

The Catholic Church's Teaching on
Church-State Relations at Vatican II:
An Interpretation, Critique, and Suggested Reform

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Abstract

This thesis seeks to answer three questions: What did the Catholic Church teach about church-state relations at the Second Vatican Council? What problems can we identify in that teaching? How should those problems be remedied?

To answer the first question, I present an original interpretation of the conciliar documents to argue that the church intended not to contradict its past teachings on church-state relations, as many wrongly think, but rather to change the church's pastoral approach towards states. The church tacitly accepted church-state separation in the hope that that would facilitate its mission of evangelization and enable the laity to bring the influence of Christian values more effectively into politics and society.

In conversation with Stanley Hauerwas and William Cavanaugh, I then offer an original critique of Vatican II's teaching about church-state relations. I argue that Vatican II's teaching about the laity's role vis-à-vis political authorities retained the problematic features of pre-conciliar conceptions of ecclesiology and of the laity's role in politics. The problematic features can be summarised as an acceptance of dichotomous categories (religion-politics, spiritual-social, internal-external), which makes it difficult to construe cogently how the laity ought to mediate the Gospel in political life, since the categories separate the church's relation to political authorities from its mission of evangelisation and sanctification.

I then return to scripture and the history of Christian political thought to propose remedies to the problems, and to suggest an improved conception of political authority's purpose and of the church's responsibilities post-Christendom in relation

to political authorities. In dialogue with Oliver O'Donovan and biblical scholarship on the 'Powers,' I argue that political authorities are a manifestation of the fallen world defeated by Christ (i.e. 'Powers'); nevertheless, they are authorised by God to facilitate the church's mission by preserving places of earthly peace in the *saeculum*. The responsibilities of the church are to regain its missionary posture towards political authorities, to teach the limitations of their authority, even if its preaching should provoke the Powers to persecute the church, and to preserve (where prudent) the valuable remnants of Christendom.

Extended Abstract

The argument of this thesis will be that at Vatican II, to make its relations with states more suited to the pastoral demands and challenges of our time, the Catholic Church chose to rely even more on a pastoral strategy that had been developing in previous decades. However, the problems originating in the strategy's conceptual distinctions (especially between religion and politics, the spiritual and social, supernatural and natural) threaten to undermine the strategy's purposes, which were to help the church's mission of evangelisation and to enable the laity to bring Christian values to bear upon political and social life. Therefore, I propose that to remedy the problems arising from the aforementioned conceptual distinctions, we need to retrieve from scripture and the history of Christian political thought a better theopolitical framework to guide church-state relations.

Part One of the thesis will undertake the exegetical task that needs to be completed first, since *what* Vatican II taught about church-state relations is unclear and disputed. The disputes only make the task of interpretation more difficult due to a deficiency in the scholarly literature, which I wish to correct in this part of the thesis. This deficiency is the rarely-questioned presumption that, in the Council's *Declaration on Religious Liberty (Dignitatis Humanae, hereafter DH)*, there was an alteration or rejection of past magisterial teaching on church-state relations. As shown in chapter 1.1, the presumption is shared by the Council's opponents and proponents, whether they want to deplore *DH*'s innovations, or seize upon them as evidence that doctrine can change. Thus, to uncover what the Council really intended to teach about church-state relations, Part One will begin by reviewing and refuting

the different interpretations by which the alleged doctrinal discontinuity of *DH* has been conceived.

The discussion of what the Council did not do in *DH* will serve to bring into relief what the Council did, in fact, do: without changing doctrine, it initiated a pastoral reform of the church's relations with states wherever those relations seemed to compromise the sincerity or persuasiveness of the church's evangelisation. The tacit acceptance of church-state separation given by the Council's pastoral reforms was not done to retreat from public life. It was to give the laity greater freedom, initiative, and responsibility for their apostolate, which in the temporal sphere of social and political life meant acting according to Christian values. Thus, the Council taught that the laity needed to be the intermediaries between what the church believed and what was done in political communities in the world.

Having arrived at a better understanding of what Vatican II taught on church-state relations, Part Two of the thesis moves on to the task of putting that teaching under critical scrutiny, especially by focusing on how the church as a whole and the laity's apostolate were conceived in relation to political communities and authorities. This will require first, in chapter 2.1, a survey of all the conciliar documents not discussed in the previous part to see what they teach about church-state relations.

Next, the critique will need to gain focus and context by being located within the ongoing debate in Christian political theology. Therefore, the next chapter (2.2) will adjudicate the best way to categorise the different voices in that debate so that we can see which disagreements are key and which are merely superficial. Rejecting a division along denominational lines or along those more optimistic or pessimistic

about what Christians can achieve in politics, I adopt and modify a schema that sees most political theologians as belonging either to a category that includes public theology, European political theology, and Latin American liberation theology, or to a second category that comprises ecclesial ethicists and neo-Augustinian ethicists.

The following two chapters (2.3 and 2.4) will put my schema to use by arguing that the conciliar documents' approach to church-state relations puts the Council firmly in the first category of political theology and makes the Council a target for the criticisms directed at the first category by two ecclesial ethicists, Stanley Hauerwas and William Cavanaugh. My critique will begin by discussing Hauerwas' criticisms of *DH*. He argues that the dichotomies between nature and grace, and between reason and revelation, make grace and revelation seem superfluous to *DH*'s teaching on religious liberty, brought in not to bring anything distinctively Christian to bear upon religious liberty, but only to give theological warrant to the humanistic values of freedom and human dignity invoked by *DH*.

In the next chapter (2.4) my critique will move on to the rest of the conciliar documents. This will be done by repurposing William Cavanaugh's critique of the Catholic Church's pastoral strategy known as social Catholicism or Catholic Action that was developed before the Council. Social Catholicism involved the church divesting itself of involvement with an imagined sphere of politics separate from the supernatural-spiritual-religious sphere to which the church was thought to belong. Through the teaching and living of the Christian faith in civil society, social Catholicism was meant to enable the church to have an indirect impact on politics by training laypeople with the right values to be able to participate in politics in a Christian manner. After my exposition of Cavanaugh's argument, I shall make the

original claim that the Council brings to the foreground the very same ecclesiology and conception of the layman's responsibility that was developed before the Council. It is true that Vatican II significantly and laudably reduced the clericalism that beset pre-conciliar teachings on the laity, which more often saw them as having a role in the church's mission only under clerical guidance, and only because they had been commissioned by the hierarchy for grave pastoral reasons. Nevertheless, I shall argue that the same concepts and distinctions between religion-politics, spiritual-temporal, internal-external that, according to Cavanaugh, defined social Catholicism are all to be found in the conciliar documents. Consequently, Vatican II embraced even more clearly the fateful implications of this pastoral strategy: the church's non-political, religious mission was thought to be about informing the laity's conscience with Christian values that they, *as individual citizens rather than as members of the church*, were meant to use in social and political life. The motivation behind the strategy was to enable the church to exercise a beneficent influence over political communities and authorities in an appropriately indirect manner that would preserve the independence and autonomy of the church and of political communities. However, I argue it undercuts the public, political significance of the Christian faith, because it requires the laity to regard the communal identity received by them in the church as something that must not have direct relevance when they engage in politics. They must turn the corporate and sacramental nature of their faith into the motivations and values of a solitary Christian conscience, acting as individuals that belong in political life first and foremost to the imagined collective of the nation-state. The ethnographic and historical studies presented by Cavanaugh of the Catholic Church in the 1930s and in Chile before and during the Pinochet regime should warn us against

this strategy: it has repeatedly failed to bring about the desired influence of Christian values on political life, and has instead unwittingly benefitted those political authorities whose growing power has depended on loosening the ties between individuals and weakening intermediary social bodies in civil society.

Part Two ends with a chapter to explain why Hauerwas and Cavanaugh will not be my main interlocutors in Part Three. While they offer a useful perspective for my critique, their political theology is unsuitable to help me formulate a constructive framework of church-state relations because of critical problems with their conception of political authority and their ecclesiology. They have repeatedly refused to offer a theological interpretation of political authorities and present a wholly negative portrait of the modern state, informed more by secular social science than revelation, which lacks the nuance we need to judge between better and worse regimes. The vocation of Christians towards the modern state seems to be to tolerate it at best or to resist it to the point of martyrdom. This leads to a certain hypocrisy, whereby Christians benefit from the public goods provided by the state, whilst doing their best to avoid contributing to the effective governance of their political community to keep their hands clean. Their pacifist vision of how the church should relate to the state tends to emphasise the need for the church to be a contrast-society to the point of almost conflating theological integrity with possessing a distinctive identity from surrounding society.

Part Three will seek to point to an alternative framework within which to conceive church-state relations that will acknowledge the gains made by Vatican II while avoiding its mistakes. Chapter 3.1 will begin by setting out the methodological parameters for what and how I intend to propose this framework. I shall choose to

abstract from any particular country or institution and consider instead the general theological principles and priorities that should govern how the Catholic Church considers its relations with political authorities. I will, however, discuss the differences made to church-state relations in the West by the experience of Christendom and by our ongoing transition into post-Christendom. Since many of the Council's achievements stemmed from returning to the sources of Christian doctrine in scripture and tradition, I shall follow its example. This means that my method in the following chapters will be to build my proposal by looking at what we can learn about political authority and ecclesiology from scripture and from the history of Christian political thought in Christendom.

In chapter 3.2 I argue that to understand what scripture teaches about political authority we need to draw upon the work of Oliver O'Donovan and the biblical scholars who have studied the concept of the 'Powers' in the New Testament, particularly Hendrikus Berkhof, Marva Dawn, and Oscar Cullmann. O'Donovan has made a significant advance in our understanding of scripture by defining political authority according to scripture's revelation of God's kingship. His exegetical study of how God's kingship comes to be known in the course of salvation history, culminating in the birth, death, resurrection, and ascension of Jesus, gives us the key to understand what role political authorities played in Jesus' execution and in the persecution of the early church, how they were defeated by the triumph of the risen Christ, and for which limited purposes they are authorised to exist in the *saeculum*. O'Donovan's exegesis depends on his implicit agreement with the biblical scholars mentioned above, who identify political authorities to be among the various manifestations of the Powers named by the New Testament epistles. However,

O'Donovan offers little defence of this move, seeming to assume that the reader is familiar with the scholarship on the Powers. I shall therefore argue that his case can be strengthened by explaining why those biblical scholars have placed political authorities among the Powers. Nevertheless I argue that O'Donovan has surpassed the aforementioned biblical scholars because he has not considered the Powers in isolation, but within the entire scriptural context of God's kingship revealed in Christ.

In chapter 3.3 I turn to the task of proposing an ecclesiology that avoids Vatican II's mistakes as they were described in Part Two. Continuing to examine the New Testament, I argue we can understand the church without relying on a conceptual partition between religion and politics, as Vatican II does. To do this, we need to interpret Christ's kingship to mean that he rules the church as a political community *sui generis*, and he delivers its members from the Powers by means of the Holy Spirit acting in the sacraments of baptism and the Eucharist. I also argue from scripture that the members of the church are given the ability to participate in Christ's threefold office as the messianic prophet, priest, and king and thereby share in his victory over the Powers. They do this by bearing prophetic witness to Christ's kingdom before the Powers and by offering themselves sacrificially to others, in union with Christ's priesthood.

Finally, in chapter 3.4 I argue that the history of Christian political thought in Christendom should teach the church that its posture with respect to political authorities should fundamentally be a posture of mission. O'Donovan's analysis of how that mission was carried out from the Patristic era to the threshold of modernity allows us to make a more nuanced judgment of a period that is treated often in almost-entirely negative terms by ecclesial ethicists. O'Donovan instead shows us

that the church's mission to the Powers is unavoidable; without it, a key part of the Gospel (the defeat and subjection of the Powers) would be neglected. The possibility always exists for that mission to be successful, for those in political authority to be converted and made obedient to Christ through his church. Although the crucial task for the church is to be faithful in carrying out its missionary work, regardless of whether its message meets with an obedient response, nevertheless O'Donovan argues that Christendom, the period in which some political authorities were obedient, is the origin of many aspects of Western political thought that we value today, such as the constitutional responsibility of government to law and the temperance of justice by mercy. Christendom also led to a loss of eschatological tension in ecclesiology, causing the church and political communities to be considered not as the representatives of two provisionally overlapping aeons, but as the complementary aspects of one *corpus christianum*. The way that Christendom understood political authorities to be subsumed into the church and made them into an instrument for maintaining ecclesial discipline was partly responsible for another fatal problem with Christendom: the practice of religious coercion.

Considering Christendom's history, I conclude that the Catholic Church should welcome the opportunity presented by the end of Christendom for the church to regain its sense of existing in eschatological tension with every political community. No matter where the church finds itself, it must preach to political authorities their subjection to Christ, and consequently the limits of what they are authorised to perform. Where symbolic remnants of Christendom continue to exist in Western societies, the church should seek (where prudent for its mission) to preserve them

because they can serve an apologetic purpose by pointing to the evangelical roots of the political values and institutions we most cherish in the West.

Part One
Vatican II's Teaching on Church-State Relations:
What Changed?

1.1 Introduction

The purpose of this thesis is to understand, evaluate, and suggest ways of correcting the teaching of the Second Vatican Council (1962-65) on church-state relations, a threefold task that I will pursue in three parts. Part One is devoted to the task of interpreting whether the Council's Declaration on Religious Freedom (or *Dignitatis Humanae*, hereafter: *DH*) changed the church's teaching on church-state relations. Why? The morass of different interpretations of *DH* (many of which are mistaken as I shall explain) prevent us from making sense of what Vatican II really taught about church-state relations. This introduction will therefore explain why it is important firstly to investigate the right interpretation of *DH* before we can begin the task of putting the Council's teaching on church-state relations under critical scrutiny.

DH was commended by Pope Paul VI as 'one of the greatest documents' (*Acta Apostolicae Sedis*, 1966, p. 74 as cited in Healy, 2017, p. 368) of the Council and its promulgation was widely greeted as 'a significant event in the history of the church' (Murray, 1966, p. 673). Yet it was also 'the most controversial text of Vatican II' (Healy, 2017, p. 368). When the final vote was taken, '[t]here were more *non placet* [i.e. negative] votes registered for *Dignitatis humanae* than for any other document the council approved' (Hittinger, 2008, p. 362). The debates leading up to that final vote were euphemistically described as 'full and free and vigorous, if at times confused and emotional' (Murray, 1966, p. 672), with one session of debates described as 'the most violent ever to have taken place' (Pavan, 1969, p. 57).

The debates were not always directly related to church-state relations because, despite having its origins in a draft document which considered exactly this issue (idem, pp. 49-50), the Declaration was meant to concentrate on the specific question of religious freedom. However, the conflicting views expressed about religious freedom were associated with views about how the church ought to relate to the state in its current and in an ideal situation. The majority of the Council Fathers (i.e. bishops who participated in the Council's proceedings) wanted to develop the church's teaching on church-state relations by giving a clear commitment to religious freedom for all faith communities, and by rejecting any notion of an established church or confessional state. A minority of the Fathers bitterly opposed any suggestion of changing what they saw as the church's perennial teaching, according to which: the church must be juridically established in a Catholic country, its freedom must be respected in a non-Catholic one, and non-Catholic religions may be tolerated in a Catholic state, if it is the only way to maintain peace. Any repudiation of church establishment or an acceptance of a human right to religious freedom would, they accused, encourage an indifferent attitude by states and citizens towards the church. It is important to note that such arrangements still existed at the time of the Council between the church and several different states as formally recognised in concordats or treaties. For example, the concordat of 1953 between the Holy See and Spain stipulated various ways by which that the Spanish state would financially support, privilege, and recognise the church alone as its public religion (Healy, 2017, p. 375). Similar concordats were in place with Portugal, the Dominican Republic, and others. The future of such concordats was at stake in these discussions and many were radically altered or abrogated not long after the Council. The final text indicates signs

of the compromises and concessions that were made to reach as broad a consensus as possible between the various 'liberal' and 'conservative' factions. Despite the tensions within the text that are caused by these various concessions, I shall argue in later chapters that, if *DH* is read carefully, then we can see it does not propose any change to the church's teaching but only to its pastoral practice.

However, the seemingly-irreconcilable views expressed during the debates, and the tensions within the final text, have led the document to be interpreted in two ways; for the sake of convenience, I shall call these the 'progressive' and 'reactionary' interpretations. Despite being contradictory interpretations, they shared in common what Pope Benedict XVI calls a 'hermeneutics of discontinuity and rupture' (Benedict XVI, 2008, p. x), i.e. they both assumed that *DH* had made a radical change to the church's teaching and that this should not be obscured by the concessions granted to the minority view to reach a broad agreement. The 'reactionary' interpretation assumed this because it rejected the Council's teaching, whereas the 'progressives' rejected the pre-conciliar teaching, and assumed that the concessions did not reflect the Council's true spirit, and were merely to 'reconfirm many old things that are now pointless' (ibid). I shall discuss these concessions in greater detail later. The point to be noted now is that the reactionary and (especially) the progressive approaches have been very influential in forming what I call the 'standard interpretation', i.e. the widespread impression that the document 'augurs a revolution' (Hittinger, 2008, p. 362) in the church's teaching. However, a consequence of assuming this discontinuity is that the two approaches seem to be as impossible to reconcile as the contradictory views expressed during the Council's debates. In fact, the unquestioned assumption

of doctrinal discontinuity at Vatican II is a deficiency in the scholarly literature that continues to hinder us from better understanding the Council's teachings.

The problem, therefore, for Part One to investigate is whether *DH* has in fact changed the church's teaching on church-state relations. This question may seem to be already settled according to the standard interpretation. However, I would argue this remains a problem that, far from being moot, still needs to be resolved. For the 'reactionary' interpretation was arguably one of the major reasons for the only formal (and ongoing) schism to occur after the Council concluded its proceeding. One of the Council Fathers, Archbishop Lefebvre, led a group of traditionalists out of communion with the Catholic Church, because he believed that *DH* 'represented a departure from Catholic doctrine and a capitulation to the heresy of modernism' (Healy, 2017, p. 368). On the other hand, dissident Catholic theologians have appealed to the 'progressive' interpretation to argue that, since the church's teaching has changed on this issue, there is the possibility for its teaching on other moral and ethical issues to change as well (e.g. Noonan, 1993, pp. 667-674; cf. the references to Charles Curran and Richard McCormick in Healy, 2017, pp. 389n22). *DH* has indicated to all, according to Noonan, that 'not everything everywhere taught by the church on serious questions of moral conduct was forever [sic]' (Noonan, 2005, p. 158). Therefore, the interpretation of *DH* has implications for how we understand the ability of the Catholic Church to teach authoritatively and consistently about moral and ethical issues. Finally, the continual march of secularism in the West, and the challenges that it has posed to the religious freedom of Catholics, have led some to question whether *DH* has truly endorsed an uncritical acceptance of the secular state (e.g. Farrow, 2015, pp. 56-57; Hittinger, 2008, pp. 367-369).

For all these reasons, therefore, the problem of how to interpret *DH* deserves to be investigated. In summary, the argument I shall make in Part One is that *DH* did not change the teaching of the Catholic Church on church-state relations, but rather it was a part of the Second Vatican Council's pastoral reforms to renew the church's mission of evangelisation in the modern world.

1.2 The Standard Interpretation: A Hermeneutics of Discontinuity

In this second chapter, I shall offer a critique of the theologian who has played the most prominent role in shaping the standard (and, particularly, the progressive) interpretation of *DH*: John Courtney Murray. I seek to question the widespread assumptions that the Council adopted Murray's view about church-state relations and that Murray's interpretation of the Council's teaching is the most reliable.

Faith Burgess concludes her study of Murray's theory of church-state relations by writing: 'the promulgation of *Dignitatis Humanae* has proven that Murray's theory is not merely possible or acceptable; it is in fact *the* modern Roman Catholic theory' (1971, p. 255; emphasis in the original). According to Schindler, the assumption has become 'increasingly common since Vatican II' (1994, p. 696) that Catholicism and liberalism have now become reconciled, and 'such an assumption comes attached to the claim that the Council vindicated the arguments of John Courtney Murray' (ibid). It is, of course, undeniable that the voluminous amount Murray wrote about religious freedom and church-state relations from 1945 until his death influenced many, especially in the English-speaking world. However, Murray's writings have hindered rather than helped us to understand the Declaration. There are three problems of his work in particular that need to be addressed: firstly, whether the document has, as

Murray argues, renounced the establishment of the church by the state; secondly, whether the state is denied any competence in religious affairs; and thirdly, if the changes *DH* made to church teachings are a genuine case of doctrinal development, how exactly do we account for the legitimacy of this development?

While Murray was writing the third draft of the Declaration before the Council's third session, he distributed an article to the Fathers in which he contrasted his own view with that which had hitherto held sway in theology, canon law, and papal teaching. Murray referred to the latter as the 'first view' in contrast to his own, which he called the 'second view' to 'avoid prejudicial characterization' (1993a, p. 130). The 'first view' is also his attempt to describe the approach adopted by those Council Fathers who had been most critical of the Declaration. The stark dilemma he presented to the Fathers between these two views was 'to choose between a state attempting to exercise public care of religious truth and a state limited to public care of religious freedom' (Farrow, 2015, p. 88); in other words, 'to choose between the Leonine demand for establishment and the requirement of religious neutrality' (ibid).

For, according to the 'first view', the church must immutably teach what Pope Leo XIII authoritatively articulated in his many encyclicals: that the state should acknowledge the church to be the superior of the two powers to which God has given authority to govern humanity; and since the church's authority is intended to bring us to an end (the supernatural happiness of heaven) which is superior to the temporal end served by the state, then the state must not only enshrine the church's position by establishment, but also favour and assist its mission wherever possible (e.g. Leo XIII, 1932, pp. 82-83). Of course, there could be many contingent elements of the situation in which the church finds itself that might prevent this from being

realized, and yet it is the ideal to be sought. The first view referred to the ideal as the 'thesis' and it called the *modus vivendi* reached in less than ideal circumstances as the 'hypothesis'. Against this view, Murray argued that the Fathers must consider the contemporary 'state of the question.—Has it altered in consequence of a Christian discernment of the new signs of the times (the Second View), or is it somehow by definition immutable (the First View)?' (1993a, p. 190). Then the Fathers must make a decision about the

competence of the public power with regard to religion.—Does it extend to public care of religious truth (the First View), or is it limited to public care of religious freedom (the Second View)? Does it extend to a care for the church herself—her doctrine, authority, prestige (the First View), or is it limited to a care for the freedom of the church (the Second View)? (ibid)

After the promulgation of *DH*, Murray had no doubts about which view had been adopted:

It is therefore clearly the view of the Council that the establishment of Catholicism as the religion of the state is no more than a matter of historical circumstances, and not a matter—or even a consequence—of doctrine (1993b).

Murray defends this by reference to the Declaration's only explicit reference to this issue:

If, in view of peculiar circumstances obtaining among certain peoples, special legal recognition is given in the constitutional order of society to one religious body, it is at the same time imperative that the right of all citizens and religious bodies to religious freedom should be recognized and made effective in practice (*DH*, 1966, p. 685, n. 6).¹

However, in his interpretation of this passage, Murray 'tried to make *Dignitatis humanae* (after the fact of its promulgation) resolve something that it expressly said it would not take up' (Hittinger, 2008, p. 372). In the very first section, the

¹ All quotations from *DH* and other conciliar documents will refer to the pagination of the translation, followed (unless it is quoting a subheading or subtitle) by a reference to the section numbers by which the text has been divided.

Declaration states that the scope of its teaching is on the question of religious freedom, which 'has to do with immunity from coercion in civil society. Therefore, it leaves untouched traditional Catholic doctrine on the moral duty of men and societies towards the true religion and towards the one church of Christ' (*DH*, 1966, p. 677, n. 1). Of course, its 'discussion of religious liberty will have implications for the establishment of religion' (Hittinger, 2008, p. 365), as mentioned in the quotation above from the sixth section of the document, i.e. a condition of establishment now is that the religious freedom of non-Catholic individuals and religious bodies must be respected. But, as the Declaration has already stated, it is specifically concerned with the right of the church and of every other community and individual to social and civil freedom in religious matters; hence it 'adopted a carefully calculated silence on the establishment of religion' (idem, p. 364), not least because a consideration of the various theological and political aspects of establishment, as it has been attempted in the church's history, would have required 'a Herculean effort' (idem, p. 365). Therefore, Murray is quite wrong to state in his commentary of *DH* that 'the Council wished to insinuate that establishment, at least from a Catholic point of view, is a matter of historical circumstance, not of theological doctrine' (Murray, 1966, p. 685), because it chose to avoid making any judgment about this issue altogether.

Secondly, Murray argues that the Council defended the liberty of the church by denying the state to have any competence to judge on religious matters; in doing this he claimed that the Council followed the example of the First Amendment to the American Constitution. He writes that '[r]eligious freedom as a legal institution, which was formally created by the First Amendment' (1993a, p. 157), depends on the problem no longer being framed 'in terms of political and legal support of the

exclusive rights of truth, with consequent intolerance of error' (ibid). Thus, instead of the state conferring the right to hold true or false beliefs, its 'essential premise is that the public power is not competent to confer such empowerments' (idem, p. 179) at all, because it does not have the competence to judge on religious matters. Therefore, the 'First Amendment is a limitation imposed by a free people on the public power' (ibid) and, as a result of this limit to the state's competence, the 'First Amendment is simply the recognition of an immunity ... from coercive restriction [in the free exercise of religion] by the power of the state' (ibid).

Murray argues that the Declaration's defence of the church's right to freedom depends on a similar endorsement of this limit to the state's authority, although 'without being altogether as precise as might be desired' (1993b, p. 209). For he claims that the Declaration affirms a twofold foundation to the church's liberty: the first is theological and depends on 'the mandate of Christ to preach His gospel and to observe His commandments' (ibid). This is expressed in section thirteen of the Declaration, which is part of its discussion of religious freedom in the light of revelation. However, this comes after the Declaration has made a general argument for religious freedom (nn. 2-8) by reason alone, without reference to revelation. There the Declaration sets out the second foundation for the liberty of the church, which it shares with other religious communities, by appealing (according to Murray) to what 'the powers of the secular order are able, and are obliged, to recognize' (1993b, p. 209), namely 'the dignity of the human person' (idem, p. 210). He claims that *DH* does this for two closely-related reasons: firstly, the 'church would abdicate her transcendence, were she to present her theological title to freedom in society for judgment by any organs of secular government' (ibid) because 'secular government ...

is not empowered to make judgments *de meritis* in matters of theological truth' (ibid). Indeed, since it is 'a truth of the transcendent order ... it is not subject, or even accessible, to judgment by secular powers as regards its truth or falsity' (idem, p. 209). Secondly,

the due autonomy of the secular order would be violated, since this autonomy requires that the powers which rule the secular order should make judgments on the secular grounds proper to that order ... Hence the autonomy of the secular order requires that ... the church should present her claim to freedom on these secular grounds [i.e. the dignity of the person] (idem, p. 210).

However, there are several problems with this. Firstly, although an early draft of *DH*, probably written by Murray or influenced by him, claimed that the 'State is not qualified [*ineptam esse*] to make judgments of truth in religious matters' (as cited in Hittinger, 2008, p. 369), this was however removed from the text in the penultimate draft. As Hittinger remarks, this was a wise decision. For if the state 'lacks even the epistemic warrant to judge that religion is good' (ibid), then it can hardly recognise it as being a good that transcends its authority or competence, 'thus undercutting the argument of *Dignitatis humanae* itself' (ibid). Moreover, as Farrow points out, the state does not need to have the competence to judge revealed truth in order to recognise the church's Christ-given mission, just as the church's invitation to each citizen to accept the gospel does not require him or her to subject the gospel to the demands of secular reason (2015, p. 84). Murray 'puts forward a concept of state neutrality that disallows recognition of the church *qua* church, something the council does not do' (idem, p. 85). *DH* speaks of freedom of the church as something that concerns 'the good of the church and indeed the welfare of society here on earth' (*DH*, 1966, p. 693, n. 13) and it claims that the church's divinely-given freedom is 'the fundamental principle in what concerns the relations between the church and

government' (ibid); it is only in later paragraphs that it 'also claims freedom for herself in her character as a society of men' (idem, p. 694; ibid), in common with other religious communities.

However, Murray writes that

[t]he church cannot ask governments, as she asks men, for faith in the word of God. What she asks—all she can ask—of governments was immortally stated by Paul VI, in fidelity to the tradition and in authentic confirmation of the doctrine of *Dignitatis humanae*, when he spoke to statesmen (Murray, 1993b, p. 212).

Murray then quotes briefly from Paul VI's speech 'in support of his personal thesis that *Dignitatis humanae* renounces all special privileges and establishments [sic] for the church and that her claim is freedom, nothing more' (Hittinger, 2008, p. 372). However, Murray is here projecting his own view onto the document and quoting from a speech without context to justify it. Paul VI's speech also declares: 'God alone is the Source of your authority and the Foundation of your laws ... [Christ] is the great artisan of order and peace on earth' (Pope Paul VI, 1966, p. 729). Paul VI asks that rulers give liberty to the church because Christ's

mysterious action does not interfere with your prerogatives but heals everything human of its fatal weakness, [and] transfigures it ... Allow Christ to exercise His purifying action on society. Do not crucify Him anew. This would be sacrilege for He is the Son of God. This would be suicide for He is the Son of Man. And we, His humble ministers, allow us to spread everywhere without hindrance the Gospel of peace ... Of it, your peoples will be the first beneficiaries, since the church forms for you loyal citizens, friends of social peace and progress (idem, p. 730).

In other words, Paul VI 'was not suggesting that the church's liberty consists *only* of a negative freedom, which is to be discussed ... *only* in procedural terms' (Hittinger, 2008, p. 374; original emphasis); instead he asks rulers on behalf of the church that they 'respect its sanctifying mission and power in society' (ibid). His manner of addressing rulers clearly presupposes that they can recognise him to be speaking in the name and on behalf of the church. In fact, he equates the activity of the church

with the action of Christ, and he assumes rulers can see that an injustice committed against the church would be an attack on Christ. Hence, the consequence of *DH*'s intention to have left 'untouched traditional Catholic doctrine on the moral duty of men and societies towards the true religion and towards the one church of Christ' (*DH*, 1966, p. 677, n. 1) is that, contrary to what Murray claims, 'they [i.e. men and societies] cannot rightly construct states that recognize no such obligation' (Farrow, 2015, p. 84), nor are they presumed to lack the competence to do so. *DH* refuses to say how a state ought to meet this obligation, i.e. whether by establishment or by some other means, except it does teach (cf. n. 6, as mentioned above) that men and societies cannot 'rightly construct states that compel citizens to meet or even to accept that obligation' (Farrow, 2015, *ibid*). But states must meet this obligation somehow; they cannot remain neutral. As *DH* explicitly states: 'Government, therefore, ought indeed to take account of the religious life of the people and show it favor' (*DH*, 1966, p. 681, n. 3) and 'Government is also to help create conditions favorable to the fostering of religious life' (*idem*, p. 685, n. 6).

Having argued against Murray's claims that *DH* renounced the establishment of the church and denied the state competence in religious affairs, I turn now to his claim that the changes *DH* makes to church teaching can be explained by the concept of doctrinal development. I shall argue that Murray's account of doctrinal development fails to offer us good reasons to suppose that this development has involved a change to the church's teaching. *DH* is 'the only document of Vatican II that explicitly claims to be a development of doctrine' (Dulles, 2006, p. 43 as cited in Healy, 2017, p. 368). According to Murray, this claim 'raised with sharp emphasis the issue that lay continually below the surface of all the conciliar debates' (1966, p. 673),

which was 'the real sticking point for many of those who opposed the Declaration even to the end' (ibid). But *DH* itself offered no solution to the problem of what it meant by the development of doctrine, or how this development was to account for what seemed to be a contradiction between its teaching and that of the nineteenth-century Popes. It left these questions to be solved later by theologians (Murray, 1967, p. 147).

As I mentioned earlier, according to the document's critics (i.e. the 'first view'): 'with Leo XIII and the systematization of his doctrine [on church-state relations] by subsequent canonists ... Catholic doctrine has reached its final and definitive mode of conception and statement' (Murray, 1993a, p. 137). Murray rejects this approach using an argument about the shift in modernity from a classical worldview to historical consciousness that has clearly been influenced by Bernard Lonergan (Hooper, 1993, pp. 34-35). He implored the Fathers to reject this 'abstract-logical-deductive-ahistorical mentality' (Murray, 1993a, p. 192), because it is incapable of evaluating the developments of modern thought on church-state relations, or of accepting any possibility for the church's teaching to progress beyond a (seemingly arbitrarily chosen) point in time. After the Council, he confidently asserted that 'despite resistance in certain quarters, classicism is giving way to historical consciousness' (Murray, 2003, p. 8).

But does this distinction by Lonergan adequately explain how *DH* has changed the church's teaching? Has Murray adequately represented the critics of *DH*? According to his description of the classicist mindset, truth is objective because it is

'already out there now' (to use Bernard Lonergan's descriptive phrase). Therefore, it also exists apart from its possession by anyone. In addition, it exists apart from history, formulated in propositions that are verbally immutable (Murray, 1966, p. 11 as cited in Pavlischek, 1994, p. 176).

It is hard to disagree with Pavlischek's remark that Murray 'is arguing with a hyperrealist straw man' (1994, p. 177). Since the objects of Murray's criticism would all have been taught the Aristotelian-Thomistic epistemology of pre-conciliar theology, it is unlikely that they would hold (what seems to be) a Platonic view of truths existing independently of our noetic activity. Following Aristotle's lead in book six of the *Metaphysics*, Thomas taught that truth resides not in things, but in the intellect of the one knowing (*ST*, I, q16, a1). Even one of Murray's most ardent defenders admits that here Murray 'either has not been exact in his terminology or in his thinking' (Burgess, 1971, p. 241).

Moreover, despite being accused of insensitivity to history, the traditionalists were in fact attentive to changing historical conditions. The Fathers who criticised *DH* all held some version of the view that recognised the historical possibility (and the current existence) of many political situations where the church could accept disestablishment on prudential grounds, so long as it not be too injurious to the church's freedom to carry out her mission. Such a policy (called *ralliement*), for example, was urged by Pope Leo XIII for French Catholics during the Third Republic.

As well as misrepresenting his opponents, Murray's 'tortured attempt' (Pavlischek, 1994, p. 182) to explain the change in the church's teaching by appealing to historical consciousness does not provide a sufficiently robust justification for *DH*'s argument from human dignity. For Murray wants to argue that *DH* does not ground the right to religious freedom on a supposed right to do whatever one's conscience demands, or on the right to believe what is false, or to carry out religious practices that are against the revealed will of God. The Popes in the nineteenth century, he claims, were intending to reject precisely these false ways of defending religious

liberty. Since only what is true and good 'can be the object of a right' (Murray, 1966, p. 678), *DH*'s argument, he claims, relies on the principle that it is 'true and good that a man should enjoy freedom from coercion in matters religious' (ibid). In order to show that this principle truly translates into a right, we must show 'that no valid counterclaim can be entered by government' (Murray, 1966a, p. 569 as cited in Pavlischek, 1994, p. 183). One such counterclaim could be, as Murray recognised (Pavlischek, 1994, p. 184), the argument that the alternative good of maintaining social solidarity or cohesion through religious unity is more important. Hence Murray argues that, in its very first paragraph, *DH* prioritises the good of immunity from coercion in religious matters, not merely by any argument from human dignity, but rather by the 'dignity of the human person as affirmed by contemporary human consciousness' (Pavlischek, 1994, p. 185; cf. Murray, 1966, pp. 674-675). In other words, the state ought to recognise the right to religious liberty because the good of being free from coercion in religious matters is affirmed by contemporary historical consciousness to be greater than the solidarity or cohesion achieved by religious unity. However, the contingent nature of this sense of human dignity (which, as the existence of totalitarian states witnessed, was not universally accepted) means that it cannot ground the authority of the church's teaching in a principle that would be valid beyond the historical period in which this consciousness is ascendant. In fact, there is no guarantee that this consciousness will always grow or remain with us. This leaves *DH*'s argument from human dignity in a precarious state, vulnerable to the vagaries of public opinion.

Perhaps there is here 'a hidden premise in Murray's argument: his optimistic view of human development' (Pavlischek, 1994, p. 177). Aside from the question of

whether the past fifty years have proven Murray's optimism to be mistaken, there is the additional problem that his appeal to the *Zeitgeist* of his time leaves his argument vulnerable to the same criticisms that he levelled against those who were critical of *DH* and supporters of the 'first view': they refused to endorse religious liberty as a right because a diversity of public religious practices and creeds could never be intrinsically good, but only an evil to be tolerated whenever it is judged prudent to do so for the sake of peaceful co-existence. Murray criticises this view for accepting religious liberty only for pragmatic or even, it would seem, for opportunistic reasons. Yet if they accepted religious liberty only for prudential reasons, considering the prevailing circumstances of a situation, then the same argument could be made of Murray's appeal to historical consciousness. For if the document's argument depends on contemporary consciousness, as Murray claims, then it too would be making an argument based not on principle but on a prudential judgment about our contemporary situation. Therefore, Murray's own argument fails to escape the criticisms he makes of his opponents.

In conclusion, I have sought in this chapter to question the widespread assumption that the Council upheld Murray's views about church-state relations or that Murray's arguments for the progressive interpretation of *DH* have decisively settled this issue. I have done this by rejecting the arguments he makes to claim that *DH* has renounced the establishment of the church and denied the state any competence in religious affairs. Finally, I have also argued that he fails to offer us good reasons to suppose that *DH*'s changes to the church's teaching can be explained and justified by doctrinal development.

1.3 The 'Communio' Interpretation: A Hermeneutics of Reform

Having engaged with the theologian who has had the most influence over the predominant (and especially the progressive) interpretation of *DH*, I now wish to tackle an alternative way of reading the document. It represents, for many, the only major contender to Murray's approach and it has grown in support in recent decades, especially because Popes John Paul II and Benedict XVI have contributed to it. I shall first give an account of how this view tries to mediate between the 'progressive' and 'reactionary' interpretations by conceding that *DH* has developed, and to that extent reformed, the church's teaching, while maintaining continuity with what was taught previously. Then I will focus on the writings of David L. Schindler, an important proponent of this view, to argue, firstly, that his insightful critique of Murray can help us to see the continuity of the church's teaching by distinguishing *DH* from liberal secularism; and, secondly, that he nevertheless fails to propose an alternative that differs in practice from Murray.

I shall call this approach the *Communio* interpretation because all the theologians who have contributed or defended it are associated with the journal bearing that name: David L. Schindler was for a time the editor of *Communio*, Martin Rhonheimer and Nicholas Healy have written several articles for it, Joseph Ratzinger was among its founding members with Hans Urs von Balthasar, whose theology was an important influence on Schindler, John Paul II, and Benedict XVI. *Communio* has been the focal point for those who have read the Council's teachings not as a radical rupture with the past, but according to a "hermeneutics of reform," of renewal in the continuity' (Benedict XVI, 2008, p. x) of the church's tradition. This is motivated in part as a reaction to the disastrous effects of interpreting the Council through the

hermeneutics of discontinuity, which Benedict XVI claimed to have 'basically misunderstood' (ibid) the nature of an ecumenical council. According to Catholic theology, what is taught by a general council of the church, just like any other exercise of its teaching authority, has no mandate to change but only to transmit faithfully and interpret authoritatively the faith received by the church from Christ. This applies just as much to the Second Vatican Council because, according to Pope John XXIII's address at its opening, he had called for the bishops to be gathered so that the church's 'certain and unchanging teaching, which is to be faithfully respected, be deeply studied and presented in a way that corresponds to the needs of our time' (as cited in Benedict XVI, 2008, p. xi). To meet the pastoral difficulties of evangelization in the modern world, faith needed to be understood and presented in a fresh way by making the following distinction: 'The substance of the ancient doctrine of the deposit of faith is one thing, and the way in which it is presented is another, retaining nonetheless the same meaning and message' (ibid).

Theologians associated with *Communio*, therefore, seek to find continuity in the substance of what the church taught before and after the Council, while recognising its dynamic effort to present that faith anew. With respect to *DH*, in different ways they seek to find the thread of continuity between it and papal teaching of the nineteenth century. One common strategy is to explain *DH* as being part of the church's evolving engagement with the modern world. As Paul VI reflected: 'The Council has made its own the great expectation of the modern civil world by acknowledging this primary, extremely noble natural prerogative: human freedom' (*Insegnamenti di Paolo VI*, 1971, pp. 704-705 as cited in Healy 2017, p. 375). Yet this does not mean, as Murray thought, that the church belatedly taught what was

'accepted by the common consciousness of men and nations' (Murray, 1965, p. 43 as cited in Dulles, 2001, p. 161) and therefore 'is in the unfortunate position of coming late, with the great guns of her authority, to a war that has already been won' (ibid). Such an interpretation 'might be justified if the Catholic Church had simply repeated what had already been recognised, for example, in the Universal Declaration of Human Rights' (Dulles, 2001, p. 161). However, the *Communio* theologians would reply, 'the reader should not underestimate the essentially Christian and Catholic character of the council's teaching' (ibid).

Since Paul VI, subsequent Popes and *Communio* theologians have sought to articulate the distinctiveness of *DH*'s teaching by drawing attention to its nuanced understanding of freedom. As I have already mentioned, Murray's understanding of the document is guided by his assumption that it has renounced the establishment of the church and denied the state any competence in religious affairs. I need now to introduce another key element of his interpretation, which is his desire for the declaration to give religious freedom a 'purely juridical and negative definition, namely, immunity from external coercion in the practice of religion' (idem, p. 165). The document's first two drafts (written before Murray was invited to attend the Council) defined religious freedom primarily as 'an ethical and theological notion' (ibid) derived from the human person's dignity as a moral agent, 'called by God to share the divine life' (ibid). It inferred the 'right to the free exercise of religion' (ibid) from the principle that the dignity of a human person depends on his or her ability to act freely in accordance with personal conscience. But the third draft, which (as mentioned above) Murray had a role in writing, instead 'considers religious freedom to be formally and in the first instance a juridical notion' (ibid), i.e., it defined

'religious freedom as immunity, which for Murray was necessary and sufficient' (Rico, 2002, p. 94). According to Murray, the 'advocates of religious freedom were divided among themselves' (Murray, 1965, p. 40 as cited in Healy, 2017, p. 383) by the third draft's 'juridical approach' (ibid) as he called it.

During the Council's debates, Karol Wojtyła (who later became Pope John Paul II, but was then an auxiliary bishop of Kraków) made several interventions against the juridical approach for being 'partial and inadequate' (Dulles, 2001, p. 165), because the 'merely negative definition could easily be exploited to promote unacceptable forms of liberalism or indifferentism' (ibid). His point was that, if religious freedom were defended only as a negative right not to be coerced, then the church could find herself agreeing, or being misinterpreted as if she agreed, with the view that we are not capable or obliged to discover the truth about God; or with the view that our sovereign and autonomous conscience does not need to be influenced by the authority of revealed truth. Either of those views would imply that the state must remain indifferent towards the church and other religions. Yet this kind of religious and political indifferentism had been condemned by several pontiffs during the nineteenth century, beginning with *Mirari vos*, Pope Gregory XVI's first encyclical in 1832. Hence, some Council Fathers feared the church would contradict herself by endorsing the indifferentism that she had previously condemned. Wojtyła's concerns were shared at the time by Paul VI who, in a meeting before the discussion of the document's fourth draft, expressed the desire for a revised version of the text to address the following concerns:

To emphasize the obligation to seek the truth; to present the traditional teaching of the ecclesiastical magisterium; ... to state the doctrine in such a way that the lay state would not think itself dispensed from its obligations to the church (Routhier, 2006, vol. 5, pp. 111n239 as cited in Healy, 2017, p. 374).

Murray's claim that the juridical approach 'remained intact through the subsequent three revisions of the texts' (Murray, 1966, p. 42 as cited in Healy, 2017, p. 384) is belied by his own expressions of dissatisfaction with the document's final version. He quarrelled with 'the prominence given [in the final version] to man's moral obligation to search for the truth, as somehow the ultimate foundation of the right to religious freedom' (Murray, 1964, p. 570 as cited in Healy, *ibid*). As it stands today, although *DH*

did accept the juridical concept of freedom as immunity from coercion it did not stop at that point. Thanks to the input of bishops such as Wojtyła, *Dignitatis humanae* proposed a positive doctrine of religious freedom based upon revelation as well as upon reason (Dulles, 2001, p. 177).

DH's positive definition was based on human 'dignity [as it] is known through the revealed Word of God and by reason' (*DH*, 1966, p. 679, n. 2); it declares that '[i]t is in accordance with their dignity as persons ... that all men should be at once impelled by nature and also bound by a moral obligation to seek the truth, especially religious truth' (*ibid*) and 'also bound to adhere to the truth, once it is known' (*ibid*). Yet they cannot fulfil this responsibility and obligation

in a manner in keeping with their own nature unless they enjoy immunity from external coercion ... Therefore, the right to religious freedom has its foundation, not in the subjective disposition of the person, but in his very nature. In consequence, the right to this immunity continues to exist even in those who do not live up to their obligation of seeking the truth and adhering to it (*ibid*).

We can see that the final draft's presentation of religious freedom addressed Paul VI's concern to 'emphasize the obligation to seek the truth' (Routhier, 2006, vol. 5, pp. 111n239 as cited in Healy, 2017, p. 374). After him John Paul II and Benedict XVI would also repeatedly teach that what *DH* says about religious freedom must be interpreted 'not merely as immunity from coercion, but even more fundamentally as

an ability to order one's own choices in accordance with truth' (Benedict XVI, 2011 as cited in Healy, 2017, p. 379). Murray was therefore wrong to believe that the declaration's 'achievement was simply to bring the church abreast of the developments that have occurred in the secular world' (Murray, 1966, p. 565 as cited in Dreuzy, 2006, p. 44) by adopting a political or juridical notion of religious freedom. The *Communio* approach is more attentive than Murray to the document's philosophical and theological conception of freedom.

But how does the *Communio* interpretation seek to reconcile *DH* with the church's past teaching? To what extent does it regard *DH* to have changed the church's teaching on church-state relations? Here matters are not so clear but require some degree of extrapolation from what is only obliquely stated. Paul VI's concern 'to present the traditional teaching of the ecclesiastical magisterium' (Routhier, 2006, vol. 5, pp. 111n239 as cited in Healy, 2017, p. 374), so that 'the lay state would not think itself dispensed from its obligations to the church' (ibid), would suggest that he regarded the promulgation of *DH* to be following John XXIII's plan for the Council as quoted above: to study and present afresh the faith in a way more suited to meeting the pastoral difficulties of evangelization in the modern world. Perhaps Pius VI would have agreed with the admission by Benedict XVI (Healy, 2017, pp. 378-379) and influential ecclesiologist Yves Congar that *DH* 'does *materially* say something different from the Syllabus of 1864, and even almost the opposite of propositions 15 and 77-9 of that document' (Congar, 1977, p. 44; original emphasis). Congar refers here to the *Syllabus of Errors*, to which the critics of *DH*, especially Archbishop Lefebvre, frequently appealed as representative of the church's teaching in the nineteenth century on church-state relations (among other matters). The Syllabus

consists of a list of propositions which were *condemned* by Pope Pius IX, such as the following:

77. In the present day it is no longer expedient that the Catholic religion should be held as the only religion of the State, to the exclusion of all other forms of worship ...

78. Hence it has been wisely decided by law, in some Catholic countries, that persons coming to reside therein shall enjoy the public exercise of their own peculiar worship (Pope Pius IX, 1956, p. 152).

It would seem that the *Communio* interpretation of this problem (to risk making a generalisation) would be that these apparently contradictory statements by the church can be explained by the church emphasizing different aspects of the same enduring teaching by responding to different problems at different times. Over time, as the church is called in each case to present and reflect on her faith afresh, she comes to discern what is truly essential and enduring in it. For example, Congar sought 'to articulate the enduring dogmatic principle with which *Dignitatis Humanae* was congruent' (Meszaros, 2016, p. 194), namely: 'the authority of God, mediated by the church, and the apostolic and juridical liberty of this church to exercise her mission' (Congar, 1977, p. 47, as cited in Meszaros, 2016, p. 194). Making a similar argument, Benedict XVI claims that 'the church's decisions on contingent matters ... for example, certain practical forms of liberalism ... should necessarily be contingent themselves, precisely because they refer to a specific reality that is changeable in itself' (Benedict XVI, 2008, p. xxiii). We must 'recognize that in these decisions it is only the principles that express the permanent aspect' (ibid), which 'remain as an undercurrent, motivating decisions from within' (ibid). Benedict XVI makes the common argument that the teachings in the nineteenth century can be explained as reacting against a doctrinaire and anti-religious form of liberalism, which seemed to

deny a place for the church in the modern world, or denied the need or capacity for every man to reach religious truth with certainty (ibid).

The historical background to Pius IX's teaching would certainly vindicate Benedict XVI's argument. During Pius IX's pontificate, 'many of the European states asserted that local churches enjoyed civil liberty only in union with the state and that the state had power to superintend the offices and properties of the church' (Hittinger, 2008, p. 359). The First Vatican Council, which he convened, 'concluded that Catholic bishops were not functionaries of the state or of national churches' (idem, p. 360) because the universal church has a superior authority and must be free from state interference. The *Communio* interpretation would, therefore, regard the church in the nineteenth and twentieth centuries as teaching the same doctrine, i.e. 'that the church should enjoy that full measure of freedom which her care for the salvation of men requires' (*DH*, 1966, p. 693, n. 13). This underlying or 'fundamental principle' (ibid) of her 'sacred' (ibid) freedom, as *DH* calls it, motivated in the former century her reaction against the liberal governments that sought to 'make the church an organ of the state' (Hittinger, 2008, p. 371). The same principle motivated *DH*, at a time when totalitarian governments in the Eastern Bloc and elsewhere continued to deny this freedom to the church. But in the process of restating her right to liberty in the twentieth century, there was

a development in her understanding of the inherent unity of truth with freedom ... While still affirming that the truth alone frees, she now affirms at the same time, in a more explicit way, that truth itself presupposes freedom (Schindler, 2015, p. 43 as cited in Healy, 2017, p. 385).

So, as a result of this deepened understanding, *DH* teaches that 'the church's claim for its own liberty must be complemented with a claim for the liberty of others' (Hittinger, 2008, p. 375), although for particular reasons. Religious freedom is due to

the church, because of her Christ-given mission to preach the Gospel; religious freedom is also due to those outside the church because of the 'human dignity granted to all people by their Creator' (Farrow, 2015, p. 75), as known by reason and revelation, and because they can only come to faith in revealed truth if they are free. Since the fall of Communism, the circumstances in rapidly-secularising democracies have called for the teaching of *DH* to be re-applied to counter a new threat to religious liberty. For example, in 1995 John Paul II criticised the trend of religious citizens being 'under social pressure to keep their religious convictions private' (Dulles, 2001, p. 170), which he called 'more subtle than overt persecution' (ibid).

So in these various ways, the *Communio* theologians would seek to prove that there is continuity in the substance of what the church taught before and after *DH*, while recognising that *DH* is 'rightly credited as a major development in the way the church situates itself in the political world' (Hittinger, 2008, p. 375). They seek to move beyond the dichotomy of the 'progressive' and 'reactionary' ways of reading the document by a nuanced interpretation of its understanding of freedom, which certainly succeeds in revealing how it has not adopted the juridical approach that Murray believes—or would have preferred—it to have adopted. To that extent, it marks an improvement over Murray's reading of *DH*.

However, I shall now begin to concentrate on one important proponent of this view, David L. Schindler, in order to argue, firstly, that his insightful critique of Murray helps us to distinguish the Council's teaching in *DH* from liberal secularism; secondly, he nevertheless fails to propose an alternative that differs substantially from Murray. I have chosen to focus on Schindler because his critique of Murray is more subtle than the other proponents of the *Communio* interpretation. By rejecting

him, therefore, I shall reject the *Communio* interpretation in what I find to be its most convincing version.

As mentioned above, Benedict XVI argued that the church's response to the modern world developed over time. The condemnations of laïcité and church-state separation in the nineteenth century were in reaction to the hostile European governments that were inspired by what 'had emerged during the second phase of the French Revolution' (Benedict 2008, p. xii). However '[p]eople came to realize that the American Revolution was offering a model of a modern state that differed' (ibid) from the European form of secularism. His argument seems to be that the American system of government revealed a more benign form of secularism, which later influenced the church at the Council when it rethought how best to preserve the liberty needed for the church to bring others to faith. This 'distinction between the broad liberal tradition (represented in Anglo-Saxon countries) and the doctrinaire liberal tradition (represented in nineteenth-century Europe)' (Schindler, 1996, p. 49) is one which Murray repeatedly uses to justify what he sees as a change in the church's teaching. The strength of Schindler's argument is that he identifies the problems that vitiate both kinds of liberalism, and therefore shows that we cannot presume *DH* to have adopted either but must instead distinguish *DH* from liberal secularism altogether.

Murray argues that there are two principles of the Charter of Freedom (i.e. the founding documents of the American Republic) which distinguish 'the conservative Christian tradition of America from the Jacobin laicist tradition of Continental Europe' (Murray, 2005, p. 44). 'The Jacobin tradition proclaimed the autonomous reason of man to be the first and the sole principle of political organization' (ibid),

while 'religion is at best a purely private concern ... quite irrelevant to public affairs' (ibid). By contrast, the Declaration of Independence appeals to 'a truth that lies beyond politics ... I mean the sovereignty of God over nations as well as over individual men' (ibid). Hence America has 'never known organized militant atheism on the Jacobin, doctrinaire Socialist, or Communist model' (ibid) because 'America's pluralism presupposes a religious as distinct from secularist context' (Schindler, 1996, p. 55). The pluralistic religious context of 'this nation under God' (Murray, 2005, p. 46), as Lincoln described it, could still sustain a political consensus because 'its commitment to civilized discourse' (Schindler, 1996, p. 55) was 'conceived in the tradition of natural law' (Murray, 2005, p. 47).

The second principle is to be found in the two articles of the First Amendment concerning the free exercise and non-establishment of religion. There are two ways to interpret these articles. Some take them to be 'articles of faith' (idem, p. 62), in the sense that they express 'certain specifically sectarian tenets with regard to the nature of religion, religious truth, the church, faith, conscience, divine revelation, human freedom, etc' (idem, p. 62). Murray argues that that is the reading adopted by some Protestants and secularists: a Protestant might claim these articles profess the church to be a voluntary association (i.e. a free-church ecclesiology), or affirm the need for the Christian conscience to be free from ecclesiastical censure; the secularist might claim these articles profess a 'naturalistic humanism' (idem, p. 66). Both are wrong. The American Republic could not have professed either or any such belief in its founding documents, according to Murray, because it 'is not a church, whether high, low, or broad. It is simply a civil community, whose unity is purely political' (idem, p. 67). If a sectarian view about religion or politics were being enshrined in these

articles, then 'the very article that bars any establishment of religion would somehow establish one' (idem, p. 66), and exclude all those who dissented from it.

Therefore, Murray argues that these 'are not articles of faith but articles of peace, that is to say, you may not act against them, because they are law and good law' (idem, p. 62). The articles are 'legal prose having nothing to do with doctrinaire theories ... the work of lawyers, not of theologians or even of political theorists' (Murray, 2005, p. 68), and hence 'they contain no faith or religious content at all' (Schindler, 1996, p. 56). Hence, 'Catholics, like Protestants and secular liberals, thereby share an equal freedom of exercise with respect to their views on the ultimate nature and destiny of man' (ibid). In other words, the liberalism of the American Constitution is acceptable to Catholics not because of its adopted worldview, but because it 'espouses no worldview at all' (idem, p. 34).

Both principles of the American Constitution—its avowed theism and its neutrality towards any religious or political worldview—have been the basis for the American understanding of disestablishment and of the right to religious freedom, according to Murray. American society was both deeply religious and home to many different denominations at its founding, and its religious pluralism was unlikely to disappear before the eschaton. Therefore, Murray argues, the founding fathers established a system of liberal government that forbade establishment and preserved religious liberty, but not to enshrine an 'ideological negation of the public status and of the social function of religion' (Murray, 1967, p. 668 as cited in Schindler, 1996, p. 61), or to deny man's relationship to God or transcendent truth. In fact, they felt that it was vital for the preamble to the Declaration of Independence to invoke 'man's relationship to the transcendent order of truth and to the authority of God' (Murray,

1967, p. 571, as cited in Schindler, 1996, p. 62). Instead they recognised the negative right to religious liberty by forbidding government to make any 'moral or theological judgments on the beliefs expressed, or on the actions performed, within the sphere' (Murray, 1967, p. 568, as cited in Schindler, 1996, p. 61) of religion, because such action would be 'unconstitutional, beyond the competence of purely juridical authority' (ibid). The secularism of the American Constitution was substantially different from the Continental laicism that the church later condemned in the nineteenth century and, most crucially of all, Murray argues that *DH* adopted the American form of secularism: 'the Declaration [of Religious Liberty] is in harmony with the sense of the First Amendment to the American Constitution' (Murray, 1966, p. 678).

In order to show that the liberalism of the American Constitution is not as benign as Murray believes, Schindler unmask its hidden presuppositions and shows that, because of these presuppositions, 'Murray's project thus seems to lead to a privatization of religion' (Schindler, 1996, p. 69). Firstly Schindler argues that 'the religion clauses, whenever they *actually mean* anything, always imply someone's 'articles of faith' (idem, p. 50; original emphasis). Secondly, 'a religious freedom defined first in negative terms already presupposes *a theory of religion different* from one which would define religious freedom first in positive terms, in terms of the person's positive relation towards God' (ibid). Although Murray's "articles of peace" interpretation requires the First Amendment to express no worldview, religious or otherwise, the very terms in which the First Amendment is expressed, such as "establishment," "religion," and "free exercise," were historically closely associated with such notions as "separation of church and state," "liberty of conscience,"

“religious liberty” and so on (idem, p. 58). Yet 'Protestants, Jews, secular liberals, Catholics, and so on, will all have their own descriptions and definitions of these notions' (ibid). The 'problem is evident: one cannot give meaning to the religious clauses of the First Amendment without in fact favoring some set of particular religious convictions' (ibid). So they will always be “articles of faith,” i.e. they will always have some 'definite theological content' (idem, p. 66), even if the content is naturalistic humanism. By presenting them as neutral “articles of peace,” according to Schindler, Murray obscures from our view the possibility that these articles could always be informed by the more hostile, Continental kind of secularism.

More importantly still, by arguing that the founding fathers sought to protect a negative right to religious liberty, whilst also maintaining a theistic belief about our relation to God, Murray fails to see that the former does not entail the latter. If religious liberty must be defined as an immunity from coercion, then the human act needs to be understood, not as being intrinsically related to God as its ultimate end, because that would already 'be favoring theism at least of some sort' (idem, p. 68), but merely as an act free from restraint. So the orientation of our free acts to God is 'yet to be “added” to human nature' (ibid). But if the 'constitutional ordering of society is understood to be silent about God' (idem, p. 69), then when theists

go on to fill this silence with speech, they must now do so precisely by way of *addition* and in their capacity as *private* members of society. Nontheists, in contrast, have merely to *leave* the state's formally conceived human act *as it is*, namely, in the primitive emptiness which has already been accorded *official-public* status (ibid; original emphasis).

This means that the '[w]orldviews that favor silence about God in the affairs of the earthly or temporal order therefore always retain a theoretical advantage over worldviews that favor speech about God' (ibid). The negative right to religious

freedom is not neutral at all because it will 'disfavor those religions which understand the human act to be first "full" of relation to God – to be positively *ordered* to God from the beginning, *in its very constitution as a creaturely act*, toward God' (ibid; original emphasis). Therefore, instead of the 'overt and aggressive atheism of Europe, America in fact ... officially affirms a covert and more passive atheism' (ibid) and, by endorsing this system, 'Murray's project thus seems to lead to a privatization of religion' (ibid).

This, of course, was not Murray's intention. The point is he failed to see how the decision to define religious liberty in negative terms could lead to the same outcome as Continental laicism. Therefore, the liberalism of the American kind is not as benign and acceptable as he believed. In fact, Murray's approach 'does not provide any principled protection against secularism or atheism ... On the contrary, it provides it with an exact theoretical foundation' (idem, p. 70). Consequently, Schindler has convincingly argued that we cannot interpret *DH* as having changed the church's teaching by adopting a more benign, American form of religious liberty. If we are to understand why the church condemned liberalism in the nineteenth century, and then taught in favour of religious liberty at Vatican II, without contradicting herself or changing her doctrine, then it is no use to make distinctions within liberalism. We must distinguish *DH* from liberal secularism altogether and find resources within the church's own tradition that might explain the development of its teaching. For cogently making this point, Schindler is to be commended.

But what alternative reading of *DH* does Schindler propose? Does it successfully account for the continuity of the church's teaching? He argues that the relationship between the church and the state must be understood by connecting it with what the

Council taught about the relationship between grace and nature. As others have commented, Schindler's approach to the problem 'is not the best way to handle it' (Farrow, 2015, p. 166). Schindler appeals to John Paul II's encyclicals to claim that the Council taught a version of Henri de Lubac's theology of nature and grace (Schindler, 1996, p. 52). Since Murray 'did not see ... the cultural implications of de Lubac's nature-grace theology' (Schindler, 1994, p. 705), the inadequacies of Murray's approach can be explained as the consequences of his problematic neo-scholastic understanding of nature and grace (Schindler, 1996, pp. 75-77). His negative understanding of religious liberty relies on his assumption that human nature and human acts can be considered, in typical neo-scholastic fashion, independently of their actual orientation to God (idem, p. 65). This means that, for Murray, just as the purpose of freedom is always something added to our account of negative freedom, so the difference made by grace is always something that must be added to our account of human nature. This entails that there is no intrinsic relation between the church and the state (idem, p. 76). If the church has something to offer human societies or governments, it is not something they necessarily need. One could easily speculate that Murray wants to avoid saying that the state necessarily needs something from the church because he fears it would justify a juridical church-state union (Healy, 2017, p. 384), and his commitment to religious liberty alone would make that unacceptable. But the cost of this, according to Schindler, is that the church seems to become irrelevant and privatized (Schindler, 1996, p. 69). Although Schindler does not say so, I would argue that Murray's view could entail that the church is permitted to contribute only if it does so according to the terms set by the secular public space, e.g. by appealing to natural law alone. Since Murray's view is

that 'grace's influence on nature takes the form of assisting nature to realize its own finality' (idem, p. 79), then perhaps all that the church could offer to governments and political institutions is 'a public morality' (idem, p. 4) and the grace to live by that morality more effectively.

However, the problem with Schindler's critique is that his alternative proposal to Murray is vague in its details and, judging by the few details that he gives, he is not proposing something substantially different either. Appealing to de Lubac, Schindler argues that human nature and political authorities are intrinsically ordered to grace and to the church (idem, p. 78); the former will be perfected by the influence of the latter. Yet this does not entail theocracy or a juridical church-state union because 'the order of grace is not coextensive with the church understood as a juridical-hierarchical entity' (idem, p. 84). Grace demands a free response and the influence of grace on political leadership and citizenship must never involve 'the mechanical-coercive methods of the state' (idem, p. 87), because there must always be 'juridical distinctness of state and church' (idem, p. 85). So de Lubac's alternative account is that 'the call to sanctity "comprehends" the call to citizenship' (idem, p. 79). The 'church is not the guardian of the state' (de Lubac, 1932, p. 344, as cited in Schindler, 1996, p. 78) because the former does not take over the responsibilities of the latter.

It is from within that faith transforms reason, that the church influences the state. ... she ennobles the state, inspiring it to be a Christian state and thereby more human (ibid).

