

# ON THE ORIGIN OF CIVIL POWER

## DIUTURNUM

Encyclical of Pope Leo XIII promulgated on June 29, 1881.

To the Patriarchs, Primates, Archbishops, and Bishops of the Catholic world in Grace and Communion with the Apostolic See.

The long-continued and most bitter war waged against the divine authority of the Church has reached the culmination to which it was tending, the common danger, namely, of human society, and especially of the civil power on which the public safety chiefly reposes. In our own times most particularly this result is apparent. For popular passions now reject, with more boldness than formerly, every restraint of authority. So great is the license on all sides, so frequent are seditions and tumults, that not only is obedience often refused to those who rule states, but a sufficiently safe guarantee of security does not seem to have been left to them.

2. For a long time, indeed, pains have been taken to render rulers the object of contempt and hatred to the multitude. The flames of envy thus excited have at last burst forth, and attempts have been several times made, at very short intervals, on the life of sovereign princes, either by secret plots or by open attacks. The whole of Europe was lately filled with horror at the horrible murder of a most powerful emperor.[1] Whilst the minds of men are still filled with astonishment at the magnitude of the crime, abandoned men do not fear publicly to utter threats and intimidations against other European princes.

3. These perils to commonwealth, which are before Our eyes, fill Us with grave anxiety, when We behold the security of rulers and the tranquillity of empires, together with the safety of nations, put in peril almost from hour to hour. Nevertheless, the divine power of the Christian religion has given birth to excellent principles of stability and order for the State, while at the same time it has penetrated into the customs and institutions of States. And of this power not the least nor last fruit is a just and wise proportion of mutual rights and duties in both princes and peoples. For in the precepts and example of Christ our Lord there is a wonderful force for restraining in their duty as much those who obey as those who rule; and for keeping between them that agreement which is most according to nature, and that concord of wills, so to speak, from which arises a course of administration tranquil and free from all disturbance. Wherefore, being, by the favor of God, entrusted with the government of the Catholic Church, and made guardian and interpreter of the doctrines of Christ, We judge that it belongs to Our jurisdiction, venerable brethren, publicly to set forth what Catholic truth demands of everyone in this sphere of duty; thus making clear also by what way and by what means measures may be taken for the public safety in so critical a state of affairs.

4. Although man, when excited by a certain arrogance and contumacy, has often striven to cast aside the reins of authority, he has never yet been able to arrive at the state of obeying no one. In every association and community of men, necessity itself compels that some should hold preeminence, lest society, deprived of a prince or head by which it is ruled should come to dissolution and be prevented from attaining the end for which it was created and instituted. But, if it was not possible that political power should be removed from the midst of states, it is certain that men have used every art to take away its influence and to lessen its majesty, as was especially

the case in the sixteenth century, when a fatal novelty of opinions infatuated many. Since that epoch, not only has the multitude striven after a liberty greater than is just, but it has seen fit to fashion the origin and construction of the civil society of men in accordance with its own will.

5. Indeed, very many men of more recent times, walking in the footsteps of those who in a former age assumed to themselves the name of philosophers,[2] say that all power comes from the people; so that those who exercise it in the State do so not as their own, but as delegated to them by the people, and that, by this rule, it can be revoked by the will of the very people by whom it was delegated. But from these, Catholics dissent, who affirm that the right to rule is from God, as from a natural and necessary principle.

6. It is of importance, however, to remark in this place that those who may be placed over the State may in certain cases be chosen by the will and decision of the multitude, without opposition to or impugning of the Catholic doctrine. And by this choice, in truth, the ruler is designated, but the rights of ruling are not thereby conferred. Nor is the authority delegated to him, but the person by whom it is to be exercised is determined upon.

7. There is no question here respecting forms of government, for there is no reason why the Church should not approve of the chief power being held by one man or by more, provided only it be just, and that it tend to the common advantage. Wherefore, so long as justice be respected, the people are not hindered from choosing for themselves that form of government which suits best either their own disposition, or the institutions and customs of their ancestors.[3]

8. But, as regards political power, the Church rightly teaches that it comes from God, for it finds this clearly testified in the sacred Scriptures and in the monuments of antiquity; besides, no other doctrine can be conceived which is more agreeable to reason, or more in accord with the safety of both princes and peoples.

