

PIUS X, Encyclical, «Iamdudum in Lusitania», 26th May 1911

ON THE LAW OF SEPARATION IN PORTUGAL
TO OUR VENERABLE BRETHREN, THE PATRIARCHS,
PRIMATES, ARCHBISHOPS, BISHOPS,
AND THE ORDINARIES OF OTHER PLACES
IN PEACE AND COMMUNION WITH THE APOSTOLIC SEE

*Venerable Brethren,
Health and Apostolic Benediction.*

You are already, We think, well aware, Venerable Brethren, of the incredible series of excesses and crimes which has been enacted in Portugal for the oppression of the Church. For who does not know that, when the Republican form of Government was adopted in that country, there immediately began to be promulgated measures breathing the most implacable hatred of the Catholic religion? We have seen religious communities evicted from their homes, and most of them driven beyond the Portuguese frontiers. We have seen, arising out of an obstinate determination to secularize every civil organization and to leave no trace of religion in the acts of common life, the deletion of the feast days of the Church from the number of public festivals, the abolition of religious oaths, the hasty establishment of the law of divorce and religious instruction banished from the public schools. And then, to pass over in silence other enormities which would take too long to enumerate, the Bishops have been savagely attacked, and two of the most prominent of them, the Bishops of Oporto and Beia, men who are illustrious by the integrity of their lives and by their great services to their country and the Church, have been driven out of their sees and stripped of their honors.

2. Whilst the new rulers of Portugal were affording such numerous and awful examples of the abuse of power, you know with what patience and moderation this Apostolic See has acted towards them. We thought that We ought most carefully to avoid any action that could even have the appearance of hostility to the Republic. For We clung to the hope that its rulers would one day take saner counsels and would at length repair, by some new agreement, the injuries inflicted on the Church. In this, however, We have been altogether disappointed, for they have now crowned their evil work by the promulgation of a vicious and pernicious Decree for the Separation of Church and State. But now the duty imposed upon Us by our Apostolic charge will not allow Us to remain passive and silent when so serious a wound has been inflicted upon the rights and dignity of the Catholic religion. Therefore do We now address you, Venerable Brethren, in this letter and denounce to all Christendom the heinousness of this deed.

3. At the outset, the absurd and monstrous character of the decree of which We speak is plain from the fact that it proclaims and enacts that the Republic shall have no religion, as if men individually and any association or nation did not depend upon Him who is the Maker and Preserver of all things; and then from the fact that it liberates Portugal from the observance of the Catholic religion, that religion, We say, which has ever been that nation's greatest safeguard and glory, and has been professed almost unanimously by its people. So let us take it that it has been their pleasure to sever that close alliance between Church and State, confirmed though it was by the solemn faith of treaties. Once this divorce was effected, it would at least have been logical to pay no further attention to the Church, and to leave her the enjoyment of the common liberty and

rights which belong to every citizen and every respectable community of peoples. Quite otherwise, however, have things fallen out. This decree bears indeed the name of Separation, but it enacts in reality the reduction of the Church to utter want by the spoliation of her property, and to servitude to the State by oppression in all that touches her sacred power and spirit.

4. First, so far as property is concerned, the Portuguese Republic severs itself from the Church in such a way that it leaves her nothing at all from which to provide for the decency of the house of God, the maintenance of the clergy and the exercise of the manifold duties of charity and piety. For by the articles of this decree not only is the Church despoiled of all the property, whether real or movable, which she holds by the strongest of titles, but she is deprived of all power of acquiring anything for the future. It is indeed provided that certain civil bodies shall have the care of exercise of religious worship; but it is astounding to see within what narrow limits permission to receive any offerings for this purpose is circumscribed. Moreover, the obligations under which Catholic citizens have been accustomed to assist or maintain their respective parish priests, these the decree abolishes and suppresses, forbidding anything to be henceforth demanded for this purpose. It allows Catholics to provide for the cost of divine worship by voluntary alms, but it requires that a third of the sum so contributed shall be set apart and employed for works of civil assistance. And to crown all, under this new law, the buildings which may be henceforth acquired or erected for the exercise of religion are, after the lapse of a given term of years, to pass from the rightful owners without any compensation and to become public property.

