

Governments and Compatibility with Religions

for Prime Minister's Expert Panel, third of 4 parts

SEPARATION of Church and State is Christian teaching from Jesus Christ:

Render unto Caesar the things that are Caesar's and unto God the things that are God's.

Matthew 22:21

Moreover, Governments rightly require religion to uphold natural morality, i.e. the natural moral law, “natural law”. Yet there are countries where one religion refuses to live peaceably with any other, and countries where atheism is enforced by totalitarian regimes. There is no Freedom of Religion.

Natural morality can function aside from religion, though religions are usually its mainstay. All religions must uphold it, for it is “the bottom line”, nor can governments function without it.

Gross public offences against natural law morality, e.g. pederasty, impose a grave obligation on a religion to correct its offender and a government its citizens.

Cicero speaks on natural law

Cicero was not a Christian but a pagan Roman lawyer, 106-43 B.C.

However, he claimed that no one can reverse the morals built-in to human nature:-

THERE IS in fact a true law, namely right reason, which is in accordance with nature, applies to all men, and is unchangeable and eternal.

By its commands this law summons men to the performance of their duties; by its prohibitions it restrains them from doing wrong. Its commands and prohibitions always influence good men, but are without effect upon the bad.

To invalidate this law by human legislation is never morally right, nor is it permissible ever to restrict its operation and to annul it wholly is impossible.

Neither the Senate [of ancient republican Rome] nor the people can absolve us from our obligation to obey this law, and it requires no Sextus Aelius [a famous politician] to expound and interpret it.

It will not lay down one rule at Rome and another at Athens, nor will it be one rule today and another tomorrow.

But there will be one law, eternal and unchangeable, binding at all times and upon all peoples; and there will be, as it were, one common master and ruler of men, namely God, who is the author of this law, its interpreter and its sponsor.

Cicero, *Republic* III, 22 (transl. by Brother Christian Moe FSC)

He speaks of natural law again in another passage

IF IT WERE NOT grounded in nature there would be no justice, and all virtues would cease to exist. How otherwise can magnanimity, love of one's country, [Roman] *pietas*, meriting the good opinion of others and honouring obligations, exist?

For these arise from the fact that we are by nature inclined to love our fellow men. This is the foundation of justice. Were this not so, then respect for our fellow men, and for the ceremonies and religions of the gods would cease — things that must be preserved, not out of fear but because of the link that exists between man and god [*in coniunctione quae est homini cum deo*].

If what is *just* is decided by the will of the people, or by decrees of princes or sentences of judges, then thievery could be *lawful*, as could adultery and perjury — if such were determined by the votes or opinions of the mob.

Were such power to arise from the opinions and commands of unwise people, then by their will the very nature of things would be turned on its head. What is to stop such people declaring evil and pernicious things to be good and sound? If such ‘law’ [based on opinion] can make unjust things *just*, what's to stop it making evil things, good?

Nature is the norm that enables us to distinguish a good law from a bad one. And it's not only justice and injustice that are judged by their nature, but also, of course, what is honourable and what is dishonourable.

For, as common sense makes clear to us, and instills in our minds from our very beginnings, honour is derived from virtue, and dishonour from vice. It would be madness to think that their reality is determined by people's opinion rather than by their very essence.

Cicero, *De Legibus. Liber Primus* §§ 43-45

transl. by Father Paul Stenhouse MSC, *Annals Australasia* 2/2017

For Christians, **St Paul** proclaimed natural morality as the law “**written in our hearts**”

Romans 2:15

INTERSECTION of the FREEDOM OF RELIGION and OTHER HUMAN RIGHTS

A government, with its public service, is at the top of a **pyramid of human beings**.

The ultimate source of government is family structure. Family life is the base of a pyramid.

A husband and wife procreate and educate children. Over time, an extended family develops, hence a tribe, a clan, a people, a race, a country.

Harmonious relationships between all these separate persons require some sort of control external to them. This provided by a government, usually working through a public service.