Whereas Murray's account leads to 'a civilization wherein sanctity is always something to be (privately/hiddenly) added to citizenship' (Schindler, 1996, p. 80), de Lubac's account leads to one 'wherein citizenship is to be suffused with sanctity' (ibid). But is de Lubac's alternative substantially different in practice? Inspiring the

state to become 'a Christian state and thereby more human' (de Lubac, 1932, p. 344, as cited in Schindler, 1996, p. 78) is ultimately not too different in practice from Murray's proposal for the church to help the state achieve its natural ends. De Lubac does not help us to distinguish his view from Murray's because, in the article from which Schindler is quoting, de Lubac does not offer any further details about what the interior influence of the church would involve. In fact, Schindler's reliance on de Lubac's article to present de Lubac's view of church-state relations is highly questionable, since in a footnote de Lubac himself states:

It is appropriate perhaps to point out that we did not wish to discuss here the problem of Church-State relations, even in its most general principles, nor, for even stronger reasons, the connected problem of the State's religious duties (de Lubac, 1989, p. 220).

Schindler clearly wants to infer from de Lubac's discussion of nature and grace that the church must engage with the world in a more explicitly Christian manner, and to recognise that the world itself is made to be fulfilled by what the church can give to it. The subtleties of his discussion about nature and grace may well represent more faithfully what the Council taught about their relation. Yet, despite that, his (or de Lubac's) account of how the church ought to influence the state in practice differs marginally (if at all) from Murray. To use an analogy, if political authorities were to be compared to a car engine, Murray and Schindler both seem to view the church as providing the equivalent of engine oil. Schindler criticises Murray for failing to see that the engine is meant to have oil and cannot run without it. Nevertheless, Schindler ultimately seems to agree with Murray that the church's service to political authorities is not to make them change or reconceive what they do, but merely to help them perform their given tasks more effectively. If so, then Schindler has failed to offer us a concrete alternative to liberal secularism and has failed to explain how

his interpretation of *DH* on church-state relations would lead to something practically different from what Murray envisages. Therefore, although the hermeneutics of reform employed by the *Communio* theologians provide us with additional reasons to reject Murray's interpretation of *DH*, yet I deny that it has given us a convincing account of how *DH* is continuous with the church's past teachings.

1.4 Thomas Pink's Interpretation: A Hermeneutics of Continuity

Having criticised Schindler for failing to offer a real alternative to Murray's reading of *DH*, I shall now turn to someone who has: Thomas Pink. His achievement has been to provide a way beyond the two dichotomies we have encountered so far: that between 'progressives' and 'reactionaries', i.e. those for and against *DH*'s perceived change of church teaching; and between those who interpret *DH* through a hermeneutics of discontinuity or of reform in continuity with the past, i.e. Murray and the *Communio* school. Although Pink does not engage with Schindler, he does present his view in response to Martin Rhonheimer's writings about *DH*, which are certainly within the *Communio* approach, so Pink's criticisms of Rhonheimer are largely applicable to Schindler as well. In this chapter I seek to show that, according to Pink's convincing argument, the church intended to make no change to its doctrine in *DH*, but only a change of policy in how it relates to political authorities. Later, in the following chapter, I shall develop my own view by arguing that, while Pink successfully demonstrates *DH*'s effort to avoid contradicting past doctrine, his flaw is a failure to situate *DH* within the broader pastoral vision of what the Council set out to achieve. Consequently he does not fully grasp the purpose of *DH*, besides bringing the church's diplomatic policies up to date with present political circumstances.

The article Rhonheimer wrote about *DH* demonstrates the strengths and weaknesses of the *Communio* approach. Referring to Benedict XVI's hermeneutics of the Council, Rhonheimer draws our attention to the fact that Benedict XVI did not urge us to use a hermeneutics of continuity, but a hermeneutics of reform. The true reform enacted by the Council is to be found 'in the interplay, on different levels, between continuity and discontinuity' (Rhonheimer, 2011, p. 1034). Therefore, efforts to find 'an uninterrupted continuity between pre- and post-conciliar doctrine' (idem, p. 1030) are 'doomed from the start' (idem, p. 1034). At Vatican II there was an 'epochal transition' (idem, p. 1036) that 'should be embraced, not watered down by the search for a false continuity' (ibid). Yet at which levels are there continuity and discontinuity? Although he quotes the Pope's claim that the Council 'reelaborated or corrected some decisions made in the past' (idem, p. 1032), Rhonheimer argues '[t]his correction does not imply a discontinuity at the level of Catholic doctrine on faith and morals' (ibid). This remained intact while the church 'modified its conception of the function of the state and of its duties toward the true religion' (idem, p. 1039), since the latter 'is a question concerning an aspect of the social doctrine of the church' (idem, p. 1040), and hence fallible and reformable.

Rhonheimer's argument in detail is as follows. In the nineteenth century, it seemed to Popes, such as Pius IX, that the 'right to freedom of religion, conscience, and worship was necessarily joined to the denial of the existence of a true religion' (idem, p. 1031). While toleration of false religions for prudential reasons could be acceptable, the concession of a

right to profess and cultivate a religion which was not the true one was considered to imply *ipso facto* the admission that there is not only not one true religion and church, but that all religions are equivalent (idem, p. 1039; original emphasis).

Rhonheimer notes that the liberal opinion during that century only confirmed this reaction, since they made the opposite argument, i.e. religious 'freedom must exist, because there is no true religion' (ibid). He does not give names or examples of this but it is a conventional characterisation of nineteenth-century liberalism, which we have already encountered above in Murray's writings. Therefore, in order to defend Catholic dogma, the Popes defended the notion that 'the state is the guarantor of religious truth and the church possesses the right to make use of the state as its secular arm to ensure its pastoral responsibilities' (idem, p. 1045). But this latter conception of the state was not derived from scripture or tradition (the sources of Catholic teaching on faith and morals), or from the principles of natural law, he argues, but was rather inspired by 'the traditions and practices of ecclesiastical law of medieval origin' (ibid). Eventually these had coalesced into the idea of a Catholic confessional state, a 'centuries-old historical burden' (idem, p. 1048), which, like the rest of the church's teachings about social and political issues, is 'at the level of the application of principles' (idem, p. 1041); this presumably means the application in social and political issues of principles derived from the natural law. Rhonheimer here clearly wishes to avoid suggesting that there was a change at the level of the church's interpretation of the natural law's principles, but in its teaching regarding the practical application of such principles in contingent issues of the social and political order. This is because, according to *DH* and the most recent Catechism (n. 2036), when teaching about morals, the church's magisterium can interpret authoritatively and infallibly the principles of the natural law or, in other words, 'those principles of the moral order which have their origin in human nature itself' (*DH*, 1966, p. 69, n. 14). Therefore, Rhonheimer wants to argue that the church's

teachings about church-state relations do not belong to its interpretation of the natural law's principles, but only to its more fallible teaching about their practical application.

Thus, when the notion of a Catholic state was finally 'shelved' (Rhonheimer, 2011, p. 1047) at Vatican II, there was no change at the level of doctrine or dogma. As the first section of *DH* professes that the 'one true religion subsists in the Catholic and Apostolic church' (*DH*, 1966, p. 677, n. 1), it is in continuity with the 'rejection of religious indifferentism and relativism' (Rhonheimer, 2011, p. 1045), which is the 'still-valid heart of [the] nineteenth-century condemnation' (ibid). Yet *DH* is discontinuous at 'the level of the always concrete and contingent ways of applying' (idem, p. 1041) dogma or natural law principles in the political or social sphere, because it recognised that the Catholic faith 'is in reality not in the least harmed by the acceptance of freedom of religion and worship' (idem, p. 1039). Therefore, by accepting and teaching the 'conception of religious freedom as a natural right, Vatican II was able to draw a new consequence concerning the positive legal order of the state' (idem, p. 1042). Rather than seeking to 'affirm and impose its truths and its pastoral duties by means of civil power' (idem, p. 1053), the church came to recognise that 'the truth cannot impose itself except by virtue of its own truth, as it makes its entrance into the mind at once quietly and with power' (*DH*, 1966, p. 677, n. 1 as cited in ibid). By reaffirming the right to religious freedom and the Gospels' distinction between what is owed to God and to Caesar, there emerged 'a much clearer manifestation of the identity of the church of Jesus Christ' (idem, p. 1049).

In summary, according to Rhonheimer: there was continuity in what the church teaches infallibly on faith and morals, and discontinuity in the church's fallible and

contingent teaching about church-state relations. In typical *Communio* fashion, Rhonheimer understands Vatican II's reform to include 'elements of both continuity and discontinuity' (idem, p. 1030).

Rhonheimer wants to secure the infallibility of the church's magisterium from any doubt, by avoiding any suggestion of discontinuity in its authoritative teaching on faith and morals, and to show that 'what the popes of the nineteenth century rejected as heretical still is heresy: religious indifferentism' (idem, p. 1052). These concerns display the strength of the *Communio* approach in its concern to find continuity in the church's developing doctrine. Schindler shares the same concern to show that *DH* is not a radical departure from the church's former teaching, because *DH* is not an accommodation to the liberal secularism criticised in the nineteenth century, but a development of doctrine continuous with those criticisms. However, Rhonheimer and Schindler misunderstand the nature of *DH*'s teaching, and thus fail to see how it is both traditional and radical, because they do not understand what the church's teaching on church-state relations was understood to be in the centuries before *DH*. By unearthing this teaching and by paying closer attention to the recorded proceedings of the Council, Pink has supplied us with the historical and doctrinal context in which *DH* must be read.

Pink begins by pointing out that, according to its subtitle, *DH* 'is a document, not on religious liberty and coercion in relation to any authority whatsoever, but rather on religious liberty and coercion in relation to the state and civic institutions' (Pink, 2013, p. 80; cf. *DH*, 1966, p. 675). Hence the document itself defines religious freedom as meaning that, in religious matters, 'all men are to be immune from coercion on the part of individuals or of social groups and of any human power [*cuiusvis potestatis*

humanae]' (*DH*, 1966, pp. 678-679, n. 2). So it is denying not any power whatsoever but specifically the state, civic institutions, and other human powers the authority 'to coerce religious belief and practice' (Pink, 2013, p. 80). But this authority,

according to the teaching of the pre-conciliar magisterium, never belonged to the state in any case, but only to the church. The state's past licit involvement in religious coercion, therefore, was never under its own authority but was always under the authority of the church, in virtue of an obligation on Christian rulers to the church, incurred through baptism, to aid her in her mission and to put the coercive power of the state at her disposal (*ibid*).

What the church previously taught about religious coercion was not thought to be based on 'reformable social teaching about the application of natural law concerning the state' (*ibid*), as Rhonheimer suggests. Nor was the church's past endorsement of religious coercion by the state only expressed in the teachings 'of a few isolated popes' (Rhonheimer, 2011, p. 1038). Instead many theologians, even up to the Council, thought the basis of that teaching was in 'revealed doctrine about the authority of the church' (Pink, 2013, p. 80) and in 'people's obligations to the church incurred through baptism' (*ibid*). Behind this teaching 'lies the authority, not just of a number of nineteenth-century popes, but of many general councils and of the canonical tradition of the church' (*ibid*). Regardless of whether *DH* could have contradicted those past teachings, in fact, 'beyond undertaking to preserve traditional teaching, *Dignitatis Humanae* very carefully avoids stating any doctrine of its own about the church's own authority' (*idem*, p. 81). *DH* simply restated the thoroughly traditional 'teaching on the state's incompetence to coerce religiously, leaving the crucial teaching on the church's own authority unchanged, but otherwise unaddressed' (*ibid*). Yet even if *DH* is only 'a reform at the level of policy' (*idem*, p. 79), it is still a radical reform of policy, indeed 'an historic reform' (*ibid*). 'For the first time since late antiquity the church is now refusing to use the coercive power of the

state to support her mission' (ibid), since it no longer endorses delegating its own authority to 'baptised state officials' (idem, p. 81) to coerce in religious matters over other baptised members of the church.

Pink supports his argument by quoting from the reports (*relationes*) produced by the commission that oversaw the drafting of the document (which was the *Secretariat for Promoting Christian Unity*). These were provided either in written form to the Council Fathers or presented by Bishop de Smedt. He was the official *relator* of *DH*, which meant he had the task of 'presenting its overall argument and summarizing any changes that had been made since its last promulgation [i.e. since the last draft of the document]' (Wilde, 2007, p. 165). The *relationes* are particularly important because they 'interpreted the declaration to the council fathers before they voted on' (Pink, 2017, p. 106) a particular draft of it. Hence they present the commission's official interpretation of the document. For example, in one *relatio* it is said:

Some fathers, moved by pastoral concerns, proposed that at the beginning of the Declaration there should be given a general exposition of Catholic doctrine *about liberty within the church* ... But our secretariat has declined the task of proposing a schema to this Holy Synod in which the Catholic doctrine of freedom in general is expounded (*Acta Synodalia*, 4.1, p. 196, as cited in Pink, 2017, pp. 122-123; emphasis added).

In another *relatio* just before the final vote, Bishop de Smedt repeated this point to the Council Fathers and explained the change to the document's subtitle:

The subtitle now reads 'On the right of the person and of communities to a *social* and *civil* liberty in religious matters'. The liberty or immunity from coercion which the declaration addresses does not have to do with the relation of man to the truth or to God, *nor does it have to do with relations between the faithful and authorities within the church*: it really has to do with relations between people in human and civil society ... For these reasons the freedom is termed *social and civil* (*Acta*, 4.1, p. 185, as cited in Pink, 2017, pp. 123-124; emphasis added by Pink).

When some Fathers raised the problem of scripture's witness to 'examples of religious coercion exercised by the apostles over the baptised' (Pink, 2013, p. 105), the commission responded:

Examples and statements brought against the text from the New Testament (and also many from the Old Testament) either concern the internal life of the religious community of Israel, in which Jesus and the Apostles lived, or the intra-ecclesial life of the early Christian community. And the declaration does not treat of this life (*Acta*, 4.6, p. 763, as cited in Pink, 2013, p. 105).

Thus, it can be seen that *DH* was written to address religious freedom and coercion in relation only to the state and civil authorities, while declining to address these issues in relation to the church's own authority. Hence it defined religious freedom as 'immunity from coercion in civil society' (*DH*, 1966, p. 677, n. 1). Precisely to avoid contradicting what was perceived to be the traditional doctrine about the church's coercive authority, there was 'added at Pope Paul VI's insistence' (Pink, 2017, p. 125) the passage in which it is said: that *DH* 'leaves unchanged [*integram*] the traditional Catholic teaching on the moral obligation of individuals and societies towards the true religion and the one Church' (*DH*, 1966, p. 677, n. 1). Rhonheimer interprets this passage as meaning that the traditional teaching is preserved, but qualified by the rest of the document's defence of religious freedom, meaning that the 'old doctrine on the function of states as the secular arm of the church has already been set aside' (Rhonheimer, 2011, p. 1036). Yet this would render meaningless the claim to have left *integram*, i.e. 'unchanged or intact or untouched' (Pink, 2013, p. 104), the traditional teaching as it was understood by the commission. Pink gives the more likely interpretation: that this passage was meant to 'ring-fence what was supposed to be ring-fenced—the coercive authority of the church' (idem, p. 105), and

the 'obligations on the baptized to aid the church in enforcing her authority' (ibid) if the church should choose to ask for such aid.

One could object that the passage does not speak about obligations on the part of states to the church, but only about 'the moral obligation of individuals and societies' (DH, 1966, p. 677, n. 1). However, Jérôme Hamer, who belonged to the commission preparing the document, specified that the reference in this passage to the obligations of societies did not intend to exclude but to include states within its meaning. It was added

to mark the fact that the doctrine on liberty does not involve any rupture in the magisterium of the church. So the *traditional* doctrine remains intact ... Moreover the declaration underlines that this duty (*officium*) applies not only to individuals but to collectives, that is, to men acting together. It applies to all social groups from the most modest and spontaneous to nations and to states (Hamer, 1967, p. 99).

DH is claiming to preserve the traditional teaching about the duties of the state to the church. But what were those duties thought to be? Schindler and Rhonheimer both seem to be unclear about them and hence unclear about what they claim DH to have renounced. Rhonheimer at times speaks of the state 'acting as the church's agent' (Pink, 2013, p. 82), as 'the secular arm of the church' (Rhonheimer, 2011, p. 1032). Yet elsewhere, when discussing the state's use of coercive means, such as temporal penalties, to defend the church, he writes: "'temporal" precisely did not refer to ecclesiastical power and penalties but to the coercitive [sic] power of the state in the service of the true religion' (idem, p. 1044). This would imply that, more than simply being the church's instrument, in fact 'the state is acting on the basis of an authority of its own in matters of religion' (Pink, 2013, p. 82). As for Schindler, he claims in one place that, according to DH, the 'way of the church in her mission to the world can therefore never ... be to *employ* the mechanical-coercive methods of the

state' (Schindler, 1994, p. 739-740; emphasis added). Does this mean that the state should not be employed by the church as its coercive instrument? Or does it mean that the church itself ought not to act as a coercive authority, using coercive methods, such as the use or threat of temporal punishments, in the same manner as the state? Schindler's remark is ambiguous, although de Lubac's choice for the latter option (de Lubac, 1989, p. 211) could indicate where Schindler's sympathies lie.

In any case, neither seems to have understood what the traditional teaching was perceived to be. Rhonheimer claims that 'never before [Vatican II] had the pope and the bishops condemned religious freedom and proclaimed this condemnation as a definitive doctrine of the church [i.e. as something derived from revelation]' (Rhonheimer, 2011, p. 1038). Instead 'past endorsement of religious coercion was part of natural law teaching about the function and authority of the state' (Pink, 2013, p. 94). As mentioned above, he also seems to think that, since the nineteenth-century popes' conception of church-state relations rested on 'the traditions and practices of ecclesiastical law of medieval origin' (Rhonheimer, 2011, p. 1045), this is another indication that their conception had nothing to do with revelation. Yet the

canonical tradition—the church's own past legislative activity— ... was historically treated as of great doctrinal significance, as itself including doctrinal teaching by the successors of the Apostles, whether as individual popes or as bishops gathered in councils both general and provincial, about what the church had a right to impose by way of obligations or as penalties on those subject to her jurisdiction, and so about the obligations to her of Christians, both as private individuals and as rulers or public officials (Pink, 2013, p. 94).

The tradition of canon law 'was certainly regularly treated by past theologians as sufficient to establish definitive church teaching' (ibid), especially as an expression of its ecclesiology. Therefore, Pink begins to unearth what past theologians understood the traditional teaching to be by examining the various canonical authorities that are

cited by *DH* in footnotes seven and eight. These footnotes are meant to support *DH*'s argument that 'the doctrine of the church that no one is to be coerced into faith has always stood firm' (*DH*, 1966, pp. 692-693, n. 12). The citations condemn 'the use of coercion to evangelize the unbaptized, such as forbidding the coercive baptism of Jews and Moslems' (Pink, 2013, p. 107). One citation is from the canons of the fourth provincial Council of Toledo held in 633, an important and frequently quoted authority in the canonical tradition. This Council, which

having condemned coercion into baptism, then, in the very same passage referred to by *Dignitatis Humanae*, actually and in the same terms and with the same force, demands coercive measures to retain within the faith those who, having been baptized, then attempt to leave (*ibid*).

Endorsements of the church's coercive authority are not to be found only in the canonical tradition. The Council of Trent, in 'passages that are clearly doctrinal' (*idem*, p. 97), 'restricted the scope of the church's jurisdiction to the baptized' (Pink, 2013; cf. Tanner, 1990, p. 704), and yet it was interpreted for centuries to have 'specifically taught that individuals' baptismal commitment to the faith may be coercively enforced, even on those adults baptized without their personal consent as children' (Pink, 2013; cf. Tanner, 1990, p. 686). Thus, by giving citations to the canonical tradition, *DH*

is clearly not telling some story about how church teaching has always opposed the coercion of religious belief as such—a story that would anyway be utterly false. The non-coercive story is very clearly restricted to the case of the unbaptized (Pink, 2013, p. 107).

If the tradition was understood to teach that the church has coercive authority over the baptised, what was it thought to teach about the state's role and obligations? The confusion in Rhonheimer's own views recalls the debate between 'Counter-Reformation Roman theologians such as Suarez and Bellarmine' (*idem*, p. 82) and

'Gallicans such as [William] Barclay' (ibid). The latter (although Catholic) seemed to favour a regime like James I's, according to which the church (and especially the papacy) had no right to employ the state as its instrument, since the state had its own native authority to coerce in religious matters (idem, pp. 82-83). However, the church appeared to have rejected this, endorsing instead the Suarezian-Bellarminian view. This can be seen in Suarez's *Defensio Fidei Catholicae* of 1613, which 'was commissioned by [Pope] Paul V' (idem, p. 83), but more explicitly in the encyclicals of Leo XIII, such as *Immortale Dei* in 1885, in which:

he denies the state any native authority to coerce—to legislate or punish at all, including through temporal penalties—in matters of religion. That authority belongs to the church under her own constitution—a constitution the coercive nature of which is not a matter of natural law but a matter of revelation (ibid; cf. Pink, 2015, p. 3).

Since Pope Leo XIII saw the coercive authority of the church over the baptised to rest on what revelation tells us about the church and the obligations of the baptised, therefore he also understood this teaching to be a part of what the church claims to teach infallibly from revelation, rather than being (as Rhonheimer thinks) a claim made from natural law. Despite the state not having any authority of its own over religious matters, it can be required 'to assist the church in the application of ecclesial penalties' (Pink, 2013, p. 85) as the church's secular arm, according to canon 2198 of the *Code of Canon Law* (*Codex Iuris Canonici*, 1948, pp. 682-683) introduced in 1917. The canon supports this by giving dozens of 'references to past conciliar and papal teaching' (Pink, 2013, p. 100). Among these was a reference to the decrees of Trent, which include a 'solemn admonition to rulers precisely in their capacity as baptized Catholics to enforce church authority' (Pink, 2013; cf. Tanner, 1990, p. 795). Although

Pink does not mention this, St. Augustine (who is also cited in the seventh footnote of *DH*) also held the same view. In his later letters he

bases his claim to make use of the secular power against the [heretical] Donatists, not on the rights of the state to intervene in religious matters, but on the right of the church to make use of the powers of this world which God has subdued to Christ (Dawson, pp. 255-256; cf. Letters 35 & 105).

St. Augustine's letters about coercion, the decrees of Trent, and other general councils were continuing to be discussed in the 1950s by Charles Journet, an eminent theologian who was present at the Council, and whose support for *DH* helped to secure its promulgation. He cited this material

in support of his own view that the church has historically taught not only her own possession of a right to coerce religiously, but a further right to call on a Christian state to aid her in her exercise of her coercive authority (Pink, 2013; cf. Journet, 1955, pp. 272-280).

That these canonical and doctrinal texts were being invoked only a decade before the Council proves that neither they, nor the teaching it supported, were forgotten. Journet of course recognised that civil authority has moved away from the 'the consecrational type' (Journet, 1955, p. 280) found in the mediaeval era by becoming 'more and more differentiated from the spiritual' (*ibid*), i.e. secularised, and that many pluralist societies now bring 'together citizens of all confessions and beliefs' (*ibid*). Therefore the possibility of the church calling upon the state as its secular arm 'becomes much less frequent, more delicate, more hypothetical' (*ibid*). Yet, despite being impracticable due to changing circumstances, the theoretical right of the church in principle to have recourse to its secular arm 'is not therefore modified' (*ibid*) because the right (according to his understanding of the church's doctrinal tradition) 'is undeniable' (*ibid*).

Considering the perceived antiquity of this right and the church's use of it, and the fact that respected theologians such as Journet still thought it to be unchanged in the years just preceding the Council, one can understand the controversy surrounding *DH*. Its 'passage was no foregone conclusion' (Pink, 2013, p. 111). 'Some would have wished that the declaration had contained a paragraph on liberty in the church' (Congar, 1967, p. 13 as cited in Pink, 2017, p. 128), as Yves Congar noted after *DH* was promulgated. However, among other reasons, this would only 'have added to motives for opposing the declaration' (ibid) and 'would have been deeply imprudent and dangerous' (ibid). If the declaration were to tackle the nature of the church's own authority and jurisdiction over the baptised, aside from the 'sheer disagreement that would have been unleashed' (Pink, 2013, p. 111), 'the public embarrassment would have been considerable' (ibid). This is especially true if one remembers (although Pink does not mention this) that *DH* was meant to be a crucial part of the church's effort to begin ecumenical dialogue with other Christian denominations, many of whom had sent observers to be present at the Council's sessions. In their presence especially, who would 'have had the stomach explicitly to rehearse the church's traditional teaching and legislation regarding the coercive enforcement of her own authority and jurisdiction?' (ibid). Yet this teaching and legislation were thought to be 'authoritative as fully part of the church's doctrinal self-conception—as the more historically learned Council fathers such as Journet were very well aware' (ibid). Also, as mentioned above, the Pope had personally given instructions to Bishop de Smedt to revise the document, so as 'to present the traditional teaching of the ecclesiastical magisterium ... [and] to state the doctrine in such a way that the lay state would not think itself dispensed from its obligations to the church' (Routhier, 2006, vol. 5, pp.

111n239, as cited in Healy, 2017, p. 374). In the end, what many, including the theologians on the commission, thought to be the

traditional teaching on the obligations of the baptized to the church, fundamental to the coercive authority of the church, was left unspecified—it was not the business of a declaration on the authority and competence of another coercive authority entirely, the state, to expound it. But at the same time that body of teaching was still carefully and expressly preserved *integer—unchanged* (Pink, 2013, p. 111).

Thus, although in *DH* 'something very new has happened' (Pink, 2017, p. 130), it happened by endorsing a change of policy that was carefully worded to avoid conflicting with what was thought to be a settled teaching in the church's tradition. 'The church is no longer choosing to address the state as her religiously coercive agent ... She is now addressing it as detached from such a role – as *potestas* [power or authority] of the civil order only' (ibid), and hence as having no right to coerce in religious matters. Therefore, according to Pink, Murray and the *Communio* school are wrong to debate whether *DH* was a continuous or discontinuous reform of church teachings, because the document was never intended to change church teachings on church-state relations. The 'progressive' and 'reactionary' interpretations are also wrong for the same reason. Having explained Pink's argument, which I largely accept, I shall develop my own interpretation in the next chapter by discussing the flaws and shortcomings of Pink's approach.

1.5 A New Interpretation: A Change of Policy for the Sake of the Mission

1.5.1 Outline of chapter

In this section, I will discuss three possible objections to Pink's approach, of which I shall reject two and accept the third. Then, I shall seek to remedy Pink's

shortcomings by offering my own interpretation which, I hope, will integrate his approach within a more comprehensive and adequate scheme. As this chapter will be the longest of Part One, I will give a detailed outline of it before I launch into my argument.

Firstly, I will discuss the question of how plausible such an esoteric explanation can be. If this were the official interpretation, then why is it not more widely known? Why did many come to think that *DH* was not merely a change of policy but of doctrine as well? To this I will respond by referring to several factors which together prevented this interpretation from being more widely known: the way that the Council's proceedings were reported to the media and to popular society; the differences of opinion among the Council Fathers, who may have given their support to *DH* for diverse and even pragmatic reasons; the obscurity of the Council's written proceedings, which remain almost entirely untranslated; and ignorance of the church's traditional teachings on these issues. All these collectively caused the official interpretation to be quickly forgotten.

Next, I will respond to the objection that Pink is making an argument from silence, relying largely on one passage and on what remains unsaid in the text. To this I will respond that, although Pink concentrates on defining what the text as a whole intended to teach, by referring to the *relationes* and to a few sections, the rest of the document's text and structure are also in favour of his interpretation. I will also quote a commentator on *Gaudium et Spes* (another document of the Council) who interprets what that document says about church-state relations in the same way that Pink interprets *DH*.

However, this quotation will lead me onto the third objection, which is that Pink considers *DH* in isolation from the rest of the Council's teachings and documents; this means that he does not see the place of *DH* within the broader vision of what the Council sought to achieve, and hence misses the true purpose of its change of policy. Yet until we have grasped this purpose, we shall not have reached a complete understanding of what the Catholic Church was really doing in *DH*. This objection I accept, and it provides me with the opportunity to begin my argument to explain the relation between *DH* and the Council's overall vision and endeavour, which was: to scrutinise the recent developments of our time, and then to renew the church's mission of evangelisation in a way that would be more capable of meeting 'the errors, needs and opportunities of our day' (*DH [Latin text]*, 1966, p. 655), as Pope John XXIII said at the inauguration of the Council. The church's mission and the action of divine grace transform not only individuals, but also societies and cultures. Hence, in a crucial document, *Gaudium et Spes*, the church set out the dogmatic and pastoral principles by which it wanted this renewed missionary effort to have the effect of Christianising and humanising culture, the economy, politics, and other areas of our earthly life. In this and in other documents it is clear the Council wishes the laity especially to take the initiative in this endeavour because, from the beginning of the twentieth century, the popes began to realise that rulers were no longer willing to act as their ministers or instruments. Moreover, the use of state-enforced coercion could hardly bring about the sincere and much-needed commitment among lapsed or secularised Christians to fulfil the obligations received at baptism. Therefore, at the Council the Catholic Church resolutely chose to affirm this process of differentiation between the church and state, not merely for pragmatic reasons, but because it

judged this to be a positive development that would enable the church more freely and persuasively to evangelise and, through the leaven of the laity, to bring about cultures and societies shaped by Christian humanism, or what Paul VI called 'the civilisation of love' (Pope Paul VI, 1970).

1.5.2 First objection to Pink: Esoteric interpretation

So let us begin with the first objection to Pink's approach. One could easily imagine the novelty of Pink's approach provoking scepticism: if this really were the official interpretation of what *DH* sought to do, then why do we need to be reminded of it? Why did so few theologians at that time show any awareness of it? Why do so many then and today think that the promulgation of *DH* means 'the flat rejection of propositions once taught by the ordinary magisterium' (Noonan, 2005, p. 157) of the church? Pink's claim to have found the official interpretation, it would seem, is undermined by the fact that almost no one seems to have known about it until he recently discovered it.

To this I cannot respond by pointing to any single identifiable cause, but rather to a series of factors that collectively had the effect of causing *DH* to be widely misinterpreted as (in some sense) a doctrinal change. Firstly, to understand the reception of the Council's teachings as a whole, one must understand how it was conducted, and how those who did not attend its proceedings learnt about them through various media. The general congregations, that is, the plenary debates in the hall of St Peter's, were conducted almost entirely in Latin behind closed doors, and attendants were required to preserve the secrecy of its proceedings. The *relationes* drawn upon by Pink were circulated at the time only among the bishops in attendance and their theological experts (i.e. the *periti*). Although all the reports and

preparatory documents of the different curial commissions and secretariats, and all minutes of the conciliar debates were collected and published in several volumes after the Council was closed, they have yet to be translated from Latin into any other language. As proficiency of Latin has declined in many places, even among Catholic scholars and theologians, their ability to discover how the Council proceeded has only declined even further. All of this has contributed to obscuring what the church sought to change in *DH*.

Together with the difficulty of discovering what the Council was about, one cannot ignore the confusions created by the media. For '[n]ever before was an ecumenical council of the Roman Catholic Church so extensively covered and reported by the modern news media' (Lamb & Levering, 2008, p. 3). But of those journalists, '[f]ew had any expertise in Catholic theology' (ibid). Pope Benedict XVI spoke about how 'there was the Council of the Fathers – the real Council – but there was also the Council of the media' (Benedict XVI, 2013; cf. *Acta Apostolicae Sedis*, 2013, p. 293). As he explained:

the Council of the Fathers was conducted within the faith ... a Council of faith seeking *intellectus*, seeking to understand itself and seeking to understand the signs of God at that time ... [But] the Council of the journalists, naturally, was not conducted within the faith, but within the categories of today's media, namely apart from faith, with a different hermeneutic. It was a political hermeneutic: for the media, the Council was a political struggle, a power struggle between different trends in the church. ... We know that this Council of the media was accessible to everyone. Therefore, this was the dominant one, the more effective one, and it created so many disasters, so many problems (Benedict XVI, 2013).

However, the secular media alone was not to blame for distorting the Council. In the English-speaking world, the popular view of the Council was heavily influenced by the pseudonymous columns written by one attendant: Fr. Francis Murphy. Using the pen-name Xavier Rynne, he wrote columns for *The New Yorker* which not only

detailed the most memorable events of the Council's four sessions, but also presented them according to his own manifestly liberal views; nor did he hesitate from 'having recourse to terms commonly used in political debate, such as "'conservative," "progressive," "liberal,"' (Rynne, 1963, p. xii) and so on. He 'depicted the church as a thoroughly political institution in which conservative Vatican bureaucrats sought to frustrate the council's progressive majority through intrigue and intimation' (Naughton, 1993). Thus, both the secular media and priest-journalists like Murphy/Rynne influenced those who were not present at the Council's sessions to interpret them in ideological or political terms. Documents like *DH* were read by many as 'a liberal or progressive accommodation to modernity that aimed to overcome Catholicism's traditional, conservative resistance to modernity' (Lamb & Levering, 2008, p. 3). The text of the documents themselves were treated as 'the result of compromises in which, to reach unanimity, it was found necessary to keep and reconfirm many things that are now pointless' (Benedict XVI, 2008, p. x). They were thought to point towards, but not to express adequately, the Council's true 'spirit' (ibid). Hence the claim of *DH* to have left 'untouched traditional Catholic doctrine' (*DH*, 1966, p. 677, n. 1) could be treated as, 'at best, a sop to nostalgia for some form of Catholic state establishment' (Pink, 2013, p. 104), as indeed 'Rhonheimer treats the passage as certainly no more than this' (ibid).

In one sense, of course, it is true to say that *DH* and the other documents were compromises between the participants at the Council. This can be acknowledged without dismissing what seems obsolete in the name of some vague spirit of Vatican II. The compromises were made because John XXIII and Paul VI wanted as broad a consensus as possible to be reached among the Fathers, so that the Council would

truly represent the views of a united and universal church. This meant making amendments in response to the reservations and criticisms that were made of the various drafts presented for debate. But *DH* certainly stood out as 'the most controversial' (Healy, 2017, p. 368) document and, as Pink wrote, its 'passage was no foregone conclusion' (Pink, 2013, p. 111). As the time for debate and amendments reached its end in the fourth and final session of the Council, it is very likely to suppose that many of the 2308 Fathers who voted for *DH* did so, not only for diverse reasons, but also for the sake of pragmatism. It was noted by one commentator on another document, the Decree on the Eastern Churches, *Orientalium Ecclesiarum*, that it had not entirely

answered the expectation of many Eastern Fathers. They decided nevertheless to vote for the Decree because they considered that it was preferable to have the present Decree promulgated than to have no decree at all (Mailleux, 1966, p. 377).

Something similar is likely to have happened with *DH*. Some of the Fathers may have thought it more advisable to have the Declaration promulgated (and then to argue about its meaning or argumentation) than to have no statement on religious liberty at all. Although Murray died two years after the Council was closed, his publications during those two years, when the Council's significance and teaching were being debated, also had their part in creating the impression among many that 'the promulgation of *Dignitatis Humanae* has proven that Murray's theory is not merely possible or acceptable; it is in fact *the* modern Roman Catholic theory' (Burgess, 1971, p. 255; original emphasis).

To add to the confusion, even those such as Paul VI who wanted the church to abandon the goal of church-state union, and understood *DH* to have done this, could find support for their views in the interpretation presented by the *relationes*. That is,

they could claim the change of policy made in *DH* was part of the church's *aggiornamento* or updating to modernity. To those not familiar with the church's tradition or with the *relationes*, this would create the impression that the church has in fact changed its teachings as well. For Paul VI was likely to have seen *DH* as a vindication not of Murray, but of Jacques Maritain, whose disciple Paul VI often claimed himself to be (McCauliff, 2011, p. 610). Maritain argued that '[a]ppropriate to each historical climate has been a distinct ideal mode of applying or realizing the immutable principles governing church-state relations' (Pink, 2015, p. 5). In various publications from before the Council that were read by Paul VI, Maritain, while upholding the proper authority of the church over religious matters, argued that the influence of the Gospel on the development of the modern world had created the need for church-state relations to be rethought (ibid). Charles Journet's speech at the Council's final debate on *DH* clearly showed the influence of Maritain's thought:

From the time of Constantine the rulers of the church often had recourse to the secular arm to defend the rights of the faithful and to preserve the temporal and political order of the said Christendom. But under the influence of the preaching of the Gospel, the distinction between temporal and spiritual things had gradually been made clearer, and is today obvious to all (Journet, 1976, p. 425 as cited in Pink, 2015, p. 7).

It must be noted that, in their writings about church-state relations, neither Journet nor Maritain condemned the church's use of the state as its coercive secular arm during the mediaeval, or what they called the sacral or consecrational, period, just as *DH* does not do so either. In fact, when referring to it, Maritain writes: 'These things we can admire in the Middle Ages' (Maritain, 1954, p. 148). Yet 'they are a dead letter in our age' (ibid) because the modern, secular era calls for a different form of church-state relationship. Progressively the state 'has come of age' (Maritain, 1939, p. 170), and 'temporal society has won complete differentiation and full autonomy,

which is something normal in itself, required by the Gospel's very distinction between God's and Caesar's domains' (Maritain, 1954, p. 145). The immutable principles governing their relation have not changed, especially the state's need to recognise the church's own authority and jurisdiction, and consequently to respect the freedom of its mission. But, whereas these principles in the sacral age were best achieved by a form of juridical union, where the state acted as the church's secular arm, now such a union is not only impracticable but unnecessary. Maritain believed the 'church should adapt to modernity and address the state as it increasingly was – a *potestas* of the civil order only, detached from any agency role in the order of religion' (Pink, 2017, p. 120). Since the church's traditional teaching had reserved authority over religious matters to the church, the greater differentiation and detachment of states from the church would have the result of obliging states 'to respect a moral right to religious liberty on the part of its citizens' (ibid).

As Journet said at the Council, 'the doctrinal principle according to which matters temporal are subordinate to matters spiritual is in no way removed' (Journet, 1976, p. 425 as cited in Pink, 2015, pp. 7-8), i.e. the church should still have an influence over the state, but only a suasive influence, relying on the church's 'moral example' (Pink, 2015, p. 7). In other words: 'by battling errors with the forces of light, not by forces of arms' (Journet, 1976, p. 425 as cited in Pink, 2015, p. 8). So, *DH* could be welcomed by Maritain, Journet, Paul VI and 'by his progressive allies' (Pink, 2017, p. 120) as a change of policy that was 'urgently required to situate the church and her mission within the modern world' (ibid). Can we suppose, however, that those unfamiliar with the church's tradition could have grasped their nuanced acceptance,

without taking it to mean a drastic change in the church's teaching? It is unlikely and this is another reason for the Declaration being misunderstood.

These aforementioned factors, we could speculate, were also responsible for the traditional teaching about the church's coercive authority being either 'forgotten or dismissed, as if somehow disposed of, both magisterially and theologically' (idem, p. 144). For instance, Trent's decrees on the coercive authority of the church over the baptised 'passed almost instantly from being a seminary platitude to something that just never happened' (idem, pp. 144-145). Its absence from Murray and Schindler's discussions of this issue is telling. Of course, this does not necessarily mean that they are ignorant of it. Yet their decision to write about church-state relations and religious freedom, without discussing the texts which witness to the church's teaching about the compatibility of the free act of faith and the religious coercion of the church, shows at least that their approach to this question is not adequately informed by history. So, as the church's teaching about its coercive authority became less widely known, the way that the *relationes* presented *DH* as being in conformity with it was understood or even noticed less and less.

Thus, these factors taken together explain why there were so few then and so few now who are aware of the official interpretation of *DH* presented to the Fathers by the *relationes*.

1.5.3 Second objection to Pink: Argument from silence

I shall now move on to another objection to Pink's approach. It could be said that Pink is largely making an argument from silence: he relies on one ambiguous verse claiming to leave traditional Catholic teaching untouched, interpreted by means of other texts of uncertain authority, and having judged the document to be concerned

only with civil authority, he ignores the rest of its contents. As a result, he ignores what is declared at the end of the first section of the document: 'this sacred Synod intends to develop the doctrine of recent Popes on the inviolable rights of the human person and on the constitutional order of society' (*DH*, 1966, p. 677, n. 1). This seems to point to more than a change of policy but to a change of doctrine as well by affirming a right to religious liberty. So, contrary to Pink, it seems *DH* is developing doctrine by overturning the church's previous endorsement of religious coercion, regardless of how warranted such endorsement might have been.

It can hardly be denied that Pink does not make a close analysis of every section of *DH*. It is also true that Pink does not discuss the only paragraph in which *DH* mentions state establishment of religion, which it speaks of without enthusiasm in an entirely conditional sense: 'If, in view of peculiar circumstances obtaining among certain peoples, special legal recognition is given in the constitutional order of society to one religious body' (*DH*, 1966, p. 685, n. 6), then the religious freedom of all other groups must be preserved. It is true that *DH* does not praise this arrangement and therefore departs from the consistent support given to church-state union as the ideal arrangement by Popes throughout the nineteenth-century until the end of Pope Pius XII's pontificate in 1958 (Powers, 1952, p. 134). Yet neither is there any criticism of its existence in the past or present. If it could be said to imply disapproval, it could equally be read as passing over in silence the questions of when and whether such an arrangement is desirable. Thus, this passage can hardly be said to disprove Pink's approach.

In fact, the text of the document as a whole is not quite as ambivalent to his interpretation as this objection might suggest. If we look at the section quoted by my

imaginary opponent, the translation of *evolvere* as 'to develop' could certainly be challenged. In a more recent translation by Michael Pakaluk, which 'hews far closer to the original Latin than the standard English translation' (Kwasniewski, 2017, p. iv), the term *evolvere* is translated as 'to expound' (DH, 2017, p. 252, n. 1). Though this perhaps goes too far in attenuating the meaning, it is still preferable because the verb 'develop' in English has many connotations of discontinuity or innovation, unless it is balanced by a robust notion of doctrinal development without discontinuity, which DH singularly fails to provide. Perhaps the meaning is best captured by 'to unfold'. The numerous references to recent papal teachings in the footnotes indicate that the Declaration is intended to gather their scattered and ad hoc references to religious liberty and church-state issues, in order to unfold more clearly and authoritatively what the church has been teaching on these matters. A few sentences before the passage I have been discussing, the Declaration claims that, in responding to new developments: '*haec Vaticana Synodus sacram Ecclesiae traditionem doctrinamque scrutatur, ex quibus nova semper cum veteribus congruentia profert*' (DH [Latin text], 1966, p. 512, n. 1). According to the translation of DH included in Abbott's collection of conciliar documents, *semper* is taken to mean that the church '*continually* brings forth new things that are in harmony with the things that are old' (DH, 1966, p. 676, n. 1; emphasis added). Pakaluk by contrast takes *semper* to mean the church 'brings forth new things which are, *without exception*, in harmony with the old' (DH, 2017, p. 251, n. 1; emphasis added). Both are true and support Pink's argument: DH is an example of the church's teaching continually unfolding without discontinuity.

As for the rest of the document, it is important to notice, for instance, that, when the Declaration defines the right to religious liberty and the nature of religious acts,

the authority of the church is carefully avoided. The right is defined as meaning that, in religious matters, 'all men are to be immune from coercion on the part of individuals or of social groups and *of any human power* [*cuiusvis potestatis humanae*]' (DH, 1966, pp. 678-679, n. 2; emphasis added). Likewise, after giving a definition of religious acts, the Declaration states: 'Acts like that cannot be commanded or prohibited *by any merely human authority* [*a potestate mere humana*]' (DH, 2017, p. 253, n. 3; emphasis added). The church, however, does not believe that the authority of its bishops over the baptised is of a merely human kind. The current Catechism of the Catholic Church quotes from *Lumen Gentium*, Vatican II's Dogmatic Constitution on the Church, when it teaches that bishops are authoritative teachers because they are 'endowed with the authority of Christ' (Catechism, 1994, p. 206). It also quotes from *LG* when it teaches that the bishops, as 'vicars and legates of Christ' (idem, p. 207), govern the church with a power which 'they exercise personally in the name of Christ' (idem, pp. 207-208). So the authority in question is qualified as being merely human in order to avoid referring to the church's own authority. This would be clear to those who are familiar with how the church has understood its own authority and distinguished it from the human authority of temporal rulers. However, readers less familiar with Catholic ecclesiology have no doubt been misled by these passages into thinking that *DH* has contradicted previous magisterial teachings by condemning religious coercion by any authority whatsoever.

Even those who understood Catholic ecclesiology chose to understand the document's focus on human authority as a pragmatic first step, enabling us in the future to question the church's authority as well. For example, during the discussion of *DH* at a conference held soon after the closure of the Council, Murray spoke about

the suggestion 'that there might be further steps in the direction of internal religious freedom within the church' (Miller, 1966, p. 581).

I certainly believe that the problem of freedom within the church is one of the theological implications of the *Declaration on Religious Freedom* ... Having declared religious freedom in the civil and social order, we've got simply to face up to the problem of freedom within the church. I see no reason why, *mutatis mutandis*, the principles of the Declaration itself—notably the dignity of man and that there be as much freedom as possible and only as much restrictions as necessary—should not also be valid within the church as well as within civil and social society (idem, pp. 581-582).

He mentions that, in the conciliar debates,

They very seriously considered this matter and the decision was that the Declaration would confine itself to the narrower issues and clear up, first of all, this dreadful ambiguity in Catholic doctrine, before get on to the other shopping (idem, p. 582).

The reason why some were keen to 'get on to the other shopping' (ibid) of questioning authority within the church can be easily guessed: doctrinal dissent. Bernhard Häring's contribution later in the discussion makes this subtly clear. He claims that, although the church is unlike the state because it does have the competence to judge on some religious matters (idem, p. 583), still the church must 'give the greatest possible freedom where she cannot definitely propose the truth ... when she cannot speak the truth infallibly, she must promote the greatest liberty for the search for the truth' (idem, p. 584). Häring predictably became one of the most vociferous theologians to dissent publicly from the church's teachings on various bioethical issues (Chappel, 2018, p. 239). So, even when the narrowness of *DH*'s focus was recognised, this was taken by some to raise doubts about the church's authority as well.

Moreover, the carefully constructed structure of the Declaration also favours Pink's interpretation. If we look at the subheadings in the Latin text—since only the

Latin text 'is promulgated and authoritative' (Kwasniewski, 2017, p. iv), not the vernacular translations—we find, after the introduction, the text divided into two chapters: the first concerns '*Libertatis religiosae ratio generalis*' (DH [Latin text], 1966, p. 513), 'General Principle of Religious Freedom' (DH, 1966, p. 678), and the second: '*Libertas religiosa sub luce Revelationis*' (DH [Latin text], 1966, p. 522), 'Religious Freedom in the Light of Revelation' (DH, 1966, p. 688). The arguments presented in the first chapter rely largely on what reason reveals about human dignity. The kind of reason in question here is one still understood to be operating in a theistic context, as is normal in classical natural law theory. The argument from human dignity is said to 'appear in an even clearer light' (DH, 2017, p. 253, n. 3) when we consider our duty to obey and participate in 'the divine law' (ibid), by which God governs and orders all things so that man 'might find his way to God, his final goal' (ibid). Nevertheless, the first section sets out arguments that are intended to persuade all people of good will, as befits a Declaration through which 'this Sacred Council exhorts Catholics, and it implores men in general' (DH, 2017, p. 263, n. 15). Since the first chapter also claims that human dignity is 'known both through the revealed Word of God and by reason itself' (DH 2017, p. 252, n. 2), we find in the second chapter how 'Revelation illuminates the general principles' (DH, 2017, p. 257, n. 9) of religious liberty, by confirming and corroborating what we can know about human dignity from reason alone.

The significance of this structure is that it is precisely the opposite of what we should expect if we were looking for a document to change or contradict any previous doctrine. As was discussed in the previous chapter, Pink shows, *pace* Rhonheimer, that the church's coercive authority over the baptised and the obligations of the

baptised public officials to the church, were considered by many theologians to be revealed not in the natural law, but in divine revelation, either directly in scripture and tradition, or indirectly from its expression in canon law. Therefore, any magisterial teaching that would seek to correct the previous teaching (putting aside for a moment the question of how or whether the church can change its teachings) would have to be a teaching about divine revelation. For whereas 'the authority of the state is based on natural law, a law immediately available to reason and governing human beings by virtue of their human nature' (Pink, 2017, p. 118), by contrast, 'baptism and its nature is a matter not of natural law or its application' (ibid), and neither is 'the authority of the church' (ibid). Instead, baptism and ecclesial authority depend 'on revelation and a positive law given by God through revelation' (ibid). Hence 'the very existence of a *potestas* that is other than the state that exists specially to direct religion' (ibid) cannot be known by reason but only by having faith in what is revealed through 'the divine positive law of the New Covenant' (ibid). Yet *DH* first appeals to arguments from reason—arguments about human dignity, human nature, the natural law—and afterwards looks at 'Religious Freedom in the Light of Revelation' (*DH*, 1966, p. 688), only to show how revelation corroborates and confirms what we could know without it. Thus, neither its structure nor the contents of the second chapter betray any signs of seeking to change a matter of revealed doctrine. Even its title dissuades us from such a reading: just like two other documents, *DH* 'was given the lowest grade of conciliar authority as a "mere" declaration' (O'Collins, 2016, p. 160). By contrast, *Lumen Gentium* was given the title of 'Dogmatic Constitution on the Church' (*LG*, 1966, p. 14) because, although it 'does

not actually define any new dogmas' (Dulles, 1966, p. 11), still it gives dogmatic teaching about 'the church's present understanding of her own nature' (ibid).

My final response to the objection that Pink is making an argument from silence will be to draw attention to another commentator's interpretation of what *Gaudium et Spes* (the 'Pastoral Constitution on the Church in the Modern World') teaches about church-state relations, because it is an independent witness to Pink's argument. *GS* teaches that:

The Church uses temporal things so far as her mission requires. But her hope does not lie in the privileges offered by civil authority [i.e. juridical establishment]; indeed she will give up the exercise of lawfully acquired rights where she is satisfied that to continue to use them will call in question the sincerity of her witness, or where new circumstances of life call for new arrangements (*GS*, 1966a, p. 79, n. 76).

Nell-Breuning comments that:

here a very definite turning-point has been passed, *not so much in doctrine as in practice*. The Council proclaims that the church does not put its trust in privileges granted by the State; on the contrary, to the extent that it enjoys such privileges, it intends to examine them, and if it must admit that the acceptance of such privileges detracts from its credibility, it will renounce them and endeavour to reach a settlement of its relations with the States more appropriate to present circumstances (Nell-Breuning, 1969, p. 326; emphasis added).

This tells us not only that Nell-Breuning correctly understood Vatican II's teaching on church-state relations to be a change of policy, not of doctrine, as Pink has argued. It also reveals the harmony in what the Council Fathers intended to do when promulgating *DH* and *GS* together at the end of the Council. Indeed if we take this part of *GS* to be a commentary on the purpose of *DH*, then it could confirm how Paul VI, Maritain and Journet interpreted *DH*'s change of policy, as described above, i.e. the church is abandoning the policy of seeking church-state union through juridical establishment or constitutional privileges, because in our time there is the

possibility that 'their use raises doubts about the sincerity of her witness or that new conditions of life demand some other arrangement' (*GS*, 1966a, p. 79, n. 76).

Therefore, I argue that Pink is not making merely an argument from silence, because the text and structure of *DH*, and the text of another conciliar document, all support his interpretation.

1.5.4 Third objection to Pink: Contextualising *DH* among the other documents

This brings me to the third objection. Pink considers *DH* in splendid isolation from the rest of the Council's teachings and documents, never discussing or even mentioning them in his publications about *DH*. This means that he does not see the place of *DH* within the broader vision of what the Council sought to achieve, and hence misses the true purpose of the change of policy. Yet, we must grasp this purpose to understand what the Council Fathers were really doing in *DH*.

This objection I accept. In his defence, Pink's discussions of Journet and Paul VI do indicate his awareness that the supporters of *DH* saw it to be part of the Council's general adjustment to how the church engages with the modern world. To that extent he does link *DH* to what the Council as a whole was doing, but he does not pursue this in any detail by looking at the other documents. To remedy this, I will locate the place and purpose of *DH* within the overall vision of the Council. Although I argue for the necessity of reading *DH* alongside the other documents, I acknowledge that we need to be aware of how the Council's teaching evolved during its three sessions. For example, Ratzinger, when commenting on what *Gaudium et Spes* teaches about salvation, wrote: 'the Council gave a re-reading of its own statements and replaced the extremely unsatisfactory expressions of *Lumen Gentium*, art. 16, by better ones' (Ratzinger, 1969, p. 163), *GS* having been promulgated around one year after *LG*.

However, 'a major landmark' (O'Collins, 2016, p. 161) in the interpretation of the conciliar documents was when they 'were published together by the Vatican press and invited a 'synchronic' reading' (ibid). Those responsible for this

recognized how these texts formed together a single, if diversified, 'canon' of official teaching in which individual documents (that had been successively published) illuminated the meaning of the other documents and were in turn illuminated by them (ibid).

Thus, I too have chosen to read *DH* not in isolation, but together with the other documents because they form one 'mutually illuminating and interpreting canon' (ibid).

According to one prominent historian of the Council, when John XXIII called for the Council to be convened, he intended for it to 'set the church again in a position to speak to modern men and women ... in order to make the announcement of the gospel more effective in the modern world' (Alberigo, 2009, p. 29 as cited in Faggioli, 2015, p. 54). Echoing John XXIII's intention, Paul VI released an exhortation on evangelization, *Evangelii Nuntiandi*, on the tenth anniversary of the Council's closure, in which he said:

Its [i.e. the Council's] teaching can be summed up in this single objective: to ensure that the church of the twentieth century may emerge ever better equipped to proclaim the gospel to the people of this century (Pope Paul VI, 1982, p. 711, n. 1).

How the Council proposed to carry out this task of renewing its evangelizing mission can be found stated most clearly in the Pastoral Constitution on the Church in the Modern World (*Gaudium et Spes*). As the title suggests, it gave a comprehensive expression to 'how it understands the presence and function of the Church in the world of today' (*GS*, 1966a, p. 7, n. 2), addressing itself 'not only to the sons of the church and to all who invoke the name of Christ, but to the whole of humanity' (ibid).

I shall focus mainly on this document (which was promulgated at the same time as *DH*) to outline briefly what the Council sought to do, how this led to the laity being given a greater prominence, and how this was critically related to, and depended on, *DH*.²

According to Thomas Joseph White's commentary, *GS* 'is fundamentally about theological anthropology' (White, 2017, p. 115). Its 'presupposition is that the human condition cannot be fully explained by natural reason alone, and we must have recourse to the revelation given in Jesus Christ' (idem, p. 116). In the first ten sections of the document, through various 'experiential observations regarding the human condition' (idem, p. 115) and surveying '[t]he joy and the hope, the sorrow and the anxiety of the men of our time' (*GS*, 1966a, p. 7, n. 1), it sought to 'examine the signs of the times and interpret them in the light of the Gospel' (idem, p. 9, n. 4). The goal of these observations was

to present to a modern audience an authentic Christian vision of the human person understood in the light of the mystery of Christ, with an emphasis on common human experience as it points towards our need and capacity for redemption (White, 2017, p. 115).

In considering the reasons for hope and concern in recent history, it ultimately sought to shed light on the enigma of what it means to be a human being, '[w]eak and sinful' (*GS*, 1966a, p. 13, n. 10), and yet 'aware of unlimited aspirations and of a call to a higher life' (idem, p. 13, n. 10). It then presented its response in sections 12–22 by teaching that: 'The mystery of man becomes clear only in the mystery of the incarnate Word. ... Christ ... makes man fully clear to himself, makes clear his high vocation' (idem, pp. 23–24, n. 22). For Christ 'by his incarnation did in a fashion unite himself with every man' (idem, p. 24, n. 22) and, since 'Christ died for everybody' (idem, p.

² Farrow also argues that *DH* should be read through the lens of *GS* (Farrow, 2015, p. 147).

25, n. 22), he has given sufficient grace to all for salvation, which can be either refused or rejected. This also means that 'grace works in an invisible fashion' (ibid) among all people, including those outside of visible communion with the church, since they are 'not only made for God (whether they acknowledge it or not) but are moved interiorly by the occasional promptings of grace' (White, 2017, p. 118). By teaching this, *GS* was far from being innovative, but was simply restating the church's teaching since Trent about how human actions and capacities can be transformed by sanctifying grace (ibid).

What is new about *GS*'s use of these doctrines is to apply them to 'the whole historical sweep of human life and society' (ibid), perceiving that the

hidden work of grace can be promoted in and through the spiritual forces of culture (be they religious, political, or artistic) but it can also be resisted and thwarted by those same forces as well (ibid).

Consequently, *GS* affirmed the need to discern recent developments in modernity, eschewing an uncritical acceptance, whilst also seeking to move past the pre-conciliar church's staunch hostility to modernity. As White points out, *GS* is not entirely clear about which of the positive achievements in the modern world are brought about by the influence of God's grace, and which are examples of what human nature can achieve even after the Fall (idem, p. 122). However, what is clear is that *GS* confidently offers to modernity 'the mystery of Christ, whose life and whose grace alone can resolve the paradox of human existence' (idem, p. 123). Especially 'through the ecclesial form of life in charity' (ibid), the church offers to the modern world the fulfilment of its aspirations (e.g. towards unity, solidarity, fraternity, freedom, etc) and salvation from what imperils its achievements, namely the sinful inclinations towards violence, greed, pride, etc (*GS*, 1966a, pp. 13-14, n. 10).

This is the first of what White calls 'a tale of two optimisms' (White, 2017, p. 123) present in *GS* and in the Council's vision as a whole. Using traditional Catholic teaching about the transformative power of grace, but employed in 'a more social and historical way' (ibid), *GS* teaches that grace can 'heal, renew, and elevate all human actions ... in such a way as to transform not only individuals, but the social character of human existence and the fundamental orientation of human life in society' (ibid). According to Hanvey, this is not 'a naive optimism' (Hanvey, 2006, p. 53) but one that is inspired by a distinctive pneumatology. The 'recovery of the world is part of the saving work of Christ' (ibid) and 'our participation in his work ... is the activity of the Holy Spirit' (ibid). These doctrines about how 'the world is healed through a healed humanity' (idem, p. 52) by grace and the Spirit are the basis of *GS*'s 'restorationist' (White, 2017, p. 119) goal:

the Council aspires to a harmony of church and state that respects the distinction between the two, but that also envisages Catholic Christianity as the deepest formative element within the moral conscience of any authentically moral civilization (idem, p. 119-120).

That is, 'some form of separation of church and state is a de facto given, but in which theological faith and the motivations of charity are permitted to inform from within the activity of Christians in the civil sphere' (idem, p. 120; emphasis removed). White then explicitly associates this with *DH* by noting 'the conceptual harmony between this idea and the one we find in *Dignitatis Humanae*' (ibid), and denies that this means 'all religious traditions are equal, or that they are equally irrelevant to human flourishing' (ibid). Instead, the freedom of the church within a pluralistic society is affirmed in both documents because

in the concrete fallen state we live in, the graces transmitted from within a Catholic ethos are the condition sine qua non for the ethical transformation of humanity ... While secular European humanism may aspire to certain goals that

are noble and authentic, the purification, plenary identification, and effective realization of those same aspirations are only possible with Christ (idem, p. 120).

Even though the Fathers 'wished to acknowledge many positive developments toward the good that are present in the modern secular age' (idem, p. 122; cf. *GS*, 1966a, p. 15, n. 11), they emphasized the 'wounds of sin that haunt the human heart and undermine the human aspirations toward authentic love, political progress' (White, 2017, p. 122). Therefore, 'to illuminate the mystery of man and to cooperate in finding the solution to the outstanding problems of our time' (*GS*, 1966b, p. 209, n. 10), the Council calls on the church to find the solutions in a more faithful proclamation and practice of the Gospel. We must place *DH* within the context of *GS*'s optimistic and missionary account of how the Council 'conceives of the presence and activity of the church in the world of today' (*GS*, 1966b, p. 200, n. 2).

To understand how in practice the Council envisioned changing societies by a renewed missionary effort, we must look at the great importance it gave to the activity of the laity in culture and politics. This is important because the new significance given to the laity is part of the Council's aim of finding a new arrangement between church and state, which depends on the decision in *DH* not to have recourse to the right of calling upon lay Christians in public office to be the church's secular arm. The responsibilities given to the laity in *GS*, in *Lumen Gentium*, and in the unprecedented Decree on the Lay Apostolate, *Apostolicam Actuositatem*, is in some ways a continuation of what the church had been doing since the early-twentieth century to reclaim a secularised political sphere. Indeed ever since

Pope Pius XI's *Quadragesimo Anno* [i.e. 1931], the church's teachers recognized that the faith could effectively shape the temporal order only by and through the apostolic efforts of the laity. The reasons were various. Christendom was almost extinct. The [episcopal] hierarchy was no longer able to require rulers to order political society according to gospel values (Bradley, 2012, p. 92).

Initially the various movements for the laity, such as Catholic Action, which were first created during Pius X's pontificate (Oliver, 2008, p. 285), were closely controlled by clerical authorities; the laity were often regarded as being passively commissioned by the bishops to co-operate in an apostolate which belonged properly to bishops, not to the laity. Vatican II, however, taught that the laity had their own unique apostolate to fulfil in society: '*Apostolicam actuositatem* makes abundantly clear that the laity receive their distinctive call to work as 'leaven' in the temporal order directly from Christ' (Bradley, 2012, p. 92; cf. AA, 1966, p. 504, n. 13). AA teaches that '[t]he laity must take up the renewal of the temporal order as their own special obligation' (AA, 1966, p. 498, n. 7). Since they are more familiar with the temporal order,

the effort to infuse a Christian spirit into the mentality, customs, laws, and structures of the community in which one lives, is so much the duty and responsibility of the laity that it can never be performed properly by others (AA, 1966, p. 504, n. 13).

GS echoes this when it teaches the laity 'should set the imprint of the divine law on secular life' (GS, 1966a, p. 43, n. 43), because laymen 'are not only bound to imbue the world with a Christian spirit' (idem, pp. 43-44, n. 43), but are also 'called to be witnesses of Christ in all human affairs' (idem, p. 44, n. 43). Similarly LG teaches that the laity 'seek the kingdom of God by engaging in temporal affairs and by ordering them according to the plan of God' (LG, 1966, p. 57, n. 31).

If Vatican II wanted to see more responsibility and initiative from the laity, did this mean that lay Christians were being released from the oversight and direction of their pastors? If so, it would disprove Pink's claim that the Council Fathers understood themselves to be leaving untouched what they took to be the church's

right to coerce the baptised. Some passages, such as the following from *GS*, would appear to say 'yes' to the former question:

From priests they [i.e. the laity] may look for spiritual light and nourishment. Let the layman not imagine that his pastors are always such experts, that to every problem which arises, however complicated, they can readily give him a concrete solution, or even that such is their mission. Rather, enlightened by Christian wisdom and giving close attention to the teaching authority of the church, let the layman take on his own distinctive role (*GS*, 1966b, p. 244, n. 43).

This would seem to support the view taken by Herbert McCabe, a common one in the 1960s, that '[t]he laity in many countries is shaking itself free from its proletarian condition' (McCabe, 1964, p. 189). There 'has grown up an educated adult laity deeply concerned with the mission of the church itself ... the consequences of this both for the organization of the church and for its theology still remain to be worked out in full' (*ibid*). Or as one Protestant commentator on *AA* seems to imply: although in the Middle Ages the church's pastors were right to exercise paternalistic control over its often freshly-converted and uncivilised lay-members, now the (middle-class?) laity need to have the autonomy that befits their maturity and education (Wedel, 1966, pp. 522-523).