9. In truth, that the source of human power is in God the books of the Old Testament in very many places clearly establish. "By me kings reign . . . by me princes rule, and the mighty decree justice." [4] And in another place: "Give ear you that rule the people . . . for power is given you of the Lord and strength by the Most High." [5] The same thing is contained in the Book of Ecclesiasticus: "Over every nation he hath set a ruler." [6] These things, however, which they had learned of God, men were little by little untaught through heathen superstition, which even as it has corrupted the true aspect and often the very concept of things, so also it has corrupted the natural form and beauty of the chief power. Afterwards, when the Christian Gospel shed its light, vanity yielded to truth, and that noble and divine principle whence all authority flows began to shine forth. To the Roman governor, ostentatiously pretending that he had the power of releasing and of condemning, our Lord Jesus Christ answered: "Thou shouldst not have any power against me unless it were given thee from above." [7] And St. Augustine, in explaining this passage, says: "Let us learn what He said, which also He taught by His Apostle, that there is no power but from God." [8] The faithful voice of the Apostles, as an echo, repeats the doctrine and precepts of Jesus Christ. The teaching of Paul to the Romans, when subject to the authority of heathen princes, is lofty and full of gravity: "There is not power but from God," from which, as from its cause, he draws this conclusion: "The prince is the minister of God." [9]

10. The Fathers of the Church have taken great care to proclaim and propagate this very doctrine in which they had been instructed. "We do not attribute," says St. Augustine, "the power of giving government and empires to any but the true God." [10] On the same passage St. John Chrysostom

says: "That there are kingdoms, and that some rule, while others are subject, and that none of these things is brought about by accident or rashly . . . is, I say, a work of divine wisdom." [11] The same truth is testified by St. Gregory the Great, saying: "We confess that power is given from above to emperors and kings." [12] Verily the holy doctors have undertaken to illustrate also the same precepts by the natural light of reason in such a way that they must appear to be altogether right and true, even to those who follow reason for their sole guide.

11. And, indeed, nature, or rather God who is the Author of nature, wills that man should live in a civil society; and this is clearly shown both by the faculty of language, the greatest medium of intercourse, and by numerous innate desires of the mind, and the many necessary things, and things of great importance, which men isolated cannot procure, but which they can procure when joined and associated with others. But now, a society can neither exist nor be conceived in which there is no one to govern the wills of individuals, in such a way as to make, as it were, one will out of many, and to impel them rightly and orderly to the common good; therefore, God has willed that in a civil society there should be some to rule the multitude. And this also is a powerful argument, that those by whose authority the State is administered must be able so to compel the citizens to obedience that it is clearly a sin in the latter not to obey. But no man has in himself or of himself the power of constraining the free will of others by fetters of authority of this kind. This power resides solely in God, the Creator and Legislator of all things; and it is necessary that those who exercise it should do it as having received it from God. "There is one lawgiver and judge, who is able to destroy and deliver." [13] And this is clearly seen in every kind of power. That which resides in priests comes from God is so acknowledged that among all nations they are recognized as, and called, the ministers of God. In like manner, the authority of fathers of families preserves a certain impressed image and form of the authority which is in God, "of whom all paternity in heaven and earth is named." [14] But in this way different kinds of authority have between them wonderful resemblances, since, whatever there is of government and authority, its origin is derived from one and the same Creator and Lord of the world, who is God.

12. Those who believe civil society to have risen from the free consent of men, looking for the origin of its authority from the same source, say that each individual has given up something of his right, [15] and that voluntarily every person has put himself into the power of the one man in whose person the whole of those rights has been centered. But it is a great error not to see, what is manifest, that men, as they are not a nomad race, have been created, without their own free will, for a natural community of life. It is plain, moreover, that the pact which they allege is openly a falsehood and a fiction, and that it has no authority to confer on political power such great force, dignity, and firmness as the safety of the State and the common good of the citizens require. Then only will the government have all those ornaments and guarantees, when it is understood to emanate from God as its august and most sacred source.

