotal Jubilee. It was the Third Sunday of Lent, twenty-five years ago, when by the infinite mercy of God, we were ordained Priest. The exact date was March 20, 1938.

REMINISCENSES —

We remember that day very well. A borrowed car brought Very Rev. Father Rector of the U.S.T. Central Seminary, another Deacon and our humble self from España street to the Metropolitan Cathedral of Manila. Our parents, brothers and sister, and some few relatives were already at the huge church when the then Archbishop of Manila, the Most Rev. Michael J. O'Doherty, D.D., started the Ordination ceremonies promptly at 6:00 a.m.

The ceremonies proceeded slowly . . . meaningly, . . . wonderfully, until, about two hours later, our little group of newly ordained Priests suddenly found ourselves made Ambassadors of the Most High. We looked around us. Everybody was happy and thrilled. The magnificent pillars of the Old Cathedral never looked so imposing and grand. The main altar was commanding in its magnificence and majesty. But — so we felt — the most magnificent of all were our own selves; or, rather, the mystery that had just been wrought in our young lives. We never felt so high, and yet so low; so

powerful, and yet so humble; so spiritual, and yet so miserable, as on that particular day of our sacerdotal ordination.

Time passed.

THE PRIEST IN THE WORLD —

As we look backward now, across the twenty-five years that lay behind, ready to crumble into oblivion, we cannot but raise a hymn of *adoration* to the Lord Who called us to His ministry and chose us to be numbered as one of His own. We adore Him Whom our beloved parents and first mentors introduced to us in our early childhood. We adore Him Whose infinity of perfection shone with the brilliance of heaven in our theological studies in the Seminary. We adore Him Whose million-and-one mercies we have seen profusely showered among our flock, during the various assignments given to us by our Ordinary. To this all-wonderful God, Whose greatness made Him all the more small to condescend to accompany us and sustain in our weakness and deficiencies through all the years gone by, we bend our knees in profound obeisance and respect. To Him be glory and honor forever!

But the life of a Priest is not only a life of adoration. His is also a life of *thanksgiving*. Since his power and privileges are greater than those of any other mortal, his obligations to his God must also be heavier and wider than those of others. All Priests-Saints who have written about the dignity of the Priesthood are unanimous on this matter. We do not need to recount them here. For the Priest has such power and charm that not even he can fathom the depth of the Lord's mercies in Him. He is a mystery even to himself. But of one thing he is sure: the Lord loves him in a very extraordinary way. And the Blessed Mother considers him as her most favorite son. Thus the Priest spends his day, from early morning to the late evening, offering thanks to the Lord through the conscientious performance of his sacred tasks.

Now, foremost among these sacred tasks of the Priest is to pray and work for the *forgiveness* of the sins of men. Was this not the main reason of the Redeemer in coming down to live as Man among men? And, is the Priest not an "alter ego" of the same Holy Redeemer? Thus, from his early years in the sacred ministry, the Priest is constantly on the alert all day long. His morning Sacrifice, his recitation of the Breviary, his spare hours for study, his various ministrations to the faithful, his admonitions to the children, to his parish collaborators and to those preparing to receive the Sacraments nay, even his hours spent in healthful rest and relaxation, are all directed to this one end; namely, that Jesus may be able to contact

the different members of His Mystical Body, for spiritual nourishment and vigor. At the same time, too, the Priest sees the great need to send forth, like the S.O.S. calls from a besieged army, continuous prayers of *petition* to the Almighty, in order to remedy the numberless odds and difficulties that we meet daily on the way. Only God is the source of all consolation. And so, beset by all kinds of obstacles around him, the Priest prays for himself as well as for others, confident that God will hear his prayers but worried, at the same time, lest he be unworthy to be given the favor that is being asked for.

HIS MISSION IS DEFINITE AND URGENT —

But the Priest is not only an object of art placed by God on earth to charm the heavens. He has a definite mission to fulfill. And only he can fulfill it. In the same way that the Sacrifice of Calvary brought about the redemption of all mankind, in like manner the Priest is the one person called about to apply the fruits of Redemption to each and every human creature down through the ages. His mission, therefore, is as continuous and important as Time itself. He, personally, may die; but he, as Priest, will not. His Priesthood is forever.

The solid philosophical foundation in him gives him the capacity to possess and enjoy the loftiness and beauty of Sacred Theology. His hands are the hands of a creator, for he "creates" a new heaven in the soul of the repentant sinner. His mouth can create confusion to Satan and his associates, because the formulae of the Sacraments roar out of his tongue with the thunder of reality and force. He is the preacher of God. His daily life is spent under the same roof with the Most Holy Eucharist. His official prayer is offered in the name of the Universal Church. In short, everything in him spells eternity and salvation.

Of course, it is for these same reasons that the world tries vainly to ignore him. The devil certainly hates him. Needless to say, this old story cannot scare him; on the contrary, it makes him feel better to stand ever alert and on guard. The words of the Divine Master still ring clear in his ears: "*The world has hated them, because they are not of the world, even as I am not of the world*" (John, 17:14). Hence, his is a lonely life. His presence is needed everywhere, but "*the world knows him not*". And yet he must go on and live with people, and be nice to them, ever patient with them and serving them in their spiritual needs. His mere presence alone is power and

blessing in themselves. But, I repeat, the world knows him not and insists on believing that he is unwanted, unneeded, and unknown.

Indeed, to write about the dignity and grandeur of the Priesthood is an unending task. It is like swimming into the ocean. It is like basking in the beauty of a moonlit night. It is not only unending; it grows deeper and mellower with every experience, with every comprehension, with every bit of understanding added to the original. Verily, the Catholic Priesthood is eternal.

But if great is the dignity and the power of the Priest, greater still are his responsibilities. And they are these responsibilities of the Priest that worry him no end.

THE PRIEST AND HIS FLOCK —

Hence, these humble lines are hereby humbly and affectionately dedicated to our beloved Priests, both Secular and Religious, to the Religious Brothers and Sisters and to the Faithful of the Diocese in general, with special mention of the Heads of our Catholic Schools and of the Officers and Members of our Diocesan Mandated Units of Catholic Action, with the plea that each group may help sanctify the other in its own respective way. Our present Holy Father, Pope John XXIII, has made mention of the same plea in his various recent pronouncements. Let the Priests look at themselves every now and then, in order to fill themselves with the urgency of their mission on earth; and thus, once satiated, to exert every effort to bring about the spiritual rejuvenation of their flock. For, just as fathers of families can be called "Fathers" only if they have children of their own to rear up and educate, so the Priests of God are rightfully called "Fathers" insofar as they take interest in the spiritual rebirth of their wards whom they must nourish with the Word of God, the gifts of the Sacraments and the irresistible charm of their edifying lives.

LAYMEN MUST COOPERATE —

In like manner, let the faithful layman listen to and obey the words of his Priests. St. Peter reminds us: "*Likewise, you who are younger, be subject to the Presbyters. And all of you practise humility towards one another*" (I,V:5). Officers and members of Catholic Action organizations, as well as students and alumni of our Catholic Schools, in a very particular way, should lead others in this respect. They should rally behind their Priests at all times. It is their Priest — first among others — who has the key to their salvation. The grace of Baptism is received through his benevolent hands. Absolution of sins committed and repented for can be granted only by the Priest. Again, Holy Communion cannot be received except from the hands of the Priest. And what shall we say of the infinite merits of the Holy Mass that are shared daily by the faithful through the

action of the Priest? The family marks its birth in the presence of the Priest, before the altar of God. Can there be any other person in the world, who is more necessary, more worthy of respect and veneration, more deserving of the layman's wholehearted cooperation and loyalty, of esteem and gratitude, of filial love and unswerving devotion than the Priest of God? Emperors, kings and potentates of nations have been known to bow before him. Even angels give him due honor and reverence. Why should our faithful not do so?

Having, though most unworthily and inefficiently, expressed ourselves about a matter of utmost importance in this world — for this is the UNUM NECESSARIUM of the Gospel — we now feel so happy and at peace. Never have we felt so close to the Lord, so aware of our episcopal responsibilities that lie hidden behind our pectoral cross, so thankful for the blessings of the Priesthood in our humble self, as during these memorable days of our Silver Jubilee of Ordination. We feel so close to our beloved Clergy. And we know, too, that our Priests and Religious Sisters, aided by our staunch lay apostles, are doing their best for the sanctification of our fellowmen.

BEST WISHES TO ALL —

May the Lord have pity on us. And may the days that may still lie ahead be days of rejoicing to the One-Triune God, to our Holy Mother and Queen in heaven, to our beloved Clergy, Religious and Faithful of the Diocese, as well as to all those who, in one way or another, have helped and are still helping us fulfill our delicate mission for the salvation of souls. In a special way do we wish to express the same to all our Superiors, Priests, Professors, relatives, benefactors, parishioners, catholic actionists and friends who, during the last 25 years, have given us more than sufficient encouragement, help and edification. May the good Lord bless and reward them in abundance!

To our beloved Priests, Religious Brothers and Sisters, and to our Faithful, once again, we now offer a toast. May they live forever in close union with the Lord, through Mary! May theirs be a life of true peace and prosperity, of joy and good cheer, of courage and success forever and ever.

And, finally, may the Blessing of God Almighty, Father, Son and Holy Ghost, descend upon you and remain forever. Amen.

Signed in our Episcopal House in Imus, on this 20th day of March, A.D. 1963.

✠ ARTEMIO G. CASAS
Bishop of Imus

"Delectabor in Domino"

LUCENA

A PIOUS SOCIETY FOR WOMEN

The Sacred Congregation of the Religious, in a letter addressed to His Excellency, Bishop Alfredo Ma. Obviar of Lucena, dated March 16, 1963, has approved the Rules and Constitutions of the **MIS- SIONARY CATECHISTS OF ST. THERESE OF THE INFANT JESUS**, a pious lay society for young women of the Diocese. These young women are trained especially in Modern Methods of Catechetical Instruction. The vast sphere of their activities are: Sunday classes in church, establishment of Catechetical centers in the towns and rural areas: Religious Instruction in the Public schools and High schools.

Another important apostolic work which the Missionary Catechists of St. Therese have taken charge of is the organization of Catechetical Seminars in the parishes, in cooperation with the local C.C.D. There a group of Sisters conduct methodically the Seminar for a certain period of time.