However, the Council presents a more complex teaching about authority within the church. The cautionary warning that priests do not always have 'a concrete solution, or even that such is their mission' (*GS*, 1966b, p., 244, n. 43), is an indication of the church coming to a more nuanced view of where its competence lies when teaching about political and social issues. In 1891, Pope Leo XIII boldly declared that, regarding the problem of class conflict, 'no practical solution of this question will be found apart from the intervention of religion and of the church' (Leo XIII, 2017, p. 98). From the mid-twentieth century onwards, however, it became clearer that 'the church does not intervene in technical questions with her social doctrine'

(*Compendium of the Social Doctrine of the Church [CSDC]*, 2004, p. 34) and 'the church does not propose economic and political systems or programs' (Pope John Paul II, 1988, p. 81). The church came to recognise that the laity would have the competence to judge such practical and contingent matters, not the priests or bishops. The church's mission is solely 'a religious one' (*GS*, 1966b, p. 241, n. 42) and yet 'out of this religious mission itself come a function, a light and an energy which can serve to structure and consolidate the human community according to the divine law' (*ibid*). This is because the church is competent to teach not only about the Christian faith, but also about the moral teaching of scripture and 'those principles of the moral order which have their origin in human nature itself' (*DH*, 1966, p. 695, n. 14). Its competence on moral matters, according to the 1983 Code of Canon Law, is the reason why it has 'the right always and everywhere to announce moral principles, including those pertaining to the social order' (*Code of Canon Law*, canon 747, n. 2, as cited in *CSDC*, 2004, p. 35). These principles, which the church gives to guide the activity of the laity in politics and society, have the same authority as the rest of its moral teaching; hence, the church 'obligates the faithful to adhere to it' (*CSDC*, 2004, p. 40; cf. *Catechism*, 1994, p. 441). 'Bishops, to whom is assigned the task of ruling the church of God' (*GS*, 1966b, p. 244, n. 43), still expect the laity, including those in public office, to obey when the bishops teach general moral principles, even principles touching on political and social matters. This does not prohibit the laity overseeing whatever endeavour or apostolate they choose to create by their initiative. As I have already mentioned above, this was actively encouraged by *AA*. Yet that same document reiterates that

the role of the ecclesiastical hierarchy is to teach and authentically interpret the moral principles to be followed in temporal affairs. Furthermore, they have the

right to judge, after careful consideration of all related matters and consultation with experts, whether or not such works and institutions conform to moral principles and the right to decide what is required for the protection and promotion of values of the supernatural order (AA, 1966, p. 514, n. 24).

As Pink has already brought to our attention (2013, p. 95), the church's current Code of Canon Law still holds that the church has the authority to coerce the baptised into accepting its authoritative teachings on faith and morals by the threat of punishments of a spiritual (e.g. excommunication) and temporal kind (e.g. dismissal from employment). Therefore, the Council's urge for the laity to be more proactive in bringing the influence of the Gospel into the political and social spheres did not entail the laity being freed from obedience to bishops on matters on which the latter are competent to teach. But, when dealing with more concrete and practical matters in politics and society, the lay Christian is recognised as having the responsibility and expertise to evaluate the implementation of general moral principles. This division of responsibilities and the need for lay Catholic politicians to obey ecclesial teachings on morals were reiterated more recently in a document released by the Roman Curia (*Congregation for the Doctrine of the Faith* 2003: 4). With this in mind, we can better understand the Council's exhortation: 'enlightened by Christian wisdom and giving close attention to the teaching authority of the church, let the layman take on his own distinctive role (GS, 1966b, p. 244, n. 43).

In conclusion, my argument in this chapter is that the Council's vision was not for an uncritical acceptance of secular modernity, nor did it seek to continue the church's prior hostility to it. Instead, in *DH* the church recognised the unwillingness of states to act as the church's secular arm, and hence changed its policy (for the present and foreseeable future) by no longer seeking to employ them for that purpose. It did this not merely for pragmatic reasons, but because it judged the clearer differentiation of

states from the church to be a positive development, which would enable the church more freely and persuasively to evangelise, and to bring the benefits of the Gospel to the world. The goal it then articulated in the other documents was to find for the church a new way to influence and harmoniously co-operate with the state, not from the top-down (as it had been in the past) by relying on the obedience of Christian rulers, but instead by relying on the missionary potential of the laity. For the Council was optimistic that, through the leaven of the laity, the grace of Christ would flow out and transform every sphere of human life.

1.6 Conclusion

In conclusion, against the predominant 'progressive' and 'reactionary' interpretations of *DH*, and against Murray and the *Communio* theologians, I have argued that *DH* did not change the Catholic Church's teaching on church-state relations. Instead, building on Pink's examination of the Council's proceedings, I have argued that *DH* witnesses only to a change of policy: the church for the present and foreseeable future no longer calls upon Catholic occupants of public office to put their coercive temporal authority at the service of the church's spiritual authority over baptised Christians. However, I have then argued that Pink's account needs to be completed by understanding this change of policy within the context of the Council's aim of renewing the church's mission of evangelization. This renewal was meant to take place by unlocking the potential of a more engaged laity to evangelise and transform societies, and to find a new form of church-state relations that would be more suited to the needs of the church's mission in our time.

Part Two

A Council in Question: Relating Ecclesiology and Political Theology

2.1 Survey of Conciliar Documents on Ecclesiology and the Lay Apostolate in Politics

It was the aim of Part One to arrive at a better understanding of what Vatican II taught about church-state relations by showing how it altered the Catholic Church's pastoral policy with regards to the political order for missiological reasons, without intending to alter or directly confront its past teachings on church-state relations. It is the aim of Part Two to evaluate Vatican II's teaching on church-state relations by unearthing and assessing the problematic ecclesiology that underlies it. In the following chapters, I shall discuss the theologians who will provide the conceptual lens to make this critical evaluation. Firstly, however, I must use this chapter to survey how the conciliar documents present the church's understanding of itself and of its relation to political authorities, especially through its lay members. Such a survey will not be exhaustive but will necessarily cover only those aspects of the documents that are relevant for the forthcoming analysis.

The documents to be covered are the Council's Dogmatic Constitution on the Church (*Lumen Gentium*), the Decree on the Lay Apostolate (*Apostolicam Actuositatem*), and the Pastoral Constitution on the Church in the Modern World (*Gaudium et Spes*). This follows the order in which they were promulgated to draw attention to the explicit and implicit ways in which later documents refer to and develop earlier ones. The full history of how each came to its final form after many alterations and drafts has already been written (Philips, 1967; Moeller, 1969) and would be superfluous to repeat. I accept to an extent one church historian's criticisms of those who '[s]tick to the final sixteen documents [of Vatican II] and pay no

attention to the historical context, the history of the texts, or the controversies concerning them during the council' (O'Malley, 2015, p. 112, as cited in Levering, 2017, p. 16). Moments from conciliar history will be mentioned in my exposition in so far as they shed light on the significance of a document's teaching. However, the avowedly theological approach in this chapter, and indeed in this thesis, will avoid reducing the documents to being the products of intra-ecclesial politics and shifting power relations. Instead, they will always be read as acts of the magisterium, i.e. as moments in which some aspect of the Word of God was interpreted and proclaimed to those within and without the church. Hence, in the exposition of the documents, following 'the Council's own focus on Christ, power dynamics take a firmly secondary place, important though the distribution of power is [within the church]' (Levering, 2017, pp. 16-17).

Beginning with *Lumen Gentium*, one must first note its importance in relation to the other documents, whilst avoiding the hyperbolic claims sometimes made about its intentions or contents. O'Malley claims that 'the desire to bring the church up to date and to make it effective in the contemporary world [i.e. *aggiornamento*] was the pervasive theme of the Council' (O'Malley, 2002, p. 65) and constituted 'a transformational or revolutionary reform' (idem, p. 73) of ecclesiology. Avery Dulles quotes various American commentators on Vatican II's ecclesiology, who similarly speak of 'a 'Blondelian shift' ... of 'Copernican' and 'Einsteinian' revolutions that overcame the unhealthy ecclesiocentrism of the past' (Dulles, 2008, p. 25). James Hanvey claims the Council embarked on 'the beginning of a new phase in the church's self-understanding and development for which the theology is still being worked out' (Hanvey, 2013, p. 49, as cited in Levering, 2017, p. 204). Such language belies the

more modest intentions present in the document's text. *LG* announces at its very beginning that the church 'purposes, for the benefit of the faithful and of the whole world, to set forth as clearly as possible, and in the tradition laid down by earlier Councils, her own nature and universal mission' (*LG*, 1975, p. 350, n. 1). Hence Dulles wrote:

Although called a Dogmatic Constitution, the most solemn form of conciliar utterance, *Lumen Gentium* does not actually define any new dogmas. It sets forth, with conciliar authority, the church's present understanding of her own nature (Dulles, 1966, p. 11).

Yet it has 'been hailed as the most momentous achievement of the Council, both because of its important contents and because of its central place among the Council documents' (idem, p. 10). Why? It is because, by the end of the Council, it had become clear that 'in one way or another the entire work of the Council is centered about the theme of the church' (ibid). It is true that 'Pope John XXIII had not for his own part announced any set theme for the Council [when he convened it] but had just invited the bishops of the world to explain their own priorities' (Ratzinger, 2005, p. 123). Yet the influence of reading Yves Congar's *True and False Reform in the church* on John XXIII's decision to convoke the Council can be seen in the various addresses the Pope gave before and at the Council's inauguration to define its aim (Levering, 2017, p. 82). Those addresses indicated that Vatican II's aim would be 'not the doctrinal refinement of particular aspects of the deposit of faith' (Nichols, 2007, p. 54) because, unlike past councils, Vatican II was not being called to settle some doctrinal dispute or heresy. Instead its aim would be to achieve a pastoral and missiological reform of the church's practices (as Congar had advocated in the aforementioned book) 'in a living exchange with today's world and its needs' (ibid), so 'that the whole of

Christian doctrine, with no part of it lost, be received in our times by all with a new fervor' (Pope John XXIII, 1962, pp. 791-792).

One month before he spoke those latter words at the Council's inauguration, John XXIII made a distinction in a radio broadcast between 'the church's life *ad intra*, her going within in corporate renewal, and, on the other hand, the church's vitality *ad extra*, her going to those outside, in the face [as he put it] of the demands and needs of the nations' (Nichols, 2019, p. 148). This distinction became important later in the first of the Council's four sessions when the Fathers 'bitterly criticized' (Bouyer, 2011, p. 170) the preliminary schema *De Ecclesia* that had been prepared for them by Rome's Preparatory Theological Commission. The schema 'resembled the standard treatise on the church found, for example, in most of the theological manuals published between the two world wars' (Dulles, 1966, p. 10) for the education of seminarians and were 'exemplified by textbooks published in Rome and the *Sacrae Theologiae Summa* authored by a number of Spanish Jesuits' (O'Collins, 2011, p. 373). The ecclesiology of such manuals revealed the lack of a certain balance because it had been '[i]nfluenced by centuries of anti-Protestant polemics ... [and thus] placed heavy emphasis on the hierarchical and juridical aspect of the church, including the supremacy of the Pope' (Dulles, 1966, p. 10).³ By re-using the standard scholastic ecclesiology of manuals, the Roman authors of the schema, Marie-Rosaire Gagnebet and Sebastian Tromp (O'Collins, 2011, p. 375), were clearly out of step with the European bishops who had been influenced by the theologians associated with the *ressourcement* movement. Those bishops saw an opportunity at the Council to

³ E.g. in volume one of *Sacrae Theologiae Summa* (dedicated to fundamental theology) the treatise on the Church begins with a section entitled 'De Ecclesia constitutione sociali' (Nicolau & Salaverri, 1952, p. xv), comprising three chapters: 'De institutione Ecclesiae hierarchicae' (ibid), 'De monarchico Ecclesiae regimine' (idem, p. xvi) and 'De perpetuitate Ecclesiae' (ibid).

'revitalize the church's teaching and practice' (O'Collins, 2011, p. 373) by the insights gained by the *ressourcement* movement's return to 'the foundational sources of the Christian faith: above all Sacred Scripture, then the church Fathers and the sacred liturgy' (Yap, 2011, pp. 290-291). It was clear, however, that the more conservative Roman authors of the schema had little desire to do anything but repeat the scholastic approach and content of the manuals.

The schema was guilty, according to Bishop de Smedt, of three faults in particular: 'clericalism, juridicism, and triumphalism' (Dulles, 1987, p. 39). The title of its first section, 'The nature of the church militant' (Philips, 1967, p. 106), had a triumphalistic air, de Smedt argued, 'as though [the church] strode from victory to victory' (idem, p. 109) without due recognition of its sinful imperfection before the eschaton. He also said that the legalistic discussion of membership and authority in the church conceives of them 'rather closely on the pattern of jurisdiction in the secular state, and greatly amplifies the place of law and penalties' (Dulles, 1987, p. 39). Due to the influence of Robert Bellarmine's polemical works against Reformed and Lutheran ecclesiology on pre-conciliar theology (de la Soujeole, 2014, pp. 359-372), the schema had an excessive focus on the visible society and structure of the church. It was apparent that the long history of defending certain aspects of the church's hierarchical and visible structure in scholastic ecclesiology meant that the supernatural mystery of the church's life, as the mystical body of Christ animated by the Spirit, had become sidelined.

Considering the episcopate and priesthood in sections three and four of the schema before religious orders and laity in sections five and six respectively, according to de Smedt, sustained the clericalism that

views the clergy, especially the higher clergy, as the source of all power and initiative. Bishop de Smedt spoke of the pyramidal pattern in which all power is conceived as descending from the pope through the bishops and priests, while at the base the faithful people play a passive role and seem to have a lower position in the church (Dulles, 1987, p. 39).

This was especially problematic for many of the Fathers for two reasons. Firstly, the growing consensus among them that the Council's central theme must be the church was partly influenced by the need to complete the work of

the First Vatican Council, which broke up prematurely on account of the Franco-Prussian War, [and thus] had not been able to complete its synthesis of ecclesiological teaching but had simply left a fragment of ecclesiology (Ratzinger, 2005, p. 123).

As Vatican I's 'fragment of ecclesiology' was its definition of papal primacy and infallibility, it is not surprising that it inspired theologians to conceive of the church according to a pyramidal pattern. Thus, when the schema 'limited itself to reasserting the doctrine of the First Vatican Council' (Bouyer, 2011, p. 171), it was clear that 'to give it a proper dogmatic balance, it needed to be supplemented, chiefly with regard to the bishops and their relationship to the Pope' (Philips, 1967, p. 105).

The second problem with the clericalism of the schema was that it ignored the 'common feeling across the political spectrum in the church that the subject of the laity was something that needed to be treated with expedition' (Lakeland, 2003, p. 35) because the laity could and should play a more active and prominent role in the church's mission. This consensus had been growing for several decades before the Council during the pontificates of Pius XI and XII (i.e. from 1922 to 1958) due to the impetus they gave to the involvement of the laity in the church's apostolate. Theologians before the Council, especially those associated with the *ressourcement*

movement, had already noticed the deficiencies in theology and canon law caused by a failure to keep up with the 'demands of a laity awakening to consciousness of its place and responsibilities in the church' (Congar, 1959, p. xxxi).⁴

The discontent among many with the schema and with 'the uncoordinated production of documents by the Preparatory Commissions' (O'Malley, 2008, p. 157) reached a turning point with the intervention of Cardinal Suenens only a few days before the end of the first session (McEvoy, 2014, pp. 57-59). Speaking on behalf of many, he 'asserted that what the council needed was a central theme that would lend it a basic orientation' (O'Malley, 2008, p. 157). Appealing to John XXIII's distinction between the church's *ad intra* and *ad extra* concerns (as mentioned above) and to the Pope's remark that the Council should present to the world '*lumen Christi, Ecclesia Christi, lumen gentium*' (ibid), Cardinal Suenens proposed that the Council's theme should have

two parts, the first which looks to the inner reality of the church and asks the question, 'What do you say of yourself?' The second part concerns the relationship of the church to the world outside it, and asks questions about the human person, about social justice, about evangelization of the poor, about world peace' (idem, pp. 157-158).

Suenens' two-pronged theme was widely accepted and *De Ecclesia* rejected, with John XXIII 'ordering a profound revision of the schema' (Bouyer, 2011, p. 171). Under the pontificate of Paul VI, John XXIII having died after the first session, the following three sessions were largely devoted to this double task of renewing the church's teaching and practice of the faith internally and in relation to the world, with *Lumen Gentium* being promulgated at the end of the third session to fulfil the former, and

⁴ E.g. (Rahner, 1963, p. 329; Balthasar, 2003, pp. 44-60).

Gaudium et Spes at the end of the fourth and final session to fulfil the latter task. *Apostolicam Actuositatem* was released earlier in the fourth session to supplement *LG*'s chapter on the laity with more detailed and practical instruction on the renewal of the lay apostolate. Thus, the growing importance of ecclesiology at the Council explains why a prominent theological advisor at the Council described *LG*, Vatican II's first major statement about the church, as 'the vitally important centre to which the other decrees must be referred, and they must all be read in the light of the mystery of the church' (Philips, 1967, p. 105).

To mention briefly the most salient aspects of *LG*, one must note that it shows signs of a concerted effort to avoid the problems found in the schema. Bishop de Smedt and others had criticized the schema's focus on the church's hierarchy and visible aspects for failing to incorporate the recognition among many European theologians after World War I that the 'individualistic tone of liberal theology had given way ... to a newly awakened sense' (Ratzinger, 2002, p. 123) that at its core the 'church is a Mystical Body' (Ratzinger, 2008, p. 14). The intellectual origins of this renewed attention to 'the inward supernatural reality of the church' (Philips, 1967, p. 111) were from the previous century, in the Romantic-minded Tübingen school, especially in J.A. Möhler's 'enthusiastic revival of ecclesiology' (Riga, 1961, p. 564) after the Enlightenment, and then, later on in the nineteenth-century, in Matthias Scheeben's writings about the church as 'a sacramental mystery' (Soujeole, 2014, p. 313). There was an 'astonishing revival of interest in the concept of the mystical body between the two wars' (Hamer, 1964, p. 18), culminating in its endorsement by Pius XII in his encyclical *Mystici corporis* released in 1943. In contrast to the preliminary schema's opening section on the visible society of the church militant, *LG*'s first

chapter shows the Fathers' preference for the newer ecclesiology 'in beginning not with the church as a society, militant or otherwise, but with the church as mystery—that is, as a reality that is rooted in God and his saving plan for mankind' (Nichols, 2019, p. 45). 'In richly biblical and patristic language' (O'Collins, 2011, p. 386), the first chapter 'emphasized the sacramental reality of the church' (ibid; cf. *LG*, 1975, pp. 353-358, n. 6-8) as a complex whole. Understanding the church as a sacramental mystery and the copious use of biblical images in *LG* went far to avoid the juridical approach of the schema, even to the point where *LG* could be faulted for the way it 'practically ignores canon law' (Bouyer, 2011, p. 178).

The second chapter is significantly devoted to 'The People of God' (*LG*, 1975, p. 359) and discusses the whole church as the messianic community of the baptised redeemed in Christ and gathered by the Spirit (*LG*, 1975, pp. 359-369, n. 9-17). The priority thereby given to the entire church, before turning its attention to the different states and ministries in the subsequent chapters, was open to misunderstanding by those who mistakenly equated the People of God with the laity and thought that the church's hierarchical structure had been turned upside-down (Ratzinger, 2008, p. 27). But *LG*'s explanation of how all the baptised share in the three offices of Christ as priest, prophet, and king, though not all in the same way, illustrated perfectly how the Council was seeking to avoid clericalism by integrating the functional differentiation of roles and responsibilities within an account of how it served the participation of all in Christ's mission (*LG*, 1975, pp. 360-365, n. 10-13).

The chapter on the laity also took a significant step beyond the theology represented by the schema. There were two long-enduring problems it had to resolve. How should the church define in positive terms the laity's role in the church,

instead of merely stating negatively that they did not share in the ministries and responsibilities of the priesthood? And how should it give laypeople greater autonomy and responsibility, whilst also recognizing the need for the pastoral oversight of presbyteral and episcopal clergy? At the first session 'the debate on the laity remained somewhat colorless and tedious ... It was especially striking that despite all efforts no one was able to provide a positive definition of the layman' (Ratzinger, 2009, p. 89). Fortunately *LG* shows how much progress was made from that moment until it reached its final form. It first defines the laity negatively as referring to all the faithful who are neither clergy nor consecrated religious (*LG*, 1975, p. 388, n. 30). However, it then proceeds to define them positively by their particular vocation to 'carry on the mission of the whole Christian people in the church and in the world' (idem, p. 388, n. 31) by consecrating secular activities in the world: 'by reason of their special vocation it belongs to the laity to seek the kingdom of God by engaging in temporal affairs and directing them according to God's will' (idem, p. 389, n. 31).

LG gives to the lay apostolate 'a more theological rationale than had been customary in the circles of "Catholic Action"' (Nichols, 2019, p. 49). It is undeniable that the rising support for lay involvement in the church's mission in the past, at least since Leo XIII's pontificate began in 1878, was thought by the hierarchy to be justified by the hostile political forces emerging in society, and by the need for an overburdened clergy to be assisted in the face of these growing problems. Thus, 'as the popes and bishops lost power in society, they were forced to turn to the laity as allies in order to maintain at least indirect influence within society' (Holland, 2003, p. 308). Since the laity were being summoned to help the hierarchy meet the needs of

the occasion, it was commonly thought that laypeople were being invited to aid and support the hierarchy's mission in which they would otherwise have had no part. Hence, the often-repeated definition of Catholic Action by Pius XI was 'the participation of the laity in the hierarchical apostolate' (*Doc. cath.*, 1933, c. 913, as cited in Congar, 1965, p. 364). However, it came to be argued by some during the decades leading up to the Council that the laity's role and responsibilities were given them by their baptismal participation in Christ's status as prophet, priest, and king, not merely conceded to them by the hierarchy in response to rising secularism or priest shortages. The most important expressions of this idea and of the burgeoning theology of the laity were Congar's *Lay People in the church* (first published as *Jalons pour une Théologie du Laïcat* in 1953) and Gérard Philips' *Le rôle du laïcat dans l'Église*, published in 1954. Without endorsing their view unambiguously, Pope Pius XII seemed to come close to it in 1957 when he distinguished between the broader 'apostolate of prayer and personal example' (Journet, 2004, p. 262) and the lay apostolate more strictly defined by its collaboration with the clergy (i.e. Catholic Action). The latter, according to him, cannot 'claim a monopoly on the apostolate of the laity, for, side by side with it is the free lay apostolate' (ibid). Congar's and especially Philips' contributions to the drafting of *LG* ensured that the Council eventually came to endorse their view:

The apostolate of the laity is a sharing in the salvific mission of the church. Through Baptism and Confirmation *all are appointed to this apostolate by the Lord himself* (*LG*, 1975, p. 390, n. 33; emphasis added).

Besides this general form of apostolate, 'which belongs to absolutely every Christian' (idem, p. 391, n. 33), *LG* recognises that 'the laity *can* be called in different

ways to more immediate cooperation in the apostolate of the hierarchy' (ibid; emphasis added). Thus, *LG* does not repudiate Catholic Action and other forms of apostolate directed by the hierarchy but it does not regard them to be as essential as the distinct role all laypeople must fulfil 'on their own initiative' (idem, p. 395, n. 37). The introduction to the Decree on the Lay Apostolate mentions that 'present circumstances, in fact, demand from them an apostolate infinitely broader and more intense' (AA, 1975, p. 766, n. 1) because 'the constant increase in population, the progress in science and technology, the shrinking of the gaps that have kept men apart, have immensely enlarged the field of the lay apostolate' (ibid). However, it avoids presenting these as the lay apostolate's reason or rationale. With a footnote referring to *LG*, the previous paragraph asserts:

Mention has already been made in other documents of the laity's special and indispensable role in the mission of the church. Indeed, the church can never be without the lay apostolate; it is something that derives from the layman's very vocation as a Christian (ibid).

According to Aidan Nichols, it is the Council's teaching about 'the dignity and responsibility of the laity in the church' (*LG*, 1975, p. 395, n. 37) 'and not the much-misunderstood phrase "People of God," that justifies those who speak of the Second Vatican Council as the "Council of the laity"' (Nichols, 2019, p. 49).

How, then, does the Council present the lay apostolate in relation to political authority? Victor Lee Austin's *Changing Views on the Relation of Christ and the State* in a collection of essays about Vatican II is representative of a general tendency to concentrate on *DH* and *GS*, while overlooking what the Council teaches about the lay

apostolate, when discussing its church-state doctrine (Austin, 2006, pp. 208-223).⁵ Since the Council turns its attention *ad intra* in *LG* to consider the church's 'own nature and universal mission' (*LG*, 1975, p. 350, n. 1) the paucity of its references to politics may seem understandable. However, the schema *De Ecclesia* shows that this was not the original intention. The ninth chapter of the schema was entitled 'On the relations between church and State' (Falconi, 1965, p. 105, as cited in Congar, 1969, p. 207) which, after the first session,

simply disappeared, without any substitution. Undoubtedly, the pastoral constitution *Gaudium et Spes* states many elements of the relationship of the church to human society in general, but it is more an account of a series of general intentions than an elaborated doctrine. And on the problem of the state, the data are particularly sparse (Bouyer, 2011, p. 178).

The schema's ninth chapter was a summary of previous papal teaching and pre-conciliar theology on church-state relations. Since those teachings have already been described in a previous chapter when discussing Thomas Pink's writings about *DH*, I shall not dwell on them again now. What does need to be mentioned is that the chapter repeats the tendency of those papal teachings to discuss the interrelation of church and state in terms of two parallel societies, each 'endowed with the faculties necessary to fulfil its own mission according to its norms ... each of them is perfect, i.e. in its sphere it is supreme ... and is endowed with legislative, judicial and executive power' (Falconi, 1965, p. 105, Schema, n. 40, as cited in Congar, 1969, p. 207). While the documents of Vatican II in their final form occasionally mention political leaders (*moderatores*) and public or civil authorities (e.g. *GS*, 1975, pp. 982-985, nn. 75-76),

⁵ Similarly, in two recent studies of the conciliar documents by reputable scholars of the Council, *AA* is only mentioned in passing in one (Nichols, 2019, p. 129) and is not even mentioned in the other (Guarino, 2018).

more often they speak of what is variously described as the human, earthly, temporal, or civil society.⁶ According to Congar, this is because

[t]he question has moved from the plane of relations between authority and authority, constitution and constitution, to that of relations between the Christian faith ... and human society ... The problem of the spiritual and temporal is here the problem of the relations between faith and history, gospel and civilization. In this much wider frame, the special question of the relations between the church and the political community is taken up later in Article 76 [of *GS*], in an atmosphere of respect for the autonomy of the two spheres and of the apostolic freedom of the church (Congar, 1969, p. 207).

This means that, although Bouyer is right to remark of *LG* that, 'on the problem of the state, the data are particularly sparse (Bouyer, 2011, p. 178), this does not mean *LG* had nothing to say about church-state relations. It only means that we are to expect the issue to be addressed more obliquely for two reasons. This is firstly because it is no longer approached as the interrelation of two authorities but from the broader plane of how the Christian faith enters and takes root in societies and civilizations over time, something that is thought to depend on the witness of lay Christians' lives to the Gospel. Thus, we must locate *LG*'s teaching about church-state relations in its general teachings about the lay apostolate's mediation between the Gospel and the world. Secondly, we should expect *GS* to say more than *LG* about church-state relations because it is a matter that falls more properly into the remit of *GS*, which is to employ *LG*'s ecclesiology to consider 'the presence and function of the church' (*GS*, 1975, p. 904, n. 2) in relation to the contemporary world in which it finds itself.

⁶ E.g. (*LG*, 1975, p. 394, n. 36; p. 395, n. 37; *AA*, 1975, p. 778, n. 11; p. 795, n. 30; *GS*, 1975, p. 926, n. 25; p. 981, n. 74). For more references: (Congar, 1969, p. 210).

Unfortunately, what *GS* taught could easily be overlooked or misinterpreted due to a common misunderstanding about how to appreciate its position in relation to the other documents. This occurred, according to Ratzinger, because there was a failure

to regard the Council texts as a whole in which the documents of the last phase [e.g. *GS* and *DH*], which are directed to the church's relationship *ad extra*, are, nevertheless, oriented toward the true center of faith that is expressed in the dogmatic constitutions on the church and on divine revelation (Ratzinger, 1987, p. 378).

Instead, the interpretation of some was

to interpret the whole Council as a progressive movement that led step by step from a beginning that, in the 'Dogmatic Constitution on the Church', was only just emerging from traditionalism to the 'Pastoral Constitution' and its complementary texts on religious liberty and openness to other world religions (ibid).

This approach, which reads 'its dogmatic texts as mere preludes to a still unattained conciliar spirit, that regards the whole as just a preparation for *Gaudium et spes* ... is not only contrary to what the Council Fathers intended and meant' (idem, p. 390), but 'the spirit of the Council is turned against the word of the Council' (ibid), meaning that the authority of the promulgated texts can be steadily set aside. By contrast, this thesis relies on the principle that any claim to interpret or write about the Council without close reference to the promulgated texts would soon end in absurdity. Therefore, the former of the two approaches outlined by Ratzinger will be adopted. The 'Constitution on the Church is not to be evaluated in terms of the Pastoral Constitution' (ibid) because *GS* is not 'the climax of the Council, and so the basis for interpreting everything else it had to say' (Nichols, 2007, p. 72), but rather 'it should take a more modest place as an attempt to apply, at a given historical juncture, the vision of the Christian faith found in the three Dogmatic Constitutions of

the earlier sessions' (ibid). This means that I will interpret *GS*'s teaching about church-state relations by contextualizing it in *LG* and *AA*'s vision of the lay apostolate mediating between the church and the world.

Turning back to *LG*'s chapter on the laity, one must note the way that it declericalises the apostolate. By locating the lay apostolate's rationale in baptism and confirmation, rather than in the hierarchy's commission, *LG* seeks to ensure the laity can mediate between the church and the various activities in the world which laypeople carry out, including politics, without threatening the legitimate autonomy of those activities. By contrast, the schema's chapter on the lay apostolate, which closely followed the clerical model of Catholic Action, was criticised by the Fathers for appearing to aim 'not just at Christianizing the world, but at turning it into a church [sic], to the detriment of the legitimate autonomy of the early realm' (Philips, 1967, p. 120). Therefore, to avoid the schema's mistakes, *LG* and *AA* present the impact of the laity on politics in such a way that safeguards their freedom from undue or excessive clerical interference, and keeps their involvement as individual Christians in temporal affairs apart from their representation of the church. Thus they are exhorted:

by their competence in secular disciplines and by their activity, interiorly raised by grace, let them work earnestly in order that created goods through human labor, technical skill and civil culture may serve the utility of all men according to the plan of the creator and the light of his word (*LG*, 1975, p. 393, n. 36).

It continues by encouraging the laity to 'remedy the institutions and conditions of the world when the latter are an inducement to sin' (ibid) because it will 'impregnate culture and human works with a moral value' (idem, p. 394, n. 36) and ensure 'the

world is better prepared for the seed of the divine word' (ibid). There then follows the critical paragraph of *LG*'s chapter on the laity.

Because of the very economy of salvation the faithful should learn to distinguish carefully between the rights and duties which they have as belonging to the church and those which fall to them as members of the human society. They will strive to unite the two harmoniously, remembering that in every temporal affair they are to be guided by a Christian conscience, since not even in temporal business may any human activity be withdrawn from God's dominion. In our times it is most necessary that this distinction and harmony should shine forth as clearly as possible in the manner in which the faithful act, in order that the mission of the church may correspond more fully with the special circumstances of the world today. But just as it must be recognized that the terrestrial city, rightly concerned with secular affairs, is governed by its own principles, thus also the ominous doctrine which seeks to build society with no regard for religion, and attacks and utterly destroys the religious liberty of its citizens, is rightly to be rejected (ibid).

It can be seen especially from the paragraph's first sentence, as one theologian has commented, that 'lay people have to act, *no longer as members of the church*, of the Mystical Body of Christ ... *but rather as members of earthly cities* ... what is demanded of them, then, is to devote themselves to these temporal occupations with the spirit and the charity of the Gospel in their hearts' (Journet, 2004, p. 407; emphasis added).

We find the same distinction being made in *AA*, which is 'an explication of the dogmatic themes already presented in chapter 4 [i.e. on the laity] of *Lumen Gentium*' (Fox, 2003, p. 133) from a more practical angle. *AA* emphasizes its continuity with *LG* by using the same verb when it asserts of all baptised and confirmed laity that 'it is by the Lord himself that they are assigned [*deputantur*] to the apostolate' (*AA*, 1975, p. 768, n. 3; cf. *LG*, 1975, p. 390, n. 33). *AA*'s declericalised definition of the lay apostolate follows 'the ecclesiology of *Lumen gentium*' (Oliver, 2008, p. 273) and includes in that apostolate 'endeavors to infuse the Christian spirit into the mentality

and behavior, laws and structures of the community' (AA, 1975, p. 781, n. 13). In its statement of the apostolate's objectives, AA teaches that Christ's saving work 'concerns essentially the salvation of men; it takes in also, however, the renewal of the whole temporal order' (idem, p. 772, n. 5). Hence members of the church, including laity, have the mission 'to bring men the message and grace of Christ but also to permeate and improve the whole range of the temporal' (ibid). 'The orders are distinct; ... [but still] closely linked' (ibid) in God's single plan to resume and recreate all things in Christ (ibid). Restating the same distinction between the temporal and spiritual orders as *LG* did, and referring to their unity in the same way by appealing to the Christian's conscience, AA then says:

The layman, at one and the same time a believer and citizen of the world, has only a single conscience, a Christian conscience; it is by this he must be guided continually in both domains (ibid).

With its more practical nature, it is not surprising that the main way in which AA advances beyond *LG* is in talking about politics in a more direct fashion, rather than referring to it more obliquely by subsuming it within a 'much wider frame' (Congar, 1969, p. 210) as described by Congar above. AA teaches that 'in their patriotism and in their fidelity to their civic duties' (AA, 1975, p. 782, n. 14) Catholics should make the

weight of their convictions so influential that as a result civil authority will be justly exercised and laws will accord with the moral precepts and the common good. Catholics versed in politics and, as should be the case, firm in the faith and Christian teaching, should not decline to enter public life; for by a worthy discharge of their functions, they can work for the common good and at the same time prepare the way for the Gospel (ibid).

The references to the laity's guidance by a Christian conscience in *AA* and *LG* and their intellectual formation in moral principles, especially Catholic social doctrine (*AA*, 1975, p. 520, n. 31), taken together with the distinctions made in both documents between the actions of the layman as member of the church and as a Christian citizen or politician, suggest to us that the laity are being taught to bring their faith into politics through their internal motivations and judgments of conscience. Their consciences are to be formed by the moral teachings of the church, as well as by their expertise in various secular disciplines, so that they can 'see all things in the light of faith, to judge and act always in its light' (*idem*, p. 794, n. 29). Having received grace and the Spirit, they can engage in their temporal affairs and activities with the motivation of seeking to 'contribute to the sanctification of the world, as from within like leaven, by fulfilling their own particular duties' (*LG*, 1975, p. 389, n. 31).

By bearing in mind how *LG* and *AA* presented the lay apostolate in relation to politics, we can correctly interpret *GS*'s teachings about the relation between the church and the political community. An overview of *GS* has already been given in Part One but, without repeating it, some aspects of *GS* relevant for the critique to come later in this part need to be mentioned. The document is divided into two parts, preceded by a preamble and introduction. A footnote included in the final version of the document states that:

In the first part the church develops her doctrine of man, of the world in which he is involved and of her own relation to both. In the second she considers more closely various aspects of contemporary life and human society, and especially questions and problems which in our time seem more pressing. Hence it is that this latter part, though resting on doctrinal principles, has certain provisional as well as permanent elements (*GS*, 1966a, p. 7).

After chapters discussing 'the dignity of the human person, the community of mankind, and the deep significance of human activity' (*GS*, 1975, p. 939, n. 40) the final chapter of the first part of *GS* turns 'to consider the presence of the church in the world, and its life and activity there' (*ibid*). In that chapter, '[t]he Council appeals to Christians, citizens of both cities, to spare no pains to carry out their earthly duties faithfully and in the spirit of the Gospel' (*GS*, 1966a, p. 42, n. 43). As in the previously discussed documents, the laity are described as being especially entrusted with '[s]ecular offices and tasks' (*ibid*) and exhorted to 'fuse all human effort ... in a vital synthesis with religious values, which co-ordinate everything in the highest way to God's glory' (*ibid*). 'Their rightly formed conscience should set the imprint of the divine law on secular life' (*ibid*). While laypeople should expect 'guidance and spiritual strength' (*GS*, 1975, p. 944, n. 43) from priests, they should 'not imagine that their pastors are so expert that they can promptly turn out practical solutions for every question that crops up' (*GS*, 1966a, p. 43, n. 43). Free from an excessive dependence on the clergy, then, the 'laity should rather attend to their own business with Christian wisdom and close attention to the church's teaching' (*ibid*).

The references to religious values, church teachings, and a well-formed conscience tell us that (just as in *AA* and *LG*) *GS*'s conception of the laity's duty 'to imbue the world with a Christian spirit' (*idem*, pp. 43-44, n. 43) should be understood to mean that the church exerts its indirect influence on the political realm through its lay members' internal motivations and judgments of conscience. Since the 'political community and the church in their respective fields are independent and autonomous' (*idem*, p. 79, n. 76), Christians must respect the distinction between

what they 'do in their own name, as citizens guided by a Christian conscience, and what they do in conjunction with their pastors in the name of the church' (ibid). Respecting this distinction will ensure that, while '[t]he mission which Christ entrusted to the church is not indeed political, economic or social, but religious' (idem, p. 41, n. 42), nevertheless 'from this religious mission light and strength derive which can help to establish and consolidate the community of men according to the divine law' (ibid), without endangering the 'autonomy of temporal things' (idem, p. 35, n. 36).

GS returns to political matters in chapter four of the second part (idem, pp. 75-80, nn. 73-76). As mentioned above, the second part is meant to use the first part's doctrinal discussion of 'what man's dignity is, what function he is called on to fulfil individually or socially in the world' (idem, p. 47, n. 46), and to attend, 'in the light of the Gospel and of human experience, to certain [sic] of the more urgent contemporary problems which worry the human race' (ibid). The Council Fathers express their 'hope that the guiding principles and the light emanating from Christ may guide Christians and enlighten all men in searching out solutions of so many involved questions' (ibid). This may give us some clue to explain the use of almost-completely naturalistic and philosophical language in its chapter about 'the life of the political community' (idem, p. 75, n. 73). Intending to address a mixed audience of those within and without the church constrains the bishops to refer very little to revelation, unlike the more explicitly theological approach of the document's first part (Curran, 2018, p. 44). The bishops turn instead to a blend of natural law theory and the contemporary language of rights to describe how 'the exercise of political authority ... must always be carried out within the framework of the moral order'

(idem, p. 76, n. 74), albeit within a moral 'order determined by God' (ibid), but one apparently intelligible by reason alone.

The chapter contains four sections: the first makes some general observations about contemporary politics, such as the growing sense of human dignity, the desire to protect personal rights, the desire to encourage popular participation in political life (idem, p. 75, n. 73); the second section is on political authorities (idem, p. 75-7, n. 74); the third on citizens, which briefly exhorts Christians to be model participants in the political life (idem, pp. 77-78, n. 75); a final section sets out the distinct but complementary roles and responsibilities of the church and political communities (idem, pp. 79-80, n. 76). In terms that echo the neoscholasticism we have already encountered and will encounter again in the writings of Maritain and Journet, the final section of the chapter states that due to 'her function and field of action the church is quite distinct from the political community' (idem, p. 79, n. 76), and stands above it as 'the sign and guarantee that human personality transcends the field of politics' (idem, p. 79, n. 76).⁷ Since both church and state serve the same people in different ways, '[t]he more they co-operate reasonably ... the more effectively they will perform this service to everyone's advantage' (ibid). As if to justify their co-operation, the same paragraph reiterates that the church 'helps to make justice and charity flourish more vigorously within nations and between nations' (ibid) and 'she respects and promotes political liberty and responsibility' (ibid).

This completes the survey of what the conciliar documents teach about the church and its relation to political affairs and authorities. The task of critically

⁷ That 'man has in him a life and goods which surpass the ordering of the social polity' (Maritain, 1938, p. 129) is considered by Maritain to be one of Christianity's unique insights.

evaluating the documents cannot be done without reference to the debates and disagreements that have defined Christian ethical reflection on politics in the English-speaking countries for more than half a century, to which we now turn.

2.2 Defining the Debate in Political Theology

2.2.1 Introduction

The purpose of this chapter is to introduce the contours and dividing lines of the debate in Anglophone Christian political theology, the definitions of which (as we shall see) are contentious, so that the following chapters can decide where the Council's teachings on church-state relations are to be located in terms of that debate. Once we have determined which views in that debate are most like the Council's teachings, it becomes possible to see whether the criticisms aimed at those views can also be applied to the Council, enabling us to assess the adequacy of its teachings.

2.2.2 Two ways of classifying political theology to be rejected

The use of categories to classify different thinkers and perspectives within a field is never wholly objective, and will unavoidably overlook certain nuances. Nonetheless, it is indispensable for clarifying where the important disagreements are to be found in the relatively new and evolving discipline of political theology, which has its origins (as a distinct part of academic theology) in Christian reflections on the political upheavals of the twentieth century. Two ways of distinguishing the different strands need to be rejected. The first and most obvious approach would be to expect denominational identities to indicate the fault lines of the debate, assuming perhaps that the different perspectives in political theology will reflect the historic

establishment of some churches in comparison to nonconformist and free churches. However, this would ignore the deep disagreements and divisions within the increasingly fractured traditions of different ecclesial communities. Moreover, the emergence of ecumenism (especially after the creation of the World Council of churches in 1948) has encouraged co-operation and collaboration between theologians of diverse ecclesial backgrounds. Consequently, there can seem to be greater affinities between theologians of different churches than between those belonging to the same denomination. This can be seen, for example, in the greater similarity between the Frankfurt School inspired theologians Johann Baptist Metz, a Catholic, and the Reformed Protestant Jürgen Moltmann, than between Metz and George Weigel, the latter of whom is a fellow Catholic but also a neoconservative (Russell, 2019). Another example might be the affinity between the Protestant Reinhold Niebuhr and the Catholics Jacques Maritain and Yves Simon, due to their similar attempts to understand how authority and liberty can be upheld in liberal democracies (Cooper, 1985; Cochran, 1977). Therefore, we cannot rely on denominational identities when the important disagreements seem more often to cut across, rather than between, the churches.

Another method would be to focus on the division between those that are more optimistic or pessimistic about how far the influence of Christians can make their societies more justly governed. If this method were to rely on the common claim that Aquinas had greater optimism about what politics could achieve in comparison to Augustine's political pessimism (Phillips, 2012, pp. 32-38; Gilby, 1958; Deane, 1963), then there could be a certain similarity with the previous method in so far as Thomism and Augustinianism can be correlated with Catholic and Protestant

thinkers. However, this second way of understanding the debates in political theology can deceive us by failing to notice how theologians on opposite ends of the optimist-pessimist divide may share many key assumptions.⁸ I shall do this by drawing on Stanley Hauerwas and D. Stephen Long, a former student of Hauerwas, since their arguments are also representative of a better way of grasping the important differences between political theologians.

Walter Rauschenbusch and Reinhold Niebuhr would seem to present an obvious example of the contrast between political optimism and pessimism. Rauschenbusch was an important figure in the early history of the Social Gospel movement, a particular outgrowth of liberal Protestantism in America and Canada begun mostly by clergy to find a Christian response to the growth, and to the political and economic causes, of poverty and social injustice. Rauschenbusch thought Christians facing these problems could and should draw upon the prophetic tradition in scripture in order to work for the 'mobilization of the energy and power of the church for social renewal' (Hauerwas, 1983a, p. 21). He wrote: 'It is not enough to christianize individuals; we must christianize societies, organizations, nations' (Rauschenbusch, 1968, p. 102). He equated saved or Christianized social orders and institutions with those that have been democratised:

Social sciences confirm the correctness of Christ's protest against the stratification of society in ranks and classes. What is the general tendency toward democracy and the gradual abolition of hereditary privileges but history's assent to the revolutionary dogmas of Christ? (Rauschenbusch, 1968, p. 199).

⁸ For examples of the different ways Augustine and Aquinas have been compared and contrasted, see: (Gregory & Clair, 2015; Cavanaugh, 2020; Tranter, 2020, pp. 188-190).

Rauschenbusch's understanding of the Kingdom of God as a 'historical force in humanity' (Hauerwas, 2001a, p. 465) manifesting itself 'in the form of democracy' (ibid) is a telling sign of his optimism about the positive influence Christians can have on institutions, and of his belief that the direction of history towards greater democratisation is on the side of Christian involvement in politics.

Rauschenbusch, however, did not live long enough in the twentieth century to see the kind of Augustinianism that 'became a, if not the, dominant approach to Christian theological ethics in the US, if not the English-speaking world' (Long, 2018, p. 1). According to Bruno, just as J. N. Figgis a few decades earlier had turned to Augustine in the wake of the First World War, similarly Reinhold 'Niebuhr's theology and embrace of Augustine was defined by a realism that emerged in response to war' (Bruno, 2014, p. 65). According to Hauerwas, Niebuhr, 'who began his long career as a social gospel advocate, became its most powerful critic' (Hauerwas, 1983a, p. 22) due to formative pastoral experiences that led to

his increasing dissatisfaction with its optimistic views of social institutions and change. His own experiences as a pastor in Detroit during the great labor struggles taught him to distrust any idea that institutions qua institutions were capable of moral transformation, much less salvation. Rather, under the influence of Marx, he began to appreciate the necessity of power and coercion as essential for achieving not a saved society, but at least one that might be more relatively just (idem, p. 23).

He drew on Augustine

to make sense of that disturbing element in human beings and societies that resists easy transformation into a liberal politics of peace and harmony. Niebuhr used Augustine to skewer what he thought was an unwarranted optimism in liberal Protestantism ... He found Augustine useful because of his focus on the ineradicable nature of sin and the concomitant need to assess power dynamics in society (Long, 2018, p. 2).

The influence of Kant on liberal Protestantism could be seen in the Social Gospel movement's focus on the ethical dimension of the Gospel, since its members believed that 'the essential characteristic of the Christian religion is its insistence on organic unity between religion and morality, theology and ethics' (Hauerwas, 1983a, p. 21). They understood salvation to mean 'an attitude of love in which we would freely coordinate our life with the life of our fellows in obedience to the loving impulses of the spirit of God' (Rauschenbusch, 1945, p. 98). By contrast, Niebuhr thought liberal Protestants like the Social Gospellers 'too easily imagined that the heart of the Gospel, Jesus's love commandment, could form the basis for society' (Long, 2018, p. 2). Instead he used Augustine's account of sin, pride, and egoism (not without some criticism and alteration of it) to argue that '[w]hile we aspire to the good, to that which is transcendent ... we inevitably cannot escape the reality of sin and pride, which influences our choices' (Bruno, 2014, p. 69). For 'selfishness, dishonesty, and hypocrisy invariably predominate whenever individuals organize themselves into groups, nations, classes, and races' (Diggins, 2011, p. 43, as cited in Bruno, 2014, p. 74). Or, to be more precise, the self-sacrificial love of Christ that characterises the City of God 'is possible in human affairs, and as such it casts a pall over all our efforts to form political society without attention to it, but as a possibility its complete instantiation remains impossible' (Long, 2018, p. 5). But, as Robin Lovin points out, 'Niebuhr says very little about how the impossible ideal [of Christ-like love] which is always relevant to concrete historical choices becomes relevant to the public discussion of them' (Lovin, 2008, p. 72, as cited in Long, 2018, p. 6).

We have here what appears to be an obvious contrast between an optimistic political theology that expects Christian belief and practice to be able to have a

significant effect on institutions and political life, whereas the Augustinian pessimist cautions us from expecting too much from the political societies of sinful humanity. However, the distinction between optimist and pessimist reveals its weakness with this example because it fails to notice the degree to which a critic of the Social Gospel movement like Niebuhr in fact continues to hold many of the same assumptions and ideas as his opponents. His contrast between the self-giving love of Christ and the imperfect, often self-serving justice of political societies was intended to provide a realistic and contextually-sensitive way 'to sustain the ambiguous task of achieving more relatively just societies. Although this would seem to indicate a decisive break with the social gospelers, in fact' (Hauerwas, 1983a, p. 23), it only revealed their shared presupposition

that the task of Christian ethics was to formulate the means for Christians to serve their societies, particularly American society. ... like the social gospelers he never questioned that Christianity has a peculiar relationship to democracy. *For Niebuhr and the social gospelers, the subject of Christian ethics was America.* They differed only on how nearly just such a society could be and the theological presuppositions necessary to understand and sustain social involvement (idem, p. 24; emphasis added).

His emphasis on sin caused him to be thought of as another neo-orthodox theologian following Barth's reaction against liberal theology (ibid). However, 'Niebuhr, far more than was seen at the time, continued to be essentially a liberal theologian' (ibid), according to Hauerwas. Unlike Barth, Niebuhr,

like Bultmann, continued liberal theology's presumption that theology must be grounded in anthropology. Thus, his compelling portrayal of our sinfulness, which appeared *contra* liberal optimism, only continued the liberal attempt to demonstrate the intelligibility of theological language through its power to illuminate the human condition (Hauerwas, 1983a, p. 24).

What does Hauerwas mean by liberal theology? Elsewhere, he defines liberal theology by its assumption that 'the knowledges [sic] produced by modernity render traditional theological claims problematic' (Hauerwas, 2000, p. 231). Consequently, it seeks 'to find a way to redescribe how theological claims work in a manner that construes theological claims as expressions of a prior content' (ibid). 'Some account of morality has been one of the popular ways of identifying that content in modernity' (ibid), meaning that doctrines are redefined to preserve their ethical content. This is, of course, not too different from Hauerwas' definition of liberal theology's agenda: 'to demonstrate the intelligibility of theological language through its power to illuminate the human condition' (Hauerwas, 1983a, p. 24).

As evidence of Niebuhr's theological liberalism, one could cite that he 'affirmed Harnack's Hellenization thesis' (Long, 2018, p. 81), i.e. the historical claim that the use of Greek metaphysics in the development of Christian doctrine obscured and corrupted the early Christians' Hebraic ways. Hence, Niebuhr declared that the metaphysics of the Chalcedonian formula 'must verge on logical nonsense' (Niebuhr, 1964, p. 61). According to Long, Niebuhr reinterprets key doctrines as 'symbolic expressions of what cannot be stated in history but must be so to render intelligible the human problem and its solution' (Long, 2018, p. 6). 'Niebuhr clearly affirmed that Jesus is the symbol of humanity and divinity' (ibid) but this does not mean he affirmed the Chalcedonian doctrine of Christ's humanity and divinity subsisting in one person. Instead, since Niebuhr thought 'the Atonement is the significant content of the Incarnation' (Niebuhr, 1964, p. 55), 'Christ as the incarnation of "perfect love" reveals the essential nature of man as one created by God to live in love with his fellows' (Wolf, 2009, p. 314), and Christ's crucifixion 'demonstrates that the perfect

love Jesus embodied cannot be exercised in history' (Long, 2018, p. 7). The political and ethical lessons Niebuhr wants us to draw from the incarnation and atonement are the need for humility, considering the failure of our imperfect politics to live up to the ideal of self-sacrificing love, and the need to receive the forgiveness necessary to sustain the struggle for justice without relying on idealistic illusions.

As with the incarnation, Niebuhr also redefined sin. Rejecting Augustine's conception of original sin, 'Niebuhr's demythologized reading of sin located it anthropologically' (ibid, p. 172) in terms of a set of symbols about how the

human creature is caught in an inescapable dialectic between finitude and transcendence. This dialectic is not sinful itself, but it is the condition for either the pride of overreaching or the sloth of sensuality (ibid).

For Long, Niebuhr almost seemed to be presenting our sinful condition as a constitutive feature of our human existence as fallen yet free and responsible beings, rather than as a privation of what we once had in the state of original righteousness before the Fall (ibid). Hence, as Hauerwas notes,

many secular thinkers accepted his anthropology and social theory without accepting his theological presuppositions. And it is not clear in doing so that they were making a mistake, as the relations between Niebuhr's theological and ethical positions were never worked out with total clarity (Hauerwas, 1983a, p. 24).

'Despite his criticism of liberal Protestant theologians' (Long, 2018, p. 8), Niebuhr's thought contains further evidence of his similarity to them. For they share a tendency 'that translates Jesus's eschatology to social ethics' (ibid). Whereas for the Social Gospelers this meant that the Kingdom of God seemed to become almost indistinguishable from something that can be achieved by political activism, for Niebuhr 'it gets translated into a regulative ethical ideal that stands over and against

our claims to have embodied the love command in political and social existence' (idem, pp. 8-9). In either case, eschatology does not affect or challenge our conception of politics. It underwrites the preferred morality and politics of the theologian: either in the form of supporting progressive causes for democratization in society; or in the form of putting Jesus's work and eschatology at the edge of history to inspire, without interfering too much with, our 'Christian duty to use power to secure the forms of justice possible in our social and political system' (Hauerwas, 1981, p. 73).

The root cause of these features found in the thought of apparently different thinkers is located in their common desire to serve the needs of America first. This is why Hauerwas claimed that for them 'the subject of Christian ethics was America' (Hauerwas, 1983a, p. 24) and the discipline's task 'was to formulate the means for Christians to serve their societies' (ibid), even though they disagreed about how just a society could become. Thus, understanding his own purpose as a theologian in this way led Niebuhr to articulate certain elements of Christian doctrine in a way that would highlight their insights into the human condition, so that even those who did not share his theological convictions could learn from them. The Social Gospellers, still living at a time when American society considered itself Christian or at least religious, could continue to use a Christian idiom without translating it in that way, albeit while seeking to show its consonance with political currents of the time. Niebuhr undertook this rhetorical strategy because he understood himself to be addressing not the church alone but the increasingly pluralistic and secularised society of post-war America. Those Christians whom he did address he understood primarily as citizens charged with responsibilities for the good of their country, ambiguous and imperfect though its earthly peace may be. Hence, he only made the Social Gospel 'all the more

powerful by suggesting the limits of what love could accomplish through the political characteristic of our society' (Hauerwas, 1981, p. 73). However, his priorities meant that ecclesiology had a very marginal place in his own theology and, even when drawing on Augustine's *City of God*, Niebuhr's focus on the individual Christian meant that he had no use for Augustine's ecclesiology. He also rejected it because he thought the ecclesiology of the Catholic Church (of which he was heavily critical) relied on the false connections Augustine's ecclesiology made with the theology of grace and Christology (Long, 2018, p. 4). However, without a clear sense of the *ekklesia* it was hard to see how Christians could act, not as individual Christians, but as a distinctive and prophetic community of witness within and across the borders of their countries.

Therefore, there was a very present danger that Niebuhr and the Social Gospel were turning the Christian faith into a form of civil religion intended to legitimise one kind of regime. For despite Niebuhr's

critique of the theological and social optimism of Rauschenbusch and the other "social gospels" [sic] defense of democracy, he never questioned the assumption that democracy was the most appropriate form of society and government for Christians. What was needed ... was to provide a more adequate basis for democracy in a realistic account of human nature (Hauerwas, 2001a, pp. 466-467).

The political needs of democracy, in other words, provided Christian doctrine with an opportunity to demonstrate the utility of its insights. Hence Niebuhr wrote that the

Christian view of human nature is more adequate for the development of a democratic society than either the optimism with which democracy has become historically associated or the moral cynicism which inclines human communities to tyrannical political strategies (Niebuhr, 1944, p. xiii).

The overriding need for American Christians to give theological justification and legitimacy to their regime meant that 'from Rauschenbusch to the present Christian social ethics has had one agenda: to show why American democracy possesses distinctive religious status' (Hauerwas, 2001a, p. 467). The urgency of this political task prevented them from considering the Gospel on its own terms, rather than in terms of the nation-state's needs, and caused them to overlook the church's indispensable role in making possible a distinctive way of life that is faithful not to the World (in the Johannine sense) but to the Gospel.

2.2.3 A qualified acceptance of an alternative classification

If our brief look at Niebuhr and Rauschenbusch shows us that optimism and pessimism are not the appropriate categories through which to understand the important disagreements in political theology, then what would be? One alternative is that used by Daniel M. Bell, Elizabeth Phillips, and Arne Rasmusson. They all make a distinction between the strands of political theology that developed in the immediate post-war years and those that developed later in the twentieth century. They draw attention to this distinction using different terms: either by speaking of the dominant and emergent traditions of political theology (Bell, 2004, pp. 423-438), or of the first and second generations of political theologians (Phillips, 2012, pp. 42-54), or by distinguishing *political theology* proper, as found in Moltmann's theology, from the *theological politics* exemplified by Hauerwas (Rasmusson, 1994). For Bell and Phillips, these categories are meant to highlight the different emphases and approaches discernible between, on the one hand, public, liberation, and European political theologies; and, on the other, postliberal theology and Radical Orthodoxy. The three strands in the first category, despite their differences, had in common a

standard reading of the state and civil society, whereby those institutions are heralded as agents of freedom while the church is shorn of a concrete political presence in favor of an apolitical or at most an abstractly and generally political presence as a custodian of values (Bell, 2004, pp. 428-429).

In other words, theologians such as Jürgen Moltmann, Gustavo Gutiérrez, and Reinhold Niebuhr were united in wanting to resist the Christian faith becoming something private and inwardly spiritual. Yet, they thought 'within a standard account of the roles of the modern state and of civil society, resulting in goals which involved reform or reinvigoration of these institutions' (Phillips, 2012, p. 50). By contrast, the two strands within the second category (i.e. postliberalism and Radical Orthodoxy) are more willing to challenge the standard account of these roles on the grounds that it narrows the scope of political theology by making 'statecraft ... the primary or ultimate horizon' (ibid) of its reflections. Accepting the horizon set by the needs of the state leads to 'the eclipse of the proper public, political character of the church itself' (ibid) and regaining this understanding of the church is one of the recurrent themes in postliberal theology and in Radical Orthodoxy. As a result, they are more suspicious of the strategy (common among theologians belonging to the first category) of translating concepts in political theology 'from the particularly Christian towards the shared or universal – from what is peculiar to Christians towards what is 'public' or commonly held' (ibid). They are suspicious of this approach because it threatens to let the particular perspective of the church shaped by the Gospel be sidelined by prioritising the goal of making the church's witness rhetorically effective to all, regardless of belief or background. To avoid this danger, theologians in the post-liberal and Radical Orthodoxy strands have a keener focus than those in the first category on ecclesiology and on the other areas of Christian

doctrine. This is not only for the 'task of reintegrating political theology within the broader theological enterprise' (idem, p. 51), but also to rediscover in those broader areas of doctrine the church's resources to redefine our conventional understanding of politics, centred as it commonly is on the state and its possession of the monopoly of legitimate violence.

The studies of Rasmusson, Bell, Michael Baxter, and Frederick Bauerschmidt of key figures in public, liberation, and European political theology support the classification of these three strands together in the first category of political theology. Their studies come to the paradoxical conclusion that, despite the apparent differences between a European political theologian like Moltmann, the Latin American liberation theologians, such as Gutiérrez, and American public theologians, such as Michael and Kenneth Himes, they all make the same mistake that undermines their shared intention of making the faith politically relevant (Rasmusson, 1994; Rasmusson, 2000; Baxter, 1995; Bauerschmidt, 2001; Bell, 2006). Their mistake is attempting to make the faith relevant by translating it through a mediating discourse (such as Marxism, Critical Theory, or natural law) into concepts intelligible to those who hold power in government and civil society. They thereby accept (unwittingly) the right of those in power to decide which discourses are appropriate for public and political deliberation, and which ones (such as religious discourses) instead belong to the non-political private sphere, thus preventing the faith from ever being truly political on its own terms.

Bell, Phillips, and Rasmusson's way of classifying the discipline has the clear advantage of illuminating a crucial division in political theology between those who did not and those who do attend to the political character of the church. However,

there are also reasons for adjusting it. For a start, Bell and Phillips make a distinction between postliberal theology and Radical Orthodoxy that lacks cogency. Phillips puts the pacifists John Howard Yoder and Hauerwas and the just war theorist Oliver O'Donovan together in the strand of postliberal theology, despite their deep disagreements about the significance of Christendom, the mission of the church to rulers, and the compatibility of Aristotelianism with Augustinian theology (Phillips, 2012, p. 52). John Milbank, the most important figure in Radical Orthodoxy, shares with O'Donovan, but not with Hauerwas, a concern for understanding how the church's mission has in the past influenced, and may yet again in the future, influence the governance of temporal societies. However, Milbank also shares with Hauerwas, but not with O'Donovan, a more evident desire to learn from Aquinas and from contemporary Thomists and virtue-ethicists, such as Alasdair MacIntyre.

Moreover, this way of classifying political theologians based (to put it starkly) on whether they are primarily state- or church-focused fails to consider how the debate in political theology has moved on since Yoder first began to make his critique of Reinhold and H. Richard Niebuhr. According to D. Stephen Long, the debate has been complicated by the new voices of Nicholas Wolterstorff and Jennifer Herdt (Long, 2018, pp. 53-63, 67-72) and particularly by Charles Mathewes, Eric Gregory (idem, pp. 47-52, 64-67), and Luke Bretherton (idem, p. 190-191). Mathewes and Gregory present what Long calls a neo-Augustinian (idem p. xxii) perspective that seeks to learn from Yoder's and Hauerwas' critique of Niebuhr, but also to correct what they perceive to be excesses in Yoder's and Hauerwas' critique of liberal democracy. Similarly Bretherton, 'who has strong sympathies with the ecclesial and Augustinian approaches, defies any easy categorization' (idem, p. 190). Therefore, I argue that,

rather than naming the strands within the second category/generation as *postliberalism* and *Radical Orthodoxy*, instead we should use Long's distinction between *neo-Augustinian* and *ecclesial ethics*, placing Milbank and O'Donovan together with Bretherton, Mathewes, and Gregory in the former strand. These terms ought to be seen as markers of how the debate is leading to a divergence emerging within the theologians of the second category.

Yoder, Hauerwas, Baxter, Bauerschmidt, Bell, Long, and William Cavanaugh all belong in the ecclesial ethics strand because they continue to concentrate on the church as the primary locus and audience for their thought. They regard the political character of the church in relation to the World as offering the vantage point from which to understand how Christian communities can offer a patient and faithful witness to the coming Kingdom. As for the neo-Augustinians, they accept many of Yoder's and Hauerwas' criticisms of Niebuhr and other theologians like him. For example, Eric Gregory echoes Hauerwas in arguing that Niebuhr 'was too much a part of the liberal theology he was trying to describe to be able to offer an alternative Christian ethic' (Gregory, 2008, p. 18). Yet Gregory and Mathewes reject the claim that his 'theological failure directly relates to Niebuhr's apologetic for political liberalism ... liberal democracy bears no reliance upon Niebuhr's liberal theology' (Long, 2018, pp. 15-16). Therefore, their work draws more deeply than Niebuhr on doctrine, not excluding ecclesiology and eschatology, to offer a more theologically robust rationale for Christians to be engaged and responsible citizens that can salvage what is valuable in civic liberalism, according to Gregory, or in civic republicanism, according to Mathewes (idem, pp. 47-52). The 'new Augustinians no longer fit the theological critiques brought against the Augustinian realist [e.g.