13. And it is impossible that any should be found not only more true but even more advantageous than this opinion. For the authority of the rulers of a State, if it be a certain communication of divine power, will by that very reason immediately acquire a dignity greater than human -- not, indeed, that impious and most absurd dignity sometimes desired by heathen emperors when affecting divine honors, but a true and solid one received by a certain divine gift and benefaction. Whence it will behoove citizens to submit themselves and to be obedient to rulers, as to God, not so much through fear of punishment as through respect for their majesty; nor for the sake of pleasing, but through conscience, as doing their duty. And by this means authority will remain far more firmly seated in its place. For the citizens, perceiving the force of this duty would necessarily

avoid dishonesty and contumacy, because they must be persuaded that they who resist State authority resist the divine will; that they who refuse honor to rulers refuse it to God Himself.

14. This doctrine the Apostle Paul particularly inculcated on the Romans; to whom he wrote with so great authority and weight on the reverence to be entertained toward the higher powers, that it seems nothing could be prescribed more weightily: "Let every soul be subject to higher powers, for there is no power but from God, and those that are, are ordained of God. Therefore he that resisteth the power resisteth the ordinance of God, and they that resist purchase to themselves damnation . . . wherefore be subject of necessity, not only for wrath, but also for conscience' sake." [16] And in agreement with this is the celebrated declaration of Peter, the Prince of the Apostles, on the same subject: "Be ye subject, therefore, to every human creature for God's sake; whether it be to the king as excelling, or to governors, as sent by him for the punishment of evildoers, and for the praise of the good, for so is the will of God." [17]

15. The one only reason which men have for not obeying is when anything is demanded of them which is openly repugnant to the natural or the divine law, for it is equally unlawful to command to do anything in which the law of nature or the will of God is violated. If, therefore, it should happen to any one to be compelled to prefer one or the other, viz., to disregard either the commands of God or those of rulers, he must obey Jesus Christ, who commands us to "give to Caesar the things that are Caesar's, and to God the things that are God's," [18] and must reply courageously after the example of the Apostles: "We ought to obey God rather than men." [19] And yet there is no reason why those who so behave themselves should be accused of refusing obedience; for, if the will of rulers is opposed to the will and the laws of God, they themselves exceed the bounds of their own power and pervert justice; nor can their authority then be valid, which, when there is no justice, is null.

16. But in order that justice may be retained in government it is of the highest importance that those who rule States should understand that political power was not created for the advantage of any private individual; and that the administration of the State must be carried on to the profit of those who have been committed to their care, not to the profit of those to whom it has been committed. Let princes take example from the Most High God, by whom authority is given to them; and, placing before themselves His model in governing the State, let them rule over the people with equity and faithfulness, and let them add to that severity, which is necessary, a paternal charity. On this account they are warned in the oracles of the sacred Scriptures, that they will have themselves some day to render an account to the King of kings and Lord of lords; if they shall fail in their duty, that it will not be possible for them in any way to escape the severity of God: "The Most High will examine your work and search out your thoughts: because being ministers of his kingdom you have not judged rightly. . . Horribly and speedily will he appear to you, for a most severe judgment shall be for them that bear rule. . . For God will not accept any man's person, neither will he stand in awe of any man's greatness; for he made the little and the great, and he hath equally care of all. But a greater punishment is ready for the more mighty." [20]

17. And if these precepts protect the State, all cause or desire for seditions is removed; the honor and security of rulers, the quiet and wellbeing of societies will be secure. The dignity also of the citizen is best provided for; for to them it has been permitted to retain even in obedience that greatness which conduces to the excellence of man. For they understand that, in the judgment of God, there is neither slave nor free man; that there is one Lord of all, rich "to all that call upon Him," [21] but that they on this account submit to and obey their rulers, because these in a certain sort bring before them the image of God, "whom to serve is to reign."