THE MISSIONARY CATECHISTS OF ST. THERESE OF THE INFANT JESUS, are scattered in different Houses in the following parishes: Atimonan, Tagkawayan, Maria Aurora, Dipaculao, the Mother House and Novitiate being in the town of Tayabas. The Congregation was founded almost five years ago by His Excellency, Bishop Alfredo Ma. Obviar, of Lucena Diocese.

**SACRA CONGREGATIO
DE RELIGIOSIS**
Prot. N. 11873/61, I.D.

Romae, die 16 Martii 1963

Excellentissime Domine,

Gratum mihi est praesentibus Amplitudini Tuae notum facere ex parte S.C. Negotiis Religiosorum Sodalium praepositae nihil ob stare, quominus, ad normam can. 492 C.I.C., Pia Associatio v.d. "**MIS- SIONARY CATECHISTS OF ST. THERESE OF THE INFANT JESUS**", cuius domus princeps in Tuae Dioeceseos finibus sita est, Congregatio religiosa iuris dioecesani canonice constituatur.

Praeterea hisce litteris Tibi facultas fit, ad decem annos valitura, qua, praevia sanatione omnium, quae forte sanatione indigent et ab

hac Sacra Congregatione sanari solent, dispensare valeas a defectu temporis professionis vel aetatis Sodales, religiosa idoneitate et observantia praestantes, ut ad munus Moderatricis generalis vel ad alia munera maioris momenti in Congregatione designari possint.

Quod attinet ad religiosam professionem a Sodalibus religiosis, praesenti tempore Piae Associationi adhaerentibus, nuncupandam, quae sequuntur servanda sunt:

Sodalis religiosa quae, servato praescripto can. 573 C.I.C., and munus Moderatricis generalis designata est, professionem perpetuam in manibus Tuis vel cuiusdam Sacerdotis a Te Delegati ad normam Constitutionum emittat, adhibita formula in Constitutionibus relata: aliae Sodales religiosas, tum Moderatrices tum Subditae, vota in manibus Moderatricis generalis vel eius Delegatae iuxta eandem professionis formulam nuncupent ad normam Constitutionum, et quidem Moderatrices, ad munera maioris momenti designatae, professionem perpetuam emittant, reliquae vero Sodales, de prudenti iudicio Moderatricis generalis eiusque Consilii, vota religiosa temporaria vel perpetua emittant.

Constitutiones praefatae novae Congregationis religiosae canonice erigendae, Sacrae Congregationi de Religiosis revisionis gratia exhibitae, diligenti examini subiectae sunt et, prout ex adnexis animadversionibus eruitur, in nonnullis opportune emendandae censentur.

Bona temporalia, quae Congregatio possidet, forma secundum ius civile tuta et rata constituentur.

Amplitudo Tua Decretum erectionis canonicae Congregationis ad normam Instructionis huius S.C. de Religiosis diei 30 Nov. a 1922 conficere curet eiusque exemplar una cum textu Constitutionum rite emendata ad eandem Sacram Congregationem remittere faveat.

Quae omnia cum Amplitudine Tua Reverendissima pro meo munere communicans, Tibi fausta omnia ex corde ominor et permaneo.

Addictissimus in Domino

(Sgd.) VALERIUS C. VALERI
Praefectus

(seal)

Exc.mo ac Rev.mo
D.no ALAPHRIDO OBVIAR Y ARANDA
Ordinario
LUCENEN.

TUGUEGARAO

PASTORAL LETTER ON THE PRIESTHOOD

*(On the occasion of Bishop Domingo's Sacerdotal
Silver Jubilee on April 3, 1963)*

**TO OUR VENERABLE CLERGY, SECULAR AND REGULAR, ALL
RELIGIOUS SUPERIORS, SCHOOL HEADS AND CHAPLAINS
AND OUR DEARLY BELOVED FAITHFUL, GREETINGS
OF PEACE IN THE LORD.**

With deep gratitude to God, we shall celebrate with special joy our Sacerdotal Silver Jubilee on April 3, 1963. Twenty five years have elapsed since God, through His representative, the late Bishop Constance Jurgens, gave us, unworthy as we are, manifold blessings and powers, most important of which are the powers to teach, to forgive sins and to consecrate the Body and Blood of Jesus Christ. Indeed, we cannot but feel an indescribable delight upon reminiscing those moments when we were made a "priest forever according to the order of Melchisedech" (ps. 109, 4) in order "to offer gifts and sacrifices for sins". (Heb. 5, 1).

IN SPIRIT OF THANKSGIVING

On this joyful commemoration of that biggest event in our life, we invite you, dear brethren, to join us in thanking the Lord of the Harvest who has chosed us as His Ambassador. Truly we can utter with the Psalmist: "What shall I render to the Lord for all the things that He hath rendered to me" (ps. 115, 4). May the Pontifical Mass, which we hope to sing ~~on our anniversary~~ Day and to which we invite you to attend, at least in spirit, help to express our gratitude to our Supreme Lord and Master.

TRIBUTE TO OUR LADY OF PIAT

As we call upon "the name of the Lord" (ps. 115, 4), glorifying and extolling His Infinite Mercies, we wish to pay especial tribute

to Our Lady of Piat for being not only our special protectress but also for being spontaneously acclaimed Patroness of the Valley, which was put by Divine Providence under our care. The memories of those eleven years we spent as chaplain of Her Sanctuary in Piat, during which we had the joy to witness on many occasions the shower of her maternal blessings on all the pilgrims that flock to Her throughout the year from every corner of the Cagayan Valley and even from different parts of the country, are now a continuous source of spiritual strength and consolation. With Her, we exclaim, "My soul doth magnify the Lord", (Luc. 1, 1). It is expedient to renew our determination to keep the motto that should guide all our actions: "Ad Nutum Reginae".

GO TO JOSEPH

This blessed event will not pass by without a word of love and thanksgiving to the "just man" (Mt. 1, 19). So. Joseph, Patron of our barrio, which, despite the absence of a permanent priest therein for many years, through his intercession, has become the cradle of many religious and priestly vocations.

In this connection, we would like to put to your attention our dear brethren, that our Anniversary becomes more significant to us as we celebrate it during the II Vatican Ecumenical Council, which is being celebrated under the patronage of our glorious Patriarch. It should cause us deep joy to note that one of the first steps taken by the said Council was to insert the name of St. Joseph in the Canon of the Holy Mass. With his role as Patron of the Universal Church and as our especial protector and advocate, we wish to encourage you all to "Go to Joseph and do all that he shall say unto you." (Gen. 41, 55).

DIGNITY OF THE PRIESTHOOD

We owe our deepest gratitude to God, and after Him, to our Blessed Mother and St. Joseph, for all the blessings and graces and most especially for the gift of the priesthood. Great, indeed, is the dignity of the priesthood that St. Paul did not hesitate to exclaim: "Let the presbyters who rule well be held worthy of double honor, especially those who labor in the world and teaching." (I Tim. 5, 19).

Man, therefore, needs the priest to attain heaven. Faith, without which "it is impossible to please God" (Heb. 11, 6) reaches men through the preaching of the priest. Besides, man needs the channels of grace, the sacraments, to acquire a living Faith. But how could there be sacraments without priests?

SCARCITY OF PRIESTS

It is a great misfortune that a community be without a priest. Such is the sad plight of many municipalities in our country. For this reason, you will understand, our beloved brethren, our grievous concern over our diocese, with its alarming scarcity of priests manifested by the Statistics from the 1960 Census of the Philippine Inhabitants and Filipino Catholics. Our diocese, comprising the Provinces of Cagayan, Isabela and Nueva Vizcaya, has a population of 1,025,441 of whom 776,430 profess our Faith. Our diocese counts on only 59 diocesan priests. If it were not for the invaluable help of 55 religious priests who take care of the spiritual needs of some of our parishes, each diocesan priest would take care of 13,160 Catholics and 17,381 souls.

In our valley, there are perhaps less priests proportionately than in many other dioceses in our country. Actually, these are seventeen municipalities without a resident priest. There are some parishes with twenty thousand souls with only one priest; to make the situation worse, the faithful are dispersed in distant barrios which oftentimes are not easily accessible.

As a consequence of this lack of spiritual leaders, religious ignorance is rampant, thus causing religious indifference towards divine worship, daily and Family prayers and Holiday and Sunday obligations. Immorality and crimes, especially among the youth, are gaining momentum. And rural areas become fertile ground wherein non-catholic ideas are disseminated.

A CHALLENGE IN THE VINEYARD

The Lord needs more laborers in His vineyard. During the past years, we noted, to our deep satisfaction, a greater enthusiasm for the interest of the Church in our different parishes. We see the faithful rallying behind their pastors in constructing or beautifying their churches; our priests have done their part in helping us build decent rectories, worthy of their great calling; our teachers and government officials have shown more cooperation in the religious instruction of the children. However, our efforts to bring every soul to the "fold of the One Shepherd" (John 10, 16) will be rendered more fruitful with the increase of the number of priests. Therefore, there is a challenge for all of us to work that more boys answer the call of Christ.

A WORD TO PARENTS

The parents are the best instruments in our campaign for priestly and religious vocations. Let them inculcate from the early and tender

years of their children the sublime dignity of a priest, making them realize that there is no calling more noble and honorable than to labor for the salvation of souls. In this connection, may we remind you that a priestly and religious vocation will grow only in true Catholic Families. The good example of parents, more than their words, will be more efficacious in planting and watering the seed of a priestly vocation.

AN APPEAL TO CATHOLIC LEADERS

The choice for the aspirants to the priesthood, as Canon Law (C. 1353) recommends to the pastors, should constitute the primary concern of all priests. With the cooperation of the Directors and Heads of Schools and members of our Catholic Organizations, the parish priest will dutifully encourage gifted young men of good character to enter the seminary.

SAN JACINTO SEMINARY

We put our great hopes in our San Jacinto Seminary in solving in due time the greatest problem of our diocese: scarcity of priests. We wish to avail ourselves of this opportunity to bolster the **SAN JACINTO SEMINARY BENEFACTORS' LEAGUE**, whose members pray for the seminarians and contribute one peso monthly for the support of needy but promising vocations.

Lastly, we wish to announce that, during this year of our anniversary, we hope, with the grace of God, to start the construction of a permanent building for the San Jacinto Seminary. Permit us to request you to support the drive we will undertake for the said project which will bring to all generous benefactors innumerable blessings.