5. But in those matters with which it is the sacred prerogative of the Church to deal, much more seriously injurious is this mockery of Separation, which, as We have said, reduces the Church to shameful servitude.

6. First of all the Hierarchy is set aside as if its existence were unknown. And if men in holy orders are mentioned, it is only that they may be prohibited from having anything to do with the ordering of public worship. This work is entirely handed over to associations of laymen already established or to be established as societies of public assistance according to the regulations of the administrative under the power of the Republic and in no way depending on the authority of the Church. And if from the actions of the associations to which this duty is entrusted disputes arise between clerics and lay people or between lay people alone, the decision is to lie not with the Church but with the Republic, which claims all power over these bodies. Indeed, so completely do the rulers of the Portuguese Republic deny any place to the clergy in the organization of divine worship that they have definitely laid it down and provided that those who exercise the ministry of religion may not be coopted as members of the aforesaid parish associations or be allotted any part in their administration or direction. Than such a provision nothing can be imagined more unjust or more intolerable, for it puts the clergy at the beck of other citizens in the very matters upon which they are the rightful directors.

7. The way in which the Portuguese law binds and fetters the liberty of the Church is scarcely credible, so repugnant is it to the methods of these modern days and to the public proclamation of all liberty. It is decreed under the heaviest penalties that the acts of the Bishops shall on no account be printed and that not even within the walls of the churches shall there be any announcement made to the people except by leave of the Republic. It is, moreover, forbidden to perform any ceremony outside the precincts of the sacred buildings without permission from the Republic, to go round in procession, to wear sacred vestments or even the cassock. Furthermore, it is forbidden to place any sign which savors of the Catholic religion not only on public monuments, but even on private buildings; but there is no prohibition at all against so exposing what is offensive to Catholics. Similarly, it is unlawful to form associations for the fostering of religion and piety; indeed societies of this sort are placed on a level with the criminal associations which are formed for evil purposes. And whilst on the one hand all citizens are allowed to employ their means according to their pleasure, on the other, Catholics are, against all

justice and equity, placed under restrictions like these if they wish to bequeath something for prayers for the dead, or the upkeep of divine worship; and such bequests already made are impiously diverted to other purposes in utter violation of the wills and wishes of the testators. In fine, the Republic - and this is harshest and gravest stroke of all - goes so far as to invade the domain of the authority of the Church, and to make provisions on points which, as they concern the constitution of the priesthood, necessarily claim the special care of the Church. We speak of the formation and training of young ecclesiastics. For not only does the Decree compel ecclesiastical students to pursue their scientific and literary studies which precede theology in the public lycees where, by reason of a spirit of hostility to God and the Church, the integrity of their faith plainly is exposed to the greatest peril; but the Republic even interferes in the domestic life and discipline of the Seminaries, and arrogates the right of appointing the professors, of approving of the textbooks and of regulating the sacred studies of the Clerics. Thus are the old decrees of the Regalists revived and enforced; but what was grievous arrogance whilst there was concord between Church and State, is it not now, when the State will have nothing to do with Church, repugnant and full of absurdity? And what is to be said of the fact that this law is positively framed to deprave the morals of the clergy and to provoke them to abandon their superiors? For fixed pensions are assigned to those who have been suspended from their functions by the authority of the Bishops, and benefices are given to those priests who in miserable forgetfulness of their duty shall have dared to contract marriage; and what is still more shameful to record, it extends the same benefits to be shared and enjoyed by any children there may be of such a sacrilegious union.