18. But the Church has always so acted that the Christian form of civil government may not dwell in the minds of men, but that it may be exhibited also in the life and habits of nations. As long as there were at the helm of the States pagan emperors, who were prevented by superstition from rising to that form of imperial government which We have sketched, she studied how to instill into the minds of subjects, immediately on their embracing the Christian institutions, the teaching that they must be desirous of bringing their lives into conformity with them. Therefore, the pastors of souls, after the example of the Apostle Paul, were accustomed to teach the people with the utmost care and diligence "to be subject to princes and powers, to obey at a word,"[22] and to pray God for all men and particularly "for kings and all that are in a high station: for this is good and acceptable in the sight of God our Savior."[23] And the Christians of old left the most striking proofs of this; for, when they were harassed in a very unjust and cruel way by pagan emperors, they nevertheless at no time omitted to conduct themselves obediently and submissively, so that, in fact, they seemed to vie with each other: those in cruelty, and these in obedience.

19. This great modesty, this fixed determination to obey, was so well known that it could not be obscured by the calumny and malice of enemies. On this account, those who were going to plead in public before the emperors for any persons bearing the Christian name proved by this argument especially that it was unjust to enact laws against the Christians because they were in the sight of all men exemplary in their bearing according to the laws. Athenagoras thus confidently addresses Marcus Aurelius Antoninus and Lucius Aurelius Commodus, his son: "You allow us, who commit no evil, yea, who demean ourselves the most piously and justly of all toward God and likewise toward your government, to be driven about, plundered and exiled."[24] In like manner, Tertullian openly praises the Christians because they were the best and surest friends of all to the Empire: "The Christian is the enemy of no one, much less of the emperor, whom he knows to be appointed by God, and whom he must, therefore, of necessity love, reverence and honor, and wish to be preserved together with the whole Roman Empire."[25] Nor did he hesitate to affirm that, within the limits of the Empire, the number of enemies was wont to diminish just in proportion as the number of Christians increased.[26] There is also a remarkable testimony to the same point in the Epistle to Diognetus, which confirms the statement that the Christians at that period were not only in the habit of obeying the laws, but in every office they of their own accord did more, and more perfectly, than they were required to do by the laws. "Christians observe these things which have obtained the sanction of the law, and in the character of their lives they even go beyond the law."[27]

20. The case, indeed, was different when they were ordered by the edicts of emperors and the threats of praetors to abandon the Christian faith or in any way fail in their duty. At these times, undoubtedly, they preferred to displease men rather than God. Yet, even under these circumstances, they were so far from doing anything seditious or despising the imperial majesty that they took it on themselves only to profess themselves Christians, and declare that they would not in any way alter their faith. But they had no thought of resistance, calmly and joyfully they went to the torture of the rack, in so much that the magnitude of the torments gave place to their magnitude of mind. During the same period the force of Christian principles was observed in like manner in the army. For it was a mark of a Christian soldier to combine the greatest fortitude with the greatest attention to military discipline, and to add to nobility of mind immovable fidelity towards his prince. But, if anything dishonorable was required of him, as, for instance, to break the laws of God, or to turn his sword against innocent disciples of Christ, then, indeed, he refused to execute the orders, yet in such wise that he would rather retire from the army and die for his religion than oppose the public authority by means of sedition and tumult.

21. But afterward, when Christian rulers were at the head of States, the Church insisted much more on testifying and preaching how much sanctity was inherent in the authority of rulers. Hence, when people thought of princedom, the image of a certain sacred majesty would present itself to their minds, by which they would be impelled to greater reverence and love of rulers. And on this account she wisely provides that kings should commence their reign with the celebration of solemn rites; which, in the Old Testament, was appointed by divine authority.[28]

22. But from the time when the civil society of men, raised from the ruins of the Roman Empire, gave hope of its future Christian greatness, the Roman Pontiffs, by the institution of the Holy Empire, consecrated the political power in a wonderful manner. Greatly, indeed, was the authority of rulers ennobled; and it is not to be doubted that what was then instituted would always have been a very great gain, both to ecclesiastical and civil society, if princes and peoples had ever looked to the same object as the Church. And, indeed, tranquillity and a sufficient prosperity lasted so long as there was a friendly agreement between these two powers. If the people were turbulent, the Church was at once the mediator for peace. Recalling all to their duty, she subdued the more lawless passions partly by kindness and partly by authority. So, if, in ruling, princes erred in their government, she went to them and, putting before them the rights, needs, and lawful wants of their people, urged them to equity, mercy, and kindness. Whence it was often brought about that the dangers of civil wars and popular tumults were stayed.