We beg you, therefore, our beloved brethren, to help us spiritually and financially in building the San Jacinto Seminary, of which it will be said: "How awe-inspiring is this place. This is no other but the house of God and the gate of heaven." (Gen. 28, 17)

We wish to impart on you all our paternal blessings.

Given at our Residence in Tuguegarao, Cagayan, on the Feast of St. Joseph, March 19, 1963.

Devotedly yours in Christ,

✠ **TEODULFO S. DOMINGO**
Bishop of Tuguegarao

SUPERIOR COURT OF APPEAL

University of Sto. Tomas
Manila, Philippines

Manilens.
NULLITAS MATRIMONII
Compal — Diclao

Ex capite vis et metus

RR. Iudices de turno, in causa supra relata, sequentem definitivam sententiam iuris faciunt:

“Actrix ergo iuridice evicit se matrimonium cum Benedicto Compal iniisse sub metu gravi ab extrinseco et iniuste incusso, a quo ut se liberaret coacta est eligere matrimonium sibi invisum. Quapropter, huius matrimonii nullitatem, in vim canonis 1087, declarandam esse Iudices iudicaverunt.

Quibus omnibus in iure et in facto consideratis et sedulo perpensis, Nos infrascripti Iudices de turno, pro tribunali sedentes et solum Deum prae oculis habentes, Christi nomine invocato, declaramus et definitive sententiamus in secunda instantia, ad propositum dubium respondentes: *Affirmative*, seu constare de matrimonii nullitate in casu.

Quia tamen causa haec ex gratuito patrocinio assumpta est, nihil pro expensis a partibus exigendum statuimus; ad sublevandas vero expensas Cancellariae, actrix, pro posse, summam ₱50.00 apud Tribunal solvat.

Ita pronunciamus, mandantes Ordinariis locorum et ministris tribunalium ad quos spectat, ut executioni mandent hanc Nostram definitivam sententiam, iis adhibitis mediis, quae magis opportuna pro rerum adiunctis videantur.

In sede Tribunalis, die 6 Aprilis, 1963.”

Fr. Jose Ortea, O.P., *Ponens*
Fr. Theodore Kalwey, SVD, *Co-Iudex*
Msg. Francisco Cancio, *Co-Iudex*
Fr. Florencio Testera, O.P., *Actuarius*

DOCTRINAL SECTION

Can the Pope Dissolve a Marriage of two Heathens ?

It was usually thought that the Pope cannot dissolve the marriage bond of two pagans, since none of them is his subject. Neither can the State break a valid marriage of heathens, because the government did not receive any power to dissolve the natural bond of marriage. Therefore, a marriage of two heathens was always considered as indissoluble.

Yet, it is proved that the Sovereign Pontiff can dissolve a marriage of two pagans to favor the Catholic Faith, on behalf of a Catholic who wants to live in lawful wedlock with one of the unbaptized parties, provided there be no public scandal and the parties fulfill the requirements imposed for a mixed marriage.

The Pope is the authoritative interpreter of his own power, and as a consequence of this principle I recollect here two dispensations granted by Rome these last years.

1. A rescript of the Congregation of the Holy Office, dated May 17, 1958, was granted to the diocese of Harlem in the Netherlands on behalf of two non-baptized persons in the following terms:

"In curia Harlemen confectus est processus ad obtinendam dispensationem matrimonii anno 1940 contracti inter Titum non baptizatum et Caiam non baptizatam. Actis maturo examini subiectis, expletisque omnibus in casu explendis, die 28 Aprilis, 1958, quaestio proposita est in hac S. Congregatione quoad dubium: An consilium praestandum est SSmo ut concedatur documentum libertatis ita ut orator, praevia dispensatione ab impedimento disparitatis cultus, solutis clausulis praestitis cautionibus, coram Ecclesia valide et licite novas nuptias inire valeat cum catholica, re juxta certas regulas discussa, responsum decrevit: *Affirmative*.

SSmus D.N.D. Pius divinae Providentiae Papa XII, die dominica II Math, 1958, de omnibus habita ratione benigne *annuere* dignatus est pro gratia juxta supra relaturn decretum.

In praesenti concessione includitur quoque, quatenus opus sit, dispensatio ab impedimento criminis de quo in can. 1075, n. 1, servatis de jure servandis, contrariis quibuscumque minime obstantibus.

Datum Romae ex aedibus S. Officii, die 17 Maii, 1958.

A. Cardinalis OTTAVIANI, *Pro secr.*

2. A second case which happened in the Philippines last year:

Segunda, a catholic, was living with a Chinese, *Titius*, a pagan. The catholic side could not be married in the church because *Titius* had contracted marriage in China in 1940 with *Caia*, a pagan woman still living. The family of *Titius* and *Caia* had mutually consented to ask for divorce which they obtained by decree of the civil court in China, which was manifestly invalid.

In 1947, *Titius* returned to the Philippines and having met a catholic woman, *Segunda*, he began to live with her, despite the opposition of the parents of *Segunda*. At present *Titius* is still a pagan with no hope of his becoming a catholic. *Segunda* now wished to receive the sacraments denied to her for almost thirteen years.

The invalidity of the marriage of *Titius* is unknown to practically all the people, since everybody in the town believes that they are validly married. The following petition was brought to Rome by His Excellency Juan B. Velasco, D.D. bishop of Amoy, China, and Vicar General of Manila in charge of the Chinese in the Philippines:

("Eminentissimo Domino Alfredo Cardinali Ottaviani
Secretario S. Congregationis Sancti Officii.
Eminentissime Princeps,

Segunda, catholica, uti constat ex authentico testimonio hic addito maritaliter vivit cum viro pagano *Titius* qui antea in Sinis matrimonium inierat cum muliere pagana *Caia*, in Sinis nunc commorante, a qua per divortium civile separatus, postea cum *Segunda* Catholica vivit in Philippines. *Titius* habet octo infantes ex muliere catholica, qui omnes, cum licentia viri pagani, catholice baptizati, aeductionem catholicam recipiunt. *Titius*, vir paganus, etsi

bene dispositus, nullam spem dat ut ad religionem catholicam convertatur.

Humiliter petitur gratia dissolutionis matrimonii pagani ut *Segunda* matrimonium mixtum secreto contrahere valeat cum *Titio*. Ex Circumstantiis in quibus vivunt nullum scandalum est pertimescendum ex gratia concessa.

Eminentiae Tuae,
Humillimus Servus in Christo"

The favor was granted in an answer of the Holy Office of October 20, 1962, as follows:

"Dissolutionis matrimonii in favorem fidei"

In curia Sciamonen confectus est processus ad obtinendam dissolutionem, in favorem fidei, matrimonii contracti inter *Titium* non baptizatum et *Caïam* non baptizatam.

Actis maturo examini subjectis, expletisque omnibus in casu explendis, quaestio proposita est in hac suprema S. Congregatione, quae ad dubium: "An consilium praestandum sit SSmo pro dissolutione, in favorem fidei, matrimonii de quo supra, ut pars oratrix, coram Ecclesia valide et licite novas nuptias inire valeat cum parte acatholica, re juxta certas statutas regulas discussa, responsum decrevit: *Affirmative*.

SSmus D.N.D. Joannes divina providentia Papa XXIII die 20 Octobris 1962, de omnibus habita relatione benigne *adnuere* dignatus est pro gratia iuxta supra relatum decretum.

In praesenti concessione includitur quoque, quatenus opus sit, dispensatio ad impedimento criminis de quo in Can. 1075, n. 1, et ab impedimento disparitatis cultus, praestitis cautionibus a partibus ad normam iuris. Servatis de iure servandis; contrariis quibuscumque minime obstantibus.

Datum Romae, ex Aedibus S. Officii die 20 Oct. 1962.

A. Card. Ottaviani
Secr.

Bishop J. Velasco answered from Rome: The case was very easy. The most important thing was to certify that Titius was really a pagan, never baptized.

This power of the Roman Pontiff is confirmed by several faculties granted to the heads of the missions by the Sacred Congregation of the Propaga-

tion of the faith. The reason of this power is, according to F. Cappello S.J. (*De Sacramentis*, V, *De Matrimonio*, n. 791 bis) that any marriage, even of non baptized is by itself something religious and sacred, and therefore falls within the power of the Church.

In Genesis, Ch. I and II, it is related how God having created Adam and Eve to His own image and likeness, blessed them and said: "Increase and multiply and fill the earth and subdue it."

In this way it is taught how God bestowed upon man and woman a mysterious energy by which all parents, also pagans, share in the creative power of the Almighty. They are made God's helpers and associates.

Bride and bridegroom in marriage take upon themselves the solemn obligation to perpetuate on earth the glorification of God by providing new adorers of the Almighty.

Husband and wife, either christian or pagan, are the instruments in the creation of new immortal souls.

Precisely because they have a sharing in God's own creative power, marriage either of christians or pagans is holy and sacred.

This jurisdiction of the Church is not normal human power, it is really divine; it is not hers by her own right, but it is hers only vicariously by God's power.

I call herewith the attention to what Cappello writes ad N. 761 bis, 5: "Usus potestatis vicariae in dispensatione super matrimonio rato non consummato vel consummato ad non rato, est actus gratiae seu favor. Porro gratiae et favores sicut privilegia in genere, concedi possunt a R. Pontifice etiam non baptizatis."

This reason seems not to be convincing and stringent in the present case. This favor for a pagan marriage seems to be "contra jus" while only favors "praeter vel juxta jus" can be given to those who are not subjects of the Church. "Privilegia" praeter vel juxta jus" etiam non subditis concedi possunt, quia privilegium ut sic non requirit vim coactivam nec vim directivam in privilegiarium... "ac huius privilegii concessio non requirit subjectionem, sed meram quamdam inferioritatem relate ad objectum privilegii, qua possibilis est actus liberalitatis et donationis" (cfr. *Normae Generales S.C. R.P. Gummari Michiels*, 1949 et altera, Vol. II, p. 522).

"Paganus hoc favore uti valet, sed per se non tenetur, nec potest compelli, nisi agatur de baptizato (A Van Hove, *De Privilegiis*, n. 43; Cappello, *De Sacramentis*, Vol. V *de Matrimonio*, N. 791 ad 4); Vromant,

Jus Missionariorum, Introductio). In the present case, besides the favor, the Pope must use his vicarious jurisdiction to break the bond consummated and therefore it is not a mere favor.