Neither the people nor their parliaments can change morality. Rather, parliaments are there to implement, support and often enforce vital aspects of morality: e.g. do no murder. The alternative is to declare there is no morality. No civilization has ever survived that. [This is Thesis 2 again]

By its origins, a government exists for the sake

of those governed.

Those governed do not exist for the sake of a government.

Sound social thinking is called a social philosophy.

Its key ideas are **subsidiarity, solidarity and the common good.**

SOCIAL PHILOSOPHY

The following Q&As are adapted from the *Catholic Family Catechism Apostles' Edition* nn. 464-469.

1. *How is social philosophy based on natural morality?*

Social philosophy is based on natural morality:

1. Man is created by God, in His image;
2. with the dignity of being a person;
3. that is, with an intellect and freedom;
4. called to an eternal destiny with God;
5. with God-given rights and duties;
6. blessed by God to live in society;
7. which has authority to uphold rights.

2. *Why is social philosophy complicated?*

Social philosophy is complicated because the exercise of personal rights may have to be limited by society to ensure the rights of others, in that the purpose of society is to uphold the common good.

THE COMMON GOOD

3. *What is the common good?*

The common good is the social benefit in which every person shares and which society has a duty to uphold to ensure the natural human rights of everyone. It is not the greatest good of the greatest number, nor is it decided by majority vote.

The common good* is not the same as the public good; the public good is the means by which the political society supports the common good.

* A "good" means a perfection or purpose, e.g. "After struggling for years, he made good."

SUBSIDIARITY — a social Right — "ALL FOR ONE"

4. *What is the principle of subsidiarity?*

The principle of subsidiarity* is that society exists for the sake of persons and not persons for the sake of society, so society must help persons and smaller societies to function, and not usurp them, so that they enjoy freedom and rights and share in the common good.

* Subsidiarity means being supportive; it is not the same as SUBSIDIARY which means subordinate.

SOLIDARITY — a social Duty — "ONE FOR ALL"

5. *What is the principle of solidarity?*

The principle of solidarity* is that every person and smaller society

has a duty to make society workable by accepting its authority and so to contribute to the common good.

* Solidarity implies that some subordination is necessary.

"ALL FOR ONE, ONE FOR ALL"*

6. *What ensures both personal freedom and social order within society?*

Personal freedom and social order are ensured by a proper balance between subsidiarity and solidarity so that the common good is upheld. The common good is supportive of the person and the person is subordinate to the common good.

* More or less, "all for one" is subsidiarity, and "one for all" is solidarity.

SOCIAL EVILS

7. *What happens if subsidiarity or solidarity is ignored?*

If subsidiarity is ignored, an excessive emphasis on solidarity* leads to socialism and totalitarianism, whether fascism or communism; if solidarity is ignored, an excessive emphasis on subsidiarity leads to capitalism and individualism.

* "To disregard these dangers is to rush headlong into the quicksands of Modernism in the moral, juridical and social order," said Pope Pius XI, 1931, in *Quadragesimo Anno* §46.

SOCIETY, FAMILY AND PERSON

8. *When is socialization justifiable?*

Socialization is justifiable only as a last resort. "The function of the State's authority is twofold: to protect and foster families and individuals, but neither to absorb them nor substitute itself for them."*

* *Divini illius magistri* §19

Here ends the third part of the Submission to the Expert Panel into the Freedom of Religion.

REASON and RELIGION

Further persuasion comes from a common sense appreciation of the logical sequences in the Ten Commandments by understanding their logic. There are three for God, then seven for man.

God must be honoured in thought, word and deed: so nn. 1, 2 and 3 are on God, His Name, His Day.

N. 4: parents must be honoured next to God, for they teach us our duties to others in deeds, words & thoughts. Nn. 5, 6 and 7: duties in deeds to Life, Marriage & Property; n. 8 our duty in words that don't kill the good name of another; nn. 9 & 10, our duty to honour Marriage and Property in thought.

Father James Tierney