23. On the other hand, the doctrines on political power invented by late writers have already produced great ills amongst men, and it is to be feared that they will cause the very greatest disasters to posterity. For an unwillingness to attribute the right of ruling to God, as its Author, is not less than a willingness to blot out the greatest splendor of political power and to destroy its force. And they who say that this power depends on the will of the people err in opinion first of all; then they place authority on too weak and unstable a foundation. For the popular passions, incited and goaded on by these opinions, will break out more insolently; and, with great harm to the common weal, descend headlong by an easy and smooth road to revolts and to open sedition. In truth, sudden uprisings and the boldest rebellions immediately followed in Germany the so-called Reformation,[29] the authors and leaders of which, by their new doctrines, attacked at the very foundation religious and civil authority; and this with so fearful an outburst of civil war and with such slaughter that there was scarcely any place free from tumult and bloodshed. From this heresy there arose in the last century a false philosophy -- a new right as it is called, and a popular authority, together with an unbridled license which many regard as the only true liberty. Hence we have reached the limit of horrors, to wit, communism, socialism, nihilism, hideous deformities of the civil society of men and almost its ruin. And yet too many attempt to enlarge the scope of these evils, and under the pretext of helping the multitude, already have fanned no small flames of misery. The things we thus mention are neither unknown nor very remote from us.

24. This, indeed, is all the graver because rulers, in the midst of such threatening dangers, have no remedies sufficient to restore discipline and tranquillity. They supply themselves with the power of laws, and think to coerce, by the severity of their punishment, those who disturb their governments. They are right to a certain extent, but yet should seriously consider that no power of punishment can be so great that it alone can preserve the State. For fear, as St. Thomas admirably teaches, "is a weak foundation; for those who are subdued by fear would, should an occasion arise in which they might hope for immunity, rise more eagerly against their rulers, in proportion to the previous extent of their restraint through fear." And besides, "from too great fear many fall into despair; and despair drives men to attempt boldly to gain what they

desire." [30] That these things are so we see from experience. It is therefore necessary to seek a higher and more reliable reason for obedience, and to say explicitly that legal severity cannot be efficacious unless men are led on by duty, and moved by the salutary fear of God. But this is what religion can best ask of them, religion which by its power enters into the souls and bends the very wills of men causing them not only to render obedience to their rulers, but also to show their affection and good will, which is in every society of men the best guardian of safety.

25. For this reason the Roman Pontiffs are to be regarded as having greatly served the public good, for they have ever endeavored to break the turbulent and restless spirit of innovators, and have often warned men of the danger they are to civil society. In this respect we may worthily recall to mind the declaration of Clement VII to Ferdinand, King of Bohemia and Hungary: "In the cause of faith your own dignity and advantage and that of other rulers is included, since the faith cannot be shaken without your authority being brought down; which has been most clearly shown in several instances." In the same way the supreme forethought and courage of Our predecessors have been shown, especially of Clement XI, Benedict XIV, and Leo XII, [31] who, when in their day the evil of vicious doctrine was more widely spreading and the boldness of the sects was becoming greater, endeavored by their authority to close the door against them. And We Ourselves have several times declared what great dangers are impending, and have pointed out the best ways of warding them off. To princes and other rulers of the State we have offered the protection of religion, and we have exhorted the people to make abundant use of the great benefits which the Church supplies. Our present object is to make rulers understand that this protection, which is stronger than any, is again offered to them; and We earnestly exhort them in our Lord to defend religion, and to consult the interest of their Lord to defend religion, and to consult the interest of their States by giving that liberty to the Church which cannot be taken away without injury and ruin to the commonwealth.