Conclusion:

Parish priests who have similar cases of two pagans may therefore have recourse to Rome through their Ordinary, and the dispensation will be granted in favor of a Catholic Party, provided it be proved that the two married are not baptized.

GEORGE VROMANT C.I.C.M.
San Carlos Seminary
Makati, Rizal

Department of Public Works and Communications
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(Sgd.) LUIS C. BASSIG
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COMMUNIST PARTY REAFFIRMS ATHEISTIC DOCTRINE

AIMS AND METHODS OF ANTI-CHURCH CAMPAIGN

The new draft programme of the Communist Party of the Soviet Union, published recently and now being debated by all communists and working people, reveals the grandiose prospects opened up by communism in our country. Besides listing the tasks of the party in the creation and promotion of the material and technical bases of communism, and in the development of communist social relations, the draft programme of the CPSU gives a full presentation of ideological foundations and methods for the education of the broadly cultured working people of communist society.

In the course of the complex and multiform process of moulding the communist world view, the Party has paid great attention to completely eliminating the remnants of the past—including the religious prejudices and superstitions still present in the consciousness of a part of our population. The draft programme contains the following statement:

“The Party now considers it an integral part of its communist education work to combat manifestations of *bourgeois* ideology and morality, and the remnants of private-owner psychology, superstitions and prejudices.”

MATERIALIST VIEWS

The same programme also calls attention to the means and methods of atheistic work. They are designed to ensure the victory of scientific, materialist views.

"The Party uses ideological media to educate people in the spirit of a scientific, materialist world view, and to overcome religious prejudices without insulting the sentiments of believers. It is necessary to conduct regularly broad atheistic propaganda on a scientific basis, to explain patiently the untenability of religious beliefs which were engendered in the past, when people were overawed by elemental forces and social oppression and did not know the real causes of natural and social phenomena. This can be done by making use of the achievements of modern science, which steadily solves the mysteries of the universe and extends man's power over nature, while leaving no room for religious inventions about supernatural forces."

The draft programme of the CPSU, the stand it takes and the conclusions it permits regarding the course to be followed in overcoming religious prejudices breathe the spirit of eternally living and creative Marxism and constitute a further development of Leninist principles regarding the Communist Party's attitude towards religion.

The development of the new society is carried out by the Party on a strictly scientific basis. Communism ensures the all-around development of man's personality, freeing it from all remnants of capitalism, including those of religion.

In the course of communist growth, all development achieved in science and culture aids in overcoming religious prejudices and in consolidating the materialist and scientific world view in everyone's mind.

Religious ideology is directed against science, against the exploration of the universe. Religion is opium for the people, a poison for the minds of its adherents. With its unscientific claims and distorted views concerning the development of nature and society, it prevents believers from co-operating with full consciousness and all their strength, in the construction of communism. It isolates believers from the outside world so that they cannot take an active part in social life, and it keeps their mental interests imprisoned within the narrow and stuffy miniature world of their religious association.

Lenin pointed out that the tactical course to be followed by Marxism in its dealings with religion had been consistently thought out by Marx and Engels. It is the direct and inescapable consequence of Marxist philosophy, closely linked with all teachings of dialectical and historical materialism.

“ATHEISTIC PROPAGANDA”

Proceeding from the Marxist-Leninist view of the essence of religion, the Communist Party regards the ideological struggle with religion as an integral part of its ideological work. Lenin stated:

“Our entire programme is based on the scientific—namely, the materialist world view. The explanation of our programme, therefore, necessitates an explanation of the true historic and economic roots of the religious fog. Our propaganda must, therefore, by all means comprise atheistic propaganda.” (*V. I. Lenin*, Vol. 10, p. 68.)

The Communist Party has laid down the conditions and demands which guarantee success in the struggle against religion. According to Lenin, in order to wage an effective struggle against the religious ideology, one must be a dialectical materialist, able to explain to the masses just how religions and faiths come about. The religious world conception will be all the more effectively, completely and thoroughly unveiled, the more consistently our ideological struggle against it will be based on the achievements of, and keep abreast of new discoveries in, progressive science.

Lenin also demands that the cause of the anti-religious struggle should not be pursued in an abstract way, but concretely and on the foundation of the class struggle, which educates the masses more and better than anything else. He wrote:

“The atheistic propaganda of social democracy must be sub-ordinated to its fundamental task, namely, developing the struggle waged by the exploited masses against their exploiters.” (*V. I. Lenin*, Vol. 15, p. 375.)

However, as is well known, class struggle is in a continuous process of development; in every stage of history it has different tasks to accomplish, so that it assumes the most varied forms.

From this it follows that in atheistic propaganda the concrete situation must be duly taken into account at every stage, and in every period the main task must be seen as the overcoming of religious prejudices.

The entire history of the Communist Party's ideological struggle against religion is a shining example of the waging of anti-religious propaganda in a manner varying with the concrete conditions of the particular stage of class struggle prevailing at the time.

In the years of preparation for the proletarian revolution the Party did not put the tasks of atheistic work in the foreground.

At that time, when religion wielded great influence within the working class, and particularly within the ranks of the peasantry, an all-too-

pronounced struggle against it might have led to a weakening of the revolutionary forces. Such tactics would have been only too welcome to the exploiting classes, which would have put such injudicious emphasis on anti-religious work to good use—primarily to divide the ranks of the working people.

NO COMPROMISE

Lenin's demand (that the struggle against religion should be subordinated to the interests of the class struggle of all working people) assumed concrete shape in the programme adopted at the Second Party Congress in 1903. In line with necessity of uniting all democratic forces in the struggle against Tsarist autocracy, the party put forward only such demands in this programme as were readily understood and supported by the broad masses of the people. The Party, so the programme read, fights for the guaranteeing of freedom of conscience to all working people and for their liberation from the mental slavery exercised by Church and State.

To this end, the Party waged a determined struggle for the separation of Church and State, as well as of schools from the Church, for the abolition of class privileges and for the absolute equality of rights of all citizens—regardless of sex, religion, race and nationality.

In the interest of the cause, V. I. Lenin deemed it possible, at that time, to admit such workers to the Party as had not yet broken away from the Church.

At the same time, however, he demanded that no compromise should be tolerated with regard to religious ideology, and that the damage inflicted by religion in the struggle for the revolutionary transformation of society should not be underestimated. He called for systematic atheism.

It is well known that the first Russian revolution of 1905-7, which dealt such a severe blow to Tsarist autocracy, also played a decisive part in the liberation of the masses from the religious narcotic.

After the revolution had been suppressed, tsarism, the landed gentry and the *bourgeoisie* made attempts to revive and strengthen religion among the people. Obscurantism filled the pages of newspapers and periodicals. The Holy Fathers' anathematized the best representatives of Russian science and culture.

CANNOT BE UNITED

At that time, while the revolutionary movement was going through a recession, religious and philosophical vacillations were evident among a

part of the Party intelligentsia, which indulged in God-making and God-seeking.

The God-makers (Lunacharsky, Zazarov *et al.*) advocated the creation of a so-called Socialist religion, thus trying to unite that which cannot be united: religion and Marxism.

These harmful trends, directed in reality against the Party itself, were dealt a shattering, decisive blow by Lenin. In his article "On the Attitude of the Workers' Party Towards Religion" he exposed this opportunist distortion of Marxism's stand on religious questions, as well as the attempts of the God-makers and God-seekers to have a religious ideology sneak into the consciousness of the working class.

Lenin pointed out that the God-makers were merely bringing grist to the mills of the *bourgeoisie*, to which the God concept was a convenient practical means for keeping the people in slavery. Thus, by polishing up the God concept, the creators of the "New Religion" at the same time gave a fresh polish to the chains into which the exploiters had put the working people.

In its atheistic propaganda of that time the Party made the fullest possible use of the persecution of all sectarians, heretics and dissenters, and, by exposing the criminal, anti-popular alliance of Church and State, it unveiled the reactionary countenance of the clergy.

It is to this period that Lenin's well-known anti-religious decree on consistent atheistic propaganda among the masses refers.

"The attitude of the State towards religion must not be put on a par with the attitude of the party of the working class. If, in the attitude of the State towards religion, under the conditions of the exploitation system, the demand for non-interference by the State with the exercising of religious beliefs is as correct as can possibly be, the Marxist party, in its turn, cannot adopt an indifferent stand on religion and regard it as a purely private affair. The Communist Party is an alliance of enlightened, progressive fighters for the cause of the working class and all working people. To the Party the lack of proper enlightenment and insight among the masses cannot and must not be a matter of indifference. The Party considers it its duty to wage a struggle against any obscurantism against the religious narcotization of the working people, and this struggle it wages with the weapons of ideology, with those of the printed and the spoken word. For the Communist Party this struggle is not a private affair but an all-party matter—on all-proletarian cause!"

The newly established Soviet regime now started out to put into practice the demands of the first programme of the Communist Party

regarding, the possibilities for realizing freedom of conscience. The fulfilment of these demands was embodied in the famous October decrees and in the historic Leninist decree of the Council of People's Commissars of 23 January 1918, "On the Separation of the Church From the State and of the Schools From the Church".

"ATHEISTIC EDUCATION"

This decree laid down the main guarantee for freedom of conscience: the Church was separated from the State, thus being deprived of State support and of all privileges it had enjoyed before the revolution.

The decree not only assured the working people of the right to exercise any religious faith, but also guaranteed them the freedom of not belonging to any religious association whatsoever. The school was freed from clerical domination and guided towards the road to Soviet education.

Now, with the demands of the first Party programme concerning the safeguarding of freedom of conscience having been realized, the Communist Party put the task of liberating Soviet citizens from religious prejudices in the foreground.

Of extremely great importance for the solution of the vast and complex task was the Eighth Party Congress. This congress emphasized that the adoption of the decree on the separation of Church and State and of the schools from the Church, as well as the other measures destroying the alliance of State and religious associations, was regarded by the Communist Party as the beginning of its work for the atheistic education of the working people.

