

THE PRINCIPLE OF INDEPENDENCE AND AUTONOMY OF CHURCH AND STATE IN THE SOCIAL TEACHING OF THE ROMAN CATHOLIC CHURCH

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Abstract. According to the Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, the Church and the political community in their own fields are autonomous and independent from each other. Respect for the mutual independence and autonomy of the Church and State, is a guarantee of the normal relationships between the Church and the political community.

Keywords: political community, Church, autonomy, independence

INTRODUCTION

In the Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*,¹ the Second Vatican Council Fathers solemnly resolved:² *Communitas politica et Ecclesia in proprio campo ab invicem sunt independentes et autonomae*, which can be rendered in English as, “The Church and the political community in their own fields are autonomous and independent from each other” (no. 76).

Recognition and respect for the mutual independence and autonomy of the Church and State, which, at the same time, work together for the benefit of all people, is a guarantee of the normal relationships between the Church and the political community. This normal relationship, however, is often regarded as a privilege, especially enjoyed by the Roman Catholic Church. Meanwhile, the principle of Church-State independence and autonomy, proclaimed at Vatican II and reiterated in the social teaching of the Church in the specific circumstances of time and place, was incorporated in the highest-order normative acts, i.e. Article 25(3) of the 1997 Constitution of the Republic of Poland,³