26. The Church of Christ, indeed, cannot be an object of suspicion to rulers, nor of hatred to the people; for it urges rulers to follow justice, and in nothing to decline from their duty; while at the same time it strengthens and in many ways supports their authority. All things that are of a civil nature the Church acknowledges and declares to be under the power and authority of the ruler; and in things whereof for different reasons the decision belongs both to the sacred and to the civil power, the Church wishes that there should be harmony between the two so that injurious contests may be avoided. As to what regards the people, the Church has been established for the salvation of all men and has ever loved them as a mother. For it is the Church which by the exercise of her charity has given gentleness to the minds of men, kindness to their manners, and justice to their laws. Never opposed to honest liberty, the Church has always detested a tyrant's rule. This custom which the Church has ever had of deserving well of mankind is notably expressed by St. Augustine when he says that "the Church teaches kings to study the welfare of their people, and people to submit to their kings, showing what is due to all: and that to all is due charity and to no one injustice." [32]

27. For these reasons, venerable brethren, your work will be most useful and salutary if you employ with us every industry and effort which God has given you in order to avert the dangers and evils of human society. Strive with all possible care to make men understand and show forth in their lives what the Catholic Church teaches on government and the duty of obedience. Let the people be frequently urged by your authority and teaching to fly from the forbidden sects, to abhor all conspiracy, to have nothing to do with sedition, and let them understand that they who for God's sake obey their rulers render a reasonable service and a generous obedience. And as it is

God "who gives safety to kings,"[33] and grants to the people "to rest in the beauty of peace and in the tabernacles of confidence and in wealthy repose,"[34] it is to Him that we must pray, beseeching Him to incline all minds to uprightness and truth, to calm angry passions, to restore the long-wished-for tranquillity to the world.

28. That we may pray with greater hope, let us take as our intercessors and protectors of our welfare the Virgin Mary, the great Mother of God, the help of Christians, and protector of the human race; St. Joseph, her chaste spouse, in whose patronage the whole Church greatly trusts; and the Princes of the Apostles, Peter and Paul, the guardians and protectors of the Christian name.

Given at St. Peter's in Rome, the twenty-ninth day of June, 1881, the third year of Our pontificate.

ENDNOTES: 1. An allusion to Alexander II (1818-81) Emperor of Russia a liberally minded sovereign and a great social reformer, who was murdered March 13, 1881, by a group of nihilists, in St. Petersburg. 2. The name of Philosophers is usually given to a group of eighteenth-century French writers, especially Voltaire, d'Alembert and Diderot. Their main views are contained in the "Encyclopedie" (1751-72). 3. See Introduction, p. 13-15. 4. Prov. 8:15-16. 5. Wisd. 6:3-4. 6. Ecclus. 7:14. 7. John 19:11. 8. Tract. 116 in Joan., n. 5 (PL 35, 1942). 9. Rom. 13:1-4. 10. "De civ., Dei," 5, 21 (PL 41, 167). 11. In "Epist. ad Rom.," Homil. 23, n. 1 (PG 60, 615). 12. In "Epist. lib. II," epist. 61. 13. James 4:12. 14. Eph. 3:15. 15. An allusion to the doctrine of "Social contract," developed by Jean- Jacques Rousseau (1712-78). According to this doctrine, all political power comes to rulers from the people. 16. Rom. 13:1-2, 5. 17. 1 Peter 2:13, 15. 18. Matt. 22:21. 19. Acts 5:29. 20. Wisd. 6:4-6, 8-9. 21. Rom. 10:12. 22. Tit. 3:1. 23. I Tim. 2:1-3. 24. "Legatio pro christianis," 1 (PG 6, 891B-894A). 25. "Apolog.," 35. 26. "Apolog.," 37 (PL 1, 526A). 27. "Ad Diogn.," 10 ("A Diognete," ed. H. I. Marrou, Paris, 1951, pp. 64- 65). 28. I Kings 9:16; 10:1; 16:13. 29. Especially the Peasant Revolt and its repression by the German princes. Luther himself then had to stress the duty of the citizens to obey the civil power ("On the Civil Power," 1523). 30. "On the Governance of Rulers," 1, 10. 31. Clement XI (1700-21); Benedict XIV (1740-58); Leo XII (1823-29). 32. "De mor. eccl.," 1, 30, 53 (PL 32, 1236). 33. Ps. 152:11. 34. Isa. 37:18.