Civil and Ecclesiastical Conjugal Separation

POINTS OF CONVERGENCE

1. The Catholic Church has never wavered in her stand on the indissolubility of marriage. The canonical institute of conjugal separation is never a concession in principle, much less a compromise in practise. If ever, it affords this much—a glimpse into the human side of the Church who in her wisdom could not just close her eyes to compelling, legitimate reasons that justify the suspension of communal life. From its earliest, rough, elementary form up to the present well-defined juridical norms and procedure, there runs one single thread through this canonical institute of conjugal separation. That common element is the necessary intervention of Church authority which the canonical provisions repeatedly demand with mandatory insistence. This ecclesiastical authorization cannot only be claimed from purely juridical and theological principles or for the common good at stake. It can also be claimed from the sheer practical standpoint of the necessity of an impartial arbiter and judge in a matter so charged with emotional factors

2. The Church admits of a perpetual and temporary separation. Perpetual separation, being a permanent rupture of communal life, must have a just and proportionate cause. Canon law recognizes only one justifying cause, i. e., adultery, that is formal, morally certain, consummated, not condoned, permitted, nor in any way compensated. A grave danger to soul or body will justify temporary separation. This grave danger can be interpreted in an indefinite manner, but always in the rightful context of a real and serious threat to soul or body. A certain and notorious offense of adultery empowers the aggrieved consort to inaugurate a permanent separation on his or her own initiative. On the other hand, as an emergency measure, an innocent consort may separate temporarily, when imminent and compelling danger to soul and body is present.

3. Although by a canonical sentence of separation the consorts are relieved of their obligation of sharing bed, board and cohabitation, they still remain husband and wife. But Canon law does not stop here. By surrounding the causes for separation with so many requisite conditions, it is literally back-stepping on itself, short of forcing a way back to reconciliation. In the meantime, it provides for the determination of the custody of the children. Canon 1132 grants the guardianship of the children to the innocent party as a general rule. But if circumstances so warrant, the ordinary, according to his own prudent judgment, will grant the children's custody to whichever consort he deems most suitable for the protection of their spiritual and physical welfare.

4. As a legal document, the new Philippine Civil Code represents an attempt to wed the two great legal traditions of western civilization, that of the continental code of Spain and that of the Anglo-Saxon common law system. Under the Spanish tutelage, the law on separation was governed by the *Las Siete Partidas*, which literally assimilated the provisions of Canon Law and the decrees of the Council of Trent. Under the American regime, the secularistic concept of social life prevailed. Marriage was regarded more or less as a creation of civil law. As a consequence, the laws on the continuance and dissolution of marriage were less stringent. The convergence of these two diametrically opposed legal philosophies on marriage was a constant source of conflict and created through the years a never-ending focus of tension. However the Spanish heritage of life-values based on Catholic faith triumphed, and the Filipino people despite seemingly unconquerable odds, vigorously affirmed in one magnificent gesture its adherence to the Christian conception of marriage and social life.

5. In its return to tradition, the New Civil Code follows the spirit of Canon law, in its reluctant and unwilling or forced toleration of separation suits between spouses. Every intent of law leans towards the indissolubility of the marriage bond and the stability of the common life. So that every step towards reconciliation must be taken, any semblance of collusion to fabricate evidence for separation assiduously ruled out. It is only when reconciliation is highly improbable, and common life humanly unbearable, that separation is granted as a last relief. But even such a concession is surrounded by so many qualifications contrived to keep the door open to future reconciliation.

6. Like the separation permitted under the Canon law, the relative divorce available under the Philippine Civil Code, does not sever the matrimonial bonds. The spouses are entitled to live separately from each other. However the conjugal partnership of gains, or the absolute community of property, is dissolved. Furthermore, the guilty spouse is de-

prived of any share of the profits, may be deprived of the donations *propter nuptias* if the innocent spouse so wishes, and finally is definitely disqualified from inheriting from the innocent spouse by intestate succession. In both Canon and Civil law, the custody of the children is awarded to the innocent consort, unless the judge or the Ordinary, in their respective jurisdictions, decree otherwise for the ultimate good of the children.

POINTS OF DIVERGENCE

1. The first point of variance to note, in both jurisprudences, is that in terms of duration Canon Law admits of a temporary and perpetual separation. Legal separation in Civil law has the relative permanence of a perpetual separation, and does not admit of separation of a temporary duration. Temporary separation, if fully admitted in civil law with its full civil effects as a juridical institute, will make the transfer of properties and other such effects a fluctuating, inconstant and irksome negotiation. While civil law tries to maintain the external stability of the family, it will not intervene in such private matters as the resumption of communal life. This, however, the Church fully vindicates for herself, in the case of temporary separation, decreeing the resumption of common life when the rupturing cause has in all probability ceased.

2. Canon and civil law do not fully coincide in postulating the cause for perpetual separation. Both jurisprudences demand adultery that is fully consummated, not caused, nor condoned, consented nor compensated. However in civil law, there is a distinction between man and woman. For the woman, sexual infidelity constitutes a ground for perpetual separation. The man, however, must first, be found guilty of concubinage. In Canon law there is not this disparity of rights: Both man and woman can claim separation on equal grounds of mere sexual infidelity, most probably, even if it were of the unnatural kind such as sodomy or bestiality.

The second ground for legal separation under the Civil Code, is the attempt by one spouse against the life of the other. This cause is admitted in Canon Law only as a relief for temporary separation. As it has been pointed out above, legal separation does not have the provisional nature of a temporary separation. The civil juridical institute of "legitimate departure" comes closest to canonical separation *propria auctoritate*, of the temporary kind. However, legitimate departure is not a civil action and is fully without civil effects. It is not legal separation at all and does not fall into the full scope of the present study.

3. The canonical institute of temporary separation does not have an equivalent in scope and purpose with any juridical institute in civil jurisprudence. Much less do the causes justifying temporary separation have any juridical values in civil law. A preponderant number of these causes have something to do with the spiritual welfare of the souls of the consorts or with the faith of their children. The object-matter is not only foreign in concept to civil law, but more so, completely outside the scope of its jurisdiction.

4. The points of jurisdictional conflict may occur in the following instances: (1) the diversity in the cause for perpetual separation, where the civil law must postulate concubinage for the man, whereas mere adultery suffices as a ground for a separation suit in canon law. On the other hand, the Church does not admit an attempt for life as a ground for perpetual separation, while the civil law does. (2) There is not a civil recognition for the canonical institute of temporary separation, and consequently it is deprived of all the subsequent civil effects.

REV. E. STA. RITA, JR.

PASTORAL SECTION

HOMILETICS

THIRD SUNDAY AFTER PENTECOST (June 23)

GOD'S INFINITE LOVE:

In one of his letters to the Christians of his time, St. Paul, that great apostle and lover of Christ, assured them of his fervent prayers in order that they would be able to comprehend the length and width and height and depth, and to know Christ's love which surpasses all knowledge.

In today's gospel Jesus Himself, by means of two parables, draws aside the curtains to let us see something of the length and width and height and depth of that love which He bears towards all men.

It was a touching spectacle, only to be marred by the complaints of dissatisfied and proud spirits, that gave occasion to the unveiling of God's infinite love for men.

Jesus was preaching one day; it was a big crowd that was listening to Him eagerly. A close inspection of the crowd revealed that Christ's listeners were made up of publicans and sinners, the kind of people that the proud Scribes and Pharisees disdained most and avoided. And since they saw that Jesus nonetheless received the publicans and sinners with kindness and understanding, they included Him also in their contempt: "Bah! this man (they were referring to Jesus) welcomes sinners and eats with them." They were careful however to voice their criticism in a low biting tone.

DIVINE ANGER AND SADNESS:

But Jesus learned of it; nothing could be hidden from His knowledge. Turning to the Scribes and Pharisees, He looked at them with eyes that expressed at once anger and sadness. Anger, because while refusing to reciprocate with the advances of divine love, they scorned those who throw

themselves confidently into its merciful arms. Sadness, because they were hurting themselves with their willful blindness of heart.

The Scribes and Pharisees criticized Jesus for receiving and welcoming the sinners. Jesus will therefore justify His actions by telling two parables, the first of which, for the sublimity of its contents and for the tenderness of its expression, has become imbedded in the hearts and memories of everyone of us, giving origin to the immortal representation of the Good Shepherd and the Lost Sheep resting upon His shoulders.

THE GOOD SHEPHERDS:

One hundred sheep formed the flock of a certain man. While they were pasturing, there was one sheep that strayed away. When the pastor made a recounting of his flock, he noticed the absence of that sheep. Did it fall into an empty well? Did it slide down a fearful ravine? Did it stray away, attracted by some greener pasture? Whatever was the reason the master lost no time in setting out to look for it. Uphill and down dale, here a whistle, there a cry, a look among the thorny bushes, a careful glance down the deep ravine. No fatigue, no thirst, no beating from the merciless sun could stop the shepherd from his diligent search until he found it. Did he scold the poor thing? Did he give it a good caning for causing him all the trouble? No, he lays it tenderly upon his shoulders rejoicing, and on coming home he calls together his friends and neighbors to share with them his abounding joy.

If a shepherd acts that way towards brute animals, why would the Scribes and Pharisees expect less from Jesus with regards to sinners who have rational and immortal souls? The day will come when Jesus would do the incredible, the unbelievable: He will search out for the straying souls, and in His search for them He will not hesitate to give up His own life in their behalf.

Beloved brethren: behold the length and width and height and depth of Christ's love for sinners. His love was longer than the hands of time, for it began from eternity and will last to eternity. The sweep of His love extended far and wide, for it included also the sinners. There is no bottom of misery and despair that a sinner might have fallen into where Christ's love would not condescend to reach out for him and draw him to safety. And Christ's love does not stop here. He will raise the repentant sinner to heights of sanctity as the latter never dreamed of, when the union between God and the soul is again effected, strengthened and consummated, thanks to the solicitude and painful efforts of the Good Shepherd of souls.

FOURTH SUNDAY AFTER PENTECOST (June 30)

THE CHARMING COUNTRYFOLKS OF GALILEE:

This morning we have a very charming gospel story. Jesus was standing by the lake of Galilee, perhaps contemplating the beauty of the landscape or chatting with the fishermen who were mending their nets by the shore. As soon as the people in the region came to know of His presence there, they ran to Him in great numbers. They were so eager to get near Him in order to have a good look at Him and to hear Him talk that unconsciously they were pushing Jesus more and more towards the water. The Lord goodnaturedly defended Himself from the eager crowds by getting into the boat of Peter, whom He asked to put out a little from the land. And sitting down, He began to teach the crowds from the boat of Peter.