Niebuhr] by the neoAnabaptists [i.e. Yoder and Hauerwas]' (idem, p. xvii) and therefore cannot easily be placed into any of the three strands of the first category (i.e. into political, liberation, or public theology).

Three recent problems have beset ecclesial ethicists and created an opportunity for neo-Augustinians to launch a reaction against them. Firstly, the revelations of Yoder's sexual predation on women and of the way he 'justified his predation by his theology' (idem, p. xvi) raised serious questions about whether these facts reveal fatal problems in the ecclesial approach's eschatology and ecclesiology. I shall explore this question later in Part Two when I discuss the danger for Catholics of adopting a Yoderian-Hauerwasian political theology in light of the cases of sexual abuse committed by priests that have come to our attention in recent decades. Secondly, the critique by Jeffrey Stout of those whom he calls 'the new traditionalists: Hauerwas, MacIntyre, and Milbank' (Stout, 2004, p. 11) has provoked doubts about the prudence of their hostility to liberal politics. Stout fears that their ideas could contribute to Christians being misled and manipulated in our time when the 'Republican Party and the Fox News Network tell American Christians on a daily basis that they are a beleaguered minority in an evil, liberal order' (idem, p. 296). He has called for Christians instead to 'take up a civic national project' (Long, 2018, p. xvi) for the good of their country and fellow citizens, following the examples of Martin Luther King Jr. and other prominent Christian participants in public life. Thirdly, and perhaps most importantly, 'Yoder's poor reading of Augustine' (idem, p. 137) has become increasingly apparent. His accusation that Augustine was the court theologian for Constantinianism because he was guilty of

collapsing the church into the world and bequeathing to the Christian church an incapacity for distinguishing them, can no longer be accepted. ... Most of those who followed in Yoder's wake no longer find Augustine responsible for these errors. He is no longer the enemy (*idem*, pp. xvii-xviii).

This has not only enabled ecclesial ethicists inspired by Yoder to return to Augustine, but it has also emboldened neo-Augustinians to retrieve ideas from Augustine that can be used to evade both Stout's critique of Hauerwas and Yoder's critique of Niebuhr.

The neo-Augustinian and ecclesial ethicists disagree about 'the extent to which Christian ethics should be an ecclesial and/or national project' (*idem*, p. xviii) because of their different assessments of political liberalism and civic republicanism. They also 'differ on the appropriateness of Christian participation in the means of political violence and/or coercion' (*idem*, p. xxiii). Yet they still deserve to be considered as two strands within the same category of political theology, distinct from the first category, because the neo-Augustinian and ecclesial ethicists 'both seek to be Christologically centered; they find Jesus, in his person and teaching, the center to Christian ethics' (*ibid*). Moreover, their shared debt to Augustine means that 'the difference between these ethical approaches is that of a family squabble—how best to interpret Augustine and what mattered to him, along with the use of his ethical and political wisdom in our context' (*idem*, p. xix).

Another reason for preferring Long's schema over that of Phillips, Bell, and Rasmusson is that Long distinguishes O'Donovan from Hauerwas by classifying O'Donovan as neo-Augustinian together with Milbank. This recognizes that O'Donovan's and Milbank's rejection of pacifism marks a salient difference between them and ecclesial ethicists. It also draws attention to the shared interest of Milbank

and O'Donovan in articulating how the church's mission can shape, rather than merely resist, the temporal community's practices of governance. Yet Long also acknowledges rightly that their criticisms of liberal democracy, using arguments that draw widely from scripture, church Fathers, and mediaeval theology, and their similar affirmations of the church's political nature, mean that O'Donovan and Milbank are very close to the positions taken by the ecclesial ethicists on those issues (idem, p. 74). The complexity and subtlety of their political theology means that they are *sui generis* in comparison to other neo-Augustinians. The potential their thought possesses to reconcile neo-Augustinian and ecclesial ethics is one of the main justifications for the extended dialogue with O'Donovan in Part Three, where I shall argue that O'Donovan's exegesis of scripture can help us to remedy the Council's mistake of conceiving church-state relations in terms of a duality between religion and politics.

Now that the major disagreements within political theology have come into relief, and the characteristics of ecclesial ethics have been highlighted, the following two chapters will use the lens of ecclesial ethics to launch a critical evaluation of what the conciliar documents teach about church-state relations.

2.3 Reading *DH* through the Lens of Ecclesial Ethics

2.3.1 Introduction

The critical evaluation of the conciliar documents in this chapter and the next will be assisted by two examples of ecclesial ethics: Cavanaugh's critique of Catholic Action and pre-conciliar ecclesiology, and Hauerwas' illuminating, yet brief essay on *DH*. My aim is to show that ecclesial ethics has a hitherto unfulfilled potential to

provide an original critique of the conciliar documents and to reveal overlooked problems in their conception of church-state relations.

I shall first discuss Hauerwas' critique of *DH* because it is the only time that a major ecclesial ethicist has written specifically about a conciliar document in detail. The discussion will begin by putting this essay into the context of some recurring themes in Hauerwas' work. Then an analytic exposition of his essay will separate those criticisms of his that are distinctive to his approach from those that are very similar to some of the criticisms already mentioned in Part One. Although he can show us how illuminating ecclesial ethics can be to discover problems with *DH*, nevertheless the brevity of his essay, as well as its focus on a single document, will bring into relief my thesis' originality, since I shall go beyond his inchoate remarks by reading what *all* the conciliar documents teach about church-state relations through the lens of ecclesial ethics.

2.3.2 'Not Late Enough: The Divided Mind of *Dignitatis Humanae Personae*'

The essay that bears this title must be seen as an instance of Hauerwas' long-standing interest in the ways that (especially American) Christians unintentionally depoliticise and privatise their faith. He has proposed that one way Christians make these mistakes is by accommodating themselves to a familiar narrative in modernity, according to which 'the relegation of Christian beliefs to the private sphere is legitimated by a story of human freedom in which human kind is liberated from the crushing weight of tradition and doctrine' (Hauerwas, 2014, p. 71). In other words, the extraction of the Christian faith from a morally dubious or compromised entanglement with the public sphere of politics is accepted as part of the progressive

improvement of human freedom, even embraced as something inspired by the preaching of the Gospel. Hauerwas has argued that once this narrative is accepted by Christian ethicists, their political engagement will be shaped by their conception of a distinction between the public sphere of politics and the non-political private sphere in which their faith belongs. However, his criticisms of Reinhold Niebuhr and those ethicists like him as described in the previous chapter (and the comparable criticisms directed by other ecclesial ethicists at key figures in political, liberation, and public theology) were not only meant to reveal how they depoliticise and privatise the Christian faith. Hauerwas also wants to show how these ethicists' eagerness to participate in politics can lead them to accept how politics is commonly understood in their time and place, without confronting questions about whether such an understanding of politics is compatible with or faithful to the Gospel. Consequently, his criticism is that these ethicists have missed something even more fundamental: 'the church is also a polity' (Hauerwas, 1981, p. 74) embodying an alternative way of doing politics that should challenge our conventional vision of what it means to live together as a community.

Christian enthusiasm for the political involvement offered by our secular polity has made us forget the church's more profound political task. In the interest of securing more equitable forms of justice possible in our society, Christians have failed to challenge the moral presuppositions of our polity and society (Hauerwas, 1981, p. 73).

According to Samuel Wells, there is a 'stress on narrative, virtue and community' (Wells, 1998, p. 99) in Hauerwas' ethics because all three are crucial for 'the church to rediscover its integrity and identity' (ibid) as a community of disciples, whose character and habits have been formed by the preaching and sacramental enactment

of the narrative of scripture. 'The first social ethical task of the church is to be the church' (Hauerwas, 1983b, p. 99) because the church can know how to serve the world in a way that is faithful to the Gospel only once it has recovered a sense of its true identity and mission.

Now, although Hauerwas had 'a much more favorable assessment' (Hauerwas, 2000, p. 257) of Murray when working on him as a student, Hauerwas later tended to write about Murray with the same criticisms and suspicions he had directed towards ethicists like Reinhold Niebuhr. This meant he regarded Murray as representing another example of how 'from Rauschenbusch to the present Christian social ethics has had one agenda: to show why American democracy possesses distinctive religious status' (Hauerwas, 2001a, p. 467). Murray's interpretation of church-state separation 'as a confession by the state of its incompetence in matters of religion' (ibid), Hauerwas argued, was motivated by Murray's desire 'to make America amenable to Catholic social theory' (ibid). One can understand why Hauerwas thinks Murray had such an agenda when one recalls (as mentioned in chapter 1.2) that traditionally Catholic theology, even up to the 1960's, had regarded religiously-neutral states as acceptable only for pragmatic reasons, as a *modus vivendi* in a polity where Catholics were a minority, while a confessional Catholic state remained the ideal. It is easy to imagine how awkward and embarrassing such ambivalence towards secular states would be for American Catholics who wanted to step out of their insular, inward-looking, and 'frequently self-imposed ghetto mentality' (Ellis, 1956, p. 57, as cited in Baxter, 1996a, p. 9) and show themselves to be responsible and patriotic citizens. Hence, Hauerwas argued, Murray also wanted 'to make Catholics amenable to America by showing that Catholics can enthusiastically

support democracy as an imaginative solution to the problem of religious pluralism' (Hauerwas, 2001a, p. 467).

Hauerwas does admit that 'Murray presupposed the necessity of the existence of the church to remind the state of its limits' (Hauerwas, 1981, p. 246), especially by denying the state competence to judge religious matters. Advocating for this public role of the church as an international and visible community was the most important difference between Murray and Reinhold Niebuhr. 'In a peculiar way, Niebuhr was more profoundly an American theologian, as America was his primary community' (ibid), a point already mentioned above by referring to Long's criticism of Niebuhr for having an inadequate ecclesiology.

Yet despite the advantage of Murray's ecclesiology over Niebuhr's, Hauerwas and Michael Baxter, one of his Catholic students, have lamented the influence of Murray on Catholics. Murray has made them complacently presume an easy compatibility between being faithful Catholics and good citizens so long as their freedom of belief is protected (Hauerwas & Baxter, 1995). Baxter's further study of the tendency in Murray's thought and in American Catholic social ethics to presume that their country offers an easy harmony between loyalties to God and to country has given greater depth and substance to this line of argument (Baxter, 1995; 1996b; 1997; 2000a; 2000b; 2013; 2019). However, Baxter has so far avoided discussing whether the documents of Vatican II had any role in encouraging Catholic thinkers after the Council to think in this way about the relationship between their faith and politics.

By contrast, Hauerwas' ongoing critique of Murray led him to make a foray into the conciliar documents by writing an essay about *DH* 'to show how the Catholics

unfortunately accepted Murray's account of how Catholicism could be reconciled with America' (Hauerwas, 2000, p. 18). He immediately qualifies this judgment by referring to Cardinal Francis George, who argued that 'the Council's defense of religious liberty owes more to the Christian personalism born in France [i.e. to the thought of Mounier, Maritain, Journet, etc] than to Murray's historical and social analysis' (ibid). Agreeing partly with the Cardinal, Hauerwas argues that 'Murray was not able to make the declaration 'his': he had to compromise with the French, who were arguing for a more determinative theological view' (idem, p. 110). In a footnote, he supports this claim by appealing to the remarks of George Lindbeck, who attended Vatican II as a Protestant observer (idem, p. 257), because Lindbeck criticised Murray's neoscholastic understanding of nature and grace for being 'totally uninfluenced by the newer investigations into the meaning of "nature" and "natural" that are being carried out in Europe by such Catholic thinkers as K. Rahner, Siewerth, von Balthasar, Dondeyne, and de Lubac' (Lindbeck, 1961, 2015, as cited in Schindler, 1994, p. 729). Therefore, Hauerwas argues, the result of the compromise between Murray and the French (and the other European theologians mentioned by Lindbeck) is that:

the final draft of *Dignitatis* is incoherent, but I want to argue that such incoherence is a very good thing. Better a divided mind than the mind of John Courtney Murray (Hauerwas, 2000, p. 110).

His arguments for this interpretation now need to be examined in further detail.

2.3.3 Distinguishing the arguments that are distinctive to ecclesial ethics

His arguments include some that resemble the criticisms directed at Murray by those theologians I associated with the *Communio* interpretation in the third chapter

of Part One. For instance, Hauerwas argues there is a problem in how the right to religious liberty is presented, since the 'grounds of such a 'right,' however, are quite ambiguous' (ibid). It is purported to be found 'not in the subjective disposition of the person, but in his very nature' (*DH*, 1966, p. 679, n. 2). He claims that *DH* wants 'to underwrite the modern understanding of rights based on the inherent dignity of the person' (Hauerwas, 2000, p. 110), meaning there are at least some rights that are universal and natural, and hence belong inalienably and absolutely to every person regardless of time or place. Yet it also seems to be committed to 'a teleological understanding of nature' (ibid) that emphasizes instead the flourishing possible only by acting according to the inclinations of human nature towards certain ends. The commitment to the latter means that the right in question is the consequence of one's prior duty 'to seek the truth in matters religious, in order that he may with prudence form for himself right and true judgments of conscience' (*DH*, 1966, p. 680, n. 3). But this

entails the presumption that any strict appeal to rights qua rights ... at best can be only a qualified right. Put more strongly, the appeal to the 'right to religious freedom' becomes more a matter of prudential judgments depending on contingencies of a social order than a hard and fast policy for which we should work irrespective of a society's history and culture (Hauerwas, 2000, p. 111).

Thus a tension arises when *DH* affirms that 'the right to this immunity [from religious coercion] continues to exist even in those who do not live up to their obligation of seeking the truth and adhering to it' (*DH*, 1966, p. 679, n. 2). For if the right to immunity from religious coercion can still be claimed even when the more fundamental duty fails to be fulfilled, then Hauerwas argues that the connection between the duty and the right lacks cogency, unless a reason is given to explain how

continuing to claim the right in this situation serves (in the long-term?) the agent's fulfilment of the duty to seek religious truth.

A similar criticism pertains to one of the qualifications *DH* makes of the right to religious freedom. Several such qualifications are made, giving support to the view that the right is at least at times presented as being socially-contingent, rather than innate or absolute. For example: 'Nor is the exercise of this right to be impeded, provided that the just requirements of public order are observed' (*DH*, 1966, p. 680, n. 2; also see p. 682, n. 4; pp. 685-686, n. 7; pp. 687-688, n. 8). Hauerwas chooses to focus on the following section:

Furthermore, society has the right to defend itself against possible abuses committed on pretext of freedom of religion. It is the special duty of government to provide this protection. However, government is not to act in arbitrary fashion or in an unfair spirit of partisanship. Its action is to be controlled by juridical norms which are in conformity with the objective moral order (*DH*, 1966, p. 686, n. 7).

He comments:

we are given no hint of how we might know what a possible abuse [of the right to religious freedom] might look like. All we are told is that governments are not to act in arbitrary fashion or in an unfair spirit of partisanship. This is a suggestion with all the power of asking Israel and the PLO to love one another (Hauerwas, 2000, p. 112).

To put the criticism more charitably, the prudent and practical claim of this right, according to *DH*, needs to be done in harmony with a larger context of the social and civil duties of those governing and being governed. Yet *DH* fails to do more than merely gesture towards what that larger context is, how to identify abuses of the right, and how conflicts between the right to religious freedom and the right of society to protect itself should be negotiated and resolved.

These two arguments (attacking the ambiguous basis of the right and the lack of clarity about its relation to other rights and duties) recall Karol Wojtyła's criticisms

(already mentioned in chapter 1.3) of *DH*'s third draft, in which Murray's more juridical understanding of religious freedom (as a negative right to immunity from religious coercion) was more prominent. These arguments also resemble the criticisms of David L. Schindler directed at Murray's attempt to interpret *DH* in its final form within the American constitution's understanding of church-state separation. In that earlier chapter I agreed with Schindler and argued that the final draft of *DH* (unlike its third draft) presented the negative right of immunity from religious coercion as being grounded in the more fundamental duty to seek religious truth. As my thesis is concerned not specifically with religious freedom, but with church-state relations, I will not dwell on whether *DH* is incoherent, as Hauerwas claims, or if Hauerwas has mistakenly understood Murray to have had a greater influence on *DH* than is really the case.

Far more pertinent to my concerns are the problematic distinctions Hauerwas discovers in *DH*. These distinctions are those between:

1. the ambit of reason as it contemplates the ends of human nature, in distinction to the plane of what God reveals about our supernatural calling by grace;
2. the sphere of politics, necessarily involving violence and coercion, which is separate from the religious purpose of Jesus' mission and ministry as the gentle, non-political Messiah, who did not rule by force but instead acknowledged the authority and rights of Caesar and other duly constituted powers.

Although Hauerwas does not enumerate these distinctions in the schematic way that I have done, it will help us to see how some of his grievances against *DH* are

different from any of the interpretations already mentioned, because they are closely connected to some of the central principles and concerns of ecclesial ethicists. Their first principle, of course, is ecclesiological, since they hold that the 'church is the primary context for ethical discernment' (Long, 2018, p. 154). Their next most important principles are emphasizing the dependence of Christian ethics on scripture's narrative and on the dogmas and creeds of historic orthodoxy, and discerning the division between the church and all that is opposed to God's eschatological purposes in history, i.e. all that is 'world'. These three characteristics in particular give us a picture of an approach that attends to the particular social context of Christian ethics, and to its eschatological, scriptural, and doctrinal foundations. Consequently it is an approach that refuses to allow the particular context or foundations of Christian ethics to be lost by being subsumed within a supposedly universal narrative or discourse, whether that be a Hegelian philosophy of humanity's developing religious consciousness, an Enlightenment-inspired narrative of our progressive realization of liberty, brotherhood, or universal human rights, or something similar. The struggle of the ecclesial ethicists to preserve the particularity of Christian faith and practice repeats, and is sometimes inspired by, the similar struggle of Karl Barth against the liberal Protestant theologians of his day (Long, 2001, pp. 44, 54-57; Hauerwas & Willimon, 1989, pp. 22-28).

2.3.4 First argument: *DH*'s distinctions between nature-grace, reason-revelation

With these features of ecclesial ethics in mind, we must look at the first of the two distinctions in *DH* discerned by Hauerwas. He begins his critique by a focus on the decision to divide *DH* into two chapters, one on

the 'General Principles of Religious Freedom,' to which is then added 'The Light of Revelation'; but why we need 'revelation' is never clear. ... One almost hears in the background the neoscholastic mantra 'Grace does not deny but fulfills nature,' thus ensuring the need for the second chapter but with no good reason why it is needed (Hauerwas, 2000, p. 110).

Hauerwas' criticism is that there seems to be a tension between the attempt to maintain dialogue with all people of good will by appealing to reason, whilst at the same time wanting to bring the light of revelation to bear upon this issue by an act of the magisterium. By referring to what he calls the neo-scholastic mantra, Hauerwas interprets this tension to be derived from the problematic understanding of the relation between nature and grace that was common in Catholic theology before the Council. This understanding would lead one to conceive of a distinct realm of human nature comprehensible in its essence and ends by reason, independently of (what is conceived to be) the separate plane of the supernatural, attainable by grace and made known by faith in divine revelation. Hence, the supernatural does not fundamentally alter our understanding of human nature, except by correcting the mistaken notions of reason led astray by ignorance or sin. If *DH* has been written with this framework in mind about an issue that it admits is not explicitly addressed in revelation (*DH*, 1966, p. 688, n. 9), then the second chapter seems to be unnecessary strictly speaking for elucidating a matter intelligible by reason alone.

One could object: this is hardly an original criticism when a similar complaint is made of *GS*'s first chapter by Ratzinger. Revealing his typically Augustinian discomfort with neo-scholasticism, Ratzinger complained that *GS*'s first chapter

took as its starting point the fiction that it is possible to construct a rational philosophical picture of man intelligible to all and on which all men of goodwill can agree, the actual Christian doctrines being added to this as a sort of crowning conclusion (Ratzinger, 1969, p. 120).

For Ratzinger, however, this seems to be mainly a problem of theological method. He rejects the adequacy of the neo-scholastic juxtaposition between philosophical reason and theological faith because the two cannot exist or operate independently: 'there is, and must be, a human reason in faith; yet, conversely, every human reason is conditioned by a historical standpoint so that reason pure and simple does not exist' (ibid).⁹

But for Hauerwas the problem is greater than that. *DH*'s cursory and superficial use of scripture merely to confirm the teaching of the first chapter reveals 'the declaration's own unclarity about what is actually revealed in revelation' (Hauerwas, 2000, p. 113). The political problem arising from this, according to him, is that, rather than attending to what guidance scripture may offer about church-state relations, or about Christian faith and politics more generally, scriptural quotations are instead gathered to support the contemporary 'high humanism that informs the Declaration' (idem, p. 109). Hauerwas finds evidence of this problematic use of scripture in the second chapter's attempt to show that the right to religious liberty 'has roots in divine revelation' (*DH*, 1966, p. 688, n. 9) because

man's response to God in faith must be free. ... Man ... cannot give his adherence to God revealing Himself unless the Father draw him to offer to God the reasonable and free submission of faith (idem, pp. 688-689, n. 10).

'The problem, however, is that the declaration fails to provide an account of the complexity our response to God's free act entails' (Hauerwas, 2000, p. 113), relying instead on a 'high humanism presupposing that freedom is the absence of "coercion"' (idem, p. 114). But Augustine's account of his conversion from sin in the *Confessions*

⁹ Cf. Oliver O'Donovan's similar argument, drawing on Robert Spaemann and Augustine, about how 'we know only as we love' (O'Donovan, 2002a, p. 11).

should teach us that 'God's refusal to abandon us may seem to be anything other than free' (idem, p. 113). 'To be wrenched from sin is appropriately described as an act of freedom ... only retrospectively' (ibid). In addition to a simplistic account of freedom,

the revelational claims in the declaration are muted in favor of assertions such as 'God has regard for the dignity of the human person who He Himself created; man is to be guided by his own judgment and he is to enjoy freedom.' Surely the last clause of this sentence does not follow from the acknowledgement of our creaturely status (Hauerwas, 2000, p. 114, with an internal reference to *DH*, 1966, p. 690, n. 11).

Rather than using scripture for the Council to give its endorsement to contemporary humanistic ideas about freedom and human dignity, a less superficial and more attentive reading of scripture, Hauerwas argues, would look at the crucifixion to understand 'that Christians are called to live lives of nonviolence' (Hauerwas, 2000, p. 114). The cross provides a properly theological reason warranted by scripture to oppose religious coercion as a species of violence, he argues, because on the cross

we see our God suffering so that we might be freed from the violence that grips our lives. To be freed from such violence requires an alternative politics to the politics of the world. The name for that alternative politics is *church* (ibid; original emphasis).

Here Hauerwas swiftly moves from an argument to be more attentive to scripture's particular message, to the claim that the alternative kind of life we are being called by scripture to live requires an alternative politics, an alternative community, which is the church. We can see from this, firstly, the close connections between scriptural hermeneutics, ethics, and ecclesiology in his thought. Secondly, it also tells us that the superficial use of scripture in *DH* to claim divine approval of popular ideas in the *Zeitgeist* indicated a failure to investigate more deeply the resources offered by the particular message of scripture to shape a distinctly-

theological understanding of religious liberty. In other words, *DH*'s use of scripture offers what ecclesial ethicists would see as a typical example of the Christian faith's unique narrational and ethical context being obscured by the desire to be in service to universal values, like those of human dignity and freedom. As a consequence of this mistake, *DH* fails to present the church as meeting the state with an understanding of religious liberty that is true to its scripture-shaped identity.

2.3.5 Second argument: distinction between religion and politics

We turn now from the distinction between reason and revelation to the distinction Hauerwas has discerned in *DH* between religion and politics. Seizing upon *DH*'s stark assertion that Jesus 'refused to be a political Messiah ruling by force' (*DH*, 1966, p. 691, n. 11) but instead 'came 'to serve and to give his life as a ransom for many' (Mark 10:45)' (ibid) Hauerwas retorts:

If Jesus was not 'political,' then one surely has a very hard time explaining the 'misunderstanding' that resulted in his death. The appeal to satisfaction accounts of the atonement in this context only confirms the declaration's general tendency to privatize and internalize salvation. As a result the Declaration on Religious Freedom plays into the hands of one of the most violent and virulent forms of politics, that is, liberal political arrangements that require our lives to be shaped by the distinction between the public and the private (Hauerwas, 2000, p. 114).

He admits that he might be being unfair to *DH*, since *DH* is one instance among many of ideas that were relatively unchallenged at the time (idem, p. 114). Nonetheless,

[c]laims about the alleged apolitical character of Jesus' proclamation of the kingdom result in not only making Jesus a 'personal savior' but also forcing the 'political' to be the realm of violence (idem, p. 115).

The common association of politics with violence, according to the 'presumptions of liberal political theory' (ibid), 'seems 'natural' in modernity' (ibid) but accepting it would be a failure to see that '[w]e are, as the declaration claims, God's good

creatures, and as such we are not created to have our lives ruled by violence' (ibid). What Christians ought to do is 'to help ourselves and those who do not share our practice to imagine a peaceable politics' (ibid).

The rejection of the necessary connection between politics and violence is a recurring move in ecclesial ethics and it is almost always made by referring to Max Weber, who is seen to have expressed most clearly the assumed connection between the two (e.g. Baxter, 2000a, p. 203; Bell, 2006, p. 13; Cavanaugh, 1998, p. 6; Cavanaugh, 2002, p. 45; Long, 2004, p. 399; Long, 2015, p. 92).¹⁰ Weber defines politics as 'the leadership, or the influencing of the leadership, of a *political* association, hence today, of a *state*' (Weber, 2009, p. 77; original emphasis), thus 'privileging the state as the fulcrum of social and political change' (Bell, 2006, p. 13) Weber then writes, '[u]ltimately, one can define the modern state sociologically only in terms of the specific *means* peculiar to it, as to every political association, namely the use of physical force' (Weber, 2009, pp. 77-78; original emphasis). Since politics is defined explicitly in relation to the state, it is no surprise that Weber claims [t]he decisive means for politics is violence' (idem, p. 121). The definition of politics by its means, rather than by its ends, presents a clear example of how the assumed division between religion and politics relies on a differentiation of responsibilities, which is something that we will encounter again when critically examining in later chapters the Council's teaching about the lay apostolate.

Religion, for Weber, furnishes an ideal vision that forms the basis for an 'ethic of ultimate ends,' while politics determines how ethical ideals may be approximated in a world of conflict and violence ... [whilst] avoiding irresponsible attempts to put religious ideals such as, say, the Sermon on the Mount into practice in the 'real world' of politics—which is, as Weber himself acknowledges, a world of

¹⁰ Similar arguments are made about Ernst Troeltsch by ecclesial ethicists, e.g. (Rasmusson, 1999; Cavanaugh, 2016, pp. 39-40, 44-48).

ethical compromise (Baxter, 2000a, p. 203; cf. Bauerschmidt, 1997, p. 78; Weber, 2009, p. 121).

The vocation of the politician calls for 'conduct that follows the maxim of an ethic of responsibility' (Weber, 2009, p. 120), according to which 'one has to give an account of foreseeable results of one's actions' (ibid), rather than using the state to implement ethical-religious ideals without concern for the consequences (idem, p. 121). Foreseeing results entails politicians knowing that '[t]he decisive means for politics is violence' (ibid) and then considering how they may realistically approximate ethical or religious ideals by the responsible use of such means. Thus only an ethic of responsibility is suitable to politics because it 'alone allows agents to eschew perfection' (Long, 2015, p. 92) and to act more realistically in light of what can and should be achieved by political means.

It is not my intention to accuse the council documents of drawing directly from Weber's work. However, I do agree with Hauerwas in this respect: when *DH* declares Jesus 'refused to be a political Messiah, ruling by force' (*DH*, 1966, p. 691, n. 11) it falls into the trap of defining politics by the use of violent force by political authority, and therefore *DH* deserves criticism similar to that which the ecclesial ethicists directed to the Weberian conception of politics. Surprisingly, Hauerwas does not mention or comment on the paragraph following the one immediately quoted in which *DH* teaches that Jesus

acknowledged the power of government and its rights, when He commanded that tribute be given to Caesar. But He gave clear warning that the higher rights of God are to be kept inviolate: 'Render, therefore, to Caesar ... [etc]' (Mt. 22:21) (ibid).

Despite prefacing its quotation of Matthew 22:21 by warning 'the higher rights of God are to be kept inviolate' (ibid), nonetheless *DH* presents Jesus' non-political

ministry and mission as leaving unaltered 'the power of government and its rights' (ibid), requiring only for there to be due harmony in the hierarchy of the government's rights and 'the higher rights of God' (ibid). We will return to this key verse in Part Three when discussing Oliver O'Donovan's interpretation of it. For now, we need only note that the verse is employed to keep Christ's redeeming work from having any direct impact on what is conceived to be the separate sphere of politics, in a way that resembles how Weber sought to limit the direct impact of ethical and religious ideals on the activity of politics.

Hauerwas sees a glimpse of what it would look like for the church to challenge, rather than acquiesce to, the association of politics with the use of force when *DH* declares that the church must have 'that full measure of freedom which her care for the salvation of men requires' (*DH*, 1966, p. 694, n. 3). For *DH* this is a sacred freedom given to the church by Christ which 'is so much the property of the church that to act against it is to act against the will of God' (ibid). Here we find 'the kind of claim we should expect from a church that has over the centuries done battle with kings and emperors' (Hauerwas, 2000, p. 115). But why did the fight for its freedom seem 'so threatening to worldly powers' (ibid), he asks? A church that 'maintains the right of freedom of religion, at least as that freedom is understood in the declaration, is surely not a church that would so challenge the secular powers' (ibid). But the kind of ecclesial community Hauerwas envisages, 'constituted by the practices necessary to free us from the violence that grips our lives' (ibid), would present an alternative vision of politics to the violent politics practiced by the powerful in the world, and would therefore 'be a church to which the world would not willingly grant freedom' (ibid). Yet, Hauerwas argues,

For such a church to claim against the world the freedom to be the church is surely how a politics is created that also requires those who are not Christian to be protected from state coercion (ibid).

In other words, Hauerwas calls for a church that does not seek to defend religious liberty by defining itself within an imagined private space of religious activity; instead, by challenging our reliance on the state's coercive force, the church frees us to imagine a way of living together in peace.

Although Hauerwas does not make this connection, it is possible to argue that the document's conceptual division of religion and politics depends not only on an impoverished view of politics and an apolitical understanding of Christ's redeeming life and death. The division of religion and politics is also connected to *DH*'s inclusion of the Christian faith within an ill-conceived category of religion and religious acts. Hauerwas does criticize *DH*'s concept of religion in an earlier part of his essay but does not refer to it again. The connection he missed is worth elucidating because it prepares the way for my consideration of the lay apostolate using Cavanaugh, whom I shall discuss in greater detail in the next section.

In order to defend the right to religious liberty even when the duty to seek religious truth remains unfulfilled (due to complacency or mistaken beliefs), *DH* 'has to resort to a distinction between the internal and external actions of the moral subject' (idem, p. 111) when defining religious actions:

of its very nature, the exercise of religion consists before all else in *internal*, voluntary, and free acts whereby man sets the course of his life directly toward God. No merely human power can either command or prohibit acts of this kind (*DH*, 1966, p. 681, n. 3; emphasis added).

The next paragraph says 'the social nature of man itself requires that he should give external expression to his internal acts of religion' (ibid). But, Hauerwas writes, 'how such an expression is anything other than arbitrary is not explained. Clearly

what seems to be “really religious” is “internal” (Hauerwas, 2000, p. 111). He is 'amazed' (ibid) that this distinction was left to stand in the final draft. 'The Catholic insistence that the Christian faith is necessarily mediated seems lost entirely' (ibid) in the inclusion of it within such a definition of religious actions. Even if 'religion, *whatever that is*, consists in such internal acts, ... it is hard to conceive how the Catholic faith could be so understood' (ibid; emphasis added). This understanding of an inward faith has its home in

Protestant pietism and liberal theology. But such a view has seldom been accepted in Catholicism ... [which has instead] rightly maintained the materiality of the faith, and in particular the significance of the body, that renders problematic the distinction between internal and external we find in the Declaration (ibid).

Although his argument on this point is expressed in a compressed fashion, with several assumptions left unstated, it is not difficult to restate it more cogently. Roman Catholicism, in contrast to some forms of Protestantism, has put greater stress on the need to receive Christian doctrine through the mediation of the church's teaching, preaching, and worship, rather than receiving it primarily from the direct reading of scripture. 'What they believe is one thing [*ea quae sunt creduntur*], the faith by which they believe is another [*fides qua creduntur*]' (*De Trinitate*, XIII.2.5, as cited in Bougerol, 1996, p. 128), as Augustine wrote. Catholic Christianity has stressed not only the latter, subjective aspect of faith, but also the former, objective aspect of the faith in the form of orthodox doctrine defined and proposed by the church. Consequently, Catholic Christianity has never conceived faith to be only something internal to the believer, since faith is belief in what has been received not interiorly or directly from God, but through the mediation of the church. Moreover, as an incipient faith should ordinarily lead to baptism, according to Catholic teaching, the profession

of faith in these doctrines is incomplete until it is united with the material signs and rituals of liturgical and sacramental action (Ott, 1974, p. 310).

Therefore, Hauerwas is arguing that *DH*'s inclusion of Christian faith within an internalised or privatised notion of religion and religious acts seems to make arbitrary the connections Catholic theology has typically understood between the individual's act of faith, the mediation of revelation by the church, and the communal participation in liturgical and sacramental actions. One might ask: but how is this conceptual problem connected to the division between religion and politics, as I claimed earlier? And how is this problem relevant for our critical evaluation of Vatican II's teaching on church-state relations?

The second question will receive a more complete answer when my critique focuses more closely on ecclesiology in the next section. To answer the first question, I argue the division between religion and politics is just as dependent on how we understand religion and religious actions as it is dependent on a certain way of understanding politics. William Cavanaugh has been the ecclesial ethicist who has written in greatest detail about how the 'distinction between religion and politics was not discovered but invented' (Cavanaugh, 1998, p. 5), an invention that can be traced by scrutinizing how we commonly understand politics in modernity (which we did earlier with Weber), and by tracing the history of how religion has been defined. The claim that the distinction of religion and politics was invented goes against the common narrative, mentioned above at the beginning of section 2.3.2, according to which the loss of religious unity following the Reformation meant that the 'modern secular state and the privatization of religion was necessary, therefore, to keep the

peace among warring religious factions' (Cavanaugh, 2002, p. 21). According to one proponent of this narrative:

liberal principles were the right ones to adopt when competing religious beliefs and divergent conceptions of the good embroiled Europe in the religious wars ... Our early modern ancestors were right to secularize public discourse in the interest of minimizing the ill effects of religious disagreement (Stout, 1981, p. 241).

Cavanaugh, on the other hand, has argued that 'this story puts the matter backwards' (Cavanaugh, 2002, p. 22) because the modern secular state was not the solution to the post-Reformation Wars of Religion. Rather those wars were 'the birthpangs of the state ... fought largely for the aggrandizement of the emerging state over the decaying remnants of the medieval ecclesial order' (ibid). In fact,

to call these conflicts 'Wars of Religion' is an anachronism, *for what was at issue in these wars was the very creation of religion as a set of privately held beliefs without direct political relevance*. The creation of religion was necessitated by the new state's need to secure absolute sovereignty over its subjects (ibid; emphasis added).

To show that 'the creation of religion, and thus the privatization of the church, is correlative to the rise of the state' (idem, p. 31), Cavanaugh draws on critical studies of religion (particularly by Wilfred Cantwell Smith, Talal Asad, and John Bossy) to describe how its meaning has shifted over the centuries. In the mediaeval era, *religio* was a term that had two very specific meanings. It could refer to those members of the church who were distinguished from laity and secular clergy by taking permanent vows (normally of poverty, chastity, and obedience) and thus living either as monks or as members of an order, such as the Dominicans or Franciscans (idem, pp. 31-32). Alternatively, *religio* meant a virtue (a usage which is sometimes translated as 'piety' or 'devotion'), as can be seen in the question devoted to it in St Thomas Aquinas' *Summa Theologiae* (idem, p. 32). For Aquinas, *religio* 'is a habit, knowledge embodied

in the disciplined actions of the Christian' (ibid) because it refers specifically to participation in 'the liturgical practices of the church' (ibid; cf. Bossy, 1985, p. 170). 'For medieval Christians, religion was not a universal phenomenon' (Asad, 1993, p. 45, as cited in Cavanaugh, 2009a, p. 65) according to Talal Asad, precisely because of its ecclesial context, meaning that 'religio is not a universal genus of which Christianity is a particular species' (Cavanaugh, 2009a, p. 65). Nor was *religio* a matter of internal devotion only: Aquinas 'emphasizes the unity of body and soul in the worship of God' (Cavanaugh, 2002, p. 32) when he affirms its indispensable need for external actions and rites (ibid; Cavanaugh, p. 2009a, p. 67). Moreover, Aquinas' discussion of *religio* as one of the moral virtues, specifically as 'one of the nine virtues annexed to the principal virtue [of] justice' (Cavanaugh, 2009a, p. 65), means that he did not consider *religio* to be 'a system of propositions about reality' (idem, p. 66). A moral virtue is not 'a purely interior impulse secreted away in the human soul' (ibid), but 'a disposition of the person toward moral excellence produced by highly specific disciplines of body and soul' (ibid) to form the virtue as a habit in the agent.

However, in the Renaissance and early-modern period, referring particularly to Marsilio Ficino, Grotius, Jean Bodin, Hobbes, Rousseau, and Locke, Cavanaugh argues that we can see *religio* beginning to be 'interiorized and removed from its particular ecclesial context' (Cavanaugh, 2002, p. 33). It begins to signify a set of beliefs inwardly held to be true, providing the inner motivation to act or to worship God in a particular way (idem pp. 33-36). By describing the belief system of Christianity as one *religio* among others, these authors began to use the term in a way that would not have made sense for the mediaevals (idem, p. 32). The same authors who defined religion in this way also openly stated its political utility for the good of the state

(idem, pp. 34-40). In fact, the debate between those who favoured religious uniformity (Hobbes and Bodin) and those who preferred some degree of toleration (Locke and Rousseau) is really, Cavanaugh argues, over which will secure more effectively 'a significant reduction of the public power of the church and a complementary augmentation of the power of the state' (Cavanaugh, 2009a, p. 130). The creation of the 'new state required unchallenged authority within its borders' (Cavanaugh, 2002, p. 42), and the quashing of any remaining rivals was assisted by the invention of religion to mean a set of internal beliefs, rather than referring to an ecclesial body of participants in the same liturgical rites and actions. For redefining religion in this way meant that the growing states had a convenient excuse by which to maintain and entrench the obedience of their subjects. This could be done either by demanding uniformity of belief, or by 'distinguish[ing] exactly the business of civil government from that of religion' (Locke, [1689] 1955, p. 17, as cited in Cavanaugh, 2009a, p. 82) so that the loyalty of subjects to the ruler could be ensured, even if rulers did not share the same ecclesial allegiances with their subjects.

The critical scholarship on religion summoned by Cavanaugh gives us reason to believe that our familiar notions of religion and of its distinction from the realm of secular politics (defined by the purview of the state) were not waiting to be discovered, but were rather invented to benefit the extension of the state's power and sovereignty. In light of this scholarship, we can see more clearly that in *DH*'s definition of religious acts as being essentially internal, and in its presentation of Christ as a non-political Messiah, the Council has uncritically adapted itself to a contestable dichotomy of politics and religion. The consequences of the Council's adaptation are that it prevents the church from questioning our understanding of

politics, and prevents it from presenting the public, sacramental, and embodied aspects of the Christian faith in their integrity, as the Catholic Church's tradition has understood them. Recalling the second chapter's classification of two different categories of political theology, I argue *DH*'s teaching deserves to be placed within the first category, alongside liberation, public, and European political theologies. Frederick Bauerschmidt's description of the problems that prevent liberation theologians and European political theologians (such as Johann Baptist Metz) from capturing the political character of the Christian faith could apply just as well to *DH*. Those theologians share a laudable desire 'to argue that Christian faith necessarily implies political engagement and thus cannot be seen simply as a private matter' (Bauerschmidt, 2001, p. 323). Yet for them 'religion still finds its ultimate ground in an interior realm of experience and thus is not in itself political, historical, and communal, but can only have 'consequences' in those realms' (ibid), whilst at the same time 'politics is construed as management by the state through the (threatened) use of violence' (idem, pp. 323-324). My critique will continue in the next chapter to reveal the persistence of these conceptions of politics and religion and of their contradistinction in the other conciliar documents.

2.4 Reading *LG*, *AA*, and *GS* through the Lens of Ecclesial Ethics

2.4.1 Introduction

I must now turn to consider how Vatican II understands the church's presence and mission in the world, especially through its lay members, because I wish to argue it is in these aspects of the Council's teachings that we will find, firstly, further

evidence of the problems identified in sections 2.3.4 and 2.3.5, and secondly, the ecclesiological origins of those problems. Moreover, looking at how the Council's ecclesiology affects its more explicit teachings about politics and church-state relations in *AA* and especially *GS* will enable us to arrive at last at a position to summarize and make a judgment upon the totality of the problems besetting the Council's teaching on church-state relations.

As mentioned before, this part of my argument will involve re-purposing Cavanaugh's critique of how ecclesiology and the lay apostolate were understood before the Council, in order to show that his criticisms are just as applicable to the documents of Vatican II. This will not be in contradiction to what was said earlier in chapter 2.1 about the many improvements that were made to *LG* (and to the all of the documents) by the contribution of *ressourcement* theologians to overcome the 'clericalism, juridicism, and triumphalism' (Dulles, 1987, p. 39) of pre-Vatican II ecclesiology. In fact, I shall draw attention to the tension between the laudable aspects of *LG* and *GS* and how the conciliar documents present the lay apostolate. This tension is important to notice because the goal of my thesis is not to dismiss entirely the teachings of the Council, nor is it merely to lament the consequences of those teachings on the church's life in the following decades up to the present. Instead, I intend to argue that the tension leads us to draw two conclusions. Firstly, the return to the sources of Christian doctrine to 'revitalize the church's teaching and practice' (O'Collins, 2011, p. 373) failed to enrich the Catholic Church teaching on church-state relations in the way that it enriched other aspects of its teachings. Secondly, to build on Vatican II's achievements and develop a better understanding of church-state relations, we should read the conciliar documents in dialogue with

Anglican political theologians that have already begun to retrieve what the sources of the Christian tradition can teach us about church-state relations. The first conclusion will be defended in this part of my thesis, while the second will be defended in Part Three.

2.4.2 The structure of Cavanaugh's argument

Cavanaugh's *Torture and Eucharist* 'focuses on the experience of Chile, and the Catholic Church there, before and during the military dictatorship of General Augusto Pinochet, 1973-90' (Cavanaugh, 1998, p. 2). He describes his approach as follows:

I present torture in the Pinochet regime as a social strategy, the effect of which is to discipline the citizenry into a complex performance scripted by the state. That performance atomizes the citizenry through fear, thereby dismantling other social bodies which would rival the state's authority over individual bodies. I describe this not only as the violation of individual rights but as the very creation of individuals. Unfortunately, the ecclesiology of the Catholic Church in Chile initially debilitated the church's ability to resist the regime's strategy. In a well-intentioned effort to extricate itself from coercive politics, the church had embraced 'social Catholicism,' an attempt to confine the church's activities to a putative 'social' sphere while vacating the 'political' sphere. This attempt to stake a position as the 'soul' of civil society amounted to a handing over of bodies to the state (ibid).

However, some 'parts of the church were able to break out of the ecclesiological bind and draw on the resources of the Eucharist to resist the regime' (ibid). It is Cavanaugh's contention

that a Christian practice of the political is embodied in the Eucharist, the remembering of Jesus' own torture at the hands of the powers of this world. The Eucharist is the church's response to torture, and the hope for Christian resistance to the violent disciplines of the world (ibid).

His argument unfolds in three parts, beginning with a part about torture, then moving on to one about ecclesiology, and then to the Eucharist. In the first part, he uses historical and ethnographic evidence to present 'torture as a central rite in the liturgy by which the Chilean state manifested its power ... to fragment and

disarticulate all social bodies which would rival its power, especially the church' (idem, p. 33). The first part draws the conclusion 'that the church's resistance to the regime of torture therefore depends on its ability to constitute itself as a disciplined social body capable of countering the discipline of the state' (ibid). He describes how the 'bishops confronted the first years of military rule with gentle exhortations which only turned to denunciation after the worst years of repression were past' (idem, p. 73). However, 'the slow evolution of the bishops' position was not due to a lack of courage or information, but rather was a process, never completed, of unlearning a set of ecclesiological presuppositions firmly ingrained in the Chilean Catholic Church' (ibid).

In the third part of his book, he concentrates on 'three sets of practices of the Chilean church, both hierarchical and grassroots, which point the way to a more Eucharistic understanding of the church as the communal body of Christ' (idem, p. 74). The first of the three practices is the bishops' excommunication of those who committed or colluded with torture, to make visible temporarily the body of Christ that they had attacked and from whose communion they had excluded themselves by their actions (idem, p. 253). Second is the Vicariate of Solidarity's creation of 'an entire network of parish-based social programs' (idem, p. 264), providing 'legal and medical assistance, job training, soup kitchens, buying cooperatives, assistance to unions and more' (ibid). This network 'became the focus of church resistance to the regime' (ibid) because the Vicariate's activities resisted 'the regime's strategy of atomization ... precisely by knitting people back together' (idem, p. 267). Finally, some members of the church organised the performance of ritualistic or quasi-liturgical non-violent protests that would make visible the hidden or suppressed

system of torture, to turn the victims 'into martyrs' (idem, p. 275), and to 'create spaces of resistance where bodies belong to God, not the state' (ibid).

More pertinent for my critique, however, are the two chapters dedicated to ecclesiology that form the book's second part. As mentioned above, it is the faulty ecclesiology of the Chilean Catholic Church that Cavanaugh wants to blame for its slow and timid reaction to the Pinochet regime's actions, at least in its early years. The second part seeks 'to outline this ecclesiology, identify its sources, and critique it' (idem, p. 123). He does this in the first chapter by narrating 'the development of what is known as 'social Catholicism' in Chile from the separation of church and state in 1925 up to the advent of the military regime' (ibid). Social Catholicism refers to the strategy especially encouraged during Pope Pius XI's reign (1922-39) of 'abandoning the 'political' sphere in favor of a 'social' presence in civil society, exemplified in Catholic Action' (idem, p. 124). In the following chapter Cavanaugh focuses on the philosophical and theological justification of social Catholicism proposed by Jacques Maritain to show and criticise his influence on the Chilean Catholic Church. The objective in these two chapters is

to show that social Catholicism in Chile in fact resulted in the abandonment of social space to the state. When the state turned its strategy of torture and atomization on the Chilean people, the church lacked the resources to resist, having already been 'disappeared' by its own ecclesiology (ibid).

How so? In its interactions with the Chilean state, the Catholic hierarchy 'employed the same strategy for church-state relations that it was simultaneously pursuing in Europe' (idem, p. 132) after World War I. During the nineteenth century, the political consequences of the Enlightenment and the French Revolution continued to make themselves felt, particularly in the growth of anti-clerical groups and ideas, as a consequence of which 'parties representing Catholic interests had arisen in

Germany, France, and Italy to defend the church' (ibid). The Popes' support for Catholic parties, such as Popular Liberal Action in France, the German Centre Party, and the Belgian Catholic Party, derived from the papacy's project in the nineteenth century to maintain Christendom or restore it where it had been lost. 'Essential to its effectiveness was the church's strong relationship with civic leadership' (McEvoy, 2014, p. 64) and hence Catholic political parties were needed to be the secular arm of the Catholic hierarchy.

Tactics changed, however, with the election of Pius XI in 1922 at a time when 'the political situation in Europe was highly volatile, with the emergence of new states and dictatorships of the right and the left' (Cavanaugh, 1998, p. 132). According to Cavanaugh, Pius XI judged that in 'this transitional phase of Europe's history ... the church's interests must not be compromised by close association with any particular party' (ibid). In the words of the British ambassador to the Vatican, 'Pius XI wishes to withdraw the church as far as possible from politics, so that Catholics may unite on a religious and moral basis' (Rhodes, 1973, p. 15, as cited in Cavanaugh, 1998, p. 132).

Here Cavanaugh's historical narrative overlooks certain details. Well before Pius XI, the ultramontanistism that reached a zenith with Vatican I (1869-70) and Pope Leo XIII's call in 1892 to French Catholics to rally in support of the Third Republic (a policy known as *ralliement*) have both been considered to be important moments in the church's gradual acceptance of its post-Christendom situation (Perreau-Saussine, 2012). Although Leo XIII's policy of *ralliement* was to the dismay of many Catholics who were hostile to the Third Republic and still harboured hopes of restoring the monarchy, it is a clear example of the papacy seeking a compromise with the new political conjuncture, albeit in the hope of thereby uniting Catholics for the long

struggle to transform the Republic from within. The relevance of ultramontanism to the papacy's political strategy may seem less clear but according to Perreau-Saussine:

the ultramontanism that ultimately triumphed in the Catholic Church was not the ultramontanism of the Counter-Revolution, but a liberal ultramontanism that distinguished sharply between the theological and the political domains. Catholics turned towards the papacy because they had come to take it for granted that the modern state could not be a confessional state (idem, pp. 57-58).

The First Vatican Council's teaching about the precedence of the Bishop of Rome over other episcopal sees (demonstrated a few decades earlier in Pius IX's solemn definition of the Immaculate Conception *ex cathedra* in 1854) was intended, among other purposes, to be a firm riposte to supporters of Gallicanism in France, Josephism in Austria, and Febronianism in Germany, who considered the church to be a federation of local national churches (de la Soujeole, 2014, p. 577). The revival of such a federal ecclesiology in the nineteenth century gave legitimacy to those 'European states [who] asserted that local churches enjoyed civil liberty only in union with the state and that the state had power to superintend the offices and properties of the church' (Hittinger 2008, p. 359). In response, Vatican I 'concluded that Catholic bishops were not functionaries of the state or of national churches' (idem, p. 360). For if the church's 'unity required communion with the Bishop of Rome' (ibid), then unity also demanded the church to have the liberty to receive its moral and spiritual leadership from the Vatican without political interference. Therefore, Vatican I's definition of the universal jurisdiction of the Pope laid the foundations for the church in the twentieth century eventually to relinquish temporal authority (except over the Vatican City State), and instead to wield a worldwide spiritual and moral authority (Perreau-Saussine, 2012, pp. 65-69).

Such caveats aside, Cavanaugh is right to consider Pius XI's actions as representing a new phase in the papacy's search for a way to adjust to the political upheavals of the past two centuries. Pius XI's condemnation of *Action française* was a signal of how priorities had changed. Led by Charles Maurras, a 'self-professed pagan' (Cavanaugh, 1998, p. 157), *Action française* was

born in the Dreyfus affair of 1899 to champion the broad interests of France's nationalist right against liberalism, socialism, and Jewry. Its interests were diffuse, but tended to congregate around a unifying anti-modernism and a hatred of the Third Republic. Although not a Christian, Maurras was a mystic possessed of a vision of France and her traditions preserved under a restored Crown and a church returned to her privileged position (ibid).

Traditionalist Catholics were drawn to *Action française* because of its opposition to the Republic's severely anti-clerical legislation in 1905, an attraction that grew after Pius X's condemnation of modernism in 1910 and in reaction to the Bolshevik revolution (ibid). The condemnation of *Action française* in 1926 was a perfect example of 'Pius XI's strategy to remove the church from political entanglement and move its efforts into Catholic Action' (ibid). As 'Maurras was convinced that the church was useful to France as the cultural custodian of Latin civilization and true social order' (idem, p. 158), Pius XI judged that 'Maurras, an infidel, had made the church a mere pawn in a political game, and had only embittered the church's relationship with the Republic' (ibid). Particularly concerning for Pius XI was that 'Catholic youth in France and Belgium were being drawn away from Catholic organizations, and Action Française – by claiming to represent Catholic interests – was eroding the church's teaching authority' (ibid). In other words, it was undermining Pius XI's efforts to unite Catholics, as mentioned above, on a religious and moral basis. How was this unity to be manifested and why was it important?

2.4.3 The problematic ecclesiology underlying Catholic Action

'In Pius XI's vision, the locus for such 'religious and moral' unity was the sphere of social action' (idem, p. 132), principally carried out and organised under the aegis of Catholic Action. Although Catholic Action is something that has been mentioned several times previously, it must now be considered in detail. It refers to 'an organization of lay Catholics under clerical direction dedicated to penetrating the various organs of civil society with Catholic teaching and remedying the ills of the modern world' (ibid). Its origins were 'in the collaboration of laity and clergy in various clubs, sodalities, and charitable enterprises which had operated since the reign of Pius IX' (idem, p. 138) and, although past popes had used the term, 'it was Pius XI who capitalized the 'A' and articulated a vision and a structure for this association of associations' (ibid). As mentioned above in the first chapter, at this point in its history (i.e. before the Second World War) the lay apostolate was still justified mainly for practical and pragmatic reasons. Only at Vatican II in *LG's* teaching about the responsibilities and ministries conferred by baptism and confirmation did the lay apostolate receive a truly theological rationale in magisterial teaching. For Pius XI, 'the shortage of clergy, the church's loss of the proletariat to Marxist parties and unions, and the epidemic secularization of modern society' (ibid) called for 'a brigade of committed laypeople, under the direction of the hierarchy, who would take the Gospel into the everyday world and rewin society for Christ' (ibid). Catholic Action was distinct from groups that had a directly temporal, political, or professional purpose, such as a Catholic political party or trade union (ibid). Neither was it to be confused with groups devoted only to prayer and other devotional activities. The spiritual and intellectual formation Catholic Action

provided was tailored to form the laity's consciences in such a way that they would be able to judge how to carry out their temporal activities and duties according to the principles and values of their faith.

'Underlying the ideology of Catholic Action is a crucial distinction between the spiritual and temporal spheres' (idem, p. 139), a distinction that was meant to capture conceptually how Catholic Action did not confuse the two spheres, while being 'an indirect link between the spiritual and the temporal, the religious and the political' (idem, p. 138). This distinction and the other closely connected distinctions invoked in the following letter by Pius XI will immediately recall those that we encountered earlier in *DH* between grace and nature, religion and politics:

Like the mandate entrusted to the church by God, and like the apostolate of the hierarchy itself, this Catholic Action *is spiritual, not temporal, supernatural, not of this world, religious, not political*. However, it deserves no less because of this to be called *social action*; for its purpose is precisely to extend the kingdom of Christ and by this extension *to procure for society* the greatest of all benefits, from which all others spring, that is to say all those which concern the organization of a nation which are termed political (Pius XI, [1928] 1961, p. 290; emphasis added).

As he says in the final sentence, Pius XI hopes the political order will still 'be a beneficiary of the church's social action' (Cavanaugh, 1998, p. 139), even though that social action is not directly political, because for Pius XI 'Christ is not simply absent from the political; the desired reconquest of all civilization for Christ is based on the fact that no part of creation was beyond Christ's redemptive power' (ibid). Cavanaugh does not cite where Pius XI expresses this vision of Christ's lordship over the political order, but it can be found in *Quas primas*, an encyclical Pius XI released in 1925, to instruct the faithful, by its contents and by establishing the feast of Christ the King in the liturgical calendar, that

the empire of our Redeemer embraces all men. ... Nor is there any difference in this matter between the individual and the family or the State; for all men,

whether collectively or individually, are under the dominion of Christ. In him is the salvation of the individual, in him is the salvation of society (Pope Pius XI, [1925] 1959, pp. 11-12).

The detail to notice, however, in Pius XI's theology of Christ's kingship over the political order is that

Christ's power nevertheless obeys a *direct/indirect duality* which corresponds precisely with the neoscholastic dualities of *supernature and nature, spiritual and temporal, and clergy and laity* ... The church, which is properly spiritual or supernatural, relates to the temporal or political world indirectly, which means not through its official representatives – the clergy whose task is above nature – but through its laity, who find their proper place in the temporal world. The priest must not become mired in secular affairs. Instead he forms the laity in Catholic Action with a formation which is strictly religious. In so doing laypeople develop a Christian conscience which will serve them well in the workaday world and in their political commitments. *The Gospel finds its way to that world indirectly, through the labors of the individual layperson* (Cavanaugh, 1998, p. 139; emphasis added).

The training laypeople would receive in Catholic Action groups relied on 'a neoscholastic distinction between the natural end of the work itself and the supernatural end of the person who does the work' (Cavanaugh, 1998, pp. 139-140; cf. Congar, 1959, pp. 385-387). The distinction Cavanaugh intends is more precisely that between 'the *finis operis*, the end of the action, and the *finis operantis*, the end of the agent' (Cessario, 2001, p. 204). This means that the action of a layperson still 'retains an intrinsically natural end' (Cavanaugh, 1998, p. 140), i.e. *finis operis*, whether he or she 'goes forth as a doctor to care for the sick or a politician to enact legislation' (ibid), and the 'techniques of operating on a sick person or writing legislation to regulate the economy are beyond the competence of the church, which is religious' (ibid). But 'a Catholic formed in Catholic Action' (ibid) can act 'with the inward final intention [i.e. *finis operantis*] of God's glory' (ibid), meaning that, while the 'intrinsic aims of temporal structures and activities remain temporal and natural' (ibid), the agent's 'work is sanctified and given final meaning by Christ' (ibid). Due to

this distinction, the 'supernatural is confined to the subjective final intention of the person and does not in any direct way impinge on the purely natural end of the action itself' (ibid).

It would, of course, be unfair to suggest that Catholic Action was meant only to encourage the laity to act with a supernatural intention, since, as Cavanaugh writes later, 'training in Catholic Action, though essentially religious, produces [according to Pius XI] laypeople with properly formed consciences for action in the world' (ibid). The formation of conscience meant instruction in the church's social teachings and, particularly in France and Belgium, the laity were taught to employ Father (later Cardinal) Joseph Cardijn's 'See-Judge-Act method' (idem, p. 147; cf. 142) to solve problems in light of their faith's teachings. However, the important point to note is that, regardless of whether we speak of formation of conscience or subjective intentionality, Catholic Action was meant to shape individuals in some interior way. The social nature of Catholic social action 'must be understood against the backdrop of this emphasis on interiority' (idem, p. 141), an emphasis generated by the need to preserve the interiority of the spiritual sphere distinct from the material and external nature of the political order and everything else in the temporal sphere. Thus the 'church would be involved in worldly affairs, yet not directly' (idem, p. 140) because, having 'created a confined sphere for itself called the 'social' in which alone it could act as a church' (idem, p. 137), the clergy in the social sphere could form a laity who would be able to mediate between the general principles and values of their faith, and the particular political problems 'which exist 'out there,' outside of the church' (idem, p. 141). 'The emphasis ... on personal *formation of the individual* for action in the world' (idem, p. 141; emphasis added) follows from the distinction mentioned earlier

between spiritual and temporal planes, because the church, as a mystical or supernatural body, 'is not of the bodily or material as such' (ibid). 'There is no sense that the church itself is meant to be a body in any way analogous to other social bodies' (ibid) because the supernatural ties of the ecclesial community are on a different plane to the external ties and obligations that make up a social body of people, such as that of a political community. The point where the ecclesial community and the citizen meet is in the conscience of the individual believer. Hence, Catholic Action does not seek to form a laity that will act in the political order as a unified group following the orders of the hierarchy; instead, 'the church works inwardly' (ibid) on its lay members so that, as individuals, they can carry out their temporal affairs in a way that is interiorly vivified by their life in Christ.

Pius XI believed, according to Cavanaugh, that his vision of social Catholicism would be the key to accomplish two objectives at once: 'to resist the privatization of religion in bourgeois societies and to disentangle the church from its dysfunctional relationships with party politics' (idem, p. 138). It would enable the church if necessary to concede to the demands for its disestablishment in certain countries, whilst maintaining an influence over political life that would be sufficiently indirect to preserve the church's integrity and religious mission. It would also ensure the harmonious cooperation between church and state, which had been the papacy's goal for decades, by conceiving the relationship between the two 'as a division of labor' (idem, p. 140), each with its proper responsibilities and rights on one of the two planes or spheres mentioned earlier. At the very least, Pius XI sought 'to avoid conflict enough to win for the church a sphere of autonomy where it might evangelize without interference' (idem, p. 136). Confining the activities carried out by and on

behalf of the church within the social arena was also thought to preserve the unity of Catholics above the fray of political divisions and loyalties. 'Desire for unity and harmony' (idem, p. 127) motivated the Archbishop of Santiago, Crescente Errázuriz, following Pius XI's example, to end the almost fifty years of ecclesial endorsement for the Chilean Conservative Party, and 'forbade clerics' participation in party politics' (ibid). Despite the criticisms he received from other bishops and priests, 'Errázuriz realised, nonetheless, that the hatreds and divisions produced by the clergy's frequent politicking on behalf of candidates for election could only harm the church in the long run' (ibid). In particular 'the lower classes knew that the loyalties of the church lay with the Conservative aristocracy, and Errázuriz knew that this had cost the church the love of the people' (ibid).

Yet the tragic events in Europe proved that Pius XI's goal of seeking 'organic harmony between church and state, or at least ... a sphere of autonomy where it might evangelize without interference' (idem, p. 136) was misconceived. In Italy, the church initially supported the Popular Party that had been founded by a Sicilian priest to represent Catholic interests and the church's social teaching.¹¹ Soon after its founding, the Popular Party 'presented the only significant opposition to Mussolini, after the Communists were suppressed' (idem, p. 133). 'Mussolini, knowing that the Pope wanted to be extricated from party politics, offered friendly terms to the church in exchange for his abandoning the Popular Party' (ibid), terms which Pius XI accepted, judging that 'the church would be better able to carry out its social apostolate in peace in a united Fascist country free of political strife' (ibid). Papal

¹¹ In many ways the Popular Party was similar to the Catholic parties created in other countries with papal support in the nineteenth century, but the Popular Party in Italy was created much later in 1919. Catholic involvement in political life in Italy had been prevented for decades by the Holy See's policy from 1868-1919 of urging Catholics to abstain from political elections in protest against the conquest of the Papal States by the unified Kingdom of Italy.

support for the Popular Party was withdrawn (causing it to collapse) and a concordat signed with Mussolini's regime 'in exchange for autonomy for Catholic Action, authority over moral matters in Italy, and sovereignty over ... the Vatican City' (ibid). Similarly in Germany, although 'no fan of Nazism' (idem, p. 134), Pius 'signed a concordat with Hitler, withdrawing church support for the Centre Party in exchange for guarantees of freedom for Catholic Action' (ibid). According to Cavanaugh, Pius XI 'hoped that by buying the church some sort of juridical protection for its efforts to penetrate society with the Gospel, he was avoiding a greater evil' (ibid).

However, in neither country did the strategy work. 'Catholic Action organizations were attacked by decree and by direct violence' (ibid), despite the Pope's complaints in two encyclicals, *Non abbiamo bisogno* (1931) and *Mit brennender Sorge* (1937), in which he reiterated 'the strictly religious and social nature of Catholic Action' (idem, p. 135). Despite the church keeping Catholic Action out of party politics, the neat division of labour between the church in society and the state in politics was never attained because 'the state wants more' (idem, p. 136).

The state would not and could not abandon a fictional 'social' or 'moral' sphere to the church. The Fascists knew that the spheres are not so easily separable. Indeed their theoretical separation is often a ruse of the state to enervate the church. The Italian state realized, as the church did not, that the two were unavoidably rivals (ibid).