8. Lastly, it is not enough for the Republic, after having despoiled her of her property, to impose an almost slavish yoke upon the Church of Portugal; it even, on the one hand, strives as far as it can, to tear her from the bosom of Catholic unity and from the arms of the Roman Church, and on the other to prevent the Apostolic See from exercising its solicitude and its authority in the religious affairs of Portugal. Thus, in virtue of this Decree, it is not even lawful to publish, without permission publicly given, the commands of the Roman Pontiff. Similarly, a priest who has gained his degrees in sacred science in a college constituted by Papal authority, even though he has made his theological course in his own country, is not permitted to exercise his sacred functions. What the Republic in all this wants is plain; it is to prevent young clerics, who are desirous of improving themselves and finishing in the higher studies, from coming for this purpose to this City, the head of the Catholic world, where certainly more than anywhere else it is a fact of experience that minds are more imbued with the incorrupted truth of Christian teaching and by sincere piety and faith to the Apostolic See. These, to omit others which are equally pernicious, are the chief points of this wicked Decree.

9. Accordingly, under the admonition of the duty of Our Apostolic office that, in the face of such audacity on the part of the enemies of God, We should most vigilantly protect the dignity and honor of religion and preserve the sacred rights of the Catholic Church, We by our Apostolic authority denounce, condemn, and reject the Law for the Separation of Church and State in the Portuguese Republic. This law despises God and repudiates the Catholic faith; it annuls the treaties solemnly made between Portugal and the Apostolic See, and violates the law of nature and of her property; it oppresses the liberty of the Church, and assails her divine Constitution; it injures and insults the majesty of the Roman Pontificate, the order of Bishops, the Portuguese clergy and people, and so the Catholics of the world. And whilst We strenuously complain that such a law should have been made, sanctioned, and published, We utter a solemn protest against those who have had a part in it as authors or helpers, and, at the same time, We proclaim and denounce as null and void, and to be so regarded, all that the law has enacted against the inviolable rights of the Church.

10. Assuredly, these days of difficulty in which Portugal since the public proclamation of the Republic is so tormented, are to Us a source of great anxiety and sorrow. We are deeply grieved

at the sight of so many evils, which are pressing upon a nation so dear to Us; We are torn with anxiety at the apprehension of worse things to come, which certainly threaten it unless the powers that be seriously consider the duty of their position. But in the midst of all this, your eminent virtue, Venerable Brethren, who govern the Church of Portugal, and the earnestness of the clergy which seconds that virtue, are no small consolation to Us, and afford good hope that with God's help things will one day take a turn for the better. For you all recently showed a sense not of security or of well-being, but of your duty and its dignity, when you openly and fearlessly repudiated this iniquitous Law of Separation; when with one voice you proclaimed that you would rather recover the freedom of your ministry, even at the loss of all your property, than suffer servitude for the sake of paltry pensions; when, in fine, you declared that never, either by promises or by force should your enemies be able to sunder you from your allegiance to the Roman Pontiff Those splendid proofs of faith, constancy, and greatness of mind which you have given in the sight of the whole Church - be assured that they have been a source of joy to all good men, as well as a credit to yourselves and a comfort to Portugal herself in her affliction. Wherefore, continue as you have begun, to defend with all your might the cause of religion with which the very welfare of your common fatherland is bound up; but see to it, first and above all else, that you carefully preserve and strengthen the greatest concord and unity between yourselves, then between yourselves and Christian people, and all of you with this See of Blessed Peter. For, as we have said, the purpose of the authors of this wicked law is not, as they would make out, *to separate* the Church of Portugal, which they despoil and oppress, from the Republic, but from the Vicar of Christ. If you strive to meet and resist such a design on the part of these men and such a crime with all your might, then certainly you will have done well for the good of Catholic Portugal. Meanwhile, We, for the singular love We bear you, shall be suppliants to Almighty God that He may in His goodness favor your zeal and your efforts. And We beg you, Bishops of the rest of the Catholic world, to fulfill the same duty on behalf of your suffering brethren in Portugal in their time of need.

11. As an earnest of divine gifts and a pledge of Our benevolence, We impart from Our heart to you all, Venerable Brethren, and to your clergy and people the Apostolic Benediction.

Given at St. Peter's, Rome, on the 24th day of May, on the feast of Our Lady Mary, the Help of Christians, in the year 1911, and the eighth of Our Pontificate.

PIUS X