What charming people were those countryfolks, who in their eagerness to hear Jesus, nearly caused an accident to happen to Him. But their eagerness and simplicity more than excused them of their roughness on Jesus. At any rate, Jesus showed He didn't mind that at all, but having assured Himself through the expediency of getting into Peter's boat, He spoke to them of Heaven, of immortality, of God's infinite love for them. And they all listened to Him with delight.

It is always the same with Jesus our good Lord. He has always something good to tell anyone who approaches him. He had something good to tell the simple folks of Galilee. He had something good to tell Peter. And He has something good to tell us now.

JESUS HAS SOMETHING TO TELL:

Firstly, He has a word of assurance for His Church. Christ teaching the crowds from the boat of Peter — that is Christ is present in His Church mankind now! That is therefore the true Church which can claim to be fundamentally the same boat of Peter. For where Peter is, there also is Christ.

Secondly, Jesus has a word of consolation for us Christians in general. Rich or poor, learned or ignorant, young or old, the great majority of us have experienced and are actually experiencing the feeling of frustration, of failure, of dejection of Peter the fisherman. Like St. Peter we could say, and we did have to say with tragic fittingness: "the whole night through we have toiled and toiled, but taken absolutely nothing." You and I have big and small problems: problems of the mind, of the heart, of the body, of the pocket, too. You pray hard, you work hard, but it all seemed useless — you have taken nothing! But we shouldn't get discour-

aged. God may just be waiting for the appropriate time when He can say: "Put out into the deem, and lower your nets." Then will our joy be full, our surprise indescribable; we would fall down on our knees and say: "Lord, we are a sinful people, we did not merit such goodness to be done to us."

A WORD OF CHALLENGE:

Finally, Jesus has a word of challenge for a few generous and heroic souls. To them (and perhaps some of you might be of their number) Jesus offers the chance to fishers of men to work with Him, for Him and under Him in saving other souls. The call is a challenge, for it requires the surrender of everything: of fortune, of family, of prestige, of self in order to follow Christ. It demands courage, heroism, and supreme love. There will not be many who will answer the call, but certainly there will be some who will take up the challenge, for there is still love, heroism, courage, even among you, dear young men and young women of today!

FIFTH SUNDAY AFTER PENTECOST (July 7)

THE COMPLETE PICTURE OF JESUS:

We love to picture to ourselves the Lord as a loving friend, kind, gentle, sympathetic, long-suffering. But that is not the complete picture of Jesus. He is also strict, uncompromising, exacting, and able to carry out His threats. Yet we must immediately add that His strictness is born of love — of love and concern for our souls! His strictness is like that of a father who must be stern to his son lest he grow wayward, or like that of a mother who must be rigorous to her daughter lest she become foolish.

Such is the picture of Jesus in today's gospel. In clear and stern language, he reminds us that our holiness must exceed that of the Scribes and Pharisees; otherwise we shall not enter the Kingdom of Heaven.

Why, dear brethren? What kind of holiness did the Scribes and Pharisees possess? It was a holiness that was showy in the exterior but hollow and empty within. Remember the description that our Lord made of them? They were like white-washed sepulchres, beautiful in the outside but full of rotten things inside.

PHARISAICAL HOLINESS:

They gave importance to external actions, but did not mind the interior ones. For them it was wrong to kill, but they were without remorse when

hating their opponents, calling them names, and despising them in their hearts. And the good that they would do, they did it for the sake of applause and vain-complacency.

Such was the holiness of the Scribes and Pharisees: exterior, showy, hollow, self-seeking. No wonder that Christ castigated in no uncertain terms such humbug of a sanctity, such unreal and hypocritical justice, and sternly warned His followers from imitating them.

We pray to God that this warning would be unnecessary for all of us. But we must be frank to ourselves, and examine our consciences before God. Our personal holiness, is it not pharisaical, or something near to it? Do we not attend only to our exterior behaviour but do not care about what goes on in our mind, in our imagination, in our heart? Do we not do our religious duties for the sake of applause and vanity? Do we not come to church mainly to see and to be seen? Are we not Catholics of one day in a week and behave like pagans the other remaining six days?

Sad to say, dear brethren, many of us all but feel most inclined to mere external show. By nature we tend towards the sensible goods, goods that can be touched, seen, smelled, enjoyed, goods that oftentimes have only the appearance of good but do much harm to our souls. Because of this inclination, we consciously or unconsciously have placed much worth, great importance to exterior life, forgetting or ignoring the much more important interior life.

THE TRUE HOLINESS:

To guard against this danger, against this pharisaic attitude and life, we only have to direct our eyes and attention to the supernatural life within us, presupposing of course that we have supernatural life in us. Such is the case when we do not have any mortal sin. By virtue of our baptism, we were born to another life, a better life, a divine life. In baptism we became sons of God, we became divine by participation.

Divine in nature, although in a finite way, our operations were also divine. God perfected our intellect by the virtue of faith which enables us to view this life from the point of God. We can see, as it were, with the very eyes of God. He perfected our will through the virtue of charity which enables us to love, choose and decide as God, were He in our place, would love, choose and decide. We love, as it were, with the very heart of God.

But this is not all. There remain still another good beyond all comprehension. Divinized in our being and in our operations, we possess within us the uncreated divinity, the three Persons of the Blessed Trinity, Father, Son and the Holy Ghost. Their presence in our souls is what produces, sustains, and promotes the participated divine life we have acquired in

baptism. Thus we advance from holiness to holiness, from virtue to virtue. Thus also will our justice exceed that of the Scribes and Pharisees, and will merit for us the entrance into the Kingdom of Heaven.

SIXTH SUNDAY AFTER PENTECOST (July 14)

FEEDING A MULTITUDE:

Had you given lesser attention to the gospel-text read to you just now, maybe you would not have become aware that it is narrating a great miracle, the miracle of Jesus feeding about four-thousand people from only seven loaves of bread and a few fishes.

St. Mark narrates to us this miracle story in a very simple manner, omitting superlatives and exclamations, leaving the naked truth to speak out for itself. And the result is we feel a deep conviction in and a worshipful admiration for Christ's unlimited power over creation and human events. There is a naturalness and facility in the actions of Jesus feeding that multitude which reflects His absolute and total dominion over matter.

THE DIVINE AND HUMAN SIDE:

The insufficiency of the original loaves of bread does not bother Him in the least. Out of them He will as calmly feed four thousand people as when he would feed only four; and if there had been four million instead of the four thousand mentioned in the gospel, he would have satisfied them just as easily with the seven loaves of bread.

But let me draw your attention, dear brethren, to the more human side of this miracle-story, as that might impress us more. The motive that led Jesus into performing the miracle was His compassion on the people. They have followed Him eagerly out of the buzzle of the cities into the solitude of the desert to hear heavenly words from His lips. For three days they have hung closely to Him till their meager provisions were gone. To send them away to their homes thus, would expose them great discomforts. They have been generous to the point of heroism in following Jesus to the desert; Jesus would be no less generous to them to the point of performing a miracle on their behalf.

THE HEART OF JESUS UNCHANGED:

The heart of Jesus has not changed all this time since that great miracle. His heart feels compassion again, now more intensely than ever, the hundreds of thousands who go about hungry and almost naked; but

now instead of Him performing a miracle, He leaves to us, His disciples, to perform miracles of love in alleviating the sufferings of our less-favored brethren.

Jesus feels compassion also on the many souls who pine in spiritual hunger and undernourishment, and they don't know it, or don't seem to care. Their bodies are well fed, but their souls languish in misery. To these Jesus offers His own body and blood as food and drink for their souls. We pray to God they respond to the invitation of Jesus with as much eagerness and ardor as those four thousand people who went with him to the desert. Like them they shall experience the power of Jesus, and above all, His love!

SEVENTH SUNDAY AFTER PENTECOST (July 21)

THE ENEMIES OF OUR SOULS:

In a few and brief sentences, we are given thoughts to reflect upon which can occupy us for days and months, and even should follow us for life. In today's gospel Jesus commits to us two rules of conduct that are of capital importance for our spiritual life.

Also in the epistle of today, we are told of life everlasting in Christ Jesus our Lord as being the gift we have received from God. Our faith in Jesus, our life in Jesus, this is the inestimable gift we have received from God, and which we must protect at all cost if we want it to lead us from this world on to the perfect vision and happiness of heaven.

There are two enemies from whom we must protect our precious gift. Jesus calls the first of them false prophets. What do we understand by false prophets? Are they who predict events that do not come true? Certainly they who predicted such thing may be branded as false prophets.

KINDS OF FALSE PROPHETS:

But false prophets are also those who tell things, admittedly of a sacred character, but which have not been legitimately entrusted to be told by them. Their ministration is all the more annoying in that they claim to speak for God whereas God has nothing to do with them absolutely. And certainly they deserve our roundest rebuke when they capitalize on the credulity and defenselessness of our poor Catholic brethren. They pass off for ministers of the true Christian faith when they themselves do not belong to the true Church of Christ.

Also false prophets are those who claim the right to mould the minds and hearts of our youth according to a completely secular patterns without any reference to God, to religion, to the Christian virtues, with the tragic result that our youth grow up possessing an indifferent, if not hostile, attitude towards the things of God and of the soul.

Also false prophets are those who, under the guise of friendship, or with the pretext of affording us with entertainment and good time, rob us of our precious vestment of sanctifying grace and expose our denuded souls to the tyranny of vicious and filthy passions.

Of them all Christ bids us to beware. They all come in sheep's clothing, counterfeiting the innocence and candor of the lambs, but inwardly they are hungry wolves, whose presence is evidenced by the desolation they leave in their wake on the souls of unwitting christians.

THE MOST DANGEROUS ENEMY:

The enemies we have been mentioning are indeed fearful and hard to overcome. But we have another enemy more fearful still and dangerous, because more tricky and nearer to us. This enemy is our own selves.

By a kind of I do not know what reasoning process, many of us seem to have arrived at the smug conclusion that to save oneself it is enough to profess exteriorly the Christian faith. They are contented with going to church every Sunday, and God grant that they go there to hear Mass and not for other things. They are satisfied with doing some novenas. But as regards the practice of the interior virtues, of love for neighbor, of pardon, of purity, they obviously show no interest and possess no will.