Fr. Luigi Sturzo, the founder of the Popular Party who went into exile after the party folded, 'identifies this rivalry as a dynamic not only of Fascist states, but of modern states as such' (ibid).

The modern State aspires to be a *Weltanschauung*, a conception of the world and of life, in substance, a religion. Christianity too is a *Weltanschauung*, besides being a supernatural religion. Between Christianity and the modern State conceived as a *Weltanschauung* conflict is inherent and inevitable (Sturzo, [1939] 1962, p. 490, as cited in Cavanaugh, 1998, p. 136).

The mistakes of social Catholicism in Europe and in Chile, according to Cavanaugh, were twofold:

The church erred first in identifying all 'politics' with party activity, and second in deliberately removing itself as a body from the sphere of 'politics.' The church created a confined sphere for itself called the 'social' in which alone it could act as a church, thereby created a vacancy in the 'political' to be occupied by increasingly powerful state interests (Cavanaugh, 1998, p. 137).

'Catholic Action had an enormous impact on the church in Latin America' (idem, p. 141), meaning that, when Pinochet came to power several decades after Pius XI's pontificate ended, the Chilean 'church's inability to resist would have the same roots as the church's weakness when jackboots pounded the streets of Europe' (idem, p. 137). The distinction between religion and politics (and the other corollary distinctions mentioned above) were meant 'to ensure that the church would stand above the sectarian strife of politics as a source of interior unity for all Chileans ... so that Chile could function as an organic whole, free of essential conflict, especially between classes' (idem, p. 120). Catholic Action 'failed among the poor because it occluded rather than resolved the endemic class war between the Chilean elites and the peasants and workers' (idem, p. 149) and remained 'a movement of elites, overwhelmingly middle and upper class' (idem, p. 145). More seriously, when faced with the attempted dissolution and disappearance of social bodies by the 'military regime's strategy of torture and disappearance' (idem, p. 120), Cavanaugh's critique allows one to appreciate 'how ill-prepared the official church was to meet this strategy, since its own ecclesiology had already, in effect, disappeared the church as a social body' (ibid).

The interiorization of the church made impossible any attempt to enact a specifically Christian imagining of a socio-political order capable of true social unity. Any attempt to enact the body of Christ was defined as a confusion of the spiritual and the temporal. Individual Christians were left with a vague interior

'spirituality' of politics which left the imagination of the nation-state untouched (idem, p. 149).

2.4.4 The elusive presence of Vatican II in Cavanaugh's thought

Considering that Vatican II occurred well before Pinochet came to power in 1973, it is reasonable to ask what effect the Council had on the vague interior spirituality promoted by social Catholicism in Chile. However, the Council is conspicuously absent in Cavanaugh's book. The Mystical Body ecclesiology that he criticises for causing the church to be understood not as a social body, but as the soul and conscience of the nation-state, is described as having 'reached its peak in Europe between the World Wars and would continue to hold sway until the Second Vatican Council' (idem, p. 208). The few passing references to the Council suggest that Cavanaugh considers it to have overcome the neoscholastic distinction of supernatural and temporal planes. For example, Henri de Lubac is described as facing criticism for his challenge to neoscholasticism's understanding of grace and nature until 'his vindication in the Second Vatican Council' (idem, p. 183). Maritain's stricter neoscholastic approach, by contrast, means that it 'cannot, however, be said that Maritain here allies himself with the Transcendental Thomists [e.g. Karl Rahner] and the *Nouvelle Théologie* thinkers [e.g. de Lubac] whose theology of a 'graced' nature would eventually triumph at the Second Vatican Council' (idem, p. 163). Yet Cavanaugh criticises Gutiérrez and Leonardo Boff for interpreting Vatican II's teaching on grace according to the theology of Karl Rahner because their interpretation threatens to make a theology of politics and the church's practices superfluous and replaceable by a 'a social scientific reading of ... supposedly

autonomous social processes' (idem, p. 180; cf. Milbank, 2006, pp. 208, 230-249).

Cavanaugh argues:

If the true legacy of Vatican II is the breaking down of false spiritual/political, clerical/lay dichotomies – and not simply the emptying out of the church into the world – then we must go beyond Gutiérrez and liberationist thought in order to mount a critique of Maritain (Cavanaugh, 1998, p. 180).

He joins John Milbank in preferring de Lubac's understanding of grace and nature because it can be used to conceptualise 'the church's own character as a *contrast society*, a counter-performance of the body to that of the state' (ibid; original emphasis). But if Vatican II really did break down those dichotomies, why does Cavanaugh think it is possible to draw parallels between the social Catholicism of the 1920s and '30s and the Chilean Catholic Church in the 1970s and '80s? In fact, some of the other passing references to the Council hint that the Council did not change, but rather perpetuated, how the church before the Council understood its relation to the state and the political order.

For example, Cavanaugh discusses the dilemma of one bishop who was 'careful to respect the freedom of the laity from what he sees as undue clerical control' (idem, p. 97), yet struggled to find a way to confront members of his flock who as soldiers were involved in torture. Whereas the bishop considered the Chilean army to be a disciplined body of people, he regarded the church to be 'not bound by the same sort of discipline, but can only speak to the interior consciences of its members, and hope that those members might freely accept the church's word' (idem, p. 96). The division of labour he imagined, between the church proposing 'general values' (idem, p. 97), and entrusting 'the laity to translate those values into specific laws according to their own conscience' (ibid), meant in the end that the discipline of the military overruled whatever qualms of conscience the bishop's words may have created in the soldiers

of his diocese. This bishop is described by Cavanaugh as being 'a progressive bishop formed in Catholic Action and later in the spirit of Vatican II' (idem, p. 96; emphasis added). Before the Pinochet regime came to power, not long before the election of the Marxist Salvador Allende in 1970, Cardinal Raúl Silva Henríquez, in a televised

speech, invoking Vatican II, addressed the pressures on the church to opt for one of the three main electoral choices facing the country. 'And immediately a first answer: taken from the spirit and letter of the Council: the church as such does not have, nor is it linked with, any political system or party.' (Cavanaugh, 1998, p. 76, with an internal citation of Henríquez, 1974, p. 24)

Later, after Allende's election, the bishops released a document stressing that it is the duty of the laity 'to take the values they learn as members of the church out into the temporal world and 'incarnate' those values, each according to his or her judgement' (Cavanaugh, 1998, p. 79), while the church 'was to promote unity by staying above and transcending contingent political matters' (idem, p. 78). Cavanaugh comments that the document reveals how the 'bishops operate on a "distinction of planes" ecclesiology, imbibed from the "New Christendom," or "Christian Humanism," approach of Jacques Maritain' (idem, p. 79). Yet in a footnote he writes: 'The Chilean bishops quote *Gaudium et Spes*, paragraph 76, to back themselves up on this point' (ibid). Paragraph 76 (to which I shall return in greater depth) declares, among other things, the

supreme importance ... to distinguish clearly between the activities of Christians, acting individually or collectively in their own name as citizens guided by the dictates of a Christian conscience, and their activity acting along with their pastors in the name of the church (GS, 1975, p. 984, n. 76).

While the question of how Vatican II affected Chilean Catholics' response to Pinochet will here remain unanswered, these passing references in Cavanaugh's book indicate that it is pertinent to explore whether Cavanaugh is right to think the Council documents reveal the 'breaking down of false spiritual/political, clerical/lay

dichotomies' (Cavanaugh, 1998, p. 180). The scant attention paid to the Council documents in *Torture and Eucharist* is in fact typical of Cavanaugh's corpus, which touches on Vatican II at length in only two more publications. In one he challenges Charles Curran's simplistic view that the church went from being hostile to the world around it to embracing the world and working to transform it for the better after the Council (Cavanaugh, 2013, pp. 5-17). Instead, attending to the different meanings of 'world' in scripture, Cavanaugh argues:

Gaudium et spes thus presents a nuanced approach to church and world. It calls us to recognize the goodness of creation, fallen and redeemed by Christ, and cooperate with non-Catholics to transform earthly affairs while resisting being conformed to the evils of the world (idem, p. 17).

But '[t]he devil, of course, is in the details' (ibid) and he asks and leaves unanswered the question of what exactly is meant when *GS* declares the Council's intention to 'furnish mankind with the saving resources which the church has received from its founder under the promptings of the Holy Spirit' (*GS*, 1975, p. 904, n. 3; cf. Cavanaugh, 2013, p. 17). In another article he is more critical of *GS* for seeming to accept the then-dominant theory that modernization inevitably brings secularization in the form of disenchantment of the world (Cavanaugh, 2015, p. 708) because in *GS* 'economics and other areas are considered relatively autonomous and rightly differentiated from the religious sphere' (ibid). Yet, as the article's focus is on the economy, he makes no comment about *GS*'s teachings about politics. It is reasonable, therefore, to conclude that the trajectory of Cavanaugh's thought points towards the need for a consideration of Vatican II's teaching on politics from an ecclesial ethics perspective.

2.4.5 The critique of the Dogmatic Constitution on the Church

If we examine the documents in the same order as in chapter one, we find in *LG* the claim that 'by reason of their special vocation it belongs to the laity to seek the kingdom of God by engaging in temporal affairs and directing them according to God's will' (*LG*, 1975, p. 389, n. 31). Later it says: 'the laity, however, are given this special vocation: to make the church present and fruitful in those places and circumstances where it is only through them that she can become the salt of the earth' (*idem*, p. 390, n. 33). If one wonders what it means, practically speaking, for the laity to order temporal affairs in accord with the divine will, we find descriptions only of an extremely general kind:

all their [i.e. the laity's] works, prayers and apostolic undertakings, family and married life, daily work, relaxation of mind and body, if they are accomplished in the Spirit—indeed even the hardships of life if patiently borne—all these become spiritual sacrifices acceptable to God through Jesus Christ. In the celebration of the Eucharist these may most fittingly be offered to the Father along with the body of the Lord. And so, worshipping everywhere by their holy actions, the laity consecrate the world itself to God (*idem*, p. 391, n. 34).

While the passage alludes to, but does not develop, a Eucharistic and liturgical understanding of our use of the world, it does not go beyond the Catholic Action spirituality pointedly criticised by Cavanaugh. It admirably avoids any Manichaean disdain of the created order. Nonetheless, its indifferent affirmation of every aspect of the layman's life, so long as it is 'accomplished in the Spirit' (*ibid*), seems vacuous and, just as in Maritain's thought, has the effect of making 'the impact of the Gospel on culture indirect and maddeningly vague' (Cavanaugh, 1998, p. 186). It could reasonably be read to mean merely performing these actions 'interiorly raised up by grace' (*LG*, 1975, p. 393, n. 36), or performing them with a certain intention in mind. Pertinent here is Michael Budde's criticisms of what he calls Catholic social teaching's

sacramental liberalism—the notion that since all of Creation is made by God and judged good by God (Gn 1:31), all natural and human projects can in principle be revelatory of God and useful for divine purposes (Budde, 1997, p. 98).

When mapped onto the neoscholastic distinction between the natural end of an act and the supernatural intention of the agent, the consequence of sacramental liberalism can be seen in Congar's blunt statement that, as long as laypeople intend to act for God's glory, it is indifferent what they do, excluding of course sinful deeds (Congar, 1965, p. 386). Affirming all non-sinful uses of creation in this way, however, risks the danger 'that critical appraisal—let alone critical judgment—is disqualified from the outset' (Budde, 1997, p. 99) and even worse 'the reality and pervasiveness of sin seem overlooked entirely' (ibid).

More promising is *LG*'s later exhortation that the laity

not hide this their hope then [sic], in the depths of their hearts, but rather express it through the structure of their secular lives in continual conversion and in wrestling 'against the world rulers of this darkness, against the spiritual forces of iniquity' (Eph. 6:12)' (idem, p. 392, n. 35).

No further detail is given, however, to specify to what or to whom the Council is referring with that verse from Ephesians, or what means the laity are to use in their struggle. Instead, we find later the usual reduction of the Gospel to immaterial values needing to be incarnated by the laity: 'The Lord also desires that his kingdom be spread by the lay faithful: the kingdom of truth and life, the kingdom of holiness and grace, the kingdom of justice, love and peace' (idem, p. 393, n. 36; cf. Cavanaugh, 1998, p. 79). A familiar distinction of planes and its corollary dualities (inner-conscience-religious-ecclesial/outer-social-political-temporal) reappears:

Because of the very economy of salvation the faithful should learn to *distinguish carefully* between the rights and duties which they have as belonging to the church and those which fall to them as members of the human society. They will strive to *unite the two harmoniously*, remembering that *in every temporal affair*

they are to be guided by a Christian conscience, since not even in temporal business may any human activity be withdrawn from God's dominion. In our times it is most necessary that this distinction and harmony should shine forth as clearly as possible in the manner in which the faithful act, in order that the mission of the church may correspond more fully with the special circumstances of the world today. But just as it must be recognized that the terrestrial city, rightly concerned with secular affairs, is governed by its own principles, thus also the ominous doctrine which seeks to build society with no regard for religion, and attacks and utterly destroys the religious liberty of its citizens, is rightly to be rejected (*LG*, 1975, p. 393, n. 36; emphasis added).

In the final sentence, as in *DH*, the Christian faith becomes subsumed within the wider category of religion, whilst belonging to the church when acting as a citizen is reduced to obeying the dictates of a Christian conscience. The stress is on distinguishing between the demands of belonging to the temporal city and belonging to the church, whilst also keeping them in harmony, presuming thus that harmony is possible and desirable. There is even a strong resonance of Maritain and Journet in the claim that to 'correspond more fully with the special circumstances of the world today' (*ibid*), 'this distinction and harmony should shine forth as clearly as possible' (*ibid*). For Maritain and Journet, this meant that on the ruins of Christendom there is an opportunity to build a New Christendom, since the spiritual and temporal spheres have become more perfectly differentiated. Hence, the church no longer needs to use the state as its instrument. Yet the lay apostolate will ensure the temporal order is more perfectly and harmoniously permeated by the interior inspiration and guidance received from the spiritual plane of grace (Journet, 2004, pp. 272-282; Maritain, 1938, pp. 248-250 & *passim*). In fact, in an article about Vatican II's ecclesiology, Journet interprets *LG*'s teaching on the laity in terms that are typical of the New Christendom framework criticised by Cavanaugh:

lay people have to act, *no longer as members of the church*, of the Mystical Body of Christ ... *but rather as members of earthly cities* ... what is demanded of them, then,

is to devote themselves to these temporal occupations *with the spirit and the charity of the Gospel in their hearts* and so, *without in any way confusing—or divorcing—the world and the church ... to work for the coming of a Christian temporal order*, that is to say, one that is truly human' (Journet, 2004, p. 407; emphasis added).¹²

Is it unfair to accuse *LG* of closely adhering to the distinction of planes ecclesiology that had crippled Catholic Action? One could argue that there are other parts of *LG* that avoid the tendency of the Mystical Body image to relegate the church's essence to some immaterial realm. For example, *LG* teaches the following about the unity of the church:

the visible society and the spiritual community, the earthly church and the church endowed with heavenly riches, are not to be thought of as two realities. On the contrary, they *form one complex reality* which comes together from a human and a divine element (*LG*, 1975, p. 357, n. 8; emphasis added).

Furthermore, one could argue that we ought to attend carefully to the meaning of 'mystery' in those passages that refer directly to the 'mystery of the holy church' (idem, p. 352, n. 5; cf. p. 350, n. 1; p. 396, n. 39; p. 419, n. 63; cf. Kloppenburg 1974, pp. 14-15). For example, '[t]he church—that is, the kingdom of Christ—already present in mystery, grows visibly through the power of God in the world' (*LG*, 1975, p. 351, n. 3). Unfortunately 'nowhere is the term defined' (Kloppenburger 1974, p. 14) in the promulgated texts, yet a *relatio* from 1964 gave the bishops this definition:

The word 'mystery' in this context does not indicate simply that a thing is unknowable or hidden. Rather, as many authorities recognize today, it points to a transcendent, divine reality that has to do with salvation and that is *in some sensible way revealed and manifested*. The term, therefore, which is found in the Bible, is very suitable as a designation for the church (*Acta Synodalia*, II/1, p. 455, as cited in Kloppenburg 1974, p. 14; emphasis added).

¹² In the words of Maritain: in our time the Christian 'finds himself engaged more and more not as Christian or as member of the church, but as member of the temporal city, I mean as Christian member of this city' (Maritain, 1938, p. 113).

Keeping in mind the etymological origins of the word 'sacrament' from the Latin translation of *mystērion*, one could also draw attention to those passages that state 'the church, in Christ, is in the nature of sacrament' (*LG*, 1975, p. 350, n. 1) and is 'the visible sacrament of this saving unity' (*idem*, p. 360, n. 9). One could draw the conclusion from the conciliar documents, as has been done by some (de la Soujeole, 2014, pp. 390-407), that, as mystery or sacrament, the church is not being conceived as something that presents a visible aspect to the world incidentally or provisionally, while remaining in essence immaterial. Instead, the church is being described as necessarily both visible and invisible at present because of its pilgrim existence, tending toward the visible manifestation of the Kingdom (*LG*, 1975, p. 351, n. 3), and already offering a foretaste of the restored and reunited humanity in its members' 'sanctity that is real though imperfect' (*LG*, 1975, p. 408, n. 48). Yet, it is invisible to the extent that the church is marked by sin, and 'takes her place among the creatures which groan and travail yet and await the revelation of the sons of God' (*ibid*). This would suggest that *LG* does not conceptualise the church as possessing its true existence on a supernatural plane, parallel and spatially distinct from the rest of the world. Instead, *LG* presents the church as embodying the already begun, yet still obscure and incomplete, salvation of the world. Therefore, *LG's* eschatological exposition of the church as a complex unity, mystery, and sacrament could all be seen as correcting the faults of the pre-conciliar ecclesiology criticised by Cavanaugh, and developing an alternative not too far from the ecclesiology of Cavanaugh himself.

To this argument I can only agree but also lament that the eschatology in *LG* did little to affect how *LG* and the other documents presented the lay apostolate and the church's relationship with political authorities, meaning that there is an unresolved

tension between the two. Turning to the document dedicated to the lay apostolate and to *GS*, we find there further evidence that Vatican II preferred instead to sequester the church in an apolitical religious sphere and to present the laity's role in politics just as Journet thought.

2.4.6 The critique of the Decree on the Lay Apostolate

Just like *LG*, *AA* also seeks to free the lay apostolate from clerical management, albeit without repudiating entirely the 'collaboration of the laity in the hierarchical apostolate' (*AA*, 1975, p. 787, n. 20) in Catholic Action. Yet both documents discuss first and devote more space to the wider apostolate 'which belongs to every Christian' (*LG*, 1975, p. 391, n. 33; cf. *AA*, 1975, p. 766, n. 1), before considering the older kind of apostolate they may be called upon to perform at the hierarchy's commission. Our 'present circumstances, in fact, demand from them [i.e. the laity] an apostolate infinitely broader and more intense' (*AA*, 1975, p. 766, n. 1) than before, according to the introduction to *AA*. The reason is given in a pregnant sentence:

All the more urgent has this apostolate become *now that autonomy—as is only right—has been reached* in numerous sectors of human life, sometimes with a certain relinquishing of *moral and religious values*, seriously jeopardizing the Christian life (*ibid*; emphasis added).

The endorsement given here to the greater autonomy or differentiation of various areas of our lives could support Cavanagh's argument (as mentioned above) that Vatican II had uncritically accepted as inevitable the disenchantment of the world due to the differentiation of religion from other areas of life in modernity. It could also be another instance of the documents' reliance on assumptions learnt from the New Christendom ideal of ever-more differentiated and united spiritual and temporal orders. I wish, however, to highlight the worry about a 'relinquishing of

moral and religious values' (ibid) because it already implies how AA will present the laity's contribution to political life.

AA defines the participation of the laity in the church's mission as being 'exercised when they work at the evangelization and sanctification of men; it is exercised too when they endeavor to have the Gospel spirit permeate and improve the temporal order' (idem, p. 768, n. 2).

The laity, carrying out this mission of the church, exercise their apostolate therefore in the world as well as in the church, in the temporal order as well as in the spiritual. These orders are distinct; they are nevertheless so closely linked that God's plan is, in Christ, to take the whole world up again and make of it a new creation ... The layman, at one and the same time as believer and a citizen of the world, has only a single conscience, a Christian conscience; it is by this he must be guided in both domains (idem, p. 772, n. 5).

The appeal to conscience as the means to keep in harmonious unity the two identities—believer and citizen—once again indicates that the distinction of planes is not being rejected, despite the emphasis on the closeness of their link in salvation history. Catholic Action may no longer be the normative form of how the laity should participate in the church's mission and yet: 'Among the tasks of this apostolate Christian social action is preeminent. The Council desires to see it extended today to every sector of life, not forgetting the cultural sphere' (idem, pp. 774-5, n. 7). Although the temporal order includes 'institutions of the political community' (idem, p. 773, n. 7), the extension of the apostolate's remit over every area of the laity's lives does not affect the non-partisan, non-political character of the lay apostolate. As mentioned earlier, Catholic Action was meant to instruct and prepare lay people in society, intellectually and spiritually, to fulfil the 'task of the layperson, acting on general 'values' learned in the church, to enter the political realm as an individual and incarnate those values in concrete policies' (Cavanaugh, 1998, p. 120). Now that

Vatican II has given the laity more autonomy, by downplaying their need to act under the direction and commission of the clergy, the church can maintain an even stricter partition between its religious, non-political mission and its lay members' involvement in politics. This is because the laity ought to be trained to act in the temporal order in a Christian manner, not as members or representatives of the church. Recall Journet's distinction: laypeople must 'devote themselves to these temporal occupations with the spirit and the charity of the Gospel in their hearts' (Journet, 2004, p. 407), 'no longer as members of the church ... but rather as members of earthly cities' (ibid).

AA's description of the temporal order lends support to the argument that, just as in Catholic Action, the conceptual framework assumes the activity of laypeople still 'retains an intrinsically natural end' (Cavanaugh, 1998, p. 140), while the 'supernatural is confined to the subjective final intention of the person and does not in any direct way impinge on the purely natural end of the action itself' (ibid). The renewal of the temporal order is described as a part of God's plan to reunite all things in Christ without 'depriving the temporal order of its autonomy, of its specific ends, of its own laws and resources, or its importance for human well-being' (AA, 1975, p. 774, n. 7). How is the temporal order to be renewed while remaining apparently unaltered? 'The temporal order is to be renewed in such a way that, while its own principles are fully respected, it is harmonized with the principles of the Christian life' (ibid). The salient reference to principles draws our attention to the previous paragraph:

It is the work of the entire church to fashion men *able to establish the proper scale of values on the temporal order* and *direct it towards God* through Christ (ibid; emphasis added).

The two elements we have encountered before are here combined: the need of laypeople to apply the correct moral principles and values that have been instilled into their minds, and their duty then by their supernatural intention to direct their activity to God.

Finally, the passages later in the Decree specifying the sort of formation the laity should receive also give us reasons to support my interpretation of AA's continuity with pre-conciliar conceptions of lay involvement with politics. 'Different types of apostolates require their own appropriate method of training' (idem, p. 796, n. 31). 'The apostolate of evangelization and sanctification' (ibid), requires one form of training so that the laity can 'set the message of Christ before the eyes of all' (ibid) by the 'very witness of a Christian life, and good works done in a supernatural spirit' (idem, p. 773, n. 6), and by being 'on the lookout for occasions of announcing Christ by word, either to unbelievers to draw them towards the faith, or to the faithful to instruct them, strengthen them, incite them to a more fervent life' (ibid). A different formation is required for the apostolate aiming at '[t]he Christian renewal of the temporal order' (idem, p. 796, n. 31):

the laity are to be instructed in the true meaning and value of temporal goods ... The laity should gain experience in the right use of goods and in the organization of institutions, paying heed always to the common good in the light of the principles of the church's moral and social teaching. They should acquire such a knowledge of social teaching especially, its principles and conclusions, as will fit them ... for making correct application of these same principles and conclusions in individual cases (ibid).

We need to read this passage together with those stating the clergy's 'duty to set forth clearly the principles concerning the purpose of creation and the use to be made of the world' (idem, p. 774, n. 7) and 'the duty of the ecclesiastical hierarchy is the teaching and authentic interpretation of the moral principles to be followed' (idem, p.

790, n. 24) in the temporal order. Read together, it can be seen that the roles and responsibilities between laity and clergy have been divided between them according to the dualities discerned by Cavanaugh. The clergy are responsible for instructing the laity in general principles and values, so that the layman can make 'correct application of these same principles and conclusions in individual cases' (idem, p. 796, n. 31) that they must face in the temporal order. The division of labour thus ensures '[t]he Gospel finds its way to that world *indirectly*, though the labors of the individual layperson' (Cavanaugh, 1998, p. 139; emphasis added).¹³

2.4.7 The critique of the Pastoral Constitution on the Church in the Modern World

Everything that has been said so far is confirmed by *GS*'s chapter on the political community (*GS*, 1975, pp. 979-985, nn. 73-76). As promised earlier, I now return to the section in which we read about the need

to distinguish clearly between the activities of Christians, acting individually or collectively in their own name, as citizens guided by the dictates of a Christian conscience, and their activity acting along with their pastors in the name of the church (*GS*, 1975, p. 984, n. 76).

As mentioned above, the conciliar teachings about the layman's role do not give as much emphasis to the latter, i.e. to what they do 'along with their pastors in the name of the church' (ibid), in comparison to pre-conciliar teachings. Yet maintaining

¹³ The overemphasis on the intellectual formation of the laity's consciences in values and principles may seem to be denied by one section: 'Training for the apostolate cannot consist in theoretical teaching alone' (AA, 1975, p. 794, n. 29). Yet this is belied by what follows: 'on that account there is need, right from the start of training, to learn gradually and prudently to see all things in the light of faith, to judge and act always in its light, to improve and perfect oneself by working with others, and in this manner to enter actively into the service of the Church' (ibid). The text's reference 'to see ... to judge and act' (ibid) tells us that it is adding to doctrinal instruction a method by which to discern how those general values and principles learnt can be applied here and now using the 'Catholic Action methodology of See-Judge-Act' (Cavanaugh, 1998, p. 142). The appended footnote to the text referring to the encyclical *Mater et Magistra* confirms this because that encyclical explicitly recommends the method of 'look, judge, act' (Pope John XXIII, 1961, p. 84). In other words, even the way that AA tries to avoid a purely intellectual conception of the laity's formation reveals its continuity with pre-conciliar conceptions of how the faith should shape the layman.

the distinction between the two kinds of activity and even valuing the former more highly creates a strict cordon between the church and politics: laity may be shaped and formed by the church, but their apostolate is to act in the political order, and in the temporal sphere more generally, not as members of the church but 'in their own name' (GS, 1975, p. 984, n. 76). The distinction is a well-established one in pre-conciliar writings about the lay apostolate. Maritain uses it, for example, in 1938:

On the temporal plane, the Christian acts as a member of the terrestrial community, and he ought so to act as a good Catholic. On the spiritual plane (be it the purely spiritual plane or the plane on which the spiritual joins the temporal [the latter referring to the non-political mission of Catholic Action in society]) he acts as a member of the church of Christ and in the measure in which he appears before his fellows in his quality as Catholic, in that measure he commits the church (Maritain, 1938, pp. 295-296; cf. Journet, 2004, pp. 263, 275-276).

It is the continuing assumption of these distinctions that enables the Council to want the apostolic activity of the laity to be 'extended today to every sector of life' (AA, 1975, p. 775, n. 7), while still insisting that '[t]he mission which Christ entrusted to the church is not indeed political, economic or social, but religious' (GS, 1966a, p. 41, n. 42). GS can also state immediately afterwards: 'from this religious mission light and strength derive which can help to establish and consolidate the community of men according to the divine law' (ibid) and elsewhere that laypeople have the duty 'to imbue the world with a Christian spirit' (idem, p. 43, n. 43) because '*[t]heir rightly formed conscience* should set the imprint of the divine law on secular life' (ibid; emphasis added). Thus the 'light and strength' (ibid) given by the church's religious mission are safely channelled, preserving the 'autonomy of temporal things' (idem, p. 35, n. 36), so that the church has its impact on the secular order only indirectly through the Gospel-inspired values and motivations the clergy have inculcated in the

'rightly formed conscience' (idem, p. 43, n. 43) of the laity, and through the laity's 'activity, interiorly raised by grace' (*LG*, 1975, n. 36, p. 393).

This interpretation can help us to understand why *GS*'s chapter on the political community was written almost entirely in philosophical or naturalistic terms, with few references to scripture or theological reasoning (apart from the final section that explicitly takes up the issue of church and state relations), despite being written apparently 'in the light of doctrinal principles' (*GS*, 1966a, p. 7). Earlier, in 2.1, I argued that *GS*'s intended dual audience—those within and without the church—could provide one explanation for that chapter's lack of theological content. In light of the critique I have been making of how the Council's teachings about the lay apostolate are positioning the church in relation to the state and political affairs, we can see that the more fundamental explanation is that *GS* is assuming politics, as a part of the temporal order, to have an integrity, autonomy, and intelligibility that enables those within and without the church to come to the same understanding of it by reason. As evidence of this we can refer not only to *GS*'s section on the 'autonomy of temporal things' (idem, p. 35, n. 36),¹⁴ and to the sections of *LG* and *AA* stating that 'that the terrestrial city, rightly concerned with secular affairs, is governed by its own principles' (*LG*, 1975, p. 394, n. 36; cf. *AA*, 1975, p. 774, n. 7). We can also cite how *GS* presents the origins of political authority:

Political community and public authority are founded in human nature and thence belong to the order determined by God, though it may rest with the citizens to decide freely the type of regime and personnel of government (*GS*, 1966a, p. 76, n. 74).

¹⁴ Cf. 'Despite the emphasis on the importance of Scripture in *Gaudium et spes*, this Vatican II document accentuates the autonomy of earthly affairs—meaning that human realities and societies have their own laws and values, which human beings of all and no religious beliefs must decipher and use' (Curran, 2002, p. 43).

Following the Aristotelian-Thomistic approach common in Catholic writings about politics, *GS* presents coercive political rule as 'founded in human nature' (ibid) and hence as part of the created order. Cavanaugh, Oliver O'Donovan, and Joan Lockwood O'Donovan have all drawn attention to the difference between this view, that has its origins in the 'rediscovery of Aristotle and Roman law in the eleventh and twelfth centuries' (Cavanaugh, 2011, p. 130), and the earlier view, represented pre-eminently by Augustine, that remained dominant from the Patristic period until the fourteenth century (O'Donovan & O'Donovan, 1999, pp. 237-238). According to the second view, 'coercive government was not natural to human being, but with the fall became necessary because of human sinfulness' (Cavanaugh, 2011, p. 129). I argue that the approach chosen by *GS* undermines the possibility of a theological critique of the political order reliant on the state. Recalling the criticisms made in 2.3.4 of *DH*'s distinction between nature and reason on one hand, and grace and revelation on the other, it can be argued that rooting political authority in nature implies that it can be understood in principle by reason alone, just like any other institution or community that serves the temporal ends of human nature, such as the family. Catholic theology's presumption of a harmony and complementarity between nature and grace, something that is commonly recognised whether to lament (Budde, 2000, p. 213) or to celebrate it (Curran, 2002, p. 42), means that the content of revelation is regarded as confirming and fulfilling what we know about the temporal ends of human nature by reason.¹⁵ By contrast, the Augustinian view holds that revelation can teach something novel that can be used as a means to critique political authority. Seeing

¹⁵ Cf. 'Is there a unique Christian content regarding social justice in the world and the transformation of human society that is not shared by non-Christians and all people of good will? ... The documents of Catholic social teaching answer this question by indicating that Christians should work with all others for the same basic human rights and common good and imply *that there is no unique content that calls for Christians to act in different ways from non-Christians*' (Curran, 2002, p. 40; emphasis added).

coercive political authority as a consequence of the Fall, arising provisionally in history by divine providence both to punish sin and to prevent human communities from falling into chaos, helps us both to recognise the imperfection and impermanence of the political order reliant on the state's violent force, and to see the church as enacting an alternative politics that witnesses to the present and coming revelation of Christ's Kingship over all earthly powers.

Therefore, seeing coercive political authority as a natural feature of human sociality, and failing to relate political authority to Christ's saving work, caused *GS* to be written as if revelation did not have anything to reveal to or about political authorities that could not already be known by reason, apart from the existence and religious mission of the church. Since the temporal order is repeatedly conceptualised in the conciliar documents as an autonomous space separate from the spiritual or supernatural order of the church, it is to be expected that the documents do not consider the church's religious mission and message to be directly relevant to politics, but instead try to formulate the church's influence on politics through a more indirect and interior medium. Vatican II's teaching about the lay apostolate provides the needed mediation, i.e. by their possession of Christian values, and by their judgments of conscience and supernatural intentions, laypeople mediate between the church and the realm of political authorities and affairs. Since the laity are called by the Council to co-operate with other citizens to attain the common good of the political community (*GS*, 1966a, p. 78, n. 75), Charles Curran argues that Catholic social teaching presents 'no unique content that calls for Christians to act in different ways from non-Christians' (Curran, 2002, p. 40).

The preceding paragraphs allow us to see an unintended truth conveyed in Thomas Joseph White's paraphrase of the following part of *GS*: 'The force which the church can inject into present-day society consists simply of that faith and charity brought to bear on life' (*GS*, 1966a, pp. 41-42, n. 42). As quoted already in Part One, White observes in his commentary on *GS* that

some form of separation of church and state is a de facto given, but in which theological faith and the motivations of charity are *permitted to inform from within the activity* of Christians in the civil sphere (White, 2017, p. 120; emphasis added).

Construing Christian faith and charity as interior forces influencing the autonomous space of the temporal order means that once *GS* does directly address church-state relations, the two are considered to be 'independent and autonomous' (*GS*, 1966a, p. 79, n. 76) because they govern the distinct and parallel spheres of nature and supernature.¹⁶ Exactly like the ecclesiology criticised by Cavanaugh, *GS* presumes that church and state have complementary roles, and can therefore harmoniously co-operate so that the clergy's inner influence over its lay members can lead them to contribute to the attainment of the natural goods of their political community (*ibid*). Needless to say, there is absent any notion that the life of the church should stand as a critique, as a contrast society, pointing to an alternative way of ordering a community, one that it hopes will be vindicated in the eschaton.

¹⁶ It is to be noted that in an earlier section of *GS* we read: 'The Council appeals to *Christians, citizens of both cities*, to spare no pains to carry out their earthly duties faithfully and in the spirit of the Gospel' (*GS*, 1966, p. 42, n. 43). This is either a misunderstanding of Augustine, for whom one is a member of one or the other city, never of both at once (O'Donovan, 2004a, p. 58), or it reveals *GS*'s confusing use of the Augustinian language of Two Cities to mean in fact a Thomistic distinction between the temporal and spiritual communities. Either way, this section shows us again that *GS* conceives of Church and state not as two mutually opposed, yet intermingled societies, but rather as two complementary parts of the same society.

2.4.8 Summary of critique

The critique of the conciliar documents in this chapter began with the intention of testing whether Cavanaugh was correct to claim that Vatican II achieved the 'breaking down of false spiritual/political, clerical/lay dichotomies' (Cavanaugh, 1998, p. 180). I have argued that there was a certain effort made to overcome the inherent clericalism of pre-conciliar forms of lay apostolate, thus overcoming to some extent the dichotomy between clergy and laity. The dichotomy was not completely overcome because the laity are still presented in the documents as receiving instruction from the clergy who alone are properly authorised to define and interpret the church's teachings. Yet I have argued that the dichotomy of spiritual and political was not overcome at all but instead remained firmly in place, due to the considerable continuity between pre-conciliar and conciliar teachings about the church's relation to political authorities through the medium of its lay members.

'One of the gravest errors of our time is the dichotomy between the faith which many profess and the practice of their daily lives' (*GS*, 1975, p. 943, n. 43). But ironically it is precisely the Council's distinctions between the spiritual and the political, and between what is done as member of the church and as a citizen that threaten to make the faith remain relegated to a private space separate from the daily life of the Christian. So far, I have been drawing on ecclesial ethicists to make my critique, not without a certain degree of disagreement with Hauerwas and Cavanaugh. In the next chapter, however, I shall argue that the constructive task of proposing a better way of understanding church-state relations in Part Three will need to look beyond ecclesial ethicists, if we are to avoid their mistake of a one-sided

concentration on the church that lacks a more robustly theological account of political authority.

2.5 A Critique of Hauerwas and Cavanaugh

2.5.1 Why Hauerwas and Cavanaugh are not sectarians

Before beginning the constructive work of Part Three, I need to explain why Hauerwas and Cavanaugh will not be my main interlocutors in the chapters to come. While they serve well as tools of critique, the limitations and problems of their political theology become apparent when they develop their alternative models of how church and state should be interrelated. Although their thought is typical of ecclesial ethicists, I do not claim that every ecclesial ethicist is vulnerable to the criticisms I shall make of Hauerwas and Cavanaugh. A judgment of ecclesial ethics as a whole, if such a judgment could be made without losing sight of the shades of differences between them, would need to cover (at least) James McClendon, Michael Baxter, D. Stephen Long, and John Howard Yoder. However, a comprehensive critique of ecclesial ethics would be too far from the purpose of this thesis and would take me beyond its limited space, so my attention will be confined to examining Hauerwas and Cavanaugh. My discussion of the problematic aspects of their thought in this chapter will serve the constructive work of Part Three by identifying the problems my framework of church-state relations will need to avoid, in addition to the problems already identified in Vatican II's teachings.

My critique can be divided into two sections. The first section criticises how they understand the modern state and political authority in general, and the second

criticises their ecclesiology. These divisions should not distract attention, however, from the continuous train of thought linking each section together. My aim throughout this chapter is to identify the theological mistakes that prevent Hauerwas and Cavanaugh from giving sound assistance to the practical reasoning of Christian public officials.

It is important to note before going any further that I am not making the argument (or rather indictment) made by many before to dismiss ecclesial ethicists.

As Biggar writes:

The standard charge levelled against Hauerwas, and the most common reason for dismissing what he has to say, is that he is 'sectarian'. By 'sectarianism' what is usually meant is a retreat into the private world of the church and into personal spirituality, and what is assumed to be a correlative disengagement from public concerns and debate (Biggar, 2000, p. 141).

James Gustafson was one of many critics unimpressed by Hauerwas' rhetorical 'battle against liberalism' (Stackhouse, 1995, p. 962, as cited in Hauerwas & Willimon, 1996, p. 11). Gustafson warned his fellow ethicists from following Hauerwas by succumbing to the 'sectarian temptation' (Gustafson, 1985, p. 90). Without using the term 'sectarian' Charles Mathewes directed a similar criticism at Cavanaugh for being one of 'many recent theological accounts of politics [that] rely on a ... pessimism to legitimate a fundamentally renunciatory [sic] and escapist attitude towards public life' (Mathewes, 2007, p. 223). Similar criticisms are made by liberal Catholics, such as Richard McBrien, against sectarianism for being 'diametrically opposed to Catholicism' (McBrien, 1995, p. 1180, as cited in Cavanaugh, 2020, p. 504), despite emerging 'in portions of the Catholic peace movement and in some younger Catholic moral theologians influenced by Protestant sectarian ethicists [e.g. Baxter]' (ibid).

There are, however, two problems with accusations of sectarianism against Hauerwas and Cavanaugh. The first is that the argument relies on the assumption that we know how to distinguish what is sectarian from what is not. From Gustafson's use of the term, he is clearly not intending to use the term primarily in the theological sense of a group that enters into schism by cutting itself off from communion with the universal church and declaring itself the only true ecclesial community. He uses 'sectarian' according to the sociologist Ernst Troeltsch's usage of that term, which had been popularised by the writings of Reinhold and H. Richard Niebuhr (Yoder, 1994, pp. 105, 187).¹⁷ Gustafson's 'criticism is therefore not that he [i.e. Hauerwas] is sectarian in relation to the catholic church, but in relation to the 'world', that is, the cultures and societies in which the church lives' (Rasmusson, 1995, p. 233).

This criticism fails most obviously because Hauerwas' position does not entail a total withdrawal from 'participating in the cultural, intellectual, and political of society' (Hauerwas, 1988, p. 11), but rather 'a sense of selective service and the ability to set priorities' (idem, p. 15).¹⁸ He has concentrated on the ecclesial site of ethics because 'insofar as the church can reclaim its integrity as a community of virtue, it can be of great service in liberal societies' (idem, p. 7). Christians need only withdraw their support when a 'government and society resorts to violence in order to maintain internal order and external security' (idem, p. 15). Yet by their non-

¹⁷ Building on Weber's writings on church and sect types, Troeltsch developed his own typology of different kinds of Christianity in *The Social Teaching of the Christian Churches*. Troeltsch added a third type, mysticism, though it 'is generally ignored' (Cavanaugh, 2016, p. 154) by those who appeal to his typology. For Troeltsch's definition of a sect, cf. (Troeltsch, 1931, p. 993).

¹⁸ Gustafson's argument may have seemed more plausible in 1985 because, perhaps due to Hauerwas' 'training in the Niebuhrian tradition' (Rasmusson, 1995, p. 235) at Yale, 'Hauerwas in his early work himself used the church-sect typology, and could describe his own sympathies as with the sectarian type, without considering it as a pejorative designation' (ibid). E.g. (Hauerwas, 1974, p. 214). He soon stopped using the term to describe his own position and instead repeatedly denied that he is a sectarian, e.g. (Hauerwas, 1992, p. 7; Hauerwas, 1988, pp. 1-18).

violent lives, Christians help make their 'societies less prone to resort to violence' (ibid), for example 'by using the law as a means to settle disagreements' (ibid). Similarly for Cavanaugh 'there can be no question of a withdrawal of the church from the world' (Cavanaugh, 2004, p. 405). The church ought 'to live like the Jews of the diaspora, "to seek the welfare of the city where I have sent you into exile" (Jer. 29:7), even if that city is Babylon' (ibid). 'The church is not a separate enclave' (Cavanaugh, 2011, p. 66) and 'is not a human institution with well-defined boundaries ... but a set of practices or performances' (ibid) and 'it joins with others to perform the city of God' (ibid). Therefore, 'Christians should cooperate with non-Christians in creating alternative economic and political spaces' (Cavanaugh, 2009b, p. 618), even though doing so 'leaves the boundaries between what is church and what is not church permeable and even ambiguous' (Cavanaugh, 2011, p. 66). Two of the three practices of the Chilean Catholic Church discussed in *Torture and Eucharist*, namely the creation of 'an entire network of parish-based social programs' (Cavanaugh, 1998, p. 264), and performance of non-violent protests and street theatre (idem, p. 275), had Christians and non-Christians among their participants and beneficiaries.

There is a second problem to the accusation of sectarianism. It seems to assume, rather than argue for, an alternative, non-sectarian mode of Christian engagement with culture and a non-sectarian way of relating Christian belief and practice, which sectarianism is castigated for rejecting and in comparison to which sectarians appear to prefer withdrawal. But it fails to reckon with the way that Hauerwas and other ecclesial ethicists are seeking to question the church-sect dichotomy. They want to question the ideas and concepts that guide how and why Christians participate in social and political life, not in order to halt such participation, but to make it more

faithful to what the church is called to do in the world. Hauerwas writes: 'the church can provide the interpretative categories to help Christians better understand the positive and negative aspects of their societies and guide their subsequent selective participation' (Hauerwas, 1988, p. 11). To ignore his questioning of the church-sect typology by simply reasserting it against him begs the question. A critic would need to present an argument to defend the sociological typology of church and sect, rebutting arguments against it made by ecclesial ethicists. Only then should the argument be made to demonstrate that Hauerwas and Cavanaugh are sectarians.

Since I join Cavanaugh and Hauerwas in rejecting Troeltsch's church-sect typology, I will not repeat the charge of sectarianism against them. Troeltsch thought 'that the message of Jesus, as well as of early Christianity, was purely religious and therefore lacking any social ethic' (Rasmusson, 1995, p. 237). Therefore, he reasoned, Christians could either turn away from the world in small sectarian communities or, according to the church-type, they could participate in society and politics, seeking to transform them from within. In the latter case, their 'purely religious message must consequently be complemented by a natural law account, otherwise it will remain socially irrelevant' (ibid). One could easily fit Vatican II's teaching on church-state relations into Troeltsch's scheme as an example of the church-type because the Council documents seem to operate using very similar assumptions. The extensive appeal to natural law in, for example, *GS*'s chapter on political life (*GS*, 1966a, pp. 75-80, nn. 73-76) is not balanced by adverting to connections between political authority and divine rule or Christ's kingship (Austin, 2006, pp. 210-211). One can reasonably infer from this that Vatican II is presuming there is little that is directly relevant to politics in the Gospel beyond what can be known by reason alone, or that the Gospel

needs a mediating discourse (such as natural law theory) to be relevant to political life. As I have criticised the documents for making these moves in Part Two, it would be contradictory for me to adopt that point of view under a Troeltschian guise in order to condemn Hauerwas and Cavanaugh for sectarianism.

2.5.2 The modern state as an irredeemable foe

Hauerwas and Cavanaugh have repeatedly presented the modern state as being ultimately demonic and the supreme manifestation of the Earthly City, which Christians in the best of circumstances should tolerate from a distance, and at worst resist to the point of martyrdom. In doing so, they fail to attend to the complexity of what scripture teaches about political authority and instead rely on secular social science and political philosophy to paint a bleak picture of the modern state. Or alternatively it seems the teaching of scripture and the tradition of pre-modern Christian political thought arising from it are not dismissed, but made redundant by the significant differences between the modern state and pre-modern forms of political authority. As a consequence, 'the theatricalized rhetoric of opposing the demonic nation-state in which such theologies indulge simply camouflages their unwillingness to think seriously about how their adherents' various political activities can be made properly intelligible' (Mathewes, 2007, p. 162).

Emphasising what distinguishes the modern state has been particularly prominent in Cavanaugh's work. He has deftly drawn on sociologists, early-modern historians, and political theorists to chart the emergence of the distinctive, modern form of political authority that we call the state from the fragmentation of mediaeval Christendom. Drawing especially on Ernst Kantorowicz, Anthony Giddens, Charles Tilly, Robert Nisbet, John Milbank and the English Pluralists, Cavanaugh seeks to

challenge the 'ahistorical and idealized assumptions' (Cavanaugh, 2011, p. 8) that lead many Catholic thinkers into 'seeing the state as the promoter and protector of the common good' (idem, p. 9).

He cites Charles Curran's discussion of the state as an example of the ahistoricism that can affect Catholic social thinkers, because in Curran's work 'all historical forms of political community are conflated into the term "state"' (idem, p. 7). Cavanaugh instead argues that, far from being something natural that has always been with us, the state is in fact 'a rather recent and artificial innovation' (ibid), 'originating in Europe between 1450 and 1650' (Porter, 1994, p. 6, as cited in Cavanaugh, 2011, p. 9). In contrast to mediaeval Europe's multiple, often-overlapping loyalties 'based not necessarily on territoriality, but on feudal ties, kinship, religious or tribal affiliation' (Cavanaugh, 2011, p. 9) the state refers to 'a supreme authority that no lesser authorities within a recognized set of geographical borders may legitimately oppose' (ibid). The term 'state' or *status* (and its cognates in various Romance languages) was originally used to refer to 'the state of the ruler himself (*status principis* or *status regalis*) or to the current condition of the realm (*status regni*)' (idem, p. 10). Its usage gradually shifted and by the 'mid-sixteenth century' (ibid) it had come to be used mainly 'to indicate an abstract apparatus above prince and people' (ibid). A further development of the modern state is indicated by the term 'nation-state' that 'first arises in the eighteenth-century, and becomes prevalent in the nineteenth century and following' (idem, p. 11). According to this notion, a unitary sovereign authority is united to a single nation, either because the state is understood as creating or as representing the nation located within that state's territory (ibid). In these ways, Cavanaugh argues, the 'state' refers to something new, something that is the product

of a gradual process of eliminating or marginalising all social bodies, except the sovereign state, from exercising unchallenged coercive power in a delimited area.

Hauerwas' assertions about the state do not tend to be demonstrated by reference to as many different sources. Yet they both emphasize the particular features of the modern state, and the role of war and violence in creating the state, to draw attention to the discrepancies between the empirical reality of how states were constructed, and the idealized assumptions that would see the state (in its liberal, democratic form) as an agent of society for protecting individual rights and promoting the common good. They both draw on Anthony Giddens' *The Nation-State and Violence* to highlight 'the unique role of war and armies for the development of the modern nation state' (Hauerwas & Willimon, 1989, p. 35), claiming it was the need to wage war effectively that led to the creation of a political apparatus 'whose administrative purview corresponds exactly to its territorial delimitation' (Giddens, 1985, p. 172, as cited in Hauerwas, 1999, p. 49; cf. Cavanaugh, 2011, pp. 10, 18, 30).

Building a state depended on the ability of state-making elites to make war, and the ability to make war in turn depended on the ability to extract resources from the population, which in turn depended on an effective state bureaucracy to secure those resources from a recalcitrant population ... The state was largely an unintended byproduct of these elites' pursuit of their own ends (Cavanaugh, 2011, p. 15).

The discrepancy between the ahistorical and idealized assumptions of social theorists and the empirical reality of how states came to be may seem like no more than an intellectual mistake among certain academics. But closely related to it, for Hauerwas and Cavanaugh, are the 'two prima facie incompatible ways' (MacIntyre, 2006, p. 163) in which the state must present itself:

on the one hand as a bureaucratic supplier of goods and services, which is always about to, but never actually does, give its clients value for money, and on the other as a repository of sacred values, which from time to time invites one to lay

down one's life on its behalf (MacIntyre, 1994, p. 303, as cited in Cavanaugh, 2011, p. 265; cf. Hauerwas & Willimon, 1989, pp. 34-35).

Thus the modern state paradoxically presents itself as 'an institutionalized set of devices whereby individuals may more or less effectively pursue their own goals' (MacIntyre, 2006, p. 163). And yet,

at the same time it claims, and cannot but claim, the kind of allegiance claimed by those traditional political communities – the best type of Greek *polis* or of medieval commune – membership in which provided their citizens with a meaningful identity, so that caring for the common good, even to the point of being willing to die for it, was no other than caring for what was good about oneself (ibid).

The conclusion MacIntyre draws (followed by Hauerwas and Cavanaugh) is that the 'modern nation-state, in whatever guise, is a dangerous and unmanageable institution' (MacIntyre, 1994, p. 303). For whenever it wears the second mask and demands self-sacrifice as the defender of the citizens' common good, it deceives by what it conceals, namely that there is no community unified by a common good for the state to promote or defend. Citizens in a modern, pluralistic state are not united by a shared view of life's ends, but are instead divided by holding incommensurable worldviews, and lack even a shared 'rational basis on which to argue about ends' (Cavanaugh, 2006c, p. 306).

[T]he public discourse of the nation-state not only does not but cannot be conducted on the basis of common norms of rational inquiry in the Aristotelian–Thomist sense, in part because of the sheer size of the modern nation-state. Decisions are based on money and power, not reason, so conflict—especially between classes—is endemic (idem, pp. 306-307).

Yet these problems besetting the nation-state actually work in its favour.

The nation-state is made stronger by the absence of shared ends, and the absence indeed of any rational basis on which to argue about ends. In the absence of shared ends, devotion to the nation-state as the end in itself becomes ever more urgent. The nation-state *needs* the constant crisis of pluralism in order to enact the *unum*. Indeed the constant threat of disorder is crucial to any state that defines its indispensability in terms of the security it offers (idem, p. 306).

Consequently, according to Hauerwas and Cavanaugh, Christians are repeatedly co-opted by the state into supporting its violence because they fail to grasp that, since 'the nation-state is not and cannot be the locus of community' (MacIntyre, 1994, p. 303), 'modern nation-states which masquerade as embodiments of community are always to be resisted' (ibid). Their failure prevents the ecclesial community from being the community of peaceable virtue it is called to be. If the church were 'to be a 'contrast model' for all polities that know not God' (Hauerwas, 1981, p. 84) then it would show to the world that its 'hallmark ... unlike the power of the nation-state, is its refusal to resort to violence to secure its own existence or to insure internal obedience' (idem, p. 85).

Hauerwas and Cavanaugh ought to be commended for drawing attention to the failures of ahistorical, idealized Aristotelian-Thomistic accounts of the common good and political authority to notice how the state arose in modernity, and how states continue to be shaped by the violence of their past. They are right to be concerned about 'a shift from 'complex space'—varied communal contexts with overlapping jurisdictions and levels of authority—to a 'simple space' characterized by a duality of individual and state' (Cavanaugh, 2011, p. 19).¹⁹ Cavanaugh's study of the use of torture by the Pinochet regime to loosen the ability of social groups and communities to resist the state's expanding power over individuals is convincing (Cavanaugh, 1998, pp. 38, 47). It is independently confirmed by James C. Scott whose study of 'state-initiated social engineering' (Scott, 1998, p. 4) argues that the most disastrous

¹⁹ Cavanaugh acknowledges his debt to Milbank for the language of complex and simple space (Cavanaugh, 2011, p. 19; Milbank, 1997, pp. 268-292). Another key text for Cavanaugh and Hauerwas on this subject is the sociologist Robert Nisbet's *Quest for Community*, republished later as *Community and Power* in 1962, who argues that the 'real conflict in modern political history has not been, as is so often stated, between State and individual, but between State and social group' (Nisbet, 1953, p. 109; cf. Cavanaugh, 2016, p. 244; Hauerwas, 1999, p. 122).

instances of it rely on 'a pernicious combination of four elements' (ibid), one of which is 'a prostrate civil society that lacks the capacity to resist these plans' (idem, p. 5). Of course, not all states have launched such a direct assault on social groups. Nevertheless, Cavanaugh is right to argue that the prominence of the state in a society's collective imagination causes 'local social groupings ... [to be] recast as 'intermediate associations' between state and individual, and such institutions have played an important role in mediating the state project' (Cavanaugh, 1999, p. 183). Ecclesial ethicists have undeniably aided us in uncovering the narrowly state-centred conceptions of politics that can cause the church to become ensconced in the role of enabling the expansion of the state's power. Hence, Hauerwas and Cavanaugh have criticised particularly the patterns of thought that led Christians to imagine the terms of political action to be defined by a single public sphere, centred around the modern state; for such a conception positions the church among other intermediate 'associations as conflicting competitors for influence over the state, which remains a neutral and unitary staging ground' (Cavanaugh, 2011, p. 32).

None of this, however, justifies Hauerwas and Cavanaugh in preferring to rely so heavily on social science and political philosophy that they fail to consider at any length what can be found in scripture about political authority. This is one of the major weaknesses of their political theology. Consequently, despite their criticisms against conceptual distinctions that threaten to privatise or depoliticise the Christian faith, their own one-sided focus on ecclesiology means they reproduce the same division of thought. They confine themselves to reflection on the church because they do not believe political theology's native resources have much to say about the state, except to protest against it. Alternatively, one may surmise that, according to them,

whatever scripture and tradition can teach us about political authority has become obsolete by the vast difference between the modern nation-state, and the far more decentralised, homogenous political communities that existed before modernity.

To give an example of how Hauerwas avoids engaging with scripture, he asserts: 'The gospel simply does not contain a theory of society and/or legitimate government. All we know as Christians is that government will exist – not what form it will or must take' (Hauerwas, 1988, pp. 11-12). No argument is given to support these claims, but Hauerwas' frequent deference to Yoder's biblical theology could lead us to suppose he is here accepting Yoder's interpretation of Romans 13. Yoder argued that Paul's intention was not to claim God had 'established or instituted the state' (Yoder, 1997, p. 75).

Paul was simply arguing that the Christians in Rome should not rebel even against a government which threatened to mistreat them. They could be confident that God was using the powers in and behind the state within His providential purpose. The state is not instituted, i.e. established, but rather accepted in its empirical reality, as something that God can overrule toward his ends. Paul therefore does not mean that in the divine acceptance of the state there is implied any ratification of its moral standards or political purposes, or any theory of the proper state (ibid).

In other words, 'God does not take the responsibility [sic] for the existence of the rebellious 'powers that be' or for their shape or identity; they already are' (Yoder, 1994, p. 201) and God 'providentially and permissively lines them up with divine purposes' (idem, p. 202). In imitation of Christ's willingness to suffer at the hands of rebellious powers (idem, p. 209) Paul is calling for 'a nonresistant attitude towards a tyrannical government' (idem, p. 202). Yoder does not accept the traditional Protestant interpretation that would contrast Romans 13 with Revelation 13's 'vision of the diabolical beast from the abyss' (Yoder, 1997, p. 76) and then take the two texts as representing the two forms that political authority can take. It can either be 'a

sober and righteous instrument of order in society' (ibid), in which case obedience to it is due; or like the beast in Revelation 13 it can become a rebellious tyrant against which Christians must rebel. Yoder argues this approach lacks 'biblical warrant' (ibid) and that the texts

represent the two dimensions of the life of any state. ... The wielding of the sword is always an expression of a degree of unbelief, and the church that blesses this undertaking is always marked by a measure of apostasy. ... No state can be so low on the scale of relative justice that the duty of the Christian is no longer to be subject; no state can rise so high on that scale that Christians are not called to some sort of suffering because of their refusal to agree with its self-glorification (idem, p. 77).

Thus, Yoder's exegesis radically undermines the possibility of drawing out from scripture some guidelines about how to govern well or how to recognise a government that deserves obedience. Deference to Yoder's interpretation of Romans 13 could be why Hauerwas can criticise the state and yet admit:

I have no alternative theory of society or state to propose. For me the problem is not the absence of an alternative, but rather to discern how Christians must learn to negotiate the false universalism the modern state represents (Hauerwas, 1999, p. 12).

That is to say, for Hauerwas there is no 'metaphysic or ontology of the state' (Yoder, 1997, p. 75) to be found in scripture for him to propose or discover; instead the priority is to know how to imitate Christ in the present by non-violent resistance of the state.

Cavanaugh has admitted he 'knows little to nothing of the Anabaptist tradition – or even of John Howard Yoder' (Cavanaugh, 2020, p. 501) and there are indeed only a few references to Yoder in his work. Cavanaugh's own lack of scriptural engagement could reflect his reliance on MacIntyre, whose 'radical rejection of liberal social culture does not extend to advocating for a specific alternative to liberal political institutions' (Pinkoski, 2019, p. 545). Instead, MacIntyre calls for the creation and

preservation of 'relatively small-scale and local ... practice-based forms of Aristotelian community' (MacIntyre, 1994, p. 302) that can withstand the influence of liberalism's twin progeny, 'the ethics-of-the-state and the ethics-of-the-market' (MacIntyre, 2016, p. 124). Similarly, Cavanaugh's criticisms of the liberal state are never accompanied with a constructive proposal of how we ought to reform or re-conceive political authority. His aim is rather to argue that 'the church needs to take seriously its task of promoting spaces where participation in the common good of God's life can flourish' (Cavanaugh, 2011, p. 45), i.e. local communities of mutual service and solidarity 'beyond the binary of state and market' (Cavanaugh, 2016, p. 121).

Whatever their reasons may be, Cavanaugh's and Hauerwas' 'disinclination to grapple closely with the biblical text' (Biggar, 2013, p. 17) on this issue reveals an unwillingness to demonstrate the consonance between the claims they make about political authority and what can reasonably be inferred from scripture. Consequently, neither can give principled, *theological* reasons, supported by a careful exegesis of scripture, for why Christians should not merely tolerate, but support the state that rules them by paying taxes 'not only because of wrath but also because of conscience' (Romans 13:5; NRSV), or why Christians ought to prefer one government or regime over another. It hardly needs to be pointed out that 'Pinochet's Chile could hardly be considered representative of all modern states' (Shadle, 2010, pp. 250-251). Many, if not most, states have not deteriorated to such depths of violent authoritarianism. While the vocation of martyrdom may always appear, in many contexts it does not, but remains the final point of Christian witness 'to God's faithfulness when there is nothing left to do' (O'Donovan, 2003, p. 10). If we have not reached that point, however, and our governing regime has not become a tyranny, then Cavanaugh and

Hauerwas can offer few theological (as opposed to purely pragmatic) reasons for Christians to obey the authority of the state and its enacted laws or to contribute to their country's good governance.

One cannot deny, of course, that they do sometimes qualify their criticisms of the state by making some concessions:

This is not necessarily to say that the nation-state cannot and does not promote and protect some goods, or that any nation-state is entirely devoid of civic virtue, or that some forms of ad hoc co-operation with the government cannot be useful (Cavanaugh, 2011, p. 41).

But Cavanaugh does not specify what that civic virtue might be or what forms of ad hoc co-operation between church and nation-state may be useful. He seems at times to claim that government for Augustine is 'part of the earthly city' (Cavanaugh, 2011, p. 62) and to equate the Roman *imperium* with the *civitas terrena* (Cavanaugh, 2002, pp. 83-84). But elsewhere he recognises that '[t]he earthly city likewise is not simply identified with the state as institution' (Cavanaugh, 2011, p. 66), conceding thus 'that not all functions performed by the state should be understood as part of the *civitas terrena*' (Shadle, 2010, p. 256). 'At its best, the nation-state may provide goods and services that contribute to a certain limited order—mail delivery is a positive good' (Cavanaugh, 2011, p. 42) and 'the idea of Christian mail carriers is by no means contradictory!' (Cavanaugh, 2011, p. 66). Hauerwas can also concede that he and fellow Methodist co-author William Willimon 'do not want to call Methodists out of Congress; we just want them to be there as Methodists' (Hauerwas, 1995, p. 60). He is 'not opposed to our trying to harness the resources of state power to alleviate the needs of people' (Hauerwas, 1987, p. 90). When the state 'resorts to violence in order to maintain internal order and external security' (Hauerwas, 1988, p. 15) then and at 'that point alone Christians must withhold their involvement with the state' (ibid). He

claims such a 'position does not commit me to believing we live socially and politically in a night when all cats are grey' (ibid).

Despite these concessions, the pacifism of Hauerwas and Cavanaugh means that they are caught in a dilemma. If they approve of the state's use of coercive force to achieve certain goods, then they could accept that Christians can also be involved in exercising such force. But if that were the case, they would seem to be negligent for not giving theological attention to, for example, the duties of Christian lawmakers, police officers, and soldiers. Or (the more likely option) Hauerwas and Cavanaugh might deny that Christians can be involved in the state's use of force, while also holding that the use of force (by non-Christians) is necessary to ensure 'the nation-state may provide goods and services that contribute to a certain limited order' (Cavanaugh, 2011, p. 42). If they choose the former option, then they would no longer be pacifists in any strict or consistent sense. If they opt for the latter option, they seem guilty of hypocrisy by wanting to avoid contributing to the effective governance of their country to keep their hands clean, whilst also benefitting from the public goods provided by others through the state. To this argument they could respond that it depends on the Constantinian assumption that Christians must live by a moral standard that could potentially be shared by everyone. In fact, they might argue, the enduring division between the church and World means Christians must live now by the Gospel's eschatological ethic of non-violence, and leave those of the World to serve the state. I would argue, however, that if the church-World division cannot be eliminated in the *saeculum* by the church replacing political institutions, then the persistence of coercive political institutions in the providential plan of a loving God lacks explanation. If the 'state is not instituted, i.e. established, but rather accepted in

its empirical reality, as something that God can overrule toward his ends' (Yoder, 1997, p. 75) how does that overruling manifest itself before the eschaton? It is hard to say what answer to that question could be drawn out of Hauerwas' and Cavanaugh's work.