They are committing a grave mistake. The words of Christ should be an eye-opener for them: "Not everyone who says to me, 'Lord, Lord,' shall enter the kingdom of heaven; but he who does the will of My Father in heaven shall enter into the kingdom of heaven.

Beloved brethren, we have received from Christ's lips two important rules of conduct for our spiritual life. But the supreme rule of conduct, the greatest of them all, is the fulfillment of the Father's will.

FR. MARIO BALTAZAR, O.P.

CASES AND QUERIES

STIPENDS OF BINATED MASSES

According to the Rubrics on the Mass, if a priest binates on days allowed, he may either binate for the intention of the Ordinary, or if there is any stipend for that bination, he should give that stipend to the Curia:

Now my query is:

a) May a priest comply with this rule if he says the first Mass for the intention of the Ordinary and says the second for his own or somebody's intention? And what of the stipend of the bination, if any?

b) If he says both Masses for anybody's intention other than the Ordinary's and receives stipend for only one of the two Masses, should he give that stipend to the Curia, too? Which stipend—that of the first or the second?

* * *

Our readers are all familiar with the law and jurisprudence of the Church on bination and stipends. The law states thus:

“Quoties autem pluries in die celebrat, si unam Missam ex titulo iustitiae applicet, sacerdos, praeterquam in die Nativitatis Domini, pro alia eleemosynam recipere nequit...” (Can. 824, §2).

Therefore without a special privilege it is forbidden to receive a stipend for a binated Mass, the first being a stipend Mass or having been applied “ex titulo iustitiae”.

The Holy See commonly grants indulgences empowering the bishops with the faculty of allowing priests to take a stipend for a second Mass provided the amount of the stipend is given to an educational or charitable institution, vgr. the seminary. In this case the bishop may keep the stipend in favor of the institu-

tion and order the priest to apply the Mass for his intention (A.A.S., XII, 536), or if the celebrant keeps the stipend himself he must turn it over to the Curia.

So far the law and jurisprudence of the Church. Let these principles be applied to the specific case as proposed by our correspondent.

a) A priest, who enjoys the privilege of accepting a stipend for a binated Mass, acts perfectly and according to law saying one Mass for the intention of the Ordinary and the other for anybody's intention. Well, if the Ordinary keeps the stipend and simply requires the priest to apply for his intention the celebrant has already complied with the obligation of giving the stipend to the Curia, and therefore he can retain the other for himself or instead discharge an obligation of justice. If however the priest receives both stipends one of the two (not necessarily that of the first or second Mass; nor the larger or the smaller, but just *any* of the two) must be sent to the Ordinary to become the property of the charitable institution for which it is supposed to be applied.

b) In the event the priest says both Masses for an intention other than the Ordinary's and receives only one stipend, the other Mass not being applied "*ex titulo iustitiae*", no problem should arise as to the owner of the only stipend. It is the celebrant's stipend. This is a case of simple bination without double stipend. Therefore the Ordinary can not claim that amount for the pious institution.

On the other hand, if the priest applies one of the Masses "*ex titulo iustitiae*" vgr. the Missa pro populo, and receives a stipend for the other, then the right of ownership is transferred to the charitable institution and the sum must be forwarded to the Curia for that purpose. There should be no difficulty as to the stipend to be sent to the Ordinary since in the case there is only one. This problem will in fact arise when the binating priest accepts two stipends one for each Mass. Which of the stipends should be sent to the Curia, that of the first or the second? Any of the two. The wording of the law favors this interpretation: "*si unam . . . ex titulo iustitiae applicet . . . pro alia eleemosynam recipere nequit*", (can. 824).

Therefore, if the binating priest choses to send to the Curia

the smaller of the stipends and retains the larger amount for himself, no question can be raised as to the lawfulness of his procedure.

FR. F. TESTERA, O.P.

DE CLERICORUM ASSISTENTIA PUBLICIS SPECTACULIS

In magna civitate Hilarius sacerdos recreationis causa solet semel vel bis in mense publice assistere exhibitionibus cinematographicis, quarum aliquae censura ecclesiastica omnibus, etiam adultis, tanquam immorales prohibentur, aliae tanquam periculosae pro iuvenibus declarantur, aliae denique omnibus permittuntur. Hilarius regulariter adest spectaculis quae omnibus permittuntur, non raro his quae periculosa pro iuvenibus declarantur, et aliquando etiam his quae omnibus tanquam immorales prohibentur, asserens pro ipso non adesse grave et proximum periculum peccandi quia parum curat de immoralibus quae in spectaculis apparent.

1. *Estne clericis ab Ecclesia vetitum spectaculis publicis interesse?*
2. *Potestne Hilarius etiam sine gravi periculo peccandi spectaculis immoralibus assistere?*
3. *Essetne praesentia Hilarii huiusmodi spectaculis graviter illicita ratione scandali?*

* * *

1. Responsio sumenda est ex can. 140 (de hac materia loquente) et ex decretis seu statutis dioecesanis pro dioecesi ubi existant.

Ait can. 140: "Spectaculis, choreis et pompis quae eos decent, vel quibus clericos interesse scandalo sit, praesertim in publicis theatris, ne intersint".

Quae prohibitio potest considerari uti *conditionata* quatenus exigitur pro illis spectaculis una ex his conditionibus: aut quia "clericos dedecent"; aut "quibus clericos interesse scandalo sit".

Prohibitio tamen alia ex parte dicenda est *generalis*: sive quoad omnia spectacula sub conditione aliqua indicata comprehensa; sive quoad personas, id est pro omnibus clericis; sive quoad loca, id est, cuiuslibet dioecesis, nationis, etc; sive quoad tempus, nempe in qualibet hora aut cuiuscumque durationis. Unde prohibitio afficit clericos omnes Ecclesiae ubique terrarum.

Et in can. citato si addatur "praesertim in publicis theatris", per haec verba intensificatur prohibitio quoad aliquos casus, magis quidem, etsi non unice vel exclusive prohibitos.

Can. 140 cum includat prohibitionem generalem modo dicto, iam commentatores dicunt circa hanc materiam esse servanda statuta dioecesana, leges aut decreta ab Episcopis data.

Nunc vero, si quaestio ad Philippinas Insulas adducatur, occurrit Decretum 50 Concilii I Plenari, a. 1953 celebrati, continens prohibitionem "sub gravi praecepto" positam, amplectentem omnes et singulos clericos ("non exceptis extraneis") in hac regione domicilium vel quasi-domicilium habentes, sub his verbis: "ne in publico theatro spectaculis, choreis aliisque pompis intersint absque expressa Ordinarii loci licentia".

Et de cinemate in particulari: "Idem (clerici) vetantur in locis publicis vulgo *cinema* dictis, interesse spectaculis aut ludis cinematographicis; nisi haec sub directione sacerdotis a Superioribus probati in aliquo casu particulari agantur, vel de cinematographicis, ut aiunt, pelliculis (*films*) ab Episcopo approbatis pro sacerdotibus sermo sit".

Ex lege igitur Ecclesiae omnibus clericis quaedam publica spectacula prohibentur; et clericis in Philippinis commorantibus insuper alia publica spectacula valde determinata prohibita sunt, ut clarius apparebit ex infra dicendis.

Cum casus praesens loquatur de spectaculis cinematographicis quorum aliqua sunt aut "inmoralia" aut "periculosa" aut "censura ecclesiastica prohibita", clare constat haec includi sub prohibitionem can. 140. Et quia in Decreto 50 Conc. I Plenarii Philippinarum magis extenditur prohibitio ita ut casus exceptionales valde limitentur in nn. 2 et 3 praedicti Decreti, deducendum est sub prohibitionem huius Decreti venire quoque in genere "exhibitiones quae omnibus permittuntur" (ita in casu allato signatae), exceptis tantum duobus casibus in nn. 2 et 3 Decreti manifestis.

Prohibitio can. 140, ratione Decreti allati, pro clericis in Philippinis commorantibus evenit: et quidem *gravior et exten-*

sior seu amplior, quoad species spectaculorum ut patet in responsionibus datis ab ipsamet Commissione Interpretatoria Decretorum Concilii ad aliqua dubia circa illud Decretum 50:

¹ "Decree 50. *Dubium*: Some priests have different interpretations of this Decree. To simplify my queries, may I ask:

1) Is attending classical opera performances where very decent people are present included in this prohibition?

2) What about instrumental performances, like symphonies, piano and violin concertos and the like?

Answer: They are included, si in publico theatro exhibeantur.

Dubium: I know that some priests attend all kinds of movies, in public movie-houses, with no permission of the Ordinary. Can this permission be presumed, provided that the film is rated A-1 or A-2, etc., and not the condemned or objectionable category?

Answer: Negative".

Atque in alio dubio declaratur violationem Decreti 50 "constituere posse gravis peccati materiam" Cfr. *Boletín Ecclesiástico*, julii, 1962, p. 400).

2. Negative ut in pluribus; prohibitio enim can. 140 videtur gravis vel quia agitur de rebus immoralibus vel quia assistere illis spectaculis potest esse saepius occasio scandali data a ministris Domini; vel, in particulari pro clericis in Philippinis domicilium vel quasi-domicilium habentibus, quia prohibitio imponitur "sub gravi praecepto" et "sub poena suspensionis a divinis" post unam admonitionem, atque in Decreto "additur: "Prae mente habeantur dispositiones S. Congregationis Concilii, 1 Iulii 1926", ubi legimus (inter alia): "Comminari etiam possunt (sacerdotes) *suspensionem ipso facto incurrendam*, si publica theatra, cinematographica, ludos saltatorios ceteraque huiusmodi profana spectacula adeant, vel is talarem vestem deponant" (AAS, 1926, p. 313).

3. Utique potest esse graviter illicita ratione scandali, nam agitur de opere minus recto quo proximo praebetur occasio peccati, et scandalum activum dicit peccatum mortale "ex genere" utpote contrarium caritati; sed non licet hinc concludere praesentiam Hilarii de facto esse semper illicitam *graviter*, cum "parvitas vel gravitas materiae in casu, potius quam ex parte actionis scandalizantis, pensanda est sive *ex parte ruinae* in quam proximus inducitur, sive *ex parte influxus* actionis scandalizantis in scandalizatum" (FANFANI, *Theol. Mor.*, II, n. 135).

FR. V. VICENTE, O.P.

NEWS

FOREIGN

Commission to Revise Code of Canon Law.—His Holiness the Pope has set up a commission of 30 cardinals to revise the Code of Canon Law.

This revision is the third of three major projects announced by the Pope in the early months of his pontificate. The other two, the holding of a synod for the diocese of Rome and the convocation of an Ecumenical Council, have already been carried out.

As President of the new Canon Law Commission the Pope has chosen Cardinal Ciriaci, Prefect of the Sacred Congregation of the Council. Mgr. Giacomo Violardo, Undersecretary of the Sacred Apostolic Signature, is secretary.

The task of the new commission will be to gather and prepare material for a revision of the Canon Law Code according to the directives of the Ecumenical Council. The revision will apply only to the code now in force in the Latin Rite. Eastern Rite Catholics are governed by a separate code.

The commission's work will be the first major revision of Canon Law

since the present code was promulgated in 1918.

Cuban Terror Has Purified the Church.—The Castro persecution is a trial sent by God to purify the Church in Cuba, according to Manuel Artime, one of the leaders in the ill-fated Bay of Pigs invasion.

"Our Catholicism has greatly purified itself," he told a meeting of exiled Cuban Catholic students here.

"Now it is a militant Catholicism, a strong Catholicism and one of proven martyrdom under persecution."

He warned his hearers that the battleground for the recapture of Cuba will be fought in the minds of youth, and that it will be fruitless to go into this struggle without a strong philosophy to oppose communism.

1,144 Catholic Books Published in U.S.A. Last Year.—A Record total of 1,144 Catholic books were published in the U.S.A. during 1962, according to Mr. Eugene P. Willing, director of libraries of the Catholic University of America. The

previous record of 1,075 books was established in 1961. Doubleday and Co., New York, was the leading publisher with 54 titles of which 21 were paperbacks, 18 of them in the Image Books Series. In second place was Newman Press, Westminster, Md., with 52 titles, followed by Bruce of Milwaukee and Sheed and Ward, New York, with 41 titles each. 30 publishers with 10 or more titles each in 1962 were responsible for publishing 685 titles, 60 per cent of the total publication in 1962.

There were 333 titles published in paperback form, the same number as in 1961, 207 pamphlets were issued by 27 publishers. The Liguorian Press topped this list with 29 titles, while the Daughters of St. Paul were second with 26 titles.

Foreign scholarship was represented by 263 translations of which 112 were from French; 50 from German; 27 from Italian and 23 from Spanish.

Among religious communities, the Jesuits led with 80 works; the Dominicans were second with 25; Benedictines, third with 20, followed by Franciscans with 15, and Carmelites with 9.

First Japanese Film on Church in Japan.—The consecration of Osaka Cathedral on March 21 provided an opportunity for making the first Japanese film about the Catholic Church in Japan.

The consecration made a deep impression on account of the great architectural interest of the building, of the solemnity of the ceremony,

and of the extraordinary number of the Faithful present.

The Catholics of Osaka have undertaken to pay the cost of the film, which will be produced by the Nitto Company of Japan, and will be in technicolour. It has been given the provisional title "Festivities of the Century." The film will be divided into three parts; the history of the Catholic Church in Japan, a description of the consecration of Osaka Cathedral, and the state of the Church in the country today.

The first scenes were filmed during the consecration of the cathedral; 30 cameramen filmed the least details of the ceremony. The director of the Nitto Company intends to overcome every obstacle to make this film a perfect production. The theme lends itself to the making of a masterpiece.

It is easy to foresee how such a film may help in spreading Catholic doctrine in Japan, imparting objective knowledge of the Church, and repealing the feelings, ideas and spirit of Catholicism so that the numerous and grave prejudices against it may disappear.

The success of a documentary film of the Pontifical Mass celebrated by Bishop Paul Taguchi of Osaka at Christmas 1962—now being shown in the parishes and schools—gives some idea of what may be expected from the film now being produced.

703,433 Negro and 129,070 Indian Catholics in U.S.A.—There are 704,433 Catholics among the appa-

ximately 18,000,000 Negroes and 129,070 Catholics among the approximately half a million Indians in the United States, according to the annual report of Father John B. Tennelly, S.S., secretary of the Commission for the Catholic Missions Among the Coloured People and the Indians.

There were 12,638 Negro converts to Catholicism during 1962, one-tenth of the converts in the U.S.A. during the year. The work among Negroes is carried out in 64 archdioceses and dioceses of the country, the report said.

Twenty years ago, the commission reported 13 million Negroes in the United States, including 306,831 Catholics, and 350,000 Indians, including 91,604 Catholics. Ten years ago, it reported 420,590 Catholics out of 15,000,000 Negroes, and: "Two out of three Indians still are not Catholics"—with an estimated 200,000 non-Catholic Indians.

A table showed that Lafayette, Louisiana, is the diocese with the largest number of Negro Catholics, 74,227, followed by the Washington, D.C., archdiocese with 60,246 and the New York archdiocese with 59,367.

Half of the Negro population of the nation reside in the South, but converts "are fewer in the south where obstacles are greater, but not zeal."

There are 775 priests in charge of 514 parishes and missions with 361 schools serving the country's Negro Catholics.

"The larger part of the apostolate is being carried on in the southern dioceses, where half of the Negro population of the United States is to be found. Out of the approximate nine million Negroes who are living there, 270,000 are reported at present to be Catholics."

In the South, there are 210 schools with a total enrolment of 42,000 pupils.

240 priests serve the 129,070 Indian Catholics in 394 parishes, missions and chapels. Indian converts during 1962 numbered 948, two-thirds of them in the missions in the Southwest. The Indian apostolate is carried on in 40 archdioceses and dioceses. The diocese with the largest Indian Catholic population is Gallup, New Mexico, with 16,000, followed by Rapid City, with 14,297.

Madrid to Have Seminary for Priest-Poor Areas.—The Institute of European Priest-Aid has announced here that a new seminary to train men for priest-poor areas of Europe is to be opened in Madrid.

The Madrid seminary, the second to be opened by the institute, will educate seminarians from northern Spain, one of the few areas of the world where there is no shortage of priests. The institute already runs Europe-Seminary here which trains students from Belgium, the Netherlands, Luxembourg, Switzerland and Ireland.

The decision was made at a recent meeting of the institute's board at which Coadjutor Archbishop Fran-

ziskus Jachym of Vienna presided. The time of the opening of the Madrid seminary was not announced.

Europe-Seminary resulted from a

proposal made by Archbishop Jachym in 1958 that countries with many vocations send priests to countries having few.

LOCAL

Catholics Form 83.8% Of Total RP Population.—The Bureau of Census and Statistics has released a summary of the official 1960 population census.

The summary report shows that in 100 years (1850-1960) there was an increase of about 24 million people. Census officials, however, admitted that surveys made previous to 1939 left much room for accuracy because facilities then to reach all the corners of the archipelago were defective.

Following is the break-down of Philippine population since 1850:

1850	3,857,424
1858	4,290,381
1870	4,712,006
1877	5,567,685
1887	5,984,727
1896	6,261,339
1903	7,635,426
1918	10,314,310
1939	16,000,303
1948	19,234,182
1960	27,087,685

Religious Census

As of October 1960, of the total population of over 27 million Catholics made up 83.8 per cent. In

1948 they chalked up 82.9 per cent. Aglipayans made up 7.6 per cent in 1948 but decreased to 5.2 per cent in 1960. While the INK constituted only 0.5 per cent in 1948, its membership rose to 1.0 per cent in 1960, still far from political and newspaper estimates of a 2-million membership.

Following is the comparative breakdown of population according to affiliations in major religious groups:

1948

Catholic	15,941,422 (82.9%)
Aglipayan	1,456,000 (7.6%)
Moslem	791,817 (4.1%)
Protestant	444,491 (2.3%)
INK	88,125 (0.5%)
Buddhist	(0.2%)

1960

Catholic	22,686,096 (83.8%)
Aglipayan	1,414,431 (5.2%)

Moslem	1,317,475 (4.9%)
Protestant	785,399 (2.9%)
INK	270,104 (1%)
Buddhist	39,631 (0.1%)

In Manila the 1960 population was broken down into major religious affiliations, as follows:

Total Population	1,138,611
Catholic	1,056,653
Protestant	24,268
Buddhist	22,035
INK	16,674
Aglipayan	9,873

New Archbishop Installed.—H. E. the Apostolic Nuncio to the Philippines Most Rev. Salvatore Siino, D.D. presided at the installation of Most Rev. Mariano Madriaga as first archbishop of Lingayen-Dagupan at the Dagupan Cathedral on Friday, May 10.

At the same ceremonies the Papal Bull erecting the new archdiocese was read in Latin and English.

The rites also coincided with the observance of the new archbishop's episcopal silver jubilee.

Msgr. Sison Consecrated First Bishop of Tarlac.—Msgr. Jesus J. Sison was consecrated first resident bishop of the newly erected diocese of Tarlac on May 11.

Consecration ceremonies took place at the San Sebastian Cathedral in Tarlac. The consecrator was Msgr. Mariano Madriaga, archbishop of Lingayen - Dagupan, assisted by Msgr. Juan C. Sison, co-adjutor

archbishop of Nueva Segovia, and Msgr. A. Cinense, bishop of San Fernando.

The bishopric of Tarlac is part of the archbishopric of Lingayen-Dagupan.

Bishop Sison was born in Bautista, Pangasinan, on May 6, 1918. After taking minor courses at the San Carlos Seminary, he pursued higher studies at the University of Santo Tomas where he obtained his doctorate in Sacred Theology. Msgr. Sison was until recently chancellor-secretary of the Lingayen-Dagupan See.

Book On Religious Imagery Published.—One of the more recent book publications to come out here is a unique pictorial by Fernando Zobel de Ayala. It is entitled "Philippine Religious Imagery".

In its pages are shown some examples of religious sculpture and painting done in the Philippines during Spanish times. Whether the reader agrees with Mr. Zobel or not that these images are works of art, the book does show them in the best light so far.

The publication is opportune in that it catches the public at a time when these quaint relics of the past seem to enjoy a popularity they never enjoyed before. Collections of these images, paintings and carvings seem to spring up like mushrooms. Filipino and curio stores are doing a brisk business on these objects these days. And the number of amateur archeologists in the Philippines is growing.