Finally, I return to a concern mentioned earlier in section 2.2.3. The discovery of clerical sexual abuse in the Catholic Church, as well as the sexual abuse perpetrated by Yoder, have shown us even more clearly the need for the church to recognise the good that political authority can achieve. They also brought into relief what can happen when the church's members treat themselves as being exempt from the political authority's jurisdiction, particularly in upholding law and order. Long argues that what makes the case of Yoder 'so troubling is not that his predation may have been inconsistent with his theology, but that it can be understood as consistent' (Long, 2018, p. 105). Yoder's church-world dichotomy

allowed him to use the binding and loosing internal to the church to his own advantage without interrogation from worldly institutions. The world was the 'old aeon' that has its own way of organizing society, and one from which the Christian has been liberated. ... He was ... suspicious of many institutions that constitute the nation-state and global market. For this reason, the church/world distinction relativized nonecclesial accountability. ... His suspicion of the police and judicial functions of modern nation-state served his interests; binding and loosing gave him cover in a way that the secular judicial functions might not have (idem, p. 107).

Long rightly argues that the record of Yoder's behaviour does not require the summary rejection of key elements of his theology, such as the emphasis on 'apocalypticism, the church/world distinction, theological critiques of the police and judicial systems, binding and loosing' (idem, p. 108). However, we should pay 'attention to how these teachings can provide cover for faithless, immoral, and illegal patriarchal actions' (ibid). It is difficult, of course, to see any certain or even probable

causal connections between ideas and actions, and it is hard to conceive of any ideas that cannot be twisted by a guilty conscience into serving as a justification for terrible actions. Nonetheless, we should be highly suspicious of ideas (such as the kind of church-World distinction that denigrates political authority) that would be particularly useful to an abuser in the church seeking to avoid accountability to the criminal law. Cristián Precht, a Chilean priest in charge of the Vicariate of Solidarity created by the Archbishop of Santiago, which was 'the foundation of moral and legal and resistance to the military dictatorship' (Loveman, 1989, p. 432 as cited in Cavanaugh, 1997, p. 103) through its 'network of parish-based social programs' (Cavanaugh, 1997, p. 264; cf. 272), was in 2018 'expelled from the priesthood by Pope Francis after being found guilty of sexual abuse' (Esteves, 2018). A more adequate political theology would need to account not only for how the church ought to resist dictatorships. It would also need to take into account the interpenetration of church and World, as seen by the continuing presence of sin among members of the church such as Cristián Precht, and why God therefore continues to provide political authority in the *saeculum*. We need political authority to establish and oversee judicial institutions that can effectively condemn wrongdoing and deter further wrong from being done. Unfortunately, Hauerwas and Cavanaugh cannot offer a theological rationale for God's provision of political authority to secure these goods.

The problems with Hauerwas' and Cavanaugh's notion of political authority have now been discussed at sufficient length to demonstrate the need to shift to different interlocutors in the subsequent chapters. It should also be clear that my constructive proposal will need to avoid making the same mistake of a one-sided focus on

ecclesiology that neglects to propose a truly theological account, based on scripture, of political authority and of the state.

2.5.3 The church as a contrast society

The problems created by their pacifist vision of Christians' role in society should tell us that the inadequacies identified in the previous section are closely connected with the ecclesiology that Hauerwas and Cavanaugh employ. Their understanding of the nature and purpose of the church, especially by referring to the church-World division, affects their discussions of the church's stance towards political authority. My main criticism in this section is directed to their misplaced emphasis on the church being a contrast society, which mistakes theological and ethical integrity with distinctiveness from surrounding society. Looking more closely at Cavanaugh, I also want to observe the various ways in which crucial elements of a sound ecclesiology become sidelined or overlooked in his ecclesiology under the pressure of his almost exclusive focus on a single sacrament: the Eucharist.

My assessment of their ecclesiology follows a path already taken by Bernd Wannenwetsch, who wrote:

The impatient insistence that the church should relate to the public, all too hastily ignores the critical dimension of the church's life in the sense of a counter-society; but, similarly, the contrast motif is in danger of overlooking the constructive dimension in this counter-society (Wannenwetsch, 2004, p. 246).

As the first half of that quotation indicates, Wannenwetsch rightly accepts Hauerwas' and Cavanaugh's concerns about how the church in the past has interacted with the public sphere. To be clear, Hauerwas and Cavanaugh are not criticising such interaction itself; if they were, then the sectarian charge would be true. Instead, as Biggar has written, Hauerwas is indeed 'interested in having the

church shape society-at-large – *albeit in a fashion that is true to its own norms*' (Biggar, 2000, pp. 143-144; emphasis added). Hauerwas and Cavanaugh offer us powerful reasons for the church to 'concentrate on thinking and living its own story, instead of squandering itself in merely repeating in religious tones the moral platitudes that the world already takes quite for granted' (idem, p. 143), because thinking and living its own story is the best way for the church to contribute to public life. Hauerwas and Cavanaugh were right also to criticise Niebuhr and Thomistic natural law theory because the methodology in both can have the result 'that theological convictions about Jesus are not [considered] directly relevant to concrete ethical analysis' (Hauerwas, 1983b, p. 55), which in turn marginalises the direct political significance or relevance of the church. Therefore I am mostly in agreement with the criticism Hauerwas and Cavanaugh direct towards political theologies that distract the church from being 'a communal enactment of an alternative 'politics' within history' (Cavanaugh, 1998, p. 8).

However, their arguments frequently move beyond a call for theological integrity by demanding that the church's political practices and activities be distinctive from the surrounding society. In fact, at times the integrity of the church seems to be conflated with its distinctiveness. For example, Hauerwas writes:

the church first serves the world by helping the world to know what it means to be the world. For without a 'contrast model' the world has no way to know or feel the oddness of its dependence on power for survival (Hauerwas, 1981, p. 50).

The language of a 'contrast model' anticipates the biblical scholar Gerhard Lohfink's influential argument that in the writings of the early Christians and '[i]n the Bible the people of God is always understood as a contrast-society' (Lohfink, 1985, p. 122). Curiously, Hauerwas rarely cites Lohfink despite how congenial the

ideas of the latter would be to Hauerwas' project. In Rasmusson's study of Hauerwas' corpus, there is only one instance mentioned in which Hauerwas refers to Lohfink (Rasmusson, 1995, p. 305). Hauerwas' motif of the church not having but rather *being* a social ethic (Hauerwas, 1983b, p. 99), by existing as a society contrasting with the World, is more likely to be drawn from Yoder's thought on the church existing as a distinctive society (Yoder, 1997, p. 17). Cavanaugh, by contrast, directly cites Lohfink several times (Cavanaugh, 1998, p. 245; 2004, pp. 394-395) and endorses Lohfink's claim that the 'church of the martyrs saw itself as a "contrast-society"' (Cavanaugh, 1998, p. 62; cf. Lohfink, 1985, pp. 122-132, 157-163). According to Cavanaugh, the recovery of the Chilean Catholic Church's integrity in relation to the Pinochet regime relied on the church learning that 'the Eucharist is the church's 'counter-politics' to the politics of torture' (Cavanaugh, 1998, p. 205). More recently he has described his vision of a church 'refusing to accept 'the political system' or "the economy" as is' (Cavanaugh, 2016, p. 4), which instead 'gathers people below the level of the state in a performance of communion and solidarity' (idem, p. 117). Just as in his earlier work, Cavanaugh still imagines the church's political role being one which counters, or contrasts with, the political practices of the surrounding society.

The problem with these claims is that it is unclear if the political witness Hauerwas and Cavanaugh want the church to display should *always* be different from the World or from the extant political system, or if that difference is merely dependent on context. In other words, does the integrity of the church's political witness always demand the church to stand apart from the World or from its surrounding society? If the World is considered as all those who in an ultimate, eschatological sense remain outside of the church, then it would be trivially true to

say that the church refers to a different and distinctive community of people. In that sense, one could hardly deny that the church must always be different from the World. But Christian communities sometimes find themselves in a situation in which 'their cultural environment has either borne their imprint or seen universal moral reality straight' (Biggar, 2011b, p. 9). Would the call for ecclesial distinctiveness be softened in such a situation? One could agree by replying that since Hauerwas and Cavanaugh are explicitly responding to particular contexts, such as contemporary America or Chile under Pinochet, then their focus on ecclesial distinctiveness must also be context dependent. As Biggar notes (2000, p. 142), Hauerwas makes a revealing admission of the difference his American context makes to his thought when remarking on how O'Donovan's work may be misunderstood by Americans:

If heard in places like Britain or Europe (or even Canada or Australia), where Christianity is more or less perceived by many as a curious but largely antiquated cultural oddity, ... in such contexts a hopeful reminder [by O'Donovan's work] of God's ultimate conquest of ungodly powers is salutary. ... But for Christians in America, who see themselves very much in control ... what is most helpful, indeed necessary, is [instead] a reminder that they too, even in America, continue to live in exile (Hauerwas & Fodor, 1998, p. 50).²⁰

One could therefore argue that Hauerwas and Cavanaugh shape their thought as Americans to respond to 'a society where it is blithely assumed that the dominant moral and political norms are Christian, in spite of the fact that these are understood in rigorously secularist terms' (Biggar, 2000, p. 144). Yet it is far from clear that Cavanaugh intends for his work to be about just an American or Chilean context. The Pinochet regime's use of torture seems to him to disclose a truth about all modern states:

²⁰ In an interview Hauerwas has also noted that his concerns for ecclesial distinctiveness arose from his reaction against the education he received in an establishmentarian tradition at Yale (Hauerwas & Huebner, 1999, pp. 393-394).

torture is homologous with the modern state's project of usurping powers and responsibilities which formerly resided in the diffuse local bodies of medieval society and establishing a direct relationship between the state and the individual (Cavanaugh, 1998, p. 3).

Seeing all states through the prism of Pinochet, even if his regime were being presented as the most extreme manifestation of what all modern states could potentially become, seems to imply that the church should always stand apart and against the (modern?) state, no matter what state it may be. This leaves Cavanaugh unable to offer counsel for those (necessarily) ad hoc contexts in which the surrounding society is not completely hostile or inimical to the Christian communities because 'their cultural environment has either borne their imprint or seen universal moral reality straight' (Biggar, 2011b, p. 9). It is undeniable that such contexts do exist. There are degrees of vice and disorder in any society and, while there will always be reasonable disagreement over how one evaluates a society overall, surely Christians should be grateful if they find that there is a degree of overlap between the moral norms of their faith and the consensus of wider society. Would Christians not prefer to live in a society in which there is as great a degree of overlap between the two as possible? And yet, Hauerwas and Cavanaugh can give us little advice on how to seize the missional opportunities given by such moments of overlap, whether they be the result of Christian evangelization in previous centuries or from another cause. In other words, their pursuit of ecclesial distinctiveness makes it difficult for them to say how the church should maintain its integrity when it does not find itself to be a solitary voice of protest, but rather part of a chorus of voices.

More importantly, their attention to the church's need to distinguish itself from the World has meant they are inattentive to how the integrity of the church

influences wider society after the initial moment of confrontation. If the church's voice can contribute to society, what should Christians do once people start listening?

Wannenwetsch writes:

the contrast motif is in danger of overlooking the *constructive* dimension in this counter-society. Important though the critically illuminative effect of this contrast may be for society, by allowing it to perceive the limits and deformations of its public, the church's ministry to the public of state and society must not be restricted to this. If talk about the counter-society is confined simply to holding up the picture of the church's *societas* to the secular society, this reduction would limit the church's existence to the criticism which makes people aware of something, criticism which is merely able to show the world what it can never become. ... But must seeking the good of the city not also include the question of how the *counter-mode* can be perceived as a mode of *encounter* too? (Wannenwetsch, 2004, p. 246; original emphasis).

Hauerwas and Cavanaugh do not attend to the fact that the church 'should not stop at the point of contrasting its own vision with real existing political life, but enter it practically' (Wannenwetsch, 1996, p. 277), not to engage in a power-play, but rather to enter 'a struggle *for the sake of politics*, for the sake of the true form of the political ... [i.e.] by joining the game "and playing according to other rules"' (ibid; original emphasis). They might reply that it is not the duty of the church to ensure that its witness is influential; in fact, concerning itself about the effectiveness of its witness has often distorted the church's priorities. Further, they may argue, the demand for effectiveness or influence does not correspond to Christ's example: 'Jesus was so faithful to the enemy-love of God that it cost him all his effectiveness; he gave up every handle on history' (Yoder, 1994, p. 233). From the Book of Revelation we must learn that 'the key to the obedience of God's people is not their effectiveness but their patience' (idem, p. 232). While I agree that Christian faithfulness depends on our exercise of patience and trust in providence, and not on gaining influence or on an easily discernible measure of effectiveness, this does not preclude the possibility

of situations arising in which the faithful obedience of Christians in a missional context succeeds in making disciples. In brief, then, the problem with Cavanaugh and Hauerwas is that their emphasis on the church's distinctiveness means that they can offer little guidance on what the church ought to do in contexts where the integrity of its mission and witness receives a sympathetic and attentive response from the surrounding society.

As for the rest of my criticisms, I shall concentrate on Cavanaugh alone. Since it is undeniable that ecclesiology is an area where the differences between Catholic and Protestant become particularly stark, it would hardly be fair of me to criticise Hauerwas, a Methodist (or more recently perhaps an Episcopalian) theologian, for not conforming to a Roman Catholic ecclesiology. But Cavanaugh's Catholicism makes it appropriate to consider whether his writings about the church reflect what would be considered an orthodox ecclesiology according to his own tradition. My argument will be that crucial elements of a sound ecclesiology become sidelined or overlooked by his focus on the Eucharist. I do not mean to make an argument from silence by claiming that he does not deem important what he does not choose to mention. Rather my argument is to identify the limitations of an ecclesiology that concentrates on one of the sacraments in almost complete isolation from the others. This further serves the purpose of this chapter, which is to explain not only why I will be leaving Hauerwas and Cavanaugh behind, but also to identify the mistakes I must avoid making in the constructive work of Part Three.

Cavanaugh's ecclesiology is heavily informed by de Lubac's studies in historical and systematic theology. By studying Patristic and early mediaeval writings about the Eucharist, de Lubac found that

drawing on the Pauline images of the body of Christ, [the writers from these periods] spoke of a threefold distinction of Christ's body: (1) the historical body, meaning the physical body of Jesus of Nazareth, (2) the sacramental body, or Christ as present in the Eucharistic elements, and (3) the ecclesial body, that is, the church. The *corpus mysticum* was identified with the sacramental body, and the *corpus verum* with the church. However, around the twelfth century, as Henri de Lubac's important study *Corpus Mysticum* shows, there is an inversion of meaning. In subsequent centuries, the altar would be the site of Christ's *corpus verum*, his true and knowable body, and the church would be his *corpus mysticum* (Cavanaugh, 1998, p. 212).

The consequence of the inversion is a greater concentration on the real presence of Christ in the Eucharist, at the cost of giving less attention to the church being built up by the visible and 'communal performance of the sacrament' (idem, p. 213), leaving the church instead 'relegated to the 'mystical,' the hidden, that which will only be realized outside time' (ibid). De Lubac's concern about this inversion in Latin theology was specifically regarding 'its tendency to reduce the Eucharist to a mere spectacle for the laity' (ibid), a miraculous thing to be seen rather than an action by which one is incorporated into a new community (Pickstock, 1998, p. 159).

As sacramental presence was emphasized, eucharistic devotion became more individualized, and the process of binding people one to another was left to the state, the new form of social integration that would eventually mark the passage from the medieval to the modern (Cavanaugh, 2016, pp. 116-117).

According to Cavanaugh, de Lubac

thought that the inability of many Catholics to resist the fascism of the Vichy regime was based on the individualism of their sacramental piety and the separation of the natural from the supernatural that was encouraged by neoscholasticism but has its roots in the medieval separation of the mystical from the real (idem, p. 117).

'Although de Lubac never worked it out in a systematic way' (ibid), Cavanaugh argues there are 'important implications for political theology' (Cavanaugh, 2014, p. 398) that can be developed by building on de Lubac's revival of the older understanding of the Eucharist as an action creating a social body. How Cavanaugh

does this has already been described earlier: if the Eucharist makes the church, then the Eucharist creates 'a type of social action that both finds its transcendent source above the state and gathers people below the level of the state in a performance of communion and solidarity' (Cavanaugh, 2016, p. 117).

Cavanaugh's partial reliance on de Lubac, however, exposes certain weaknesses in Cavanaugh's ecclesiology. 'Unlike some commentators, de Lubac did not regard this development [in the language of Latin theology] as sinister' (Nichols, 2013, p. 103) and he 'believed the doctrines involved to have remained stable under the—nonetheless striking—mutation of vocabulary' (ibid). Cavanaugh does concede that '[i]n documenting this historical inversion, de Lubac by no means sought to cast doubt on the real presence of Christ in the elements or the doctrine of transubstantiation' (Cavanaugh, 1998, p. 213). Yet Nichols goes further to distance de Lubac from his readers:

His is not a systematically Eucharistic ecclesiology: he does not claim that the total shape of the church can be read off from the Eucharistic celebration. Not everything that is true in ecclesiology can be inferred from the sacrament of the Eucharist. Though he liked and used the formula 'The Eucharist makes the church', he did not think the field of application of this maxim unbounded. ... the church comes to a focus in the Holy Eucharist—but not only there. The church is also focussed in the saint (Nichols, 2013, p. 105; cf. de Lubac, 1969, p. 5).

More specifically, 'when de Lubac turned to deal with the apostolicity of the church as found in a succession of ministers, he did not regard the episcopate ... as deriving from her Eucharistic life' (Nichols, 2013, p. 106). While the ministerial priesthood of some exists to serve the royal priesthood of all the baptised (de Lubac, 1956, pp. 93-98) de Lubac denies that the former 'is a sort of emanation from the community of the faithful; for it is a power received from Christ' (idem, p. 98). At the Eucharist 'the celebrant speaks in the name of the whole Christian community ... to

use the compact formulas of St. Thomas—he prays and offers “in persona omnium” but consecrates “in persona Christi” (idem, p. 100). Hence the ministerial priesthood 'enjoys a certain priority vis-à-vis the Eucharistic community' (Nichols, 2013, p. 106) without which there could be no Eucharist, and in virtue of which de Lubac can reverse his maxim and write that 'the church produces the Eucharist' (de Lubac, 1956, p. 92).

Cavanaugh, by contrast, concentrates on the Eucharist's creation of a community that is truly united, through communion with Christ, and truly catholic or universal because it 'transgresses national boundaries and redefines who our fellow-citizens are' (Cavanaugh, 2002, p. 50) by giving a foretaste of 'the eschatological divisions between Jew and Greek – and all other natural and social divisions' (idem, pp. 50-51). Yet in his work there is a total neglect of the church's apostolicity, and comparatively little can be found about the indispensable action of the ministry derived from the apostles in the Eucharistic action. A rare exception is his discussion of excommunication as an exercise of Eucharistic discipline by the one who presides over it, i.e. the bishop. While he is correct to point out that, according to Vatican II (*LG*, 1975, pp. 360-361, n. 10), 'the laity participate in the offering of the Eucharist' (Cavanaugh, 1998, p. 249), he omits to mention that *LG* also teaches that the celebrant and laity participate in its offering in different ways. Only the ministerial priest 'forms and rules the priestly people; in the person of Christ he effects the eucharistic sacrifice and offers it to God in the name of all the people' (*LG*, 1975, p. 361, n. 10). A potential response might be as follows: given that Cavanaugh wants to address a broad audience of 'all Christians' (Cavanaugh, 1998, p. 14), and given the more limited focus of his book (which does not require presenting a complete

ecclesiology), he has no need to dwell on the role of the presiding presbyter or bishop. I would accept this response, but argue that it raises questions about what other areas of ecclesiology he has left out by an exclusive focus on the Eucharist. Do those neglected areas not merit consideration in political theology? My argument in subsequent chapters will be that a broader consideration of the sacraments in the Catholic tradition is needed for a more complete account of how the church builds the eschatological society.

Cavanaugh has himself argued (again drawing on de Lubac) that because 'we live in the between time, straining forward to what lies ahead' (Cavanaugh, 2020, p. 520) we need the sacraments as 'anticipations of eternity in the material reality of temporal existence' (ibid). Since the church is made by the performance of the Eucharist, the church can be understood in temporal, rather than spatial, terms; it is 'an anticipation of the reconciliation of the world, but not complete until the tension between the two times is resolved' (idem, p. 521). Since at least the Second Council of Lyons in 1274 the Roman Catholic tradition has recognised seven sacraments (Neusner & Dupuis, 1982, p. 19). So why does Cavanaugh not consider six out of the seven? Why does Cavanaugh never consider baptism, one of the few sacraments practised and valued in nearly all Christian traditions, in his political theology? My earlier remarks have already clarified that the purpose and importance of the sacrament of ordination do not feature in Cavanaugh's work. Confirmation is, according to Aquinas, the sacrament in which each Christian receives the fulness of the Spirit's strength, so that he or she has 'the power of publicly confessing in words

his [sic] faith in Christ' (Hamer, 1964, p. 137).²¹ The times and places in which lay people should profess their faith before others surely merit consideration by political theologians. In contrast to Cavanaugh's silence on marriage, Hauerwas has written in several places about why 'marriage (as well as the family) stands as one of the central institutions of the political reality of the church' (Hauerwas, 1981, p. 191) and how 'practices such as singleness and marriage cannot help being subversive to the politics of liberalism and the correlative state powers' (Hauerwas, 1999, p. 118). Meanwhile both theologians have underappreciated the role of the sacraments of auricular confession and anointing of the sick in the church's participation, by repentance and patience, in Christ's triumph over sickness and sin.

I see several possible reasons for Cavanaugh's exclusive focus on the Eucharist. The first is that it is the sacrament most easily conceivable according to Hauerwas' Aristotelian-MacIntyrean notion of virtuous-habit-forming 'practices that constitute the church as a community across time' (Hauerwas, 1995, p. 58). The kind of habituation that reinforces a virtue demands repetition. In contrast, marriage, confirmation, baptism, and ordination cannot be repeated but only conferred once. The Eucharist is the only sacrament that ought to be repeated every day; hence it is the only sacrament that Cavanaugh can construe as one of the church's 'body/soul disciplines meant to produce actions, practices, habits that are visible in the world' (Cavanaugh, 1998, p. 197). This may tell us why O'Donovan questioned using the term practices too loosely by 'conflating the Aristotelian theory of the virtues with such distinctly ecclesiastical ceremonies as the celebration of the sacraments' (O'Donovan, 2005, p. 266).

²¹ Germain Grisez also presents as uncontroversial the doctrine that 'confirmation consecrates the Christian for living and speaking as a witness to Jesus' (Grisez, 1983, p. 753).

Cavanaugh's focus on the Eucharist is also caused by his desire to delineate the church by its bodily practices and disciplines. There is much that is true in this instinct. The sacraments give visible and corporate form to the community created at Pentecost. Without them, we would fall into the mistake of imagining the church to be in essence an invisible, interior, or 'mystical' bond between its members. Yet sacraments by themselves are unintelligible without preaching and the verbal proclamation of the Gospel, the *kerygma*. Proclamation ensures that the sacraments are distinguishable from the rites of passage that exist in many different cultures and from rituals of magic or theurgy, *pace* John Milbank (Milbank, 2009, p. 78). Sacraments need proclamation because the bodily response they call for needs to be made with faith, by which the Christian believes the Spirit is acting through the words and actions of the sacramental rite to conform the recipient to Christ. Faith is a necessary condition for bodily participation to lead to 'the personal encounter with Christ and the decision for Christ that take place in every sacrament' (Balthasar, 2009, p. 563).

Indeed, the absence of any consideration of preaching in Cavanaugh's work means that the uninformed reader of his work may be forgiven for getting the impression that the Eucharist is nothing other than receiving communion, without any preceding confession of sins, profession of faith, or hearing of scripture and preaching. However, in the Catholic tradition, the sacraments and the proclamation of the Word, by reading and preaching scripture, are inseparable. 'The word of God is always somehow sacramental, for it symbolically makes God present, and the sacrament, which is the symbol of God's real presence in the assembly, never comes to pass without the word of proclamation' (Dulles, 1987, p. 172). Or, as another

Catholic theologian put it, 'every sacrament is a *verbum visibile*, a word made visible, and every sacrament also essentially implies *verba sacramentalia*, the sacred words which give to the sacred action itself not only its meaning but its own inner reality' (Bouyer, 1956, p. 29).²² Therefore, although Cavanaugh is right to see the Eucharist as 'an action that organizes individual bodies into a body that is both "social" and "political"' (Cavanaugh, 2020, p. 523), yet that social body is also gathered by the proclamation and preaching of the Word. This reflects the origins of the term *ekklesia*. Although *ekklesia* bears the connotations of its use by contemporaries to refer to local political assemblies (de la Soujeole, 2014, p. 352; van Kooten, 2012, pp. 535-539), the New Testament's authors could not have been ignorant of the Septuagint's use of *ekklesia* to translate the Hebrew term *qâhâl* (קָהָל). Used to describe the assemblies convoked before entering the Promised Land (e.g. Dt 4:10; 31:30), at 'the dedication of the Temple by Solomon (1 Kg 8) and at the time of the restoration of the Temple after the exile (Neh 8; Ezr 3)' (de la Soujeole, 2014, p. 350), *qâhâl* meant the gathering of God's people by the convocation of his Word for the purpose of hearing the Word, ending with the conclusion or renewal of a covenant by sacrifice (de la Soujeole, 2014, pp. 350-351; Bouyer, 1956, pp. 23-25).

Neglecting the central role of the Word also leads Cavanaugh to neglect the authority of those with the ministry of preaching. By this I mean, in addition to a neglect of apostolicity and the sacrament of ordination as mentioned above, the more general question of why there needs to be authority exercised within the church.

²² The 'close interrelation in the Christian liturgy between speaking and doing' (Bouyer, 1956, p. 29) means, as Bouyer audaciously writes, that Christian liturgy is 'fundamentally a liturgy of the Word' (ibid). Cf. O'Donovan's similar description of sacraments as 'performance shaped by the interpreting word, word embodied in performance' (O'Donovan, 1996, p. 173).

Hauerwas is frequently found pointing to the importance of authority; but when a general account of it is called for, which would imply some rendering of the authority of the state, he shies away from the task (O'Donovan, 1994, p. xix).

Cavanaugh, by contrast, has nothing to compare even with Hauerwas' brief discussions (drawing on Yves Simon) of the authority of scripture and of God in the church (Hauerwas, 1981, pp. 60-64, 83-86) because Cavanaugh never explores the notion of authority at all. Therefore, O'Donovan's criticism of Hauerwas applies even more to Cavanaugh: the failure to give an account of ecclesial authority is tied to his failure to give a positive, theological account of political authority and of what authority is for in general. This criticism can be connected with the one from the previous paragraph. Neglecting ecclesial authority and the Word means Cavanaugh also neglects the need for the church to reveal its unity not only by sacramental communion but also by confessing a common creed, which calls for obedience towards those whose ministry it is to 'teach what is consistent with sound doctrine' (Titus 2:1; NRSV). Unfortunately, limitations of space in Part Three will prevent me from discussing why it is essential for the church, as a *sui generis* political society, to confess a common faith and to be able to define its creed authoritatively and without interference. I will, however, give some indications of how such an argument could be made in the conclusion at the end of the thesis.

2.5.4 Conclusion

Chapter 2.5 has enumerated a number of problems with the conception of political authority and ecclesiology in the political theology of Hauerwas and Cavanaugh for two purposes: firstly, to explain why they will be replaced by other major interlocutors in Part Three and secondly, to present problems and mistakes that I will need to avoid (in addition to the problems identified in the Council's

documents) when proposing my own framework of church-state relations in the following chapters.

In 2.5.2 I criticised Hauerwas and Cavanaugh for an unwillingness to demonstrate the compatibility between the claims they make about political authority from what can reasonably be inferred from scripture. Moreover, their exaggerated claims about the evils of the modern state, combined with a commitment to pacifism, mean that they want little to do with the state. Consequently, they seem guilty of hypocrisy by wanting to avoid contributing to the effective governance of their country to keep their hands clean, whilst also benefitting from the public goods provided by others through the state.

In 2.5.3, I criticised them for conflating the need for the church to maintain theological integrity with a desire for the church's belief and practices to be distinctive from the World or wider society. I claimed that this conflation prevents them from discussing how to seize the missional opportunities that come from contexts in which Christians and non-Christians share common political values or concerns. It also prevents them from giving an account of what the church ought to do when it is faced with a society that is not hostile, but rather one that is sympathetic and attentive. I criticised Cavanaugh more specifically for an exclusive focus on the Eucharist in his ecclesiology because it prevents him from considering the other six sacraments practised by the Catholic Church in his ecclesiology. Moreover, his focus on the Eucharist is not balanced by a recognition that the church needs authoritative teaching and preaching of scripture, and unity in confessing the same faith, in order for the church to be the eschatological society called and gathered together by God's Word.

Part Three

Reforming the Catholic Church's Doctrine on Church-State Relations

3.1 Methodological Introduction

This thesis began with the puzzle of discerning what the Catholic Church's teaching on church-state relations really was at Vatican II. I challenged the widespread presumption that the Council tried to change or reject the past teaching of the church, arguing that *DH* was carefully written in such a way that it 'leaves untouched traditional Catholic doctrine on the moral duty of men and societies towards the true religion and towards the one church of Christ' (*DH*, 1966, p. 677, n. 1). However, that traditional doctrine was never presented in the conciliar documents, except for the brief allusion to it in the section just quoted. Instead, as I argued in Part One, the Council chose to change its approach to states at the level of pastoral policy and the evidence of this new pastoral strategy can be seen in the great importance placed by the Council on the lay apostolate as the apt medium through which church and state should meet. Now that the critique in Part Two has exposed the weaknesses in the Council's pastoral strategy and conception of the lay apostolate, the final third of my thesis aims to remedy those weaknesses by proposing an alternative framework by which the Catholic Church ought to be guided in its relations with political authorities. The purpose of the first chapter is to set out the methodological parameters by which I intend to propose this framework.

Russell Hittinger claims in his commentary on *DH* that from '1870 until the end of World War II' (Hittinger, 2008, p. 361) something 'striking' (ibid) became clear:

although the church was equipped on the one hand with philosophical and theological doctrines on the relationship between church and the states (in the abstract), and on the other with an ad hoc diplomatic policy realized via

concordats, the church lacked a middle-level policy that could bring together the speculative and diplomatic poles (ibid).

Building on certain overtures already made in the encyclicals of Pius XII, *DH* was meant, according to Hittinger, to make up for the lack of a middle-level policy, so that while *DH* 'does not eliminate the need for diplomacy, it mitigates the ad hoc policies that so limited the church' (idem, p. 375). *DH* is meant, in other words, to speak in general terms, beyond the church's relations with any particular state authority, but without being so general that it fails to take into account the historical situation in which the church found itself in the 1960s.²³ The abstractness of how church-state relations were understood in papal teachings in the nineteenth century until the 1930s seemed to be guilty of being too removed from the historical situation. As described earlier in chapter 1.2, at that time papal teachings would simply juxtapose the universal ideal of church establishment with the various *modus vivendi* arrangements that must be reached in less than ideal situations (e.g. in countries where Catholics are in the minority or where political recognition of the Catholic Church would threaten civil unrest). Trying to make sense of the church's current situation by a simple juxtaposition of ideal and pragmatic reality seemed to overlook two things. It overlooked the role of particular historical circumstances (such as the Edict of Milan and conversion of Constantine) in making the close union of church and lay rulers come to be seen as a desirable state of affairs by Christians.²⁴

²³ Cf. *DH*'s observations about the growing awareness in our time of human dignity and of the need for freedom from coercion in society (*DH*, 1966, p. 675, n. 1).

²⁴ I am not yet making a judgment as to whether Christendom was 'a *project* of the church's mission, either as an end in itself or as a means to the further missionary end' (O'Donovan, 1996, p. 195; original emphasis), as Hauerwas believes it was (Hauerwas, 1999, pp. 38-39), or if Christendom was instead a response on the part of converted rulers to the Church's mission, as O'Donovan claims (cf. O'Donovan, 1996, pp. 195, 215-217). My point is rather that the close union of the Church with political leaders cannot plausibly be claimed to have always been the ideal arrangement since the

Moreover, failing to attend to those preceding historical circumstances meant that it was difficult for papal theology to account for why it had become so difficult to achieve the ideal of establishment when the political upheavals in the eighteenth and nineteenth centuries gave birth to regimes either hostile or indifferent to the church.

I mention Hittinger's way of defining *DH*'s purpose not to agree or disagree with it but to use it to define what I intend to do in the following chapters. Similarly to *DH*, my concern is not with the entirely abstract or entirely specific, but with the middle-level theological convictions that ought to guide how the Catholic Church's clergy and laity should act in relation to political authorities in our time. Hence, I am not concerned with the Vatican's current or potential diplomatic relations with any particular sovereign state or international body. Since theological reasoning is always carried out by someone somewhere, I cannot deny that I am thinking about this problem in a given context and that my perspective is affected by contemporary political authorities. This does not mean that I am making the alleged mistake of some contextual theologians, who would treat ideas in historicist fashion as though they could tell us only what was true for their context, or as if they were the inevitable product of their context.²⁵ However, I equally wish to avoid trying to elaborate an ahistorical ideal of how church and state should be related at any point in time and anywhere, regardless of changing circumstances. Talking about church

apostolic era, but that its growing desirability was intertwined with the development of contingent historical events.

²⁵ See, for example, O'Donovan's criticisms of perhaps the most well-known example of contextual theology, namely Latin American liberation theology, for 'its dependence on historicist idealism' (O'Donovan, 2007, p. 271). I am here echoing O'Donovan's more general opposition to inflated claims about the importance of context: 'The 'political hermeneutic' is discovered and explored in a particular context of discipleship; yet it does not belong only to that context, nor is it the context that imposes it in the first place. It belongs to the Scriptures and is imposed by the exercise of reading the Scriptures.' (O'Donovan, 1996, pp. 21-22) Elsewhere I have identified and explained my reasons for rejecting the same pattern of thinking among certain Muslim contextual and liberation theologians, cf. (Ciftci, 2018).

and state at such a remove from history tends to subsume the church into the category of 'religion' or 'religion sensibilities' and then treats the distinction between our religious and political loyalties as a universal fact about the human condition. John Courtney Murray committed this mistake in his later writings at the time of the Council when the dyarchy of church and state 'became civil societies and religious communities' (Hoopers, 1993, p. 25) or were 'formulated as the realms of the sacred and the secular' (idem, p. 34). Maritain's distinction between our yearning for transcendent religious values as persons, and our membership of social and political communities as individuals, is another example of the same mistake (Maritain, 1931; 1935; Smith, 1995, pp. 6-37). I wish to avoid taking that route because using the term 'religion' to refer to Christianity, as one instance among many of interior beliefs and practices relating to something divine or sacred, is of dubious validity, as I argued in section five of chapter 2.3. More importantly, whereas the earthly political community appears to be the product of our natural need for sociality and authority, the church originates rather more obviously in a particular time and place in history and continues encountering political communities and identities in various territories until the eschaton, when the need for the church's sacraments will come to an end. The vis-à-vis of church and state only occurs between those two points in time between Christ's first and second comings, and any discussion of church-state relations must attend to this particular period of time, instead of treating church-state relations as an instance of a universal and perennial conflict between 'religion' and 'politics'. I shall refer to the specific period for church-state relations as the *saeculum*. In using the term in this way, I acknowledge my debt to contemporary Augustinians who have reminded us that for Augustine and his mediaeval followers,

the *saeculum* 'was not a space, a domain, but a time' (Milbank, 2006, p. 9), 'the whole stretch of time in which the two cities are inextricably intertwined' (Markus, 1988, p. 133). But it is also important to note that Augustine in some of his writings divided that entire stretch of time into

six ages of historical time: the first period runs from Adam to Noah; the second, from Noah to Abraham; the third, from Abraham to David; the fourth, from David to the Babylonian captivity; the fifth, from the captivity in Babylon to the coming of Christ; the sixth, from the incarnation till the end of the world (Quinn, 1992, p. 219).

Therefore, I shall use *saeculum* slightly differently from Markus and Milbank by using it to refer specifically to the last age, that is, 'the sixth, the *senescens saeculum*' (Voegelin, 1997, p. 212) that lasts between the Advent of Christ and his Parousia. Choosing a narrower definition of *saeculum* ensures that we do not lose sight of the decisive alteration that was made to how we should relate to political authorities by 'the mighty Christ-event' (Cullmann, 1962, p. 86). Cullmann famously compared Christ's first and second comings to D-Day and V-Day.

The decisive battle in a way may already have occurred in a relatively early stage of the war, and yet the war still continues. Although the decisive effect of that battle is perhaps not recognized by all, it nevertheless already means victory. But the war must still be carried on for an undefined time, until 'Victory Day.' Precisely this is the situation of which the New Testament is conscious, as a result of the recognition of the new division of time; the revelation consists precisely in the fact of the proclamation that *that event on the cross, together with the resurrection which followed, was the already concluded decisive battle* [sic] (idem, p. 84; original emphasis; cf. p. xix).

We shall return to Cullmann in the second chapter when I argue that O'Donovan's political theology has been influenced by Cullmann's eschatology and conception of history. I do not wish to anticipate that argument here, but instead to specify further the timeframe within which my discussion of church-state relations is situated. We

must draw attention to a particular era of history within the *saeculum* (as I have defined it) that now lies behind us and that cannot be ignored in any theological discussion of church-state relations. We are living, in other words, after Christendom. I shall adopt the two moments O'Donovan chooses to mark roughly the beginning and end of Christendom: 'AD 313, the date of the Edict of Milan, and 1791, the date of the First Amendment to the US Constitution, though these moments are symbolic only, and others could no doubt be found that would do as well' (O'Donovan, 1996, p. 195). Christendom can be defined as 'the idea of a confessionally Christian government' (ibid) and 'the history of that idea in practice' (ibid). Referring to the beginning, end, and enduring legacy of Christendom in Part Three will require me to propose a framework of church-state attentive to the differences of place. As I mentioned earlier, I want to speak generally about how the Catholic Church should act in relation to *any* political authorities in our time. Nonetheless, my proposal will also be mindful of the differences between political authorities that have no history of belonging to Christendom (such as the People's Republic of China), and political authorities that do have an historic connection to Christendom, with varying degrees of repudiation of it in the present (such as France and the United Kingdom). Those differences entail different priorities for the church. For instance, in England there may occur the issue of whether and when there is a missionary purpose for the church to defend the institutional and symbolic remnants of Christendom in the forms, for example, of Christian worship in schools, the appointment of Bishops to the House of Lords, and the coronation rite.²⁶ By contrast, no such remnants exist in

²⁶ Framing my discussion of Christendom's remnants in terms of the Church's missionary purposes makes my argument different from the defences of Anglican establishment made by Nigel Biggar. His

China and the priorities of the Catholic Church in such a country should reflect the difference in its situation.

Having clarified the scope of my proposed framework by time and place, I need now to remark briefly on why I see Part Three to be not a polemical repudiation of Vatican II, but rather a constructive response building on what the Council itself was doing to improve the pastoral and missionary practices of the church. As I mentioned earlier in chapter 2.1, the documents of Vatican II were enriched by the 'various currents of *ressourcement* theology, [that were] concerned to rediscover forgotten or neglected dimensions of the great tradition found in the scriptures, the Fathers of the church, and the liturgy' (O'Collins, 2011, p. 372). Many of the theologians associated with the *ressourcement* movement 'became *periti* or expert-consultants who collaborated closely with the bishops in producing the conciliar texts' (ibid). The *ressourcement* movement's influence can be seen not only in the biblical and Patristic texts and themes incorporated into the documents; its influence can also be seen in the statements made in some of the documents that explicitly recommend renewing the church by returning to the sources of its belief and practice. The decrees on the reform of consecrated religious life (*Perfectae Caritatis*), seminary education (*Optatam Totius*), and priestly ministry (*Presbyterorum Ordinis*) all refer to the crucial need for 'a continual return to the sources of the whole Christian life' (*Perfectae Caritatis*, n. 2; translation from O'Collins, 2011, p. 373).

Without ignoring other sources that should be retrieved (liturgical sources, the writing of the Fathers and Doctors of the church, and, in particular, 'the spiritual riches of the Eastern Fathers'), the conciliar documents repeatedly stressed the need to return to the scriptures, the pre-eminent source for Christian faith and

life (O'Collins, 2011, p. 374, with an internal quotation from *Unitatis Redintegratio*, n. 15).

I argued in an earlier chapter (2.1) that *ressourcement* theology can be credited for the progress made by the Council to overcome the 'clericalism, juridicism, and triumphalism' (Dulles, 1987, p. 39) of pre-conciliar ecclesiology. Nevertheless, as Part Two's critique showed, there was no such renewal or enrichment to how the state and the laity's responsibilities vis-à-vis the state were conceived before the Council, which was instead in substance embraced by the Council. It is clear, therefore, that the *ressourcement* movement remains incomplete because although there was a return to the sources to enrich various other areas of doctrine, there has been no comparable return to the sources to understand political authority and the church's appropriate relationship to it.²⁷ Part Three of my thesis is meant to suggest how this overlooked task should be carried out, thereby furthering the *ressourcement* project in an original way. Moreover, since Vatican II's documents explicitly endorse the method of returning to the sources, Part Three's method of first interpreting scripture, and then examining Patristic and mediaeval Christian political thought, follows the method endorsed by the Council itself for the renewal of the church's belief and practice.

Finally, my method also follows a new approach to ecumenism, whilst making an original contribution to it. 'Receptive ecumenism' (as it has been called) has its origins in two conferences organised in Durham in 2006 and 2009 (Pizzey, 2019, pp.

²⁷ See (O'Collins, 2011) for further discussion of the *ressourcement* movement's role at Vatican II for 'the transformation of Catholic doctrine (1) on revelation through *Dei Verbum*, (2) on the church through *Lumen Gentium*, and (3) on divine revelation made to all human beings through *Ad Gentes*' (ibid, p. 378).

21-22). The Catholic theologian Paul Murray has been the driving force behind it and, according to him, the need for a new initiative stems from the fact that

the urgent hope for foreseeable structural unity—the mainstay of so much committed ecumenical activity from the late 1960s, throughout the 1970s and even into the 1980s—appears to have run out of steam (Murray, 2008, p. 9).

Since the goal of full visible unity between Christians 'in the short-medium term is simply unrealistic' (ibid) receptive ecumenism is meant to be a way for ecumenism not to abandon but 'to live *now* oriented upon such goals' (idem, p. 12; original emphasis). It proposes

to place at the forefront of the Christian ecumenical agenda the self-critical question, 'What, in any given situation, can one's own tradition appropriately learn with integrity from other traditions?' and, moreover, to ask this question without insisting, although certainly hoping, that these other traditions are also asking themselves the same question (ibid).

'As [a] necessary complement, then, to the important work of conceptual and grammatical clarification' (idem, p. 14) pursued in more typical forms of ecumenical dialogue, the hope of receptive ecumenism is that learning from other traditions will have a transforming effect. The result could be to

give rise to contexts in which issues of apparently irreconcilable difference ... become genuinely navigable as all grow with creative integrity but non-linearly beyond the present impasse (ibid).

Receptive ecumenism raises concerns about how to preserve the integrity of one's own tradition when learning from another tradition, and Paul Murray's own argument for receptive ecumenism draws on American pragmatists, such as Richard Rorty, and on the need, he claims, for theology to adapt to our 'pluralist, postfoundationalist, postmodern context' (Murray, 2006, p. 163). However, one need

not share Murray's interest in pragmatism or his vision of a postfoundationalist theology to accept that there is a *prima facie* plausibility to receptive ecumenism's proposed strategy, especially if it is controlled by a joint effort to understand and interpret texts or practices authoritative for both traditions. Part Three will be an example of receptive ecumenism, since the political theologians and biblical scholars I shall engage with are almost all Protestants: Hendrikus Berkhof (Dutch Reformed), Marva Dawn and Oscar Cullmann (Lutheran), and Oliver O'Donovan (Evangelical Anglican). Concentrating on what they can tell us about scripture and the history of its interpretation in the crucial era of the church Fathers will enable my argument to unite the *ressourcement* approach with receptive ecumenism.²⁸

Ecumenical theology, regardless of its method, has tended to focus on areas of doctrinal disagreement. The agreed statements produced by the Anglican-Roman Catholic International Commission are representative of this tendency, having covered areas of historic doctrinal disagreement, such as soteriology, Mariology, and the exercise of authority within the church. There have been, however, no comparable statements made about political matters, such as church-state relations, not even in the statement entitled 'Life in Christ: Morals, Communion and the church' (ARCIC-II, 1993).²⁹ Therefore, by taking up these neglected matters using the approach of receptive ecumenism, I hope my thesis will make an original contribution to the dialogue between Catholic and Protestant political theologians.

²⁸ The books published in the 'Evangelical *Ressourcement*' series, e.g. (Allert, 2007), edited by the Baptist Patristics scholar D.H. Williams, are an example of a similar interest on the part of Evangelicals to enrich their own tradition by learning from the life and thought of the Church Fathers.

²⁹ Although a recent document on ministry released by the Church of England, *Kingdom Calling*, shows a slightly greater willingness, albeit only in passing, to consider the ministry that lay Christians may perform in social and political life (The Faith and Order Commission, 2020, pp. 33-35, 53-54), by drawing on John N. Collins' scholarship on *diakonia* as a form of service commissioned by a higher authority (idem, pp. 44-46). Cf. (Hordern, 2019, pp. 672-676).

My conversation with the distinctly Evangelical Anglican thought of Oliver O'Donovan will be the first substantial engagement from a Catholic perspective with a thinker who has hitherto received only brief and cursory discussion by a handful of Catholic theologians.³⁰

In summary, Part Three will attempt to propose a theological framework to guide church-state relations in the present. It will avoid being too specific with respect to place or too general with respect to time. The framework will be focused on the *saeculum*, meaning the age between the first and second comings of Christ, and it will attend to the differences in church-state relations that follow from some political authorities continuing to bear signs of Christendom's legacy and others that do not. My method of building the framework first by an interpretation of scripture, followed by an examination of how scripture was read by key figures in the history of Christian political thought before and during Christendom, emulates the approach of the *ressourcement* theologians (albeit looking at an issue that they have largely ignored) and is in accordance with how Vatican II itself intended for the church's life and teaching to be renewed. Part Three will articulate this framework in conversation with several non-Catholic theologians, thereby contributing to an initiative known as receptive ecumenism. The originality of Part Three derives from using the approach of *ressourcement* theology and receptive ecumenism to tackle a subject (church-state relations) that ecumenists and *ressourcement* theologians have largely ignored, and

³⁰ The only discussions of Oliver O'Donovan's political theology by Catholic theologians I have found are one journal article (McEvoy, 2007), one chapter by Aidan Nichols (Nichols, 1999, pp. 71-89), a few paragraphs in Douglas Farrow's book on political theology (Farrow, 2015, pp. 14-19, 22, 78), and a few brief remarks and two book reviews by Cavanaugh (Cavanaugh, 2004, pp. 397, 403-405; 2006a; 2006b; 2016, pp. 162-166). Farrow had been drawing on O'Donovan while Farrow was still an Anglican, long before he became Catholic, e.g. (Farrow, 1999, pp. 164, 272). Cavanaugh can reasonably be assumed to have been exposed to O'Donovan's work during his periods of study in non-Catholic institutions (Cambridge and Duke). We may take these as signs that O'Donovan is not well known to many Catholic theologians.

to do so in conversation with Oliver O'Donovan (as well as others) whom theologians from the Catholic tradition have overlooked.

3.2 Powers and Principalities in the New Testament

3.2.1 Introduction

The constructive work to be carried out in Part Three will unfold over three chapters: one for political authority, one for ecclesiology, and finally a chapter bringing together both poles by considering the lessons to be learnt from the historical passage through and beyond Christendom. In this chapter (3.2) I intend to make up for the meagre and inadequate attention given by Vatican II, Hauerwas, and Cavanaugh to what scripture teaches about political authority. To that end, I will first introduce the literature from New Testament scholarship on the Powers, followed by an exposition of O'Donovan's scriptural exegesis of divine and human political authority. The aim will be to show that O'Donovan's exegetical work on Christ's defeat and dethronement of the Powers depends on, without clearly alluding to, the scholarship on the Powers. It is his reliance on that scholarship that explains the connection he discerns in the New Testament between the way it presents political authority and Christ's life, death, resurrection, and ascension (i.e. the paschal mystery). His argument does not convince until his reliance on that scholarly literature is revealed and the exegetical validity of identifying political authority as one of the Powers is defended. Therefore, O'Donovan's argument can be strengthened and made suitable for my purposes by showing why some biblical scholars have included political authorities among the Powers defeated by Christ.

However, O'Donovan has also made an important contribution to that literature on the Powers by situating the paschal mystery within the broader narrative, already begun in the Old Testament, of God's revelation of his kingship in history. His 'threefold analysis of divine rule as salvation, judgment and possession' (O'Donovan, 1996, p. 45), as revealed by the history of the 'unique covenant of Yhwh and Israel' (ibid), gives him 'a framework for exploring the major questions about authority posed by the Western tradition' (ibid). The earlier scholarship had already recognised that the 'Powers are already unmasked and disarmed' (Berkhof, 1977, p. 43) and that 'wherever Christ is preached and believed in, a limit has been set to their working' (ibid). But O'Donovan uses his framework to show that the New Testament presents political authority after Christ's triumph as not only defeated, but also reauthorized with a limited, judicial purpose. O'Donovan's demonstration that 'the conception of a moderate judicial order was shaped by the achievement of Christ's triumph' (O'Donovan, 1996, p. 152) will be an essential element of my constructive proposal. He can show us why Christ's defeat of the Powers does not delegitimize political authority entirely or leave us with only the duty to protest against it. Instead, the re-authorization of political authority within a more limited remit gives us a positive rationale for why God continues to grant us governments in the *saeculum*; the re-authorization also entrusts the church with the mission of announcing to the Powers the circumscription of their authority under obedience to Christ. A sign of the church's mission being the herald of the last times will be the 'apocalyptic division' (idem, p. 153) its mission will create by pushing 'upon the principalities and powers the alternatives of subjection and outright confrontation and defeat' (ibid). Just as the church's mission in the past led at times to recognition of political authority's limited

role in the *saeculum*, 'so the defiant and expansive empire was an eschatological phenomenon, too' (idem, p. 152). I will conclude chapter 3.2 by arguing that the church's relation to political authorities needs to be conceived as being one of mission and indeed a key part of the church's mission to the nations.

3.2.2 Scholarship on the Powers

Just as in certain times certain aspects of the Holy Scriptures speak especially to a given generation, so also certain parts remain completely sealed. This was the case for Paul's doctrine of the Powers. (Berkhof, 1977, p. 15)

In the nineteenth century, interpreters found in Paul's references to the Powers 'the confirmation of a conventional orthodox doctrine about angels and devils' (ibid) or they were 'seen as vestiges of antiquated mythology in Paul's thought' (ibid). Neither approach was likely to make readers pay any great attention to what, for instance, the author of Colossians may have meant in stating that Christ 'disarmed the rulers and authorities and put them to open shame, by triumphing over them in him' (Col 2:15; ESV). The 'trend toward a non-cosmic and subjective conception of Christ's kingdom' (Dawn, 2001, p. 4) in the theology of Schleiermacher, continued in the works of 'Harnack, Troeltsch, Weiss, and Schweitzer' (Dawn, 1992, p. 11), was one of many reasons why German Protestant theologians were disinclined to consider seriously 'the Biblical picture of the cosmic struggle between the demons and the kingdom of the Lord' (Stewart, 1951, p. 292). Catholic theologians suffered more from the former problem of seeing these passages through the lens of conventional doctrine of angels and demons. Especially after Leo XIII's endorsement of Thomism in *Aeterni Patris* (1878), the controversy over modernism under Pius X, and the reaction to the use of historical-critical methods in Pius XII's *Humani generis* (1950), the intellectual climate did not favour disturbing what seemed to be a settled area of

interpretation. That almost all the contributors to this literature were German Protestants meant that few Catholic thinkers engaged with it, especially as they had little involvement in ecumenism until John XXIII's pontificate. The few Catholic theologians who used or contributed to the literature on the Powers were either highly idiosyncratic thinkers, such as Hans Urs von Balthasar,³¹ or were familiar with the literature because they had once been Protestants, such as Heinrich Schlier and Louis Bouyer, both of whom were Lutheran theologians and pastors before becoming Catholics.³² 'As far as I can see, Catholic theologians in modern times have devoted little attention to the 'principalities', perhaps because the biblical scholars themselves have not raised the problem' (Schlier, 1961, p. 8). Unfortunately, Catholic scholars continue to neglect the literature on the Powers. Very little has changed in Catholic theology since Schlier made that complaint in a book originally published in 1958, probably because Catholic social teaching, which according to one Catholic theologian relies much more on Thomistic-Aristotelian philosophy and the natural law (Benestad, 2015, p. 181), continues to dominate how most Catholic thinkers approach political matters.³³ Those Catholic ecclesial ethicists (such as Cavanaugh, Baxter, Bauerschmidt) who do not rely heavily on Catholic social teaching are clearly in the minority among Catholic theologians, and even they do not engage with the literature on the Powers.

The origins of modern scholarship on the Powers could be dated to Martin Dibelius' *Die Geisterwelt im Glauben des Paulus* from 1909, which identified the

³¹ See, for example, the discussion of the Powers in the first volume of *The Glory of the Lord* (Balthasar, 2009, pp. 642-650).

³² For more details about Schlier's conversion and thought, see (Schlier, 1959; Laubach, 1964).

³³ The Center for Catholic and Evangelical Theology's 2014 conference on the Powers was a rare effort by Catholics to engage with the literature. Among the published papers, however, the only one written by a Catholic is an unremarkable essay that argues for a depoliticised reading of Augustine's understanding on the Powers (Pecknold, 2016).

authorities of Romans 13:1 with angel powers (Cullmann, 1956, p. 134) and saw 'Paul's uniqueness in his belief that the Powers were conquered in Christ' (Berkhof, 1977, p. 72). Particularly in the period after World War I and 'especially after the rise of Nazism some theologians began reading these texts with new eyes' (Berkhof, 1977, p. 15). Schlier's article *Mächte und Gewalten im Neuen Testament* in 1930 (idem, pp. 72-73) began a particularly important decade in which the pressure of political events led to several publications on the Powers by Karl Barth (Barth, [1938] 1991) and other German-speaking Protestant theologians.³⁴ I intend, however, to draw on two works published after World War II, Berkhof's close study of Paul, and Cullmann's work on New Testament eschatology. I chose these two because greater distance from the political crises of the war and debating with their critics enabled Berkhof and Cullmann to develop more sophisticated exegetical arguments than the scholars from the 1930s. Marva Dawn's analytic study of the areas of agreement and disagreement between the different scholars of the Powers will not be repeated here but her work will help me, in the limited space I have, to draw together the different theologians' views into a synthesis.

3.2.3 The Powers: Created, fallen, defeated

What are the 'Powers'? I use it as an umbrella term for several words used in the New Testament: '*arché* (ruler) and *archai* (often translated 'principalities'); *exousia* (authority/power); *dunamis* (power); *thronos* (throne); *kuriotēs* (ruling power); *onoma* (name)' (Dawn, 2001, p. 13). Although some scholars disagree (Whiteley, 1974, p. 19; MacGregor, 1954, p. 19), I also intend the 'Powers' to include the terms used by the Gospels to refer to angels and demons (*angeloi* and *daimonian*) and to

³⁴ For details of the other publications, see: (Cullmann, 1957, p. 1; 1962, pp. 205-206).

Satan or the devil. More controversially (as I shall explain) I also include *stoicheia* among the Powers, which are sometimes translated as 'the elementary spirits' (Col 2:8, 20; ESV).³⁵

The terminology of the Powers is not unique to the NT. In 'the Jewish apocalyptic writings of Paul's time and the immediately preceding years ... Jewish thought of the period was deeply interested in angels and their influences on terrestrial events' (Berkhof, 1977, p. 16). Daniel 10:13, 20 'speak of angels who serve as 'princes' over the kingdoms of this world' (ibid), using the same word for princes, *śar* (שַׂר), 'for demonic *and* for earthly rulers' (Cullmann, 1957, p. 68; original emphasis). It would be hard to prove that Paul or any of the other NT authors had borrowed their terminology directly from Jewish apocalyptic writings. Nevertheless, we can assume that these terms, which may (to us) 'sound obtuse and even meaningless, were then clear and significant' (Berkhof, 1977, p. 17), especially because they are used without any explanation or clarification, assuming apparently that a contemporary reader would understand their meaning (Cullmann, 1962, p. 192).

This immediately raises two problems: the problem of the 'hermeneutical gap' (Dawn, 1992, p. 40) that makes it 'difficult to recover the understanding of the biblical writers when they used the terms' (idem, p. 36), and the problem of whether we in our time can still believe in such cosmic or spiritual forces, or if they need to undergo some kind of demythologization. Both problems can be significantly overcome once we appreciate what is unique about how the biblical authors refer to the Powers. 'The Old Testament had already de-mythologised the gods of the pagans into this demonic power of the world' (Balthasar, 2009, p. 646) and Paul similarly

³⁵ For a full list of where these terms are used in the Pauline corpus, see: (Dawn, 1992, p. 40).

declares that 'what pagans sacrifice, they sacrifice to demons and not to God' (1 Cor 10:20; NRSV). Moreover, comparing the NT with 'Jewish apocalyptic writings ... or even Greek popular beliefs' (Schlier, 1961, p. 13) we find that the NT 'not only is much more reserved about them ... but it has also no theoretical or speculative interest in them' (ibid). Unlike the intertestamental book of Enoch, the NT gives no precise description, differentiation, or systematic arrangement of the angels or demons (idem, pp. 13-14). As can be seen by the wide variety of terms mentioned at the start of this section, Paul 'cites diverse nomenclatures' (Bouyer, 2009, p. 245) and many of them seem to be interchangeable, which 'indicates that the New Testament is not much concerned with individual names' (Schlier, 1961, p. 16). Berkhof remarks that 'in comparison with the apocalypticists a certain 'demythologizing' has taken place in Paul's thought' (Berkhof, 1977, p. 23) because the 'influence of the angelic powers on earth, which for the apocalypticists was but one aspect of their nature, is all that Paul is interested in' (ibid). Barth and Schlier argue in similar ways that the NT is concerned with the Powers only 'as the negative presupposition, the target, of Christian faith and proclamation' (Barth, 1981, p. 217) and 'only because they must be resisted and the world protected from them' (Schlier, 1961, p. 14).

One conclusion that could be drawn is that the NT's authors are 'consciously or otherwise ... using mythological language ... there *are* no principalities and powers, but St. Paul employs this language to express something which is both true and important' (Whiteley, 1974, p. 20; original emphasis). Barth seems to draw this conclusion and in a Feuerbachian vein describes the Powers as 'nothing but man's own abilities loaned to his creaturely nature' (Barth, 1981, p. 215) that have come to oppress man in his state of 'self-alienation' (idem, p. 213). As a 'consequence of man's

emancipation of himself from God these abilities emancipate themselves from man and thus acquire the character of entities' (idem, p. 215). But in fact 'only a pseudo-objective reality and efficacy can be possessed by them' (ibid) because they are in the end just man's own 'powers, abilities, and possibilities of life' (ibid). Yoder argues along the same lines by following Berkhof's lead in 'suggesting some concrete modern phenomena which he considers to be structurally analogous to the Powers' (Yoder, 1994, p. 142). The phenomena Yoder suggests are a broad list, including religious traditions, moral codes, intellectual ideologies, political structures, 'the tyrant, the market, the school, the courts, race, and nation' (idem, p. 143; cf. Berkhof, 1977, p. 22). Thus, Berkhof and Yoder sought to separate the NT's mythological language of the Powers from the worldly realities that that language was trying to describe, namely the 'myriad forms of bondage' (Berkhof, 1977, p. 24), which act as 'forces which hold together the world and the life of men and preserve them from chaos' (idem, p. 22).

However, I shall rely more on the approach of Cullmann and Dawn (and Robert Webber). Cullmann argued against considering the language of the Powers as an inessential

framework 'conditioned by the contemporary situation.' We must repeat here that there is but one objective criterion for determining what is essential, namely, the earliest formulas of faith (Cullmann, 1962, p. 192).

We find

that the assertion recurs with an outstanding frequency in the old confessional formulas which are extant even in the New Testament, and among the earliest church fathers, that Christ sits at the right hand of God, with all 'powers' subject to him (Cullmann, 1957, p. 103).

Christ is the one 'who has gone into heaven and is at the right hand of God, with angels, authorities, and powers having been subjected to him' (1 Pet 3:22; ESV).

Whereas this verse leans towards Christ's already established Lordship over the Powers, 1 Corinthians 15:24-25 (NRSV) points to the not yet fully revealed aspect of his Lordship: 'Then comes the end, when he hands over the kingdom to God the Father, after he has destroyed every ruler and every authority and power. For he must reign until he has put all his enemies under his feet.' From these creed-like passages, Cullmann argues, it seems that the Christians interpreted Psalm 110, the most frequently cited OT passage in the NT declaring 'that the Lord shall sit at the right hand of God until his enemies are made his footstool' (Cullmann, 1957, p. 102), as referring to the angel powers made subject to Christ (idem, pp. 102-103). 'Outside of the New Testament, the subjection of these powers is expressly mentioned in the formula cited by Ignatius of Antioch and by Polycarp (Trallians 9:1; the Letter of Polycarp 2:1)' (idem, p. 103). Christ's defeat of Satan, the demons, and idols through his crucifixion continues to be mentioned by later Patristic writers, such as Jacob of Sarug at the beginning of the sixth century (Schwartz, 2016, p. 135). If the earliest Christian confessions of Christ's Lordship over the Powers are still normative for us today, then, according to Cullmann and Dawn, it seems (at the very least) a belief in the existence of angelic Powers was a crucial part of the early Christians' confession of Christ's Lordship (Cullmann, 1962, pp. 192-193; Dawn, 2001, pp. 15-16).

There are further reasons why I rely more on Cullmann, Dawn, and Webber. Trying to understand scriptural texts as they stand, albeit with attention to the text's literary style and to what we can reconstruct about the contemporary worldview, avoids the added complication of trying to separate an essential kernel from the mythological husk of a text, which bears a greater risk of allowing the exegete to introduce arbitrary or subjective reasons for deciding what is and is not essential in a

text's meaning.³⁶ Moreover, there is a limit to how far the Powers can be demythologized. If what NT calls the Powers are now entirely 'the concern of politicians, sociologists, and others' (Whiteley, 1974, p. 19) then we would be denying the role of the Gospel and the freedom it gives in enabling the NT's authors to discern the working of the Powers in the world. According to Dawn, Walter Wink, a major populariser of scholarship on the Powers in recent decades, has 'reduced the powers to the problem of violence' (Dawn, 2001, p. 17) and to structures of power and domination in the world (Dawn, 1992, p. 80). Dawn argues that Wink not only limits our understanding of what we need to be redeemed from, but he also downplays our inability to resist the Powers without sharing in Christ's victory through the resurrection (Dawn, 2001, pp. 15-18). Regardless of whether Dawn's critique of Wink is accurate, her arguments caution us to never forget that the struggle against the Powers is not ours, but God's, and in Christ the decisive victory is already won.

This does not mean Barth, Berkhof, and Yoder need to be dismissed. Their somewhat demythologised readings do not go so far as to dismiss the Powers altogether as something unimportant to the message of the New Testament. They agree with Cullmann and Dawn (and Robert Webber) that Paul's language of the Powers is also meant to refer to structural features of this world, such as political authorities, but Barth, Berkhof, and Yoder seem to deny, or at least bracket, the issue of whether Paul's language requires us to believe that the rebellion of those features of the world against God is caused by the influence of real demonic beings. However,

³⁶ Limitations of space prevent me from pursuing another criticism of demythologization and rationalism in biblical studies: that they have served to transform the Bible into a tool of modern statecraft and undermined the church's claim to be the community within which the scriptures can be properly understood (Milbank, 2006, pp. 18-22; Hahn & Morrow, 2020, pp. 1-26, 71-96).

since the NT's focus is on the manifestations of the Powers in this world than on describing what the Powers themselves are, and since they all share a broad agreement about how the Powers manifest themselves in the world and about Christ's victory over the Powers, I shall draw on all of them when interpreting various verses of scripture in subsequent paragraphs.

I must, however, return to the original question: what does the NT tell us about the Powers? We must begin by recognising that the Powers are a part of God's good creation. In Colossians 1:16-17, we read the following about Christ:

for in him all things in heaven and on earth were created, things visible and invisible, whether thrones or dominions or rulers or powers—all things have been created through him and for him. He himself is before all things, and in him all things hold together (NRSV).

Elsewhere in Romans 8:38-39 Paul seems to group the Powers among other elements of creation:

For I am convinced that neither death, nor life, nor angels [*angeloi*], nor rulers [*archai*], nor things present, nor things to come, nor powers [*dunameis*], nor height, nor depth, *nor anything else in all creation*, will be able to separate us from the love of God in Christ Jesus our Lord. (NRSV; emphasis added)

Both passages tell us that 'in origin, and in the source of their being, the principalities are good' (Schlier, 1961, p. 37) because they exist as parts of God's good creation. All things visible and invisible were created through and in Christ. In keeping with the rest of scripture, then, the language of the Powers has nothing to do with a Manichaean, metaphysical dualism. The crucial dualism in the NT is not a metaphysical or ontological one, but rather a temporal dualism caused by the overlapping of two eras of salvation history. I will return to this later.

The elastic and diffuse description of the Powers shows that a precise description of their nature is not the NT's concern. At times, the language suggests that the NT is

referring to personal beings: such as 'the prince of the power of the air' (Eph 2:2; ESV), 'the prince of this world' (Jn 14:30; ESV), the temptations of Jesus by the 'devil' (Lk 4:2; Mt 4:1; ESV) or 'Satan' (Mk 1:13; ESV). Elsewhere, the language seems to point to 'examples of a species. The demon ... in the New Testament is a specimen of what is demoniacal' (Schlier, 1961, p. 18). The man of Gerasa (Mk 5:1-13) is possessed by one unclean spirit (in the singular: *en pneumati akathartō*), yet the name 'by which he makes himself known and perceived' (Schlier, 1961, p. 18) is 'Legion, for we are many' (Mk 5:9; ESV). 'Here one is many and many are one' (Schlier, 1961, p. 18). At times, it seems the personal nature of the Powers is not important. The quotation mentioned above from Romans 8:37-38 lists (in a peculiar sequence) *angeloi*, *archai*, and *dunameis*, amongst death, life, present, future, height, and depth. 'The angelic names stand here side-by-side with other nouns which certainly do not designate personal spiritual beings' (Berkhof, 1977, p. 18). As the previous verse suggests (ESV: 'No, in all these things we are more than conquerors through him who loved us. '), 'Paul means to name a number of realities, which are a part of our earthly existence, and whose role is one of domination' (Berkhof, 1977, p. 18).

It is clear that these entities [such as death, life, height, depth] are not all thought of as persons, much less as angels. The fact that Paul could weave the names of the angelic powers into such a list of abstractions would indicate that his emphasis lies not on their personal-spiritual nature, but rather ... on the fact that these Powers condition earthly life (idem, p. 19).

Paul's use of the word *stoicheia* in Colossians and Galatians further demonstrates Berkhof's claim that the 'influence of the angelic powers on earth, which for the apocalypticists was but one aspect of their nature, is all that Paul is interested in' (idem, p. 23).

⁸See to it that no one takes you captive by philosophy and empty deceit, according to human tradition, according to the *stoicheia*, and not according to

Christ. ... ¹⁵ He disarmed the rulers and authorities and put them to open shame, by triumphing over them in him. ¹⁶ Therefore let no one pass judgment on you in questions of food and drink, or with regard to a festival or a new moon or a Sabbath. ¹⁷ These are a shadow of the things to come, but the substance belongs to Christ. ¹⁸ Let no one disqualify you, insisting on asceticism and worship of angels, going on in detail about visions, puffed up without reason by his sensuous mind ... ²⁰ If with Christ you died to the *stoicheion*, why, as if you were still alive in the world, do you submit to regulations— ²¹ 'Do not handle, Do not taste, Do not touch' (Col 2:8, 15-18, 20-21; ESV).³⁷

Now *stoicheia* (or *stoicheion* in the singular) could sometimes refer to "first principles," "elementary instruction" (as in Heb. 5:12), or to the parts, the "elements" or basic material of which the world is put together' (Berkhof, 1977, p. 74). The latter usage is common 'in Greek philosophy, and in the sphere of Hellenistic Judaism' (ibid) and in the NT it appears in 2 Peter 3:10-12. Hence the inclusion of *stoicheia* among the terminology of the Powers is controversial and disputed (Berkhof, 1977, pp. 74-75). I argue, however, that in Colossians, Paul is using *stoicheia* 'in connection with the "principalities and powers"' (idem, p. 20) that Christ has disarmed. As a direct consequence of Christ's triumph over the Powers, Paul argues, the Colossians have been freed from 'the cautious and timorous observance of requirements about abstinence from food and drink, or of feast days' (idem, pp. 20-21). The *stoicheia*

under which mankind languishes, to which the Colossians risk falling subject once again, are definite religious and ethical rules, the solid structures within which the pagan and the Jewish societies of the day lived and moved. ... *these structures are spoken of as the way in which the principalities and powers rules over men* (idem, p. 21; emphasis added).

Similarly in Galatians:

³ In the same way we also, when we were children, were enslaved to the *stoicheia* of the world. ⁴ But when the fullness of time had come, God sent forth his Son, born of woman, born under the law, ⁵ to redeem those who were under the law, so that we might receive adoption as sons. ... ⁸ Formerly, when you did not know God, you were enslaved to those that by nature are not gods. ⁹ But now that you have come to know God, or rather to be known by God, how can you turn

³⁷ I have altered the translation in verses eight and twenty to leave the words in question untranslated.

back again to the weak and worthless *stoicheia*, whose slaves you want to be once more? ¹⁰ You observe days and months and seasons and years! (Gal 4:3-5, 8-10; ESV).³⁸

Although the powers and principalities are not mentioned in this passage, the situation is the same: Christians are in danger of 'returning under the dominion of the world powers from which they had just been redeemed by Christ' (Berkhof, 1977, p. 22). For 'the Gentiles this belonged to an astrological context [i.e. the worship of various astral deities], whereas for the Jews it meant literal obedience to Mosaic law' (ibid). In either case, 'one seeks stability and structure for one's life' (ibid), but it leads to 'men's enslavement to certain religious and ethical regulations' (ibid). The point Paul is making is certainly not to claim that these structures and laws are necessarily evil. In Romans 7:7 Paul mentions and immediately rejects the notion that the law itself (meaning in that context the observances of the Mosaic Law) is sinful and it is unavoidable that 'our life in society is structured by law, custom, and tradition' (Newbigin, 1989, p. 205). But these structures, the *stoicheia*, become tyrannical when they 'usurp the place to which they have no right, the place which belongs to Christ and to him alone' (idem, p. 206). It might be hard to discern if *stoicheia* should be understood in a more demythologized vein to mean merely the potentially-tyrannical 'structures of earthly existence' (Berkhof, 1977, p. 23), or if *stoicheia* refers to 'elementary spirits' as the ESV translates the word (Col 2:8, 20), or to the cultural structures 'through which adverse spiritual powers work to produce evil in the world' (Webber, 1986, p. 288). What is clear from scripture is that the *stoicheia* and the rest of the Powers threaten to dominate us, and we are saved from their domination by Christ's triumph over them.

³⁸ Translation modified. See previous note.

In summary, although the Powers were created in and through Christ (Col 1:16-17), we

know them only as bound up with the enigmatic fact of sin, whereby not only men have turned away from God, but the invisible side of the cosmos functions in diametric opposition to its divinely fixed purpose (Berkhof, 1977, p. 30).

3.2.4 Political authority as one of the Powers

What is the connection between the Powers and political authority? Although it would seem the use of the term 'authorities' (*exousiai*) in Romans 13:1-7 would be sufficient to prove that political authority is one of the Powers, the obvious objection is that the word could have 'only one meaning in secular Greek: it refers to the empirical civil authorities' (Cullmann, 1957, p. 100). We must start, therefore, with another passage:

Yet among the mature we do speak wisdom, though it is not a wisdom of this age or of the rulers of this age [*archontōn tou aiōnos toutou*], who are doomed to perish. But we speak God's wisdom, secret and hidden, which God decreed before the ages for our glory. None of the rulers of this age [*archontōn tou aiōnos toutou*] understood this; for if they had, they would not have crucified the Lord of glory' (1 Cor 2:6-8; NRSV).

Although 'Jesus was crucified by the high priests and the scribes ... behind these visible authorities, Paul sees invisible higher Powers working' (Berkhof, 1977, pp. 19-20). Paul refers to the rulers of this age using the genitive plural of *archōn*, which is the same word used by John to describe the devil, 'the ruler of this world' (Jn 12:31; 14:30; 16:11; ESV) and by the Pharisees in the Synoptics to accuse Jesus of performing exorcisms by the ruler of demons (Mt 9:34; 12:24; Mk 3:22; Lk 11:15). Hence, 'in using this designation current in the Judaism of his time' (Cullmann, 1957, p. 63) Paul's Jewish readers would probably have understood 'the rulers of this age' to mean 'demonic, invisible powers which stand behind all earthly happenings and

use human beings as their effective agents' (ibid). Yet due to the reference to crucifixion in 1 Corinthians 2:6-8, 'it is equally certain that at the same time he is speaking of the effective agents: namely, the earthly rulers, the Roman administrators of Palestine' (ibid). If we understand the text as referring only to demonic powers, then their involvement in the crucifixion is obscure. If we understand the text as referring only to the specific earthly authorities responsible for the crucifixion, then we would be failing to consider that the text's origins are not in a secular Greek context, but 'in a Jewish-hellenistic [sic] context, and indeed a theological, or more precisely, a Pauline context' (idem, p. 100). Crucial in that context is the 'late Jewish belief that all peoples are ruled through angels' (Cullmann, 1962, p. 193), of which there is evidence in 'The Book of Daniel [e.g. 10:13, 20], The Wisdom of Jesus, Son of Sirach, and in the Book of Enoch, and it can be shown to be present in the Talmud and Midrash' (ibid; cf. Ex 12:12). Moreover, the only other time a form of *archōn* is used elsewhere in the New Testament epistles (apart from Romans 13:3) is in a text that is clearly referring to the angelic Powers:

You were dead through the trespasses and sins in which you once lived, following the course of this world, following the ruler of the power [*kata ton archonta tēs exousias*] of the air, the spirit that is now at work among those who are disobedient (Eph 2:1-2; NRSV).

Cullmann argues that, although it may seem odd to the modern mindset, we should combine both interpretations, each of which would be one-sided and anachronistic on their own, since 'Paul was not aware of the modern distinction between two separate spheres of life—one secular and the other sacred' (Cullmann, 1957, p. 104). Therefore, Cullmann interprets 'the rulers of this age' in 1 Corinthians 2:6-8 to mean that 'civil authorities are the executive agents of the angel powers' (idem, p. 108). Commenting on the same text, Berkhof writes: 'This text demonstrates

a connection between the Powers and the state, which could not be proved from Rom. 13 alone' (Berkhof, 1977, p. 74).

Returning to Romans 13:1-7, we need to see how Paul makes the same connection between the invisible Powers and earthly authorities.

¹Let every person be subject to the governing authorities [*exousiais*]; for there is no authority [*exousia*] except from God, and those authorities that exist have been instituted by God. ²Therefore whoever resists authority [*exousia*] resists what God has appointed, and those who resist will incur judgment. ³For rulers [*archontes*] are not a terror to good conduct, but to bad. Do you wish to have no fear of the authority [*exousian*]? Then do what is good, and you will receive its approval (Rom 13:1-3; NRSV)

The plural form of *exousia*, used in the first verse of Roman 13, routinely refers to the angelic Powers in the Pauline corpus (Cullmann, 1957, p. 100; see Eph 1:21; 2:2; 6:12; Col 1:13; 2:10, 15). *Archontes* is also often used in the same way by Paul, as I have discussed in the previous paragraphs. The context of Romans 13:1-7 tells us that Paul is referring to *exousiai* 'specifically as the invisible angelic powers that stand behind the State government' (Cullmann, 1962, p. 195).³⁹ That we are dealing here with how the Powers work through political regimes is clear from the subsequent verses on paying taxes (Rom 13:6-7) and on the ruler's terrors and punishments against wrongdoers:

⁴for he is God's servant [*diakonos*] for your good. But if you do wrong, be afraid, for he does not bear the sword in vain. For he is the servant [*diakonos*] of God, an avenger who carries out God's wrath on the wrongdoer. ⁵Therefore one must be in subjection, not only to avoid God's wrath but also for the sake of conscience. ⁶For because of this you also pay taxes, for the authorities are ministers [*leitourgoi*] of God, attending to this very thing. ⁷Pay to all what is owed to them: taxes to whom taxes are owed, revenue to whom revenue is owed, respect to whom respect is owed, honour to whom honour is owed (Rom 13:4-7; ESV).

³⁹ I disregard for the time being Cullmann's anachronism in using 'State' to describe the Roman government. See (O'Donovan, 1996, p. 232).

Cullmann's interpretation of Romans 13 can be reinforced by comparing its language with Hebrews 1:13-14:

And to which of the angels has he ever said, 'Sit at my right hand until I make your enemies a footstool for your feet'? Are they not all ministering spirits sent out to serve [*leitourgika pneumata eis diakonian apostellomena*] for the sake of those who are to inherit salvation? (Heb 1:13-14, with an internal citation of Ps 110:1; ESV).

What is significant about these verses is that the

'ministering spirits' are expressly identified with the 'enemies' cited in Ps. 110, the enemies whom the Christ who sits at the right hand of God 'makes the footstool of his feet.' ... [Moreover, in Romans 13] we find applied to these 'authorities' who stand behind the actual State the same expressions 'minister' (*διδάκονος*; v. 4) and 'ministers' (*leitουργοί*; v. 6), that are contained in the designation of the subjected powers in The Epistle to the Hebrews (Cullmann, 1962, p. 205; see Heb 1:14).

In Hebrews 1 and Romans 13, then, we have two witnesses to the notion of God instituting or putting into order (*tetagmenai*; Rom 13:1) the angelic Powers to serve him for our good or sending them forth (*apostellomena*; Heb 1:14) to serve us. The use of *tetagmenai* and three other words derived from the word for order, i.e. *taxis*, in Romans 13:1-2 (Cullmann, 1962, p. 201), emphasizes that the Powers acting through political authorities are made to serve within an order delimited by God. They 'stand under and within the Lordship of Christ, as long as they are subject to him and do not seek to become emancipated from their place in his service' (idem, p. 196). Within the tension of the already and not-yet, 'the angelic powers are already made the 'footstool' of the feet of Christ and yet must once more be overcome at the end' (Cullmann, 1962, p. 199; cf. 1 Pt 3:22 & 1 Cor 15:24-25).

In the time between the resurrection and the Parousia of Christ ... those among them who show tendencies to emancipation can have the illusion that they are releasing themselves from their bond with Christ, while in reality, by this striving which here and there appears, they only show once more their original demonic character (Cullmann, 1962, p. 98).

Hence, within the limits of their subjection to Christ, the Powers have enough freedom to still launch attempts to rebel against the order within which they are supposed to serve God. We see from the vision of the beast serving the dragon in Revelation 13 that the archetypal revolt of the Powers during the *saeculum* occurs in the political sphere: 'governmental power exceeding its proper bounds is generally regarded as the most tangible embodiment of satanic power' (Cullmann, 1957, p. 73; cf. Pieper, 1999, pp. 127-133). Yet Romans 13 also tells us that when the Powers remain within the order to which they were instituted by God, then Christians ought to obey them, to pay them taxes and respect (Rom 13:6-7), and to consider their judgments against wrongdoers to be executing the vengeance of God (Rom 13:4), which Christians are personally forbidden from seeking (Rom 12:14-20). Christians are forbidden to pursue vengeance and are commanded to love, whereas the political authorities must do the opposite, because each belongs to different eras of salvation history that overlap for the duration of the *saeculum*. The Powers are of this age, *tou aiōnos toutou*, whereas Christians, who 'once walked, following the course of this world, following the prince of the power of the air' (Eph 2:2; ESV), are now meant to 'not be conformed to this world' (Rom 12:2; ESV), but instead to 'put on the Lord Jesus Christ' (Rom 13:14; ESV). Until the resurrection of all the dead, when every last enemy of Christ will be 'destroyed [*katargeitai*]' (1 Cor 15:26; ESV), there is a 'temporal dualism' (Cullmann, 1962, p. 199) caused by the era of the creation and rebellion of the Powers overlapping with the era of the triumphant reign of Christ.

In summary, the NT uses a broad variety of terms to refer to invisible cosmic and angelic forces that dominate us in various ways and from whose domination Christ sets us free. The NT's authors are interested in the Powers only insofar as the Powers

impinge on our affairs, either in a positive way or in a way that threatens to separate us from Christ. The Powers remain with us because, in subjection to Christ, they are still needed to give order to our lives in the world, which is the purpose for which they were originally created by God. 'The state is but one of the many earthly realities, through which the Powers manifest themselves' (Berkhof, 1977, p. 74) and yet political authority is an important, because representative, manifestation of the Powers. (When I refer to the Powers below, it will be to refer exclusively to their activity through the agency of political authorities.) Political authorities can display either the obedient performance of the service for which the Powers have been instituted by God, or they can reveal their demonic character in revolting against their subjection to Christ.

3.2.5 Oliver O'Donovan on the Powers and political authority

Why turn to O'Donovan at this stage? For two reasons: he integrates the insights of the NT scholarship on the Powers into an exegesis of the wider biblical account of the disclosure of God's kingship, and he shows more effectively than earlier exegetes how the NT presents the Powers as being not only defeated, but re-authorized for a certain, limited purpose. Learning from O'Donovan's political theology is critical to the correction of Vatican II I am proposing because he avoids the mistake Vatican II made by adopting what he calls 'the secular principle that politics was susceptible of Christian motivation, but not of Christian content' (O'Donovan, 2002b, p. 240). In another context, he contrasts the political theology of the English Reformers from the Tudor period favourably with

the modern demarcation of a whole secular sphere of life, where the word of God does not rule as of right but finds access only indirectly, shaping the conscience of certain participants, who are also (but secretly) participants in the sacred

sphere and so, in a manner of speaking, undercover agents of God (O'Donovan, 2011, p. 103).

Elsewhere, in similar terms, he describes the contemporary opposition to political theology as relying on a conceptual partition between politics and religion, and one cannot help seeing in his description of this partition the similarities with Vatican II's conception of the lay apostolate:

religion may and does shape politics through carefully guarded channels of influence that preserve a cordon sanitaire. Ethics, especially an ethics of interior motivation, provides a safe mediation, insulated against theocratic misunderstanding, by which religion may make politics more honest without presuming to make it more divine (O'Donovan, 1996, p. 2).

These three quotations could as easily have been written to describe how Vatican II demarcates the religious, supernatural realm of the church from the natural realm of the political community, while relying on the interior motivations of the lay Christian's conscience to be the means of relating the church to the political community in a suitably indirect fashion. In *The Desire of the Nations* O'Donovan takes a wholly different approach. He seeks to recover, before the conceptual separation of politics and religion, the crucial analogy that political theology had posited

between the acts of God and human acts, both of them taking place within the one public history which is the theatre of God's saving purposes and mankind's social undertakings. The Kingdom of God is not a mere kingdom, but it is a real kingdom. The point is not to reduce the semantic range of speech about God's acts to the limits of our commonplace political discussion ... but to push back the horizon of commonplace politics and open it up to the activity of God (ibid).

From the broader perspective of political theology, as O'Donovan defines it, we can see that our undertakings of 'liberation, rule and community-foundation provide us with partial indications of what God is doing in human history' (ibid); and 'correspondingly, we must look to the horizon of God's redemptive purposes if we are

to grasp the full meaning of political events that pass before our eyes' (ibid). Thus, as O'Donovan sets out to unearth political theology's foundations in scripture and in what he calls the High Tradition of political theology dating from 'the period 1100-1650' (idem, p. 4), he purposefully avoids adopting the presuppositions of 'the modern separation of politics and theology' (idem, p. 5). From the very beginning, then, he avoids making the mistakes of Vatican II. A brief exposition of the relevant elements from his scriptural exegesis will show how in particular his recovery of pre-modern political theology can help us to improve upon Vatican II's teaching about church-state relations, specifically (as this is the concern of the current chapter) by developing a robustly theological conception of political authority.

As he states in the first chapter, O'Donovan's central claim is that we can recover a true understanding of what authority means (both divine authority and human political authority) from the scriptural narrative of God's disclosure of his reign (idem, p. 19). From 'the kingly rule of God, expressed in Israel's corporate existence and brought to final effect in the life, death and resurrection of Jesus' (idem, p. 27), we can also discern 'how and why God's rule confers authority upon' (idem, p. 20) the political acts of those whom God calls to rule over others.

His second chapter draws out the key concepts used by Israel's writers to express the revelation of divine kingship 'by the action of God in the judgment and restoration of the people' (idem, p. 29). The scriptural declarations that the Lord is king, '*Yhwh mālak*' (idem, p. 32), as found in the Psalms (e.g. 93, 96, 97, 99) or prophetic writings,⁴⁰ can be understood by three concepts that are commonly associated with it: salvation, judgment, and possession. 'Yhwh's authority as king is established by the

⁴⁰ For example, Isaiah 33:22 in O'Donovan's translation: 'Yhwh is our judge! Yhwh is our lawgiver! Yhwh is our king! He it is that will save us!' (O'Donovan, 1996, p. 35).

accomplishment of victorious deliverance, by the presence of judicial discrimination and by the continuity of a community-possession' (idem, p. 36). To these he adds the concept of praise, 'the human response and acknowledgement of Yhwh's reign' (ibid). The four concepts by which he explores the idea of God's kingship enable him to distil into six theorems what divine authority teaches us by analogy about human political authority. The first theorem states: '*Political authority arises where power, the execution of right and the perpetuation of tradition are assured together in one coordinated agency*' (idem, p. 46; original emphasis). 'Behind every successful regime, there is the divine regime of history' (ibid) because human authority is created, dependent, and derived from God's authority. Consequently, the second theorem states:

That any regime should actually come to hold authority, and should continue to hold it, is a work of divine providence in history, not a mere accomplishment of the human task of political service (ibid; emphasis removed).

The Psalmist declares: the Lord is 'enthroned upon the praises of Israel' (Ps 22:3; ESV). Israel 'is a political community by virtue of being a worshipping community' (idem, p. 47) because, as 'the people congregate to perform their act of praise, the political reality of Israel is displayed' (ibid). 'At no point is the suggestion allowed that the people, by their praise, have *made* Yhwh king' (idem, p. 48; original emphasis). Rather praise is, as it were, 'the final cause of God's kingdom. ... In giving himself as king, God sought acknowledgement from mankind' (ibid). If salvation, judgment, and possession in God's kingship correspond to power, execution of right, and tradition in human political authority, O'Donovan argues that praise corresponds to a society's recognition of political authority. Thus his third theorem states: '*In acknowledging political authority, society proves its political identity*' (idem, p. 47;

original emphasis). No one 'can pretend to have invented political authority or to have devised it as an instrument to serve some pre-political purposes of his or her own' (ibid), as O'Donovan argues, rejecting completely the mythology of the social contract theory. Instead, a society will reveal its political identity by acknowledging a political authority as being its own (ibid).

The analogy between praising God and recognising political authority explains 'the persistent cultural connexion between politics and religion' (idem, p. 49), for 'within every political society there occurs, implicitly, an act of worship of divine rule' (ibid). O'Donovan presumably means that our recognition of political authorities implicitly expresses worship of the God whose government and preservation of the world is mediated by the providential gift of human rulers. Such worship that has 'failed to recollect or understand the divine purposes can only be an idolatrous worship which sanctions an idolatrous politics' (ibid). As argued earlier in 3.2.4, the most typical way in which the Powers can rebel against their subjection to Christ is in the political realm by manipulating our political loyalties and directing them towards tyrannical regimes. Thus we read in the vision of Revelation 13: 'And they worshiped the dragon, for he had given his authority to the beast, and they worshiped the beast, saying, "Who is like the beast, and who can fight against it?"' (Rev 13:4; ESV).

The interactions of kings and prophets in the Deuteronomic history, O'Donovan argues, teach us that the Israelite monarchy was meant to be different from the absolutist rulers of the other nations. The Davidic king was not an exalted founder of society or an icon of the Lord, but rather, like Moses, more of a 'faithful steward in God's household' (O'Donovan, 1996, p. 65; cf. Num 12:7). This required the king to be obedient and attentive to the 'residuum of Mosaic authority which the monarch's

authority could not absorb or occlude. Its form was the law, and its social voice was the prophetic movement' (idem, p. 62; see Dt 17:18-20). As the Davidic monarchy was 'a unitary government subject to the independent authority of Yhwh's law' (idem, p. 65), so O'Donovan states in his fourth theorem:

The authority of a human regime mediates divine authority in a unitary structure, but is subject to the authority of law within the community, which bears independent witness to the divine command (idem, p. 65; emphasis removed).

In the period just before and during the Exile, the prophets 'confronted the dramatic rise of the Mesopotamian empires' (idem, p. 68) with a critique of imperial pretensions (idem, p. 70), whether those pretensions be military and political, as in Isaiah's criticisms of Nebuchadrezzar (Isa 14:12-15), or whether the empire be one of commerce and trade, as in Ezekiel's prophecies against Tyre (Ezek 26:1-28:19). We can learn from the prophecies announcing that all the nations shall know the Lord (e.g. Ezek 36:23), thanks to Israel being a 'light to the nations' (Isa 49:6; ESV), and coming to Zion to receive instruction in the Lord's ways and judgments (Isa 2:2-4; Mic 4:1-3), that the rule of the Lord over the nations was directed towards 'an internationally plural order, free from the unifying constraints of empire' (O'Donovan, 1996, p. 71). The events of Israel's conquest by imperial powers and later restoration 'will serve as a lesson and a model by which Yhwh will instruct the nations of the world' (ibid) in God's laws and judgments. Therefore, O'Donovan proposes a fifth theorem: '*The appropriate unifying element in international order is law rather than government [i.e. empire]*' (idem, p. 72; original emphasis).

Finally, Jeremiah's prophecies about the return from the Exile taught that 'when the mediating institutions of government collapse, then the memory and hope which single members faithfully conserve provide a span of continuity which can reach out

towards the prospect of restructuring' (idem, p. 80). Hence, O'Donovan's final and sixth theorem: *'The conscience of the individual members of a community is a repository of the moral understanding which shaped it, and may serve to perpetuate it in a crisis of collapsing morale or institution'* (ibid; original emphasis).

To see how the six theorems should inform our understanding of political theology in the present stage of salvation history, O'Donovan must first explore in chapter three what consequences God's final and perfect revelation of his reign in Jesus have for our political undertakings. Comparing O'Donovan's NT exegesis with Vatican II, what strikes us most immediately is his effort to avoid discussing Christ's kingdom in terms of whether it is a 'political' or 'spiritual' kingdom. He sees that the problem of such an approach is that it 'treats the terms 'political' and 'spiritual' as known quantities' (idem, p. 82). If we really believe that God reigns as king, then we need to 'rediscover politics not as a self-enclosed field of human endeavour but as the theatre of the divine self-disclosure' (ibid). The primary task he sets himself is to explore 'the unity of God's rule in Christ' (ibid) because only in light of that can be seen why a duality between the political and the spiritual has been a consistent element of Christian political thought. This contrasts strikingly with Vatican II's starkly dualistic assertions. For example: Christ 'refused to be a political Messiah' (DH, 1966, p. 691, n. 11) and 'acknowledged the power of government and its rights' (ibid), while the 'mission which Christ entrusted to the church is not indeed political, economic or social, but religious' (GS, 1966a, p. 41, n. 42).

We can see the advantage of O'Donovan's approach by comparing how he and DH interpret the pericope in the Synoptic Gospels about paying taxes to Roman authorities. In DH, we read that Christ

acknowledged the power of government and its rights, when He commanded that tribute be given to Caesar. But He gave clear warning that the higher rights of God are to be kept inviolate: 'Render to Caesar the things that are Caesar's and to God the things that are God's' (*DH*, 1966, p. 691, n. 11, with an internal quotation of Mt 22:21).

As I argued earlier in 2.3.5, the picture *DH* presents is of Jesus' mission as a non-political Messiah respecting and leaving unaltered 'the power of government and its rights' (*ibid*) on the basis of complementary and ordered loyalties between the government's rights and 'the higher rights of God' (*ibid*). It is not hard to see that *DH* is presupposing the 'autonomy of temporal things' (*GS*, 1966a, p. 35, n. 36), which Christ has apparently not come to destroy or violate, since 'the terrestrial city, rightly concerned with secular affairs, is governed by its own principles' (*LG*, 1975, p. 394, n. 36).

By contrast, O'Donovan argues that although Jesus' reply to the question about taxation to Caesar is elusive enough to invite several interpretations,

it is also sufficiently decisive to exclude some, and among those, in my view, is one that was canonised by medieval theories of empire and papacy – the view that civil government can claim certain secular rights and that those rights should be respected, though not demands which exceed them. Within the context of a Christendom understanding of authority divided between secular and spiritual powers, this may be asserted with perfect truth; but it is not what Jesus, speaking in a different context, said or meant (O'Donovan, 1996, p. 91).

Each of the Synoptic Gospels state that the question was meant as a trap (Mt 22:15; Mk 12:13; Lk 20:20), but why is it a trap, O'Donovan asks? One possibility is that it would lead Jesus to express opinions that would be regarded as subversive by the authorities, or because it would lead him to alienate some of his followers by taking sides in the controversy over taxation to the Romans (O'Donovan, 1996, p. 91).

If, however, Jesus intended by his answer to mean

that the Romans had a right to exact a secular tax without prejudice to the claims of God to rule Israel, then, on the one hand, his opinion was not dangerous in the

eyes of authority, while, on the other, he publicly avowed an opinion likely to be repugnant to many of his supporters (idem, pp. 91-92).

In either case, it would not explain the admiration with which Jesus' answer was received. O'Donovan therefore rules out 'the view that Jesus assigned Roman government a certain uncontested sphere of secular right' (idem, p. 92). O'Donovan favours the interpretation according to which Christ 'treated the question as an irrelevant distraction from the real business of receiving God's Kingdom' (ibid), i.e. return to Caesar what is his if he asks for it, 'but give your whole allegiance to God's rule' (ibid). O'Donovan argues that this interpretation of the tax to Caesar is supported by the passage about the temple tax in Matthew:

When they came to Capernaum, the collectors of the two-drachma tax went up to Peter and said, 'Does your teacher not pay the tax?' He said, 'Yes.' And when he came home, Jesus spoke of it first, asking, 'What do you think, Simon? From whom do kings of the earth take toll or tribute? From their sons or from others?' When Peter said, 'From others,' Jesus said to him, 'Then the sons are free. However, so that we do not give offense to them...' (Mt 17: 24-27a; NRSV, slightly modified).

The sons of the Kingdom are 'emancipated from the order in which God's rule was mediated through such alienating institutions as taxation' (O'Donovan, 1996, p. 92). However, 'as a concession Jesus and his disciples will pay taxes ... lest they be understood as mere rebels, who refuse God's mediated rule as such' (ibid). Just as Cullmann had also argued (Cullmann, 1957, p. 36), so O'Donovan argues that in the passages about taxation to Caesar and the temple tax, Christ 'was neither secularist nor zealot' (O'Donovan, 1996, p. 93). For Christ did not treat the Roman authorities as a permanent feature that deserved 'dutiful obedience within their supposed sphere of competence' (ibid), nor was there a need to defy aggressively a provisional order that would soon pass away at the coming of a new order. Jesus 'recognised only a transitory duality ... a duality between the coming and the passing order' (ibid). This

meant that the post-Exilic experience of Israel paying allegiance both to the Lord and to Gentile rulers, a situation 'expressing Israel's alienation from its true calling' (idem, p. 93), was instead giving way to a period of living at the temporary overlap of two eras, in which the 'coming era of God's rule held the passing era in suspension' (ibid).

O'Donovan's exegesis shows, more convincingly than any of Vatican II's documents, that the coming of God's kingdom in Christ means that human political authorities are to be patiently given their due by Christ and his disciples, until those authorities are swept away at Christ's return. His interpretation is strongly reminiscent of Cullmann's conception of a provisional 'temporal dualism' (Cullmann, 1962, p. 199) between two eras of salvation history. The advantage of their interpretations is that they can show why Jesus, on the one hand, denies political authorities the kind of permanence and importance that could rival the obedience due to God but, on the other hand, without simply defying or denying the claims of political authorities. O'Donovan maintains the balance between the two aspects in a way that shows us how he is both taking up the insights of the scholars on the Powers (albeit without explicit acknowledgement) but also succeeding more effectively than them in capturing how the NT presents the positive and necessary purposes of political authorities.

We see further signs of his debt to the scholarship on the Powers in the third and fourth chapters, which uses the framework he drew from the Old Testament in the previous chapter 'to clarify how God's Kingdom was demonstrated in Jesus' ministry' (O'Donovan, 1996, p. 93). The Lord's 'rule over Israel ... was founded on his acts of salvation and judgment and on his gift of an inheritance' (ibid). Hence, he studies in turn 'Jesus' *works of power* ... [which] were identified in the Gospel tradition as acts of

exorcism and healing' (ibid; original emphasis), Jesus' proclamation of 'the coming *judgment of Israel*' (idem, p. 96; original emphasis), and his 'interpretation of the law' (O'Donovan, 2005, p. 142), which he gave so that Israel might be 'put more effectively *in possession of the law*' (O'Donovan, 1996, p. 100; original emphasis). Finally, Israel's praise of Yhwh, which does not constitute but rather recognises the Lord's reign, corresponds to '*the faith with which Jesus was received*' (idem, p. 113; original emphasis). What concerns us here is the first part: Christ's powerful works of exorcism and healing that were 'taken to be victories over the demonic powers' (idem, p. 93). Whereas Christ seemed to treat the 'Roman occupation casually, with little respect and less urgency' (ibid), yet his 'preference for addressing the demonic rather than the colonial oppressors' (ibid) revealed that 'Israel was enslaved to spiritual enemies, and of this its colonial status was, at most, a secondary symptom' (ibid). In responding to the accusation of casting out devils by Beelzebul (Lk 11:14-22; Mt 12:22-29), Jesus argued his

intervention by miracle could not have been effective unless it represented the intervention of a superior and coordinated power which was capable of sweeping the predatory rule of demons before it (O'Donovan, 1996, p. 94).

By overcoming (Lk 11:22) or binding (Mt 12:29) the strong man, Jesus was liberating Israel from 'the forces which most immediately hindered Israel from living effectively as a community in God's service, the spiritual and natural weaknesses which drained its energies away' (O'Donovan, 1996, p. 95). His goal was not to overthrow the Roman authorities because he saw, as the Zealots did not, that the priority was the empowerment and reauthorisation of Israel by liberating it from debilitating forms of possession and deprivation (ibid). His journey to the Temple, rather than the Roman praetorium, was not to opt for 'religious rather than political

reform' (idem, p. 117), because the Temple was the 'seat of Yhwh's authority among his people' (ibid), and the 'appearance of true authority in Israel meant the unity of political and religious spheres under the rule of God' (ibid). The 'Two Kingdoms period, in which Temple without power and praetorium without worship coexisted in some kind of parallel, was declared over' (ibid) and 'the coming of the Kingdom was proved by the acknowledgment of Jesus as king' (ibid). This led to a confrontation between the Jewish and Roman governing class, who were acting under the influence of the Powers, and Christ, the heir to the Davidic throne mediating divine rule and the Son of Man representing the perfectly faithful response to divine rule (idem, pp. 116-117, 123-124). The result was his 'vindication at God's hand' (idem, 133) against his accusers by the resurrection. The decisive 'act in which God's rule was mediated and his people reconstituted in Christ' (idem, p. 133) occurred by means of 'the conquest of death; and this makes Israel's restoration representative of the wider human hope, a restoration to be claimed by the human race as a whole' (ibid).

The Gospel preached by the church after the ascension is 'the story of what happened when the Kingdom came: *its conflict with the established principalities and powers* and its vindication at God's hand through Jesus' resurrection' (idem, p. 120; emphasis added). O'Donovan argues, with a quotation from Colossians 2:15 (God has 'disarmed the principalities and powers and made a public show of them in Christ's triumphal processions' [idem, p. 146]), that Christ's triumph over the Powers

must be the primary eschatological assertion about the authorities, political and demonic, which govern the world: they have been made subject to God's sovereignty in the Exaltation of Christ. The second, qualifying assertion is that this awaits a final universal presence of God to become fully apparent. Within the framework of these two assertions there opens up an account of secular

authority which presumes neither that the Christ-event never occurred nor that the sovereignty of Christ is now transparent and uncontested (ibid).⁴¹

The two assertions correspond to the contrast between Christ's already and not-yet achieved glory. Although the ascension and coronation of Christ at God's right hand is the culmination of his triumphant resurrection, the ascension is also 'the foundation which determines all future time' (idem, p. 145) in the period from 'Christ's absence on the Mount of Olives to his unqualified presence at the Parousia' (ibid). His 'presence in absence' (ibid) during the period I refer to as the *saeculum* is mediated by the activity of the Holy Spirit in the life of the church that publicly 'participates in the coming of the Kingdom and witnesses to it' (idem, p. 146). After his ascension, Christ 'through the church ... determines the provisional public life of the world, in which the authorities are subdued, reformed and given a limited authorisation' (ibid).

'If the mission of the church needs a certain social space ... then secular authority is authorised to provide and ensure that space' (ibid) during the *saeculum*, O'Donovan argues, by referring to the verses in 1 Timothy 2:1-4 about praying for kings and all in authority

so that we may lead a quiet and peaceable life in all godliness and dignity. This is right and is acceptable in the sight of God our Saviour, who desires everyone to be saved and to come to the knowledge of the truth (1 Tim 2:2-4; NRSV).

O'Donovan comments that whether 'it is the role of kings or the church's prayer for the kings that is "acceptable to God" is not quite clear' (O'Donovan, 1996, p. 147) and yet, either way, 'the goal and conduct of secular government are to be reconceived to serve the needs of international mobility and contact which the

⁴¹ O'Donovan is using 'secular' in this passage and in the quotations to follow according to the original, temporal meaning, i.e. referring to what belongs to the current age.

advancement of the Gospel requires' (ibid). How secular government is thus reconceived gives us a crucial insight into why the Powers are permitted to endure during the *saeculum*. His commentary on 1 Timothy leads into O'Donovan's exegesis of Romans 13, which enables us to see how he takes up but also advances the literature on the Powers, by drawing out more effectively than many of the scholars discussed in 3.2.4 the NT's distinctive, positive affirmation of political authority's purpose. The importance of both scriptural passages for church-state relations makes Vatican II's lack of engagement with them appear even more remarkable. Romans 13 is merely cited in two footnotes to *GS*'s chapter on political authority to support its Thomistic-Aristotelian argument that political community and authority are 'founded in human nature and thence belong to the order determined by God' (*GS*, 1966a, p. 76, n. 74) and 'within the framework of the moral order ... citizens are bound in conscience to obedience' (ibid). 1 Timothy 2:1-4 is cited only once in the documents but the exhortation to pray 'for kings and all who are in high positions' (1 Tim 2:2; ESV) is omitted in *DH*'s quotation (*DH*, 1966, p. 694, n. 14). Vatican II missed an opportunity to allow its teaching on church-state relations to be shaped by returning to these key texts, a shortcoming that O'Donovan's focussed exegesis will help us to remedy.

O'Donovan mentions (and seems to agree with) the interpretation that Paul's choice of terms in Romans 13 'alludes directly to the angelic character assigned to national governments in ancient Hebrew culture' (ibid).⁴² Though that interpretation 'has often been suggested' (ibid), O'Donovan cites no sources to give examples of

⁴² In an earlier work, by contrast, O'Donovan argued against identifying the Powers in the NT with the angelic 'representative of national identities which emerge at some points in the Old Testament' (O'Donovan, 1994, p. 123).

scholars (such as Berkhof or Barth) making such an interpretation, even though several remarks prove that he knows at least Cullmann's work (O'Donovan, 1996, pp. 232-233; 2002b, pp. 238-239). Describing political authority in terms that evoke the angelic Powers tells us that 'Paul is placing it in the context of the victory of Christ' (O'Donovan, 1996, p. 147). O'Donovan's argument here assumes the reader is familiar with the scholarship on the Powers. My discussion of the scholars of the Powers in the previous three sections has defended their identification of political authority as one of the Powers and that earlier discussion will explain O'Donovan's exegesis of Romans 13, which would otherwise seem to make an unwarranted move in identifying the angelic Powers with political authorities.

Why do political authorities, among the other structures of a passing age, continue to exist, according to Paul, despite their role in Christ's crucifixion and subsequent defeat? It is because political authorities are meant to be 'serving the church's mission' (ibid) by exercising judgment against wrongdoers. Their judgments execute God's wrath against wrongdoing and thereby act as 'a restraining element in society which preserves the social order that furthers the spread of the Gospel' (idem, p. 148). For the Roman Christians to pay their taxes is, for Paul, 'a symbol of their recognition of the judicial function' (idem, p. 149) that is still provisionally needed in the *saeculum*. Since rulers are 'not a terror to good conduct but to bad' (Rm 13:3; NRSV), Christians, so long as they do good, need have no reason to fear the judicial function of the governing authorities. Besides avoiding bad conduct, the Christian community is meant to be living 'on an almost totally opposite principle to the judicial principle that serves the general needs of the world' (O'Donovan, 1996, p. 149). As the passages just before (Rm 12:9-21) and after (Rm 13:8-10) indicate,

Christians must seek 'no retaliation for evil received, no seeking of vengeance or vindication ... but only love for the enemy' (O'Donovan, 1996, p. 149).

What is novel about Romans 13 'is the privileging of this aspect of governmental authority, so that the whole rationale of government is seen to rest on its capacity to effect the judicial task' (idem, p. 148) and 'this reflects his new Christian understanding of the political situation' (ibid). In classical writers 'the end of government was the protection of the polis' (ibid) and in the Old Testament rulers were to protect 'Israel's existence in relation to the land and the law' (ibid). But our true possession or identity now was not in belonging to any place or people, but to belong to Christ himself as members of his church (ibid). Governmental power and its role 'as a focus of collective identity' (ibid) are 'subordinated to just judgment as means to an end' (idem, p. 233). O'Donovan is not abandoning his first theorem: political authority is still defined by the 'conjunction of power, judgement, and tradition' (ibid), since no judge has 'authority apart from a constable to enforce his rulings and a community to bring pleas to his court' (ibid). However, without changing the *esse* of political authority, Romans 13 tells us what the *bene esse* of political authority is during the *saeculum*, a conception that O'Donovan labels the 'responsible state' (ibid).

Power and community tradition are still essential to establish authority; the new development is that they are subordinated to just judgment as means to an end. The accumulation of power and the maintenance of community identity cease to be self-evident goods; they have to be justified at every point by their contribution to the judicial function. The responsible state is therefore minimally coercive and minimally representative. ... This is not a restraint imposed by the nature of political authority as such ... it is imposed by the limits conceded to secular authority by Christ's Kingdom (ibid).

Romans 13's limited, judicial 'definition of the ruler's right' (idem, p. 152) led 'the church to see in the accrual of divine titles and religious symbols by the empire a

defiance of resurrection order' (ibid). The apocalyptic visions of the Roman emperor in the Book of Revelation are not a contradiction of Romans 13, but are one of two possible outcomes of the church preaching the subjection of all Powers and earthly rulers to Christ's reign. O'Donovan distinguishes his way of understanding the two passages from Yoder (ibid) who argued that Romans 13 and Revelations 13 'represent the two dimensions of the life of any state' (Yoder, 1997, p. 77). All states serve God's redemptive plan but are also in demonic revolt against it because the state's 'wielding of the sword is always an expression of unbelief' (ibid). But O'Donovan does not think that the alternative is simply 'to reconcile the two perspectives by remarking on the difference between a law-state and a totalitarian state' (O'Donovan, 1996, p. 152). O'Donovan could potentially be referring to Cullmann here because he later criticises Cullmann for making a simplistic contrast between limited and totalitarian states in *The State in the New Testament* (idem, pp. 232-233). His own interpretation brings into relief the eschatological quality of the two passages and their relation to the church's mission.

Just as the conception of a moderate judicial order was shaped by the achievement of Christ's triumph, so the defiant and expansive empire was an eschatological phenomenon, too. The concentrating opposition was a sign of the last times. What Christ's enthronement had effected was to force upon the principalities and powers the alternatives of subjection and outright confrontation and defeat. It had brought in a moment of apocalyptic division (idem, p. 152).

Therefore O'Donovan concludes the fourth chapter by arguing that

for the apostolic church ... government could be seen as thrust back by Christ's victory to margins, there to be reauthorised to perform a single function of which the church ... stood in need for the time being. On the other hand, it could be seen as goaded by Christ's victory to a last desperate assertion of itself (idem, p. 156).

My exposition of O'Donovan's political theology has so far given a necessarily abbreviated outline of his argument and there remain many ethical and theological

questions that are not explored in *The Desire of the Nations*, because his aim is more narrowly devoted to establishing, first and foremost, the principle that human political 'authority is reordered towards the task of judgment' (idem, p. 286). However, the exposition in this section is sufficient for my purposes of proposing a correction of Vatican II's teachings on church-state relations. Drawing this chapter to a close, I now need to explain what we need to learn about political authority from O'Donovan and the scholars of the Powers.

3.2.6 Conclusion

In contrast to Vatican II's consideration of the state solely in terms of natural law (e.g. *GS*, 1975, pp. 979-985, nn. 73-76) and its comparatively meagre attention given to what scripture reveals about political authority, I have sought to begin my proposed reform of Vatican II's teachings by learning from several Protestant theologians and biblical scholars. I have discussed the literature on the Powers and defended their claim that the NT writers speak (in a varied and vague language) of spiritual beings, the Powers, originally created by God to give structure to the world, that have fallen and rebelled against God. I defended the claim that the Powers' influence on political authorities is one of several ways their activity is manifested and that the Powers orchestrated the crucifixion of Jesus by the Jewish and Roman authorities. However, the pretended sovereignty of the Powers from God was shown to be false by Christ's rising from the dead, thus defeating them and heralding their eventual overthrow.

The weakness of the literature on the Powers is that it can yield a largely negative perspective on political authorities, seeing them as something for the church constantly to push back against and to treat with suspicion, albeit recognising that

the Powers will not finally be defeated until Christ's return. It is not surprising that the Powers appear periodically in the writings of ecclesial ethicists. Yoder translated Berkhof's seminal *Christ and the Powers* into English and drew upon it extensively in *The Politics of Jesus*, and to a lesser extent on Dawn's writings about the Powers (Yoder, 1994, pp. 137-160). Hauerwas' glowing tribute to William Stringfellow, a theologian strongly influenced by Berkhof's work on the Powers, shows us the affinity between ecclesial ethics and at least some of the scholars of the Powers (Hauerwas, 1994, pp. 107-115). O'Donovan's exegesis helps to balance their eschatological critique of the Powers with a clearer perception of how the NT also affirms (in a distinctive, delimited way) a positive role for the Powers after Christ's triumph. His attention to the scriptural texts and to the analogies we can infer about human political authority from the unfolding of Israel's history reveals that from the 'self-possession of this people in their relation to God springs the possibility of other peoples possessing themselves in God' (O'Donovan, 1996, p. 45), albeit within the limits now revealed by the coming of Christ. (I will return to the importance of his six theorems in chapter 3.4.4) The framework that he uses to discern the novelty of the priority given by the NT to the judicial function of political authority allows us to draw from scripture a truly theological conception of politics, avoiding thereby Vatican II's mistake of endorsing 'the secular principle that politics was susceptible of Christian motivation, but not of Christian content' (O'Donovan, 2002b, p. 240).

What would be the advantages of thinking about political authority as the executive agent of Powers that have been subjected to Christ? It would emphasize that the church's relation to political authorities is an important frontier of its mission to witness to the Gospel, a key part of which is Christ's triumph over the

Powers. Vatican II's problematic distinction between evangelisation and 'the renewal of the temporal order' (AA, 1975, p. 772, n. 5) in its conception of the lay apostolate undercuts the church's mission to call a demonically self-enclosed world of political affairs to be 'ordered, situated, and judged by the kingdom of God that is coming' (Ellul, 2016, p. 56). This was ironic because, as I argued in Part One, an important motivation guiding the Council was to reinvigorate the missionary purpose of the church in the modern world. Recovering from scripture a missionary conception of the church's relation to political authorities is essential because it ensures that the church teaches political authorities what only the church can reveal to them: that they are intended by God for a good purpose; that they rebelled and are still capable of being led by the Powers to crucify the innocent; and that they are called by the exalted Christ to subordinate their exercise of power and community representation to the task of judgment during the *saeculum*, until they are dethroned forever at the eschaton.

According to one anecdote, during a discussion among German theologians after World War II

about the relevance of the Apocalypse and about the power of demons ... Karl Barth suddenly broke in impatiently and said to his German friends: 'Why all this talk about demons? Why not just admit we have been political idiots?' (Rupp, 1952, p. 21)

Talking about the Powers can have an adverse effect if it draws our attention too far away from the personal responsibility we possess, no matter how powerful the invisible Powers bearing down on us may be. It is not meant to exculpate Caiaphas and Pilate. Nevertheless, remembering that the Powers are working through political authorities also enables the church's relations with states to be informed by a patient reliance on providence. When the church faces rulers flagrantly exceeding their

proper authority, Christians must remember that the 'revolt demanded of Christians – and this distinguishes it from all kinds of other revolts – is not directed *against* any people' (Barth, 1981, p. 210; original emphasis; cf. Eph 6:12) but against the Powers that enslave people through the fear of death according to Hebrews 2. Christ suffered his passion so that 'through death he might destroy the one who has the power of death, that is, the devil, and deliver all those who through fear of death were subject to lifelong slavery' (Heb 2:14-15; ESV). There may be times, therefore, when the church's only task, when faced with a Diocletian or a Pinochet, is not dialogue or cooperation, but to bear witness patiently, even unto death, to its liberation from the fear of death and from bondage to the Powers, in order to call for the tyrant to repent and be converted.

3.3 Deliverance from the Powers in the church

3.3.1 The sacramental shape of the church

The previous chapter intended to correct the conception of political authority in Vatican II by proposing a more robustly theological conception that drew together the insights of several Protestant exegetes. In this chapter I intend to correct the problematic ecclesiology that affected Vatican II's teaching on church-state relations. In section 2.4.5, I argued that there was a tension in the Council's ecclesiology, which sometimes employed a scholastic theological idiom that seemed to relegate the church's essence to an immaterial, supernatural plane separate from the world, when articulating its largely pre-conciliar conception of the lay apostolate's role in mediating between church and state. However, by contrast, there were strides made

in *LG* to move beyond a scholastic idiom in its descriptions of the church as an eschatological sacrament and mystery, embodying the already begun, yet still obscure and incomplete, salvation of the world. As mentioned in 3.1, Part Three is not meant to be a repudiation of Vatican II, but rather a constructive response, building on the Council's efforts to improve the pastoral and missionary practices of the church. Hence the return to scripture in the previous chapter was following the Council's method of *ressourcement*. Similarly the ecclesiology to be elucidated in the current chapter will develop seeds already present in the conciliar documents, particularly the teaching that 'the principal manifestation of the Church consists in the full, active participation of all God's people in the same liturgical celebrations, especially in the same Eucharist' (*SC*, 1975, pp. 14-15, n. 41). My aim is to present an ecclesiology able to understand church-state relations without relying on the dichotomy between religion and politics, which undermines Christians' ability to see the church as a unique kind of social and political community.

In Part Two, I used Cavanaugh's political theology to argue that Vatican II's distinction between natural and supernatural planes of activity obscures the church's visibility as a social and political body. However, in 2.5.3 I also criticised Cavanaugh's ecclesiology for making the mistake of attending almost exclusively to the Eucharist, while neglecting the importance of the other sacraments and the proclamation of the Word of God in forming the church. Can O'Donovan help us to construct a more balanced ecclesiology? According to Travis Kroeker, whereas Yoder (as well as Cavanaugh, I would argue) focuses too much 'on the social embodiment of Christ's rule ... without paying attention to the inner formation of the wills and minds of Christian witnesses' (Kroeker, 2000, p. 58), O'Donovan has the opposite problem of

thinking that 'the church will have no visible political character' (ibid). 'O'Donovan refuses to allow that the church constitutes a new political order or alternative society, since it serves a hidden Lord whose rule cannot yet be made visibly public' (ibid). To support his criticism, Kroeker cites O'Donovan's claim that 'the political character of the church, its essential nature as a governed society, is hidden, to be discerned by faith as the ascended Christ who governs it is to be discerned by faith' (O'Donovan, 1996, p. 166). Kroeker is not entirely fair to O'Donovan, who devotes considerable space to considering how the sacraments visibly give 'institutional form and order' (idem, p. 172) to the church and enable us to 'know where the church is' (ibid) by its performance of 'a series of formed acts and observances [i.e. the sacraments], through which in acted speech ... it recapitulates the saving acts of Christ' (idem, p. 173).

Following O'Donovan's lead, my ecclesiology will also be constructed on the sacraments. However, as ecclesiology touches more closely on what the Catholic Church considers as authoritatively taught and settled areas of doctrine, the scope for receptive ecumenism will become narrower in this chapter in comparison with chapters 3.2 and 3.4. My dialogue with O'Donovan will continue, although I will be making my argument at times against the grain of his own thinking. Not every issue or aspect of ecclesiology need be discussed but only what is necessary to bring into focus the shape and structure of the community created by the Spirit and encountered by political authorities in a way that avoids the problems I identified earlier in Vatican II's ecclesiology. For that specific purpose, the current chapter will proceed to answer two ecclesiological questions: How do the sacraments give visible, social form to the church's participation in Christ's royal victory over the Powers?

And what do the sacraments empower Christians to do in imitation of Christ's messianic office as king, prophet, and priest?

3.3.2 Baptism

The exposition of O'Donovan's political theology in chapter 3.2 began to show how we can break down the conceptual partition between theology and politics when exploring the revelation of God's kingdom in the scriptural narrative, and the light that that revelation can shed on our own political undertakings. While we learnt there of the kingship of Christ defeating the Powers, we turn now to consider the church created by his triumph. What makes a society 'political'? According to Pierre Manent, we sometimes forget the command-obedience relationship at the ground of all political societies due to the influence of social contract theory since Hobbes, which imagines an autonomous self who exercises self-rule by consenting to the social contract and authorising the sovereign to rule over itself (Manent, 2018, pp. 71-77). 'Nothing in modern democracy has changed the fact that political existence depends upon structures of command and obedience' (O'Donovan, 1996, p. 18). Therefore we can say, without using metaphorical language, that the church is a political society because 'it is brought into being and held in being, not by a special function it has to fulfil [such as healthcare or education], but by a government that it obeys in everything' (idem, p. 159). The church is a political society because it 'is ruled and authorised by the ascended Christ alone and supremely ... and it is not answerable to any other authority that may attempt to subsume it' (ibid). Asserting the political nature of the church ensures that we do not associate politics exclusively with the state, as Vatican II did, and then repeat its mistake of understanding Christians to be engaging in politics solely when they interact with the state. Whereas

Vatican II works with a neo-Thomistic picture of Christians being 'citizens of both cities' (GS, 1966a, p. 42, n. 43), 'at one and the same time a believer and a citizen of the world' (AA, 1975, p. 772, n. 5), a more helpful perspective is Augustine's view that 'there is no dual citizenship' (Smith, 2017, p. 45) because 'members of the heavenly city are not members of the earthly city, too' (O'Donovan, 2004a, p. 58). For the Augustinian view, the question is not how Christians should distinguish between their political and religious identities and obligations. The pertinent question is rather how the sacramental practices of those whose 'citizenship [*politeuma*] is in heaven' (Phil 3:20; ESV) reveals the church to be a political society witnessing to 'a divine authority and a more lasting social order' (O'Donovan, 1996, p. 7). By being orientated to this eschatological horizon, the church exposes the comparative fragility and imperfection of public order or earthly peace, as Augustine calls it, which it is the duty of earthly political powers to protect.

The first sacrament that reveals the Church's political identity, i.e. its obedience to Christ, is baptism. In 'the patristic era baptism (that included confirmation) was deemed the primary sacrament' (O'Collins & Jones, 2010, p. 95), unsurprisingly given the explicit commandment to baptise in Matthew's Great Commission and in the longer ending of Mark's Gospel (Mt 28:19; Mk 16:16). The church is commanded to baptise because it signifies that entering the citizenry of the heavenly kingdom depends entirely on the unmerited gift of grace, and is neither assisted, nor hindered, by the moral luck of one's birth. A notion Augustine had to refute, presumably because it was held by many, was that Christian parents could transmit grace instead of original sin to their offspring, which 'implied that humans could engineer their grace over time through the progressive breeding of the most spiritually fit' (Waters,

2007, p. 22). However, Augustine argued, 'children can never be proper objects of hope because they merely magnify the futility of the passing age' (idem, pp. 22-23). No amount of biopower or biopolitical control over reproduction (to use the Foucauldian idiom) can alter the mortality, 'the alienation and division effected in Adam's posterity' (Bouyer, 1960, p. 69). Instead, 'if God is the true object of hope, as Augustine contended, then grace is a divine gift given to every generation instead of a possession imparted from one to the next' (Waters, 2007, p. 23). Hence, by baptising all its new members, regardless of their parentage, the church reveals that it is a new sort of community being formed and sustained by divine grace.

The church's novelty reflects the new era in salvation history begun by Christ. He was born of a virgin because his advent marked a new beginning unlike the kind of common novelty brought into the world by our natality, i.e. by every new-born's 'capacity of beginning something anew, that is, of acting' (Arendt, 1958, p. 9). Although God used the family of Abraham and his descendants to be the 'carrier of the covenant' (Atkinson, 2014, p. 78) from Genesis 12 onwards, even Abraham's progeny could not escape the effects of propagation, which led to further divisions between Jews and Gentiles and within the Jewish people itself. Christ's advent, therefore, was to surmount such divisions by founding a new kind of political community, 'a city measured more by endurance through time than by extension through space' (Milbank, 2006, p. 407). What matters for the church 'is not the cultivation of excellence in the heroic present [to occupy and defend a certain territory] ... but rather the ever-renewed transmission of the signs of love and the bringing to birth of new members from the womb of baptism' (ibid), regardless of the new members' ethnicity or nationality, who are 'all one in Christ Jesus' (Gal 3:28;

ESV). 'All recipients of divine love and grace are, by this favour, and not by any heroic excellence, full members of the community' (Milbank, 2006, p. 407) because the baptised are all redeemed equally, including those who are otherwise marginalised in society (such as women, children, slaves, etc). Baptism means to enter a polity in which all contingent differences are not abolished, but the enmity and partiality that come from the divisions persisting in the *saeculum* are meant to be superseded by mutual regard and love, as often indicated by Paul's use of the reciprocal pronoun, *allēlōn*. For example:

so we, though many, are one body in Christ, and individually members one of another [*allēlōn*] (Rm 12:5; ESV).

that there may be no division in the body, but that the members may have the same care for one another [*allēlōn*] (1 Cor 12:25; ESV).

For you were called to freedom, brothers. Only do not use your freedom as an opportunity for the flesh, but through love serve one another [*allēlois*] (Gal 5:13; ESV; cf. Lohfink, 1985, pp. 99-106).

Furthermore, baptism is inseparable from responding by faith to Christ's triumph over the Powers.⁴³ 'Believe in the Lord Jesus, and you will be saved, you and your household' (Acts 6:31; ESV), Paul and Silas tell their jailer at Philippi, and afterwards, 'he was baptized at once, he and all his family' (Acts 6:33; ESV). 'Whoever believes and is baptized will be saved, but whoever does not believe will be condemned' (Mk 16:16), as Christ declares in the longer ending of Mark. Here the necessity of baptism and its connection with belief are indicated, as they were also in Acts 6, but the juxtaposition of the two with only unbelief in the second half of the verse tells us that baptism is useless without faith. Since Christ's triumph over the Powers is not yet openly revealed, the baptised know only by faith that, 'even though there may be so-

⁴³ Whether the one being baptised must first profess belief, or if an infant may be baptised while relying on the faith of parents or godparents is a debate I do not need to enter (Wainwright, 1969, p. 12).

called gods in heaven or on earth—as in fact there are many gods and many lords [*kyrioi*]— yet for us there is one God, the Father ... and one Lord [*kyrios*], Jesus Christ' (1 Cor 8:5-6; NRSV). Faith should be 'the decision which tore them from subjection to the principalities' (Schlier, 1961, p. 55) because the shield of faith and the whole armour of God, as Ephesians 6:10-17 describes, give to the baptised the ability to resist the lure of the Powers. It is no surprise that two longstanding parts of the baptismal rite, since at least the third century, before the profession of faith and the baptism itself, are the exorcisms of those about to be baptised (Wainwright, 1969, pp. 20-21) and their renunciation of 'the devil and his pomp and his angels' (Tertullian, *De Corona*, 3, as cited in Bettenson, 1969, p. 147).

The connection between baptism, faith, and union with Christ's triumph is highlighted by Paul in Romans:

We were buried therefore with him by baptism into death, in order that, just as Christ was raised from the dead by the glory of the Father, we too might walk in newness of life (Rm 6:4; ESV).

The author of Colossians uses the Pauline understanding of baptism when warning those who seemed to be returning to subjection to the Powers: 'If with Christ you died to the elemental spirits of the world [*tōn stoicheiōn tou kosmou*], why, as if you were still alive in the world, do you submit to regulations?' (Col 2:20; ESV). The Colossians are also explicitly warned: 'Let no one disqualify you, insisting on asceticism and worship of angels' (Col 2:18a; ESV). From this and many other parts of the NT we see that the baptised are 'still within the grasp of the principalities, exposed to their attacks' (Schlier, 1961, p. 54). They are still capable of sinning and returning to the bondage from which they had been freed. However, the confident proclamation that God has 'delivered us from the domain of darkness [*tēs exousias*

tou skotous] and transferred us to the kingdom of his beloved Son' (Col 1:13; ESV), and that the Colossians had 'come to fullness in him [i.e. Christ], who is the head of every ruler and authority [*archēs kai exousias*]' (Col 2:10; NRSV), among many other exhortations and warnings, tell us that the author believed the Colossians had received everything they needed to be capable of resisting the Powers of the World.

We see the same connection between baptism, faith, and overcoming the Powers in the Johannine literature: 'For everyone who has been born of God overcomes the world. And this is the victory that has overcome the world—our faith' (1 Jn 5:4; ESV). The word for 'world' (*kosmos*) in this verse carries the connotations in the Pauline and Johannine cosmology of those who are enslaved by sin (Jn 8:34) and under the power of 'the ruler of this world' (Jn 14:30; ESV), since 'the whole world lies in the power of the evil one' (1 Jn 5:19; ESV). The reference to being born of God in 1 John 5:4 may allude to John's prologue:

But to all who did receive him, who believed in his name, he gave the right to become children of God, who were born, not of blood nor of the will of the flesh nor of the will of man, but of God (John 1:12-13; ESV).

These verses see faith in Jesus as leading to a share in divine sonship, anticipating Jesus' teaching to Nicodemus about being born of water and spirit in baptism (Jn 3:15). Moreover, the elaborate formula ('not of blood nor...') and the textual variants in quotations by Tertullian and Irenaeus that use the same verses to refer to Christ's Virgin Birth, rather than to Christians (Orchard, et al., 1953, p. 981), suggest that John is at least alluding to a certain analogy between the Virgin Birth and baptism. 'Christians are mystically, as Christ was literally, virgin-born' (Knox, 1952, p. 202). This supports the point made earlier that baptism represents sacramentally the

advent of a new era in Christ and the entry of a new citizen into the community obedient to Christ and gathered by his Spirit.

Finally, baptism also reveals the political nature of the church by leading some of the Powers to rebel by proposing imitations of baptism. 'Under the pressure of the Gospel and the Christian allegiance that it evokes, political authority comes to demand an opposed and ultimate allegiance' (O'Donovan, 2004b, pp. 37-38). In Revelation 13, after describing the demonic Power giving its power and authority to the First Beast, a political power that persecutes the church (Rev 13:1-10), there follows a vision of the Second Beast:

It exercises all the authority of the first beast on its behalf, and it makes the earth and its inhabitants worship the first beast, whose mortal wound had been healed. ... Also *it causes all*, both small and great, both rich and poor, both free and slave, *to be marked on the right hand or the forehead*, so that no one can buy or sell who does not have the mark, that is, the name of the beast or the number of its name (Rev 13:12, 16-17; NRSV; emphasis added).

In other words, 'a public profession is required of everyone ... each man must show to whom he belongs, under whose protection and in whose service he is' (Schlier, 1961, p. 88). The mark is a 'secularised seal of baptism which levels all differences between men and only distinguishes between friends and enemies of the ruling system' (Schlier, 1967, p. 236). The antitheses described of small and great, rich and poor, free and slave, emphasize that the Powers want to reclaim the loyalty of the totality of society for themselves. Although the Second Beast wields the threat of exclusion from society's transactions, which would presumably result in starvation, it seems to demand more than a sign of political loyalty to the First Beast. O'Donovan argues that interpreting Revelation 13 to be only about a kind of political totalitarianism would be 'not mistaken, but too limited' (O'Donovan, 2004b, p. 37) because it is about

the more fundamental evil of pseudo-messianic ideology, a claim to ultimate loyalty based on the occupation of a decisive role in history ... [i.e.] posing as the emissary of divine redemption (ibid).

O'Donovan's interpretation may well be supported by the blasphemous names on the heads of the First Beast (Rev 13:1) and by its mouth uttering 'haughty and blasphemous words' (Rev 13:5). Schlier sees these as references to the imperial Caesar cult and he lists various divine titles that the emperors gave themselves, including *salus mundi*, salvation of the world (Schlier, 1967, p. 235; 1961, pp. 80-81). Moreover, it seems to be the function of the Second Beast, which is described later as 'the false prophet' (Rev 16:13; 19:20; 20:10), to provide a pseudo-messianic ideology justifying worship of the First Beast. Although the language is obscure, the Second Beast seems to use the visible mark of loyalty, as well as performing deceptive miracles and using an image of the First Beast (Rev 13:13-15), to make the First Beast appear worthy of worship: 'the whole earth marvelled as they followed the beast ... saying, "Who is like the beast, and who can fight against it?"' (Rev 13:3-4; ESV). The mark is 'the name of the [first] beast or the number of its name' (Rev 13:17; NRSV) and Schlier and Cullman both argue that the number (616, not 666) is code for *kaisar theos* (Schlier, 1961, p. 89; Cullmann, 1949, p. 27). Regardless of what the number means, the reference to the Caesar cult in Asia Minor is unmistakable, reflecting a period in which 'the blending of the ritual institution with the administrative became the leading idea of the provincial organisation of the imperial period' (Mommsen, 1886, p. 345). The Second Beast, therefore, 'is the priestly propagandist who invests the bestial power with a ritual, and thereby furthers its effectiveness' (Schlier, 1961, p. 85).

Throughout its history, the practice of baptism has inspired, like the negative image of a photograph, numerous parodies of itself, which briefly make more visible the eschatological division in loyalties created by Christ's confrontation with the Powers, as it is prolonged by the church's mission. Two examples will suffice. During most of the Edo period in Japan (1629-1856), the authorities forced suspected Christians to prove their repudiation of outlawed religions by trampling upon *fumi-e*, i.e. images of Jesus or Mary (Cavanaugh, 1998, pp. 10-11). Another example was the oath of unconditional obedience to the Führer even unto death, required of all conscripted soldiers in the Wehrmacht from 1935 onwards, an oath which the Catholic Church at the time failed to recognise for what it was and hence did not officially oppose. One of the few who refused to take the oath, the Catholic peasant and martyr Franz Jägerstätter, saw that the oath to Hitler and confessing Christ's Lordship were mutually exclusive:

Christ demands from us also a public acknowledgment of our faith, exactly as the Führer Adolf Hitler demands from his Volk. ... We must still obey God more than we obey human beings. And who can serve two masters at once?' (Jägerstätter, 2009, p. 180).

Father Karobath, his pastor, Bishop Fliesser, and several others told him the oath did not make him responsible for the Nazi regime's policies, and 'he had neither the competence, nor information, nor the right to challenge the secular ruler as to the justice or injustice of the war' (Zahn, 1964, p. 161). For Jägerstätter, however, 'the question reduces itself to a choice between two "kingdoms"' (idem, p. 128). If many were willing to sacrifice their lives for National Socialism, he asked, then: 'Why should it be so hard to give up our lives for a king [i.e. Christ] ... whose ultimate victory is certain, and whose kingdom exists forever?' (Jägerstätter, 2009, pp. 179-180).

In summary, the church is a political community because it is obedient to Christ. Baptism reveals that the church is a unique kind of political community because one's entry into it is wholly dependent on grace, not on the facts of one's birth; it is a community defined by endurance over time, not occupation of any space; and it is meant to surmount the enmity and partiality that can affect relations between the other communities into which we are born. Baptism also reveals the political nature of the church by causing the Powers to sometimes react to the church's mission with parodies of baptism that aim to prevent their subjects transferring their obedience and loyalty to Christ.

3.3.3 Eucharist

The previous section's discussion of baptism began to outline the sacramental shape of the Church as a political community and to correct Cavanaugh's exclusive focus on the Eucharist. We move on now to the Eucharist with the same aim as before of providing the essential features of an ecclesiology that will help to rectify Vatican II's teaching on church-state relations.

Paul's remarks about the Israelites' baptism in the cloud and sea and their consumption of spiritual food and drink (1 Cor 10:1-4), and the blood and water flowing from Christ's side after his death (Jn 19:34), have been understood by several Fathers, such as Chrysostom and Augustine, and modern interpreters, such as Cullmann, to be references to both baptism and the Eucharist (Cullmann, 1953, pp. 31-32, 114-115). However, there is a crucial difference between the two sacraments. Baptism 'cannot be repeated, just as the death of Christ cannot be repeated' (idem, p. 109), but there is a sacrament 'which is meant to be repeated, the Sacrament of the

fellowship of love, the Lord's Supper' (ibid). This affects the role of each sacrament in shaping the church's identity.

According to Cullmann, the theme of baptism is the thread uniting Jesus' discourse with Nicodemus about rebirth by water and Spirit, John the Baptist's last witness to Christ, and Jesus' conversation with the Samaritan woman (Jn 3:1-4:30). The association made in the discourse with Nicodemus between water and the Spirit reappears when Jesus offers to give living water, which whoever drinks 'will never be thirsty again' (Jn 4:14; ESV), and promises the hour has come for true worship to the Father in the Spirit. According to Cullmann, that baptism is performed only once seems to be at least implied in the water that slakes thirst forever (literally: *ou mē dipsēsei eis ton aiōna*) and becomes thereafter the wellspring of eternal life (Cullmann, 1953, p. 83). Later, at the washing of the disciples' feet, Jesus says to Peter: 'The one who has bathed does not need to wash, except for his feet, but is completely clean' (Jn 13:10; ESV). Cognates for the word meaning 'bathed' (*léloumenos*) seem to refer in other passages directly or indirectly to baptism, e.g. 'he saved us ... according to his own mercy, by the washing [*loutrou*] of regeneration and renewal of the Holy Spirit' (Titus 3:5b; ESV; cf. Eph 5:26, Heb 10:22). The word 'bathed' probably reflects the early Church's practice of baptising by immersing the whole body in water; hence, not needing to bathe again, Cullmann argues, can be interpreted as meaning that 'he who received Baptism, even when he sins afresh, needs *no second Baptism*, for one cannot be twice baptized' (Cullmann, 1953, p. 108; original emphasis). Similarly, in Hebrews 6:4-6 the repetition of baptism is rejected because if baptism means 'participation in the Cross of Christ' (Cullmann, 1950, p. 15; cf. Rm 6:4), then re-baptism would require Christ to be crucified again.

In baptism, therefore, 'the individual is, *for the first time and once for all*, set at the point in history where salvation operates' (idem, p. 30; emphasis added). As for the Eucharist, by contrast, the 'meaning of this *repeated* appropriation of the death and resurrection of Christ ... is that here there gather ... *those who already believe* and who again and again assure themselves of their salvation as a community in the act of the Eucharist' (idem, pp. 29-30; original emphasis). Cullmann compares baptism to receiving citizenship at a particular point in time and the Eucharist to thereafter receiving the daily rations given to every citizen (idem, p. 39). Those who accepted Peter's words at Pentecost 'were baptized, and there were added that day about three thousand souls' (Acts 2:41; ESV) because 'with every Baptism a new victory is won over the hostile powers, as a new member is set at the place where he can be delivered from these powers' (Cullmann, 1950, p. 32). The Eucharist is, by contrast, never described as leading to the addition of new members to the community, which reflects later evidence (e.g. in the *Didache*) that the Eucharist was received only by those already baptised (Louth, 1987, p. 195). Instead, receiving the Eucharist turns individual members into one Body of Christ (1 Cor 10:17).

In 1 Corinthians we see that the visible, social body created by the Eucharist demands discipline to exclude forms of behaviour that threaten to damage the communion of the members with each other and with Christ. Paul accused some in the Corinthian church of ruining the Eucharist by their uncharitable conduct. The rich, who humiliate the poor and hungry and show contempt for the church (1 Cor 11:22), 'bring divisions to the church, and thus threaten the visibility of the body of Christ' (Cavanaugh, 1998, p. 246). Earlier in the letter Paul writes that since all who eat from the same altar are 'partners in the altar' (1 Cor 10:18; NRSV), those who eat

meat sacrificed on the altars of pagan deities are 'partners with demons' (1 Cor 10:20; NRSV). Receiving from Christ's altar, however, excludes partaking of any other (1 Cor 10:21; cf. Cavanaugh, 1998, p. 246) and it also excludes fellowship with those who commit the various forms of immortality he lists (1 Cor 5:9-11) because such behaviour would be to deny that each believer's body has become a member of Christ's Body (1 Cor 6:13-20). The Eucharist, in other words, requires the baptised to reject conduct that would remove them from allegiance to Christ and lead them back to being subject to the Powers. The contrast between being liberated from the Powers by baptism, and the ongoing process of striving to be freed from the Powers, can be discerned in the different tenses employed in Colossians:

Do not lie to one another, seeing that you *have put off* [aorist participle] the old self with its practices and *have put on* the new self [aorist participle], which *is being renewed* [present participle] in knowledge after the image of its creator (Col 3:9-10; ESV).

The Body of Christ created by the Eucharist visibly manifests the communion of its members with Christ by its moral discipline, but also by the way that the community uses time and space. If the church were an essentially spiritual, immaterial, and atemporal community, then fixing certain times and places for worship would be insignificant or merely a way to condescend to our need for external ritual and symbolism. In fact, the church's use of time and space to gather for the sacraments reveals that this is the political community of those obedient to Christ, existing alongside the communities of those still subject to the Powers.

'Special importance was attached in early Christianity to the fact that the whole community should gather in *one place*' (Cullmann, 1953, p. 10; original emphasis), which is why Ignatius of Antioch repeatedly rebuked those holding separate meetings

(e.g. Louth, 1987, pp. 62, 72, 80; cf. Cullmann, 1953, p. 10).⁴⁴ That one place, however, no longer needed to be in the Temple because the Spirit's descent at Pentecost meant that the place of worship has become wherever Christians gather (Mt 18:20; Eph 2:21-22; Heb 10:25).⁴⁵ Hence, the church's catholicity, its mission to draw all people into Christ's Body, rather than to occupy any particular territory, was shown by branching out from Jerusalem to other places and centres around which new local churches could gather.

The church gathered daily (Acts 2:46, 5:42) but the rhythm of its meetings was especially determined by commemorating the Lord's Day, i.e. the day of the resurrection (Acts 20:7; 1 Cor 16:2; Rev 1:10, *Didache*, 14:1 *Epistle to Barnabas*, 15:9, cf. Louth, 1987, pp. 178, 197). The Sunday Eucharist was not merely to recall past events, but to commemorate the Paschal Mystery in a way that proclaims Christ's Lordship and accomplishes his saving work in the present (Schmemmann, 1973, pp. 56-57; Wainwright, 1981, pp. 66-67). Its weekly repetition, however, within the larger cycle of an annual commemoration of the Paschal Mystery on Passover and Pentecost, also expressed the church's need to wait during the *saeculum* for the full revelation of his Kingdom, and to use the time given to 'come to the unity of the faith and of the knowledge of the Son of God, to maturity, to the measure of the full stature of Christ' (Eph 4:13; NRSV).

In summary, whereas baptism was an individual's unrepeatable entry into the citizenry of the church, the Eucharist is the sacrament that repeatedly creates one Body from the individual members. The unity of Christ's Body is not merely spiritual

⁴⁴ Cf. '*epi to auto*' in Acts 1:15, 2:1; 1 Corinthians 11:20, 14:23.

⁴⁵ The Incarnation should make it needless to add that no technological simulacrum can substitute for meeting together in the flesh.

but is made socially visible by the gathering of the local church together in the same place and time for the Eucharist, and by the moral discipline demanded of all communicants to wage an ongoing struggle against the Powers, and reject conduct that would lead them back to subjection under them.

3.3.4 Participating in the threefold office: Prophet, Priest, King

Vatican II recognised that 'the principal manifestation of the Church consists in ... liturgical celebrations, especially in the same Eucharist' (SC, 1975, pp. 14-15, n. 41). However, adopting the conceptual dichotomy between religion and politics (GS, 1966a, p. 41, n. 42) meant that Vatican II divided the lay apostolate's activities into spiritual and temporal orders (AA, 1975, p. 772, n. 5), and reduced the sacraments and liturgy to cultic acts of worship, belonging to a spiritual order separate from politics and everything else that makes up the temporal order. Eschewing the problematic dichotomy between religion and politics, I have instead argued that baptism and the Eucharist create the church as a social and political community, by leading individuals from subjection to the Powers to citizenship in the church, and by enabling the church to receive again and again its political identity as the Body of Christ, united in faith and obedience to its risen King. Instead of treating the sacraments as only cultic practices, I have sought to understand them according to the two original meanings of *leitourgia*, which could mean 'a function or "ministry" of a man or of a group on behalf of and in the interest of the whole community' (Schmemmann, 1973, p. 25). Thus, baptism is a *leitourgia* because (according to this definition) it serves to unite us, one by one, to Christ's victory over the Powers. *Leitourgia* could also mean 'an action by which a group of people become something corporately which they had not been as a mere collection of individuals' (ibid). The

Eucharist is a *leitourgia* according to this second definition, because it makes the baptised into the Body of Christ in the world.

What follows from the church taking shape by baptism and the Eucharist? What are the newly regenerated and incorporated members of the church empowered and commanded to do? They are required and enabled by the Spirit to participate in Christ's threefold office, i.e. *to share in Christ's royal conquest of the Powers by bearing prophetic witness*, as he did, to his Kingdom, and *by sacrificially offering themselves* to others, through and in participation with Christ's priesthood.

The significance of Christ being 'King of kings' (Rev 19:16) has been sufficiently established in my exposition of O'Donovan's thought. However, I have not discussed Christ's fulfilment of the offices of priest and prophet, partly because O'Donovan's focus on Jesus' kingship led him to devote much less attention to Christ's priesthood (Long, 2018, p. 47). Yet Hebrews calls Christ a priest (*hiereus*), a high priest (*archiereus*), and claims Christ 'holds his priesthood [*hierōsynēn*] permanently' (Heb 7:24; ESV; cf. 3:1, 10:21). Meanwhile, Christ's prophetic office is clearly implied by his own words (Mt 12:41; Mk 6:4; Lk 13:33-34) and Luke portrays Jesus as a rejected prophet from the beginning of his ministry (Lk 4:16-30).

Moreover, the NT describes Christians as sharing in his threefold office. 'The one who conquers, I will grant him to sit with me on my throne, as I also conquered and sat down with my Father on his throne' (Rev 3:21; ESV), as Christ declares to the Laodiceans. The earliest confessions in the NT 'are not content to say that Christ sits at the right hand of God; they emphasize with characteristic regularity the subjection of the invisible powers under Him' (Cullmann, 1949, p. 59; cf. Phil 2:6-11; 1 Pet 3:22). Therefore, we can understand Revelation 3:21 to mean that Christ enables Christians

to share in his royal conquest of the Powers. Jesus has 'made them a kingdom and priests to our God, and they shall reign on the earth' (Rev 5:10; ESV; cf. 20:6). They are 'a royal priesthood' (1 Pet 2:9; ESV) and 'like living stones are being built up as a spiritual house, to be a holy priesthood, to offer spiritual sacrifices acceptable to God through Jesus Christ' (1 Pet 2:5; ESV). In Paul's letters the *charisma* of prophecy seems to be granted only to some Christians (1 Cor 14:1-33). 'Luke, however, took a broader view of prophetic utterances' (O'Collins & Jones, 2010, p. 274). 'Like Paul (1 Cor. 12:13), Luke assumed that all Christians received the Holy Spirit (Acts 10:44-48), and he closely linked prophecy with the reception of the Spirit' (idem, p. 275). We see this in the way Luke uses the prophet Joel to explain the 'the Spirit being poured out on all human beings' (idem, p. 274) to enable them to prophesy in the last days (Acts 2:14-21). In summary, the NT seems to describe the whole church participating in Christ's threefold office. Once united to Christ's Body by baptism and the Eucharist, how specifically do Christians participate in Christ's triumph as prophet, priest, and king over the Powers?

They do so firstly by publicly confessing belief in Jesus' kingship before the Powers and by accepting the suffering that results, even to the point of martyrdom if summoned to it. When Jesus is asked if he is a king by Pilate, Jesus does not deny it but replies that his kingdom (NRSV & ESV) or kingship (RSV) is not of this world (*ek tou kosmou*) and yet he has come into this world (*eis ton kosmon*) so that he may bear witness (*martyrēsō*) to the truth (Jn 18:33-38). The political-eschatological nature of Christ's words can be understood by seeing their echo in Revelation, which describes Jesus in heaven as 'the faithful witness [*martys*], the firstborn of the dead, and the ruler of kings on earth' (Rev 1:5; ESV). Christ came to bear witness to (or be a martyr

for) not an otherworldly and apolitical kingdom, or to a reign still to be achieved in the future, but to a kingdom that takes its origin from God, rather than from any human authority in the present *saeculum*, and hence does not need 'to be asserted against other such authorities by force of arms' (O'Donovan, 1996, p. 176). Having been the faithful witness, according to Revelation 1:5, Christ now reigns in heaven over the kings on earth. After Pentecost, Christ's apostles and disciples were commanded and empowered by the Holy Spirit to be his witness (*martyres*) 'in Jerusalem and in all Judea and Samaria, and to the end of the earth' (Acts 1:8; ESV; cf. Jn 15:27). The necessity of bearing witness is underlined by Jesus' promise that for someone to acknowledge or deny Jesus publicly will determine whether Jesus in heaven grants or denies his recognition to that same person (Mt 10:32-33; Lk 12:8-9). In imitation of Jesus, who 'in his testimony [*martyrēsantos*] before Pontius Pilate made the good confession' (1 Tim 6:13; ESV) 'in the open political setting of a public trial' (Peterson, 2011, p. 162), so also his followers 'will be brought before kings and governors for my name's sake. This will be your opportunity to bear witness [*martyrion*]' (Lk 21:12-13; ESV). When brought before the public organs of the state, 'before the synagogues and the rulers and the authorities' (Lk 12:11; ESV), the martyr's confession 'leaps beyond this world's concept of "public" and demonstrates in his words the public claim of another, a coming new world' (Peterson, 2011, p. 157). Vatican II distinguishes between two kinds of lay apostolate: the apostolate in politics and other temporal affairs, and the separate apostolate of evangelisation, to which it assigns the layman's task of witnessing to the Gospel by word or by deed (AA, 1975, p. 773, n. 6). By contrast, my approach has brought into relief the impossibility of such a separation. For Christians to bear witness to the authority of

Christ's kingship before the Powers is an essential aspect of their political engagement.⁴⁶

Bearing witness is closely linked to baptism and to Christ's office as prophet. After 'God anointed Jesus of Nazareth with the Holy Spirit and with power' (Acts 10:38; ESV) at his baptism (Lk 3:21-22), in the desert, 'full of the Spirit' (Lk 4:1; ESV), Jesus defeated the devil's temptations, and then 'filled with the power of the Spirit, returned to Galilee' (Lk 4:14; NRSV) where, as the long-awaited prophet, he 'began to teach in their synagogues and was praised by everyone' (Lk 4:15; NRSV). The rejection he immediately faced in his hometown, Nazareth, was taken by him to be proof that he was truly a prophet like Elijah or Elisha (Lk 4:24-30). In a parallel way, after his apostles received the Spirit of prophecy at Pentecost, they began to teach and bear witness to Christ before the authorities, even in the face of rejection and persecution (Acts 2:1-4:31). Baptism and its fulfilment in the anointing rite of the sacrament of confirmation or chrismation are the 'personal Pentecost of man, his entrance into the new life of the Holy Spirit' (Schmemmann, 1973, p. 75; cf. 1 Jn 2:20, 27). Baptised and confirmed Christians are thus strengthened by the Spirit to become prophetic witnesses to Christ's kingship before the Powers, just like his first followers, even unto death.

Having argued that bearing witness to Christ is one way that Christians are empowered to share in his reign over the Powers, I now move on to argue that they are also empowered to offer themselves sacrificially to others, through and in participation with Christ's priesthood. What kind of priesthood is Christ's? Like the Levitical-Aaronic priesthood, Christ also offered a bloody sacrifice and forged a

⁴⁶ One may note in passing that John Courtney 'Murray rarely mentions the fact that the need to suffer the Cross is integral to the Christian's "worldly" presence' (Schindler, 2015, p. 201).

covenant. However, the unique character of Christ's priesthood can be gleaned from the Letter to the Hebrews. It uniquely describes Christ as offering himself in a way that

combines two elements of the catechesis of the New Testament: on the one hand, the presentation of Christ as a sacrificial victim and, on the other, the aspect of voluntary commitment which characterizes the Passion of Jesus (Vanhoye, 2009, p. 197).

Unlike the Gospels or Pauline epistles, Hebrews uses verbs of ritual oblations, *anapherein* (Heb 7:27) and *prospherein* (9:14, 25), to describe Christ offering himself (ibid). Whereas those verbs referred in the Old Testament to the offering of ritual sacrifices, Hebrews uses them to describe Christ offering himself as the victim 'by the way in which he bore suffering and death' (Vanhoye, 2009, p. 197) when condemned and executed. Thus, unlike the external ritual sacrifices of the High Priests, Christ offered 'a *personal, existential* sacrifice' (ibid; emphasis added) of himself, on the one hand, and as a priestly mediator, on the other, he 'brought about in his own person the perfect covenant between mankind and God' (idem, p. 315; cf. Heb 8:6, 9:15). These two aspects of his priesthood need to be distinguished. All Christians are consecrated to offer themselves sacrificially in service to God and to their neighbour, through and in imitation of Christ's offering of himself. However, Christians can only make their existential offerings in complete dependence on Christ's unique priestly mediation between God and man (1 Tim 2:5). 'No one can bypass Christ and arrive at God; *a fortiori*, nobody can claim to act as a substitute for Christ to lead other men to God' (Vanhoye, 2009, p. 222). Christ is the only priest in the fullest sense of the word; hence Hebrews never gives Christians the title of "priest" which could also have led to confusion with the Levitical priesthood (ibid).

Leaving aside the unique aspect of Christ's priesthood as the one mediator, how do Christians participate in the other aspect of his priesthood? We read in Hebrews that Christians are 'given confidence to enter the sanctuary by the blood of Jesus' (Heb 10:19; NRSV). Obviously, this cannot mean entering the sanctuary of the Second Temple to perform ritual sacrifices. The offerings that Christians make must be modelled on Christ's existential sacrifice. Thus, we read later:

Through him [i.e. Christ], then, let us continually offer a sacrifice [*thysian*] of praise to God, that is, the fruit of lips that confess his name. Do not neglect to do good and to share what you have, for such sacrifices [*thysiais*] are pleasing to God (Heb 13:15-16; NRSV).

Although done through Christ, and hence dependent on his unique mediation, the author of Hebrews 'employs the technical term for "sacrifice" (*thysia*)' (Vanhoye, 2009, p. 224) for prayer in verse fifteen and for alms and sharing goods in the community in the next verse. Similarly to Hebrew 13:16, Paul uses cultic language to refer to the alms sent by the Philippians as 'a fragrant offering, a sacrifice [*thysian*] acceptable and pleasing to God' (Phil 4:18; ESV). Probably with an eye to his expected martyrdom, Paul also describes himself as 'being poured out as a libation over the sacrifice [*thysia*] and the offering [*leitourgia*] of your faith' (Phil 2:17; NRSV). Finally, he appeals to the Romans 'to present your bodies as a living sacrifice [*thysian*], holy and acceptable to God, which is your spiritual worship' (Rm 12:1; ESV), meaning 'the sacrifice that must be offered to God is one of a holy life, completely conformed to his will and acceptable to him' (Torrell, 2013, p. 40). These different ways of describing actions in cultic, sacrificial language may help us to understand what 1 Peter means in addressing his recipients as being 'a royal priesthood' (1 Pet 2:9; ESV) and 'a holy priesthood, to offer spiritual sacrifices [*pneumatikas thysias*] acceptable to God through Jesus Christ' (1 Pet 2:5; ESV).

To summarise, the offerings or spiritual sacrifices Christians are called to perform, as participants in Christ's priesthood, are:

- firstly, prayer and worship, i.e. the sacrifice of praise;
- secondly, almsgiving and the sharing of goods with the needy;
- thirdly, the offering of faith;
- and fourthly, the offering of one's entire life to God, which can include offering one's life to the point of martyrdom, as indicated by Paul's use of the cultic term for drink offering (*spendomai*, cf. Num 15:1-10) to describe his approaching martyrdom (Phil 2:17; 2 Tim 4:6).

Since the three offices of Christ are 'distinguishable but inseparable' (O'Collins & Jones, 2010, p. 245), it should not be surprising that sharing in his royal conquest over the Powers by bearing witness and by sacrificial offerings should eventually converge on the same form of ultimate conformity to Christ: martyrdom.

Vatican II also recognised that all 'the faithful who by Baptism are incorporated into Christ ... in their own way share the priestly, prophetic and kingly office of Christ' (LG, 1975, p. 388, n. 31; cf. AA, 1975, p. 777, n. 10). The argument of this section and indeed of this chapter has not sought to repudiate entirely the Council's ecclesiology. I have intended to show rather that the Council missed the opportunity to use the innovative elements of its ecclesiology, such as the threefold office of Christ, to enrich its teaching on church-state relations. The conceptual dichotomy between religion and politics meant that Vatican II was vague about how sharing in the threefold office would affect the laity's apostolate in the world, and the threefold office remained a concept whose potential was not sufficiently explored. The scriptural exegesis I have given in this section was meant to show how baptism and the Eucharist empowers

the church to participate in Christ's threefold office and thus share his victory over the Powers. The obedience of the church to Christ, which is the core of the church's identity as a political community, is meant to lead its members to share in Christ's royal, prophetic, and priestly ministries, and thereby become conformed to his example.

3.4 Learning from the Ambiguous Legacy of Christendom

In the previous two chapters, I have been proposing remedies for the problems besetting Vatican II's teaching on church-state relations. In chapter 3.2, by learning from O'Donovan and the literature on the Powers, I proposed an account of political authority shaped more faithfully by the scriptural witness than Vatican II's almost entirely naturalistic account of political authority's nature and purpose. In chapter 3.3, I proposed an ecclesiology that avoids imagining that the church occupies a non-political, "religious" sphere, as Vatican II does to conceptualise the relation between church and state. Instead I proposed a sacramental ecclesiology to explain how the church is a unique kind of political community under the authority of Christ and given social form by the sacraments of baptism and the Eucharist. I argued that being baptised and incorporated into the Eucharistic Body of the Christ enables the members of the church to participate in Christ's royal triumph over the Powers by bearing prophetic witness to him, and by sharing in his self-sacrificial priesthood, both of which may lead to martyrdom. The final task of Part Three is to draw from Patristic and mediaeval sources the lessons that can be learnt from the 'impact of the Christian faith on European politics' (O'Donovan, 1996, p. 194) and the 'practical experience of Christian political discipleship' (idem, p. 219) during the period of

Christendom. As mentioned in 3.1, I accept O'Donovan's dating of Christendom as the period between 'AD 313, the date of the Edict of Milan, and 1791, the date of the First Amendment to the US Constitution, though these moments are symbolic only, and others could no doubt be found that would do as well' (idem, p. 195). Christendom can be defined as 'the idea of a confessionally Christian government, at once 'secular' (in the proper sense of that word, confined to the present age) and obedient to Christ' (ibid), and 'the history of that idea in practice' (ibid). My argument will be that there are four lessons to be learnt from the history of Christendom:

1. The church's relation to political authorities is not separate from but a key aspect of its evangelizing mission because the church's Gospel is to announce to the Powers (which, to repeat, refers to both human rulers and the demonic forces acting through them) their already achieved, but not-yet revealed, defeat by Christ.
2. The confrontation between church and the Powers can lead either to martyrdom or to mutual service, in which a converted political authority welcomes the Gospel, 'makes the confession of Christ's victory and accepts the relegation of its own authority' (idem, p. 219).
3. The ambiguity of Christendom derived from gradually forgetting the missionary relation between the church and the Powers and instead conceiving rulers and the church, now concentrated around the sacerdotal hierarchy, as twin, complementary authorities in a homogenous Christian society. Consequently, lay rulers were understood to be exercising a key ministry within and for the church, particularly by using their power to enforce the church's creedal and sacramental discipline.

4. Christendom was also the seedbed within which the notion of a limited, constitutional government responsible to a higher and prior law was cultivated. The danger for the church today is to forget that this self-understanding of political authority has its origins in rulers welcoming the church's Gospel and confessing Christ's kingship. With the decline in Christian belief and affiliation in the West, the habits of restraint and the conceptual recognition of political authority's limited remit, which are the positive legacy of Christendom, will survive for only a limited time in its former territories.

Attending to these four lessons would teach us, I argue, that in the post-Christendom present, church-state relations need to be guided by two priorities. Firstly, the church must seize the opportunity to liberate itself from the ambiguous elements of Christendom's legacy by regaining its sense of being in constant eschatological tension with political authorities, which may always end in martyrdom, although an imperfect equilibrium and mutual service can be fostered by the conversion and obedience of rulers to Christ. Secondly, in places in the world whose political institutions bear the marks of the Gospel's impact, the church must seek (if prudent for its mission) to preserve the symbolic remnants of the Powers' submission to Christ during Christendom, which can serve an apologetic purpose by pointing to the evangelical roots of the political values and institutions we most cherish in the West. Having summarised what I want to argue in this chapter, I will now defend each of the points I have stated.

3.4.1 Bearing witness before the Powers

After the ascension, 'the nations and rulers of the world were confronted with the rule of God, triumphantly present in a community that owned no other rule'

(O'Donovan, 1996, p. 193). The 'extraordinary missionary triumphalism to which this faith gave rise' (ibid) in the pre-Nicene church can be seen especially in the several accounts of martyrdoms, beginning with Stephen (Act 6:8-7:60) and Polycarp (Louth, 1987, pp. 125-132). Just as Christ is reported to have predicted in the eschatological discourse of the Synoptics (Mt 10:17-20; Mk 13:9-11; Lk 21:12-13), Christians in the early church were brought before public authorities to bear witness to the superior public claims of Christ's reign. Vatican II's conception of autonomous temporal and spiritual orders and its call to lay Christians to be guided by "religious" values in politics bear little resemblance to the convictions of the early church, which made no clear distinction between religious and political loyalties. Equally AA's distinction between the apostolate of evangelization and the apostolate of renewing the temporal order breaks down when one considers what was at stake when, for example, Polycarp refused to blaspheme his *basileus* by confessing *kyrios Kaisar* (Louth, 1987, pp. 127-128). The public witness of Christians before the Powers refuses to be categorized as either "religious" evangelization or as a contribution to the temporal, political order. The Christians living in Asia Minor during Pliny's time, according to N.T. Wright, 'regarded it as fundamental that their allegiance to Christ cut across any allegiance to Caesar' (Wright, 1992, p. 350, as cited in Cavanaugh, 1998, p. 63). The witness they bore to Christ before the Powers was, therefore, not accidental but rather an inevitable consequence of the conflict between giving one's loyalty to Christ or the Powers, a conflict that will continue as long as the *saeculum* lasts in which the 'passing age of the principalities and powers has overlapped with the coming age of God's Kingdom' (O'Donovan, 1996, p. 211). Indeed, the history of the early church teaches us that the church's relation with political authorities is a

missionary one, not because the Powers are the sole object of mission but because they are a distinct and important object of it. O'Donovan distinguishes

two frontiers within the Gentile mission: the church addressed *society*, and it addressed *rulers*. ... The logic of this distinction is given in the very idea of God's rule in Christ. Society and rulers have different destinies: the former is to be transformed, shaped in conformity to God's purpose; the latter are to disappear, renouncing their sovereignty in the face of his (*idem*, p. 193; original emphasis).

If witnessing before the Powers is a distinct part of the church's mission, must it necessarily end one way or another in martyrdom? In the next section, I will explain why it might not.

3.4.2 Mission leading to martyrdom *or* mutual service

According to Cavanaugh: 'The ancient church understood the martyrs' deaths as an inevitable consequence of imitating Jesus' (Cavanaugh, 1998, p. 62). Hauerwas similarly claims that 'genuine politics is about the art of dying' (Hauerwas, 1999, p. 43) and 'the most determinative political witness the church had against Rome was martyrdom ... The church ... triumphs by remembering the victory of the Lamb through the witness of the martyrs' (*idem*, p. 38). Both are right to emphasise that Christian witness 'must always be acted out against the horizon of suffering and martyrdom' (O'Donovan, 2003, p. 9). As I argued earlier in 2.5.2 and 3.3.4, martyrdom is the ultimate way of witnessing 'to God's faithfulness when there is nothing left to do' (*idem*, p. 10). However, it does not exhaust the other ways we can be witnesses to his reign before reaching that final point. In 3.3.4 I outlined three ways of participating in Christ's priesthood aside from martyrdom (prayer, sharing of possessions, faith) by which the church can witness to its liberation from the Powers by Christ. More importantly, as O'Donovan argued, Hauerwas' emphasis 'on martyrdom and death as the normative expression of Christian witness' (O'Donovan,

1994, p. xv) leaves underemphasized what motivated the martyrs' confidence in facing death, which was the belief that their cause would be justified and vindicated at the resurrection, if not sooner by the conversion of their persecutors (O'Donovan, 1996, pp. 216-217). Without hope for the resurrection, martyrdom would be merely 'a programme of pious readiness to embrace death' (O'Donovan, 1994, p. xvi), not dissimilar from Socrates' argument for why a true philosopher should not fear death (*Phaedo*, 84b). Cavanaugh's claim that the early church believed martyrdom to be not merely likely but inevitable for Jesus' followers is an exaggeration and he similarly underemphasizes their hope for the resurrection. 'The church is not at liberty to withdraw from mission' (O'Donovan, 1996, p. 212) and martyrdom may certainly follow from the conflict with the Powers that that mission provokes. Yet 'readiness for martyrdom is not the only form the church's mission must take' (idem, p. 215) because the church can hardly 'undertake its mission without confident hope of success' (idem, p. 212). If its mission is not persecuted but accepted,

the church must be prepared to welcome the homage of the kings when it is offered to the Lord of the martyrs. ... No honour is paid to the martyrs if they are presented as mere dissidents, whose sole glory was to refuse the cultural order that was on offer to them. Martyrdom is ... pointing to an alternative offer. The witness is vindicated when it is carried through in a positive mode, ... encouraging the acts of repentance and change by which the powers offer homage to Christ (idem, p. 215).

Christendom should be viewed from this perspective, not as a project 'to further the kingdom through the power of this world' (Hauerwas, 1999, p. 39) but by rulers responding with submission to Christ's reign. O'Donovan points to Eusebius of Caesarea for evidence that the church welcomed the conversion of its persecutors in terms of Christ's triumph over the Powers. Although Eusebius' theology has its problems, he nevertheless 'maintains the view, well known to the pre-Nicene church,

that the beginning of the Roman empire coincided with the Christ-event as a sign of the rout of the demons' (O'Donovan, 1996, p. 198). Similar to Origen, but unlike Irenaeus (O'Donovan & O'Donovan, 1999, pp. 15-22, 39-45), Eusebius saw the unification of many peoples under one empire as preparing for the arrival and diffusion of God's universal reign in Christ. The arrival of that reign was publicly manifested in Constantine's conversion and assault on idols, which

proved by the facts themselves that the fierce and ruthless race of unseen spirits had long ago been vanquished by a higher power. ... the preserver of the universe had punished these invisible spirits by an invisible judgment: and our emperor, as the delegate of the Supreme Sovereign, has followed up the victory, bearing away the spoils (Eusebius, *Laus Constantini*, 7.13, NPNF 2/1: p. 591).

Eusebius certainly greeted Constantine's conversion too incautiously, not to mention the other problems with his theology.⁴⁷ What remains valuable is the way he (and other writers during the same period, according to Peter Brown) presented the newly converted emperor's campaign against pagan sacrifices and temples as 'no more than a last, brisk mopping-up operation, that made manifest on earth a victory already won, centuries before, by Christ, over the shadowy empire of the demons' (Brown, 1995, p. 4). As the Powers yielded their ground, Christendom discovered the possibility of mutual service between the church and secular authorities, in which the latter facilitates the church's mission 'by performing its own business responsibly and with modest pretensions' (O'Donovan, 1996, p. 217), its business being the task of judgment. 'In the Christian era there is no neutral performance on the part of rulers; either they accommodate to the energy of the divine mission, or they hurl themselves into defiance' (ibid). The church's service 'to this authority of the passing

⁴⁷ However, Michael Hollerich's scholarship on Eusebius' commentary on Isaiah, discovered only in the past century, has challenged the stereotypes about Eusebius' eschatology and "court theology" (Hollerich, 1990; Hollerich, 1999, pp. 194-201).

world is to help it make that act of self-denying recognition' (idem, p. 219) and 'to instruct it in the way of the humble state' (ibid). Thus, paradoxical though it may sound, the 'most truly Christian state understands itself most thoroughly as "secular"' (ibid) because its confession of Christ's victory changes 'its self-understanding and its manner of government' (ibid) according to the limited tasks it has in the *saeculum*.

As the notion of mutual service implies, Christendom presupposes

the *vis-à-vis* of church and secular government, as distinct structures belonging to distinct societies and, indeed, distinct eras of salvation-history. Until the end of the patristic period this *vis-à-vis* is constantly in evidence, and the meaning of the Christian empire as a *capitulation* to the throne of Christ is not forgotten (O'Donovan, 1996, p. 196; original emphasis).

For Ambrose, the capitulation of the empire did not mean the end of the church's mission to, and conflict with, the Powers; rather it was 'a conflict now to be continued by a firm and independent church leadership not afraid to call emperors to account' (O'Donovan & O'Donovan, 1999, p. 2). 'The emperor is within the church; not above it' (Ambrose of Milan, 1999, p. 75). He is therefore subject to the bishop's jurisdiction and could be excommunicated when he failed to act like a Christian, such as when Ambrose ordered Theodosius I to do penance publicly for the massacre in Thessalonica, and petitioned Valentinian II to refuse the attempted restoration of the pagan Altar of Victory (Cochrane, 2003, pp. 384-385). The advocacy of Ambrose and other bishops for those sentenced to death or long imprisonment and their praise for officials who refrained from using the death penalty reveals their understanding 'that the task of rulers was to judge; that a Christian ruler should show clemency; and that there was an inherent tension between the two obligations' (O'Donovan, 1996, p. 200). Belonging to a church taught to judge not and to remember their own need for mercy meant that a Christian ruler was expected to act 'like a Christian exercising an

alien function' (ibid) because bishops and rulers 'represented different aeons living by different principles' (ibid). The tension between the two societies, revived by 'the importance assigned [by Ambrose] to the memory of the martyrs' (O'Donovan & O'Donovan, 1999, p. 67), emboldened Ambrose, firstly, to resist imperial interference in ecclesial matters, so that the public sphere of the church could preserve its autonomy (O'Donovan, 1996, pp. 199-200; Cochrane, 2003, pp. 381-383), and to begin 'the slow work of reforming the criteria of earthly justice ... to have a new, evangelical content' (O'Donovan, 1996, p. 201). I shall return to the point of changing the criteria of justice in 3.4.4.

3.4.3 From Two Cities to Two Swords

Discovering the possibility of mutual service between the two societies (or the two cities in Augustine's idiom) was the source of Christendom's positive legacy, which I will discuss later in 3.4.4. For now, I dwell on the lessons to be learnt from the fundamental temptation that began to emerge towards the end of the Patristic period. The temptation was 'to see the conversion of the rulers as achieved and complete, and to abandon mission' (idem, p. 197) to the Powers, because a pagan society had been replaced by 'a Christian society led by kings and bishops' (idem, p. 196), who were conceived as exercising harmoniously differentiated, complementary roles. Gelasius' letter to Emperor Anastasius I about the priestly and royal powers ruling over the world, written in 494, was especially important in mediaeval debates about the complementary roles of *regnum* and *sacerdotium*. Although Gelasius referred to two authorities 'by which this *world* is chiefly ruled' (Tierney, 1964, p. 13; emphasis added), in the Carolingian era Gelasius was sometimes misquoted or misunderstood as referring to two powers by which the *church* is ruled (O'Donovan, 1996, p. 203;

original emphasis; e.g. Jonas of Orléans, 1999, pp. 217-218). The small change was nonetheless an important sign of how far the earlier Patristic perspective, according to which 'the conversion of rulers leaves the underlying social *vis-à-vis* [between church and secular rulers] exactly where it was' (idem, p. 196), meaning that Christian rulers performed a role outside and alien to the church, had been surpassed by a perspective according to which a Christian 'king now exercised his office of ruling wholly within the church' (idem, p. 204). Thus, the conceptual distinction between the two societies or cities, living according to the different principles of different eras in salvation history, was in danger of being erased because the church and political communities of the *saeculum* were thought to form one society, the *corpus Christianum* or *respublica Christiana*, ruled by the bearers of the temporal and spiritual swords. Popes, such as Innocent III and Boniface VIII, and their theological allies, such as Giles of Rome, used Bernard of Clairvaux's allegorical interpretation of the Two Swords carried by the disciples (Lk 22:38, 49-51; Jn 18:10-11), the spiritual sword wielded by priests and the material sword wielded by laymen at the priesthood's command, in their conflicts against kings and the Hohenstaufen emperors, which further cemented the mistake of regarding Christian political authorities as within the church (O'Donovan & O'Donovan, 1999, pp. 233-235).⁴⁸ The struggles between rulers and the priesthood had the effect over the centuries of 'the two offices turning into each others' shadows [sic] ... one establishing hegemony over the other' (O'Donovan, 1996, p. 204) in turn.

However, it must also be recognised that Christendom should not be judged 'as an age in which the missionary challenge of the church became derailed' (idem, p.

⁴⁸ See especially: (Bernard of Clairvaux, 1999, p. 276; Giles of Rome, 1999, p. 371; Pope Boniface VIII, 1905, pp. 314-317).

196). We should understand 'the successive phases through which it passed as a series of attempts to reassert the missionary *vis-à-vis* by establishing further differentiations within Christian society' (ibid). Important attempts to reassert the missionary context include the debates among Latin theologians about how lay and clerical authorities should be coordinated following the investiture crisis (O'Donovan & O'Donovan, 1999, p. 232; Blumenthal, 1988, p. 114). Equally pertinent are the various attempts over the centuries by the Gregorian reformers, the mendicant orders, and the Tridentine reforms to protect the church's autonomy and missionary energy from being constrained by secular rulers (O'Donovan, 1996, p. 196).

Nevertheless, the recurring resurgences of controversies and reform movements in the church, including the Protestant Reformation itself, were signs that Christendom's ideal of temporal and spiritual powers being exercised within the church, according to a harmonious differentiation of duties, was impossible to achieve. Christendom's most reflective theologians, like Ambrose, knew that the church and political authorities throughout the *saeculum* would be 'in tension, each recognizing that the terms on which the other functioned were in polar opposition to its own' (O'Donovan, 2017, p. 93). Too often, however, the tension would be forgotten when 'the two societies came to be seen as a single society' (O'Donovan, 1996, p. 212) because the conversion of rulers made it seem 'by a kind of optical illusion, that there was no mission to be done ... there was now no further challenge to be issued to the rulers in the name of the ruling Christ' (idem, p. 213).

One of the worst consequences of understanding Christian political authorities as ruling within the church was to think that it was the Christian 'ruler's duty to "defend" the church, or "reinforce church discipline"' (idem, p. 218), 'by coercive

measures if necessary' (idem, p. 221). The coercion of the Donatist sect in the fourth century by Roman authorities, with Augustine's eventual support (Brown, 1964), though not the first instance of its kind, set a precedent that reached its natural *dénouement* in the mediaeval church's prosecution of heresy as 'simultaneously a civil and canonical offense: treason simultaneously against both God and king' (Jones, 2017, p. 107). The historian Andrew Jones' study of thirteenth-century France shows well how the Two Swords were wielded together: in the Albigensian Crusade, 'all breaking of the peace became rebellion against the king and the Church, as did all heresy, and the sanction was the same: confiscation and excommunication' (idem, p. 131). After the fragmentation of the mediaeval church, treating delicts against the church's canon law as a matter for civil prosecution created the possibility for the St. Bartholomew's Day massacre in 1572, and the revocation of the Edict of Nantes in 1685 (Perreau-Saussine, 2012, pp. 23-25). Having recourse to the coercive power of rulers to enforce the church's creedal and sacramental discipline constituted the church's collusion with the Powers, and compromised its witness to being the community governed by the ascended Christ and reliant on the Spirit for its mission (O'Donovan, 1996, p. 218). As I argued in Part One, *DH* was carefully constructed to avoid directly contradicting what was perceived to be an infallible teaching of the church about its right to call upon baptised rulers to enforce ecclesiastical discipline with coercion. Aside from one sentence in *DH* admitting that Christians in history sometimes acted in a way 'hardly in keeping with the spirit of the Gospel and was even opposed to it' (*DH*, 1975, p. 809, n. 12), Vatican II's failure to teach anything explicitly about Christendom meant that its teaching on church-state relations did not truly make a reckoning with the past, choosing instead to evade the problem by

changing the church's pastoral policy. It missed an opportunity to learn from Christendom's mistakes, which I have sought to rectify in this section.

3.4.4 The Gospel's impact on political authorities

The final lesson to be learnt from the history of Christendom is that the conversion of rulers and the mutual service between them and the church left behind a positive legacy in which we can recognise 'various contributions to European political culture as gifts of God' (O'Donovan, 2017, p. 95). O'Donovan's statement that 'Christendom has in fact ended' (O'Donovan, 1996, p. 244) tells us that his more sympathetic treatment of Christendom, in comparison with ecclesial ethicists, is not offered to give theological legitimacy to any currently existing regimes or remnants of Christendom. Neither does he claim that creating or recreating a Christendom order is the church's priority. 'The church's one project is to witness to the Kingdom of God' (idem, p. 195). A confessionally 'Christian state may be disclosed from time to time as a sign of the Kingdom, disappearing at one moment to return at another' (idem, p. 224), depending on whether the church's mission is welcomed by rulers. Christendom's transitory existence tells us that it was not something essential to the church's existence. Nevertheless, Christendom has left behind a positive 'legacy still apparent in the institutions of Europe and America' (idem, p. 226), which for apologetic purposes ought to be recognised as 'cultural deposits of the Spirit's work ... offering a continued purchase for the communication of the Gospel' (O'Donovan, 2017, p. 96).

'The political doctrine that emerged from Christendom is characterised by a notion that government is responsible' (O'Donovan, 1996, p. 231). 'The responsible state is the *bene esse* which corresponds to the *esse* of political authority' (idem, p.

233). What this means is that the arrival of Christ's reign does not abolish what the Old Testament revealed about political authority's nature, which O'Donovan distilled into six theorems (see section 3.2.5).

Power and community tradition are still essential to establish [political] authority; the new development is that they are subordinated to just judgment as means to an end. ... This is not a restraint imposed by the nature of political authority as such ... it is imposed by the limits conceded to secular authority by Christ's Kingdom (O'Donovan, 1996, p. 233).

To understand what the responsible state means, beginning with the term "state," we need to see its origins in the acknowledgement by political authorities during Christendom that the church 'witnesses to the Kingdom under which they stand and before which they must disappear' (idem, p. 231). The notion of the "state" 'came to be conceivable only as people have learned not to think of themselves as defined by their political roles' (idem, pp. 231-232) because in addition to being, for instance, a king or subject, in Christendom one now had to reckon with being a member of the church under the authority of Christ. The state could then come into view as that enduring legal structure of command and obedience between ruler and ruled that is 'neither, broadly, the community as a whole, nor, narrowly, the actual government' (idem, p. 231). O'Donovan intends to draw our attention not to the way we use "state" to refer to entire political communities, such as when we refer to France and China as states. Instead, he is drawing attention to the way we use "state" to refer to 'that organisational structure within them [i.e. political communities] which enables them to be governed' (ibid), such as 'when we speak of "the church and the state" or of "the university and the state"' (ibid). The concept of the state, according to that narrower usage, does not exist in 'Hebrew, Greek or classical Latin' (ibid). Cavanaugh similarly argues that the state is a conceptual novelty arising

around the 'mid-sixteenth century' (Cavanaugh, 2011, p. 9) as I mentioned in 2.5.2. However, whereas Cavanaugh sees the emergence of the state in wholly negative terms, O'Donovan is more nuanced in recognising that the conceptual specification of the state depended on an authentically Christian recognition that our obedience to rulers has been qualified and limited by our obedience to the higher authority of Christ. O'Donovan does, however, argue on similar lines to Cavanaugh that the emerging nation-states at end of the mediaeval period were emboldened by the concept of sovereignty to expand rapidly the scope of their power in the way that Cavanaugh describes (O'Donovan, 1996, pp. 240-242). Nevertheless, the use of the term "state" has its origins in Christendom's sense that no regime's continuance is guaranteed; no secular ruler could claim permanence in the way that Roman authors, especially in the Augustan era, could write of *Roma aeterna* and of a Roman *imperium sine fine* (Balbuza, 2014). Instead, a regime in the *saeculum* can 'preserve its identity, its "state," by being responsive to God's purposes in salvation and by being constituted as a law-structure derived from the eternal law of God' (O'Donovan, 1996, p. 232).⁴⁹

Christendom thus gave birth to the notion of a *responsible* state because it understood political authority to be entrusted with giving judgment according to a law it does not ultimately create, but rather receives from 'the prior lawmaking of God in Christ, under which it must be judged' (O'Donovan, 1996, p. 234). Framing the ruler's responsibility according to God's law, as known foremost in scripture, shaped the consensus in Christendom that a ruler's 'decree had no legal substance if it ran

⁴⁹ Cf. 'It is an essential mark of this Christian invention that the ... proof of the existence of a political rule ... can now be seen in a corpus of law and a particular judicial practice, whose rules also cover the relation of the potentates to their subjects. Every existing political rule is always a 'condition' (*status*) which has to legitimate itself before God, who is Lord over the law; it has no eternal claim' (Wannenwetsch, 2004, pp. 256-257).

counter to divine law, natural or revealed' (ibid; e.g. Aquinas, ST I-II, q. 96, a. 4). 'In situating human legislation under the law of God in this fashion, the tradition stressed the juridical character of *all* governmental activity' (O'Donovan, 1996, p. 234; original emphasis). This in turn propelled the emergence within Christendom of just war theory, which understood warfare 'within the restrictive canons of a judicial act performed by judicial criteria' (idem, p. 233). It also inspired the constitutional reflection that became 'one of the hallmarks of the Christian political tradition' (idem, p. 234) because if government was conceived as being 'instituted by God' (Rm 13:1; ESV) then the mere continuity of a regime by hereditary succession was insufficient for its legitimacy. Instead, its legitimacy needed to be demonstrated by the regime's actual performance of its task of giving judgment to punish wrongdoers and encourage right behaviour according to God's law. The impetus given by Christian constitutional reflection to theories of resistance or even tyrannicide against unjust regimes, in defence of the higher law of God, 'was a search for constitutional mechanisms which could effect a change of government at need' (O'Donovan, 1996, p. 238). In later centuries, the same impetus motivated the opponents of the divine right of kings to formulate legal-constitutional means to ensure that political authority would be 'exercised by consultation and governed under law' (O'Donovan, 2017, p. 98).

Finally, Christendom promoted the need for political authorities to recognise that they are forgiven sinners presuming to judge other sinners, and therefore need to be merciful in exercising judgment (O'Donovan, 1996, p. 256). Political authorities encountered in the church what they could never achieve, namely the reconciliation of sinners with God and with each other (idem, p. 260). While this revealed on the

one hand the limitations of political justice (O'Donovan, 2005, pp. 231-234), on the other hand it also motivated Christian rulers to act with 'humility, gratitude and fellow-feeling with sinners' (O'Donovan, 1996, p. 260) by using force with restraint (ibid) and by using the death penalty more sparingly (O'Donovan, 2017, p. 98). For example, the church in Anglo-Saxon England 'favoured the avoidance of the death penalty... as this gave the malefactor the opportunity of expiating his crime in this world and thus saving his soul' (Whitelock, 1952, p. 143). As explained in the laws composed by Archbishop Wulfstan for Ethelred and Cnut, one should 'not destroy for a little matter God's own handiwork and his own purchase which he bought at a great price' (ibid). The 'tendency to restrict, and finally to eliminate, routine use of the death penalty' (O'Donovan, 2017, p. 98) can therefore be traced back to the church's call for rulers to repent, 'to develop a conception of themselves as repentant sinners' (Dodaro, 2004, p. 192), as Augustine wrote, and temper their judgments with some of the mercy that they have received.

In summary, learning from Christendom's positive legacy can remedy Vatican II's failure to inform its church-state teachings through engaging with the history of Christian political thought. In dialogue with O'Donovan, we can learn that the impact of the Gospel on the Powers gave rise to 'the understanding of political authority as a responsibility' (ibid) and to 'the emphasis on the rule of law' (ibid), which together define the conception of limited, constitutional political authority, accountable to a law not wholly of its devising but given rather by God. Finally, Christendom also encouraged political authorities to be milder in their use of force and the death penalty because they needed to temper their judgments with the mercy they had been given.

Conclusion

I have argued in Part One that at Vatican II, to make its relations with states more suited to the challenges of evangelization in our time, the Catholic Church did not change its teachings but its pastoral policy, and chose to rely even more on a pastoral strategy that had been developing in previous decades. I then argued in Part Two that the problems originating in the strategy's conceptual distinctions (especially between religion and politics, the spiritual and social, supernatural and natural) threaten to undermine the church's intentions, which were to improve its mission of evangelisation and to enable the laity to bring Christian values to bear upon political and social life. Therefore, in Part Three, I have sought to remedy the problems arising from the aforementioned conceptual distinctions and propose a better theopolitical framework to guide church-state relations. Since Vatican II's faults could have been avoided by allowing a *ressourcement* of scripture and the tradition of Patristic and mediaeval political thought to refine its teaching on church-state relations, I intended to show how such a *ressourcement* could be pursued to suggest ways of reforming the church's church-state doctrine. In the spirit of receptive ecumenism, my *ressourcement* relied on a dialogue with Protestant political theologians and biblical scholars.

My constructive proposals in Part Three drew from scripture a conception of political authority and ecclesiology, and examined the lessons that can be learnt from Christendom to remedy the Catholic Church's teachings on church-state relations. Limitations of space meant, however, that there remains much that could be added to my proposal. For instance, I have had to confine my attention mainly to the most crucial sacraments of ecclesiology: baptism and the Eucharist. But further reflection

along the same lines could be pursued to study how the remaining five sacraments give social shape to the Body of Christ. One could, for example, build on Catherine Pickstock's contrast between the role of the sacrament of penance in social reconciliation during the early Middle Ages, and its marginalisation during the early-modern period as 'the drift toward legal formality tended to remove law from the ecclesial sphere to the State' (Pickstock, 1998, p. 151). Also, since O'Donovan claims the 'identity of the church is given wholly and completely in the relation of its members to the ascended Christ independently of church ministry and organisation' (O'Donovan, 1996, p. 169), the continuing dialogue with his political theology from a Catholic perspective calls for reflection on the sacrament of ordination, and the issues of authority in the church and the purpose of ordained ministry. One possible response might concede that O'Donovan is right to be wary of the church making 'its hidden government visible by a representative icon of the ruling Christ' (idem, p. 166). Nevertheless, one might point to the problem faced by the Confessing Church in the *Kirchenkampf* against the Nazis: on what grounds can the Confessing Church claim authority for its teachings over its rival, the pro-Nazi German Christian movement? In 1940 Bonhoeffer wrote that if the church's authority to teach cannot be 'grounded solely in Scripture and confession ... then there is only return to Rome or under the state church, or the path of individualization' (Hollerich, 1993, p. 305). The Confessing Church's failure in fact to agree on 'a common acknowledgement of concrete and binding dogmatic teachings' (Hütter, 1994, p. 346) would indicate, one might argue, the church cannot do without a ministry inherited from the Apostles and ordained by the Spirit to teach authoritatively what is and is not part of the apostolic doctrine, and to judge what would and would not be in obedience to the ascended

Christ. Consequently, the dialogue with O'Donovan could be developed by arguing that the sacrament of ordination preserves the church's public, political nature, by equipping its ministers with the Twelve Apostles' authority to make doctrinal binding judgments (Peterson, 2011, pp. 17-29, 37-39).⁵⁰

Finally, in light of my critique in Part Two and constructive argument in Part Three, what conclusions can we now draw about how the Catholic Church's relations with states should be conducted? We can conclude that in our post-Christendom situation church-state relations need to be guided by two priorities. Firstly, the church must seize the opportunity of its post-Christendom situation to regain its awareness of being in eschatological tension with all political authorities throughout the *saeculum*. The possibility of being called to martyrdom is never ruled out. Political authorities are not just expressions of our natural sociality that can be understood exhaustively through reason or natural law alone. As we learnt from returning to scripture, political authorities are executive agents of angelic Powers who 'crucified the Lord of glory' (1 Cor 2:8; ESV) but were defeated by the risen Christ. The church therefore cannot conceive its relation to them in terms of a search for an eirenic differentiation of religious from political affairs, as Vatican II and John Courtney Murray wanted. The church should instead understand its sacramental practices of baptism and the Eucharist and the formation of its members according to the threefold office of Christ to be the means by which the Spirit confronts the Powers

⁵⁰ In the words of another Anglican theologian, 'Scripture is just words on a page, reason but a name for an activity, and tradition just a ghost of an idea, until we have a person or persons ... doing what authorities do ... real authority is never present to us except as it is exercised by a person' (Austin, 2010, p. 37). Consider also the cautionary tale of Emperor Constantius II's rejection of the Nicene Creed in favour of a creed affirming Christ was 'like the Father in accordance with the Scripture' (Ratzinger, 1987). For 'this escape into biblicism was far from establishing the dominance of the word of Scripture' (idem, pp. 115-116) but instead 'deprived the Church of the right to make her own decisions and placed the concrete ordering of ecclesial matters in the hands of the state' (idem, p. 115).

and liberates us 'from the snare of the devil, after being captured by him to do his will' (2 Timothy 2:26; ESV). The church's relation to political authorities must consequently be conceived not apart from its mission to evangelize and administer the sacraments (as Vatican II does) but as a crucial aspect of its mission. Throughout the *saeculum*, the church must exist in tension with the Powers because the church's mission creates a division between those Powers who accept their subjection to Christ, and those that respond with persecution and demonic rebellion against the limits of their authority.

Regaining a tense, missional stance in relation to political authorities is therefore the first priority for the church. The second priority is to recognise and capitalise on the missionary and apologetic opportunities presented by the positive legacy left behind by Christendom in those territories where Christendom's remnants are to be found in legal systems, practices of government, and cultural habits. The conversion of rulers and their efforts to be obedient to Christ during Christendom fostered an imperfect equilibrium and mutual service between the church and political authorities. There developed out of that context 'a form of political authority which has come to understand itself differently as a result of Christ's triumph' (O'Donovan, 1996, p. 231), which O'Donovan calls the "responsible state," defined and limited by its task of giving judgment under a law given ultimately by God. Christendom also fostered a sense that political authorities should rule with mildness and mercy. Although Christendom is in our past, nevertheless the 'impact of the Christian faith on European politics' (idem, p. 194) and the 'practical experience of Christian political discipleship' (idem, p. 219) have left behind a precious 'legal-constitutional conception' (idem, p. 240) of government that offers an indirect witness to 'the

impact of Christ's dawning glory' (idem, p. 212). The second priority that should guide the Catholic Church's relations with political authorities, therefore, is to be attentive to the remnants of Christendom's positive legacy in Western countries, which can serve an apologetic purpose of pointing to the origin of the political institutions and practices we most cherish in the West in Christ's triumph over the nations. The church would be failing to perform its mission if it 'repeats its lessons on the ways of the humble state *without* the proclamation that makes those lessons intelligible' (idem, p. 219; original emphasis). The church 'may always make the best of any coincidence of political doctrine between Christians and non-Christians that it lights upon' (ibid). However, that means 'making the evangelical content of the doctrine clear, not veiling it in embarrassment' (ibid) by translating it into the idiom of natural law reasoning out of a misguided concern to avoid blurring the boundaries between political and religious affairs. As the evangelical rationale for limited, constitutional government is steadily forgotten in countries that were historically within Christendom's territory or cultural orbit, it is reasonable to assume that it will become more difficult to justify maintaining the limitations and habits of restraint in how political authority is exercised. It is especially important for Christians in those lands historically outside Christendom's territory or cultural orbit to learn from Christendom and maintain the focus on mission. In that way, they can avoid the mistakes of their forebears, while imitating their faithfulness in boldly witnessing before the Powers that rulers, 'overcome by Christ's victory, exist provisionally and on sufferance for specific purposes' (idem, p. 231), until He comes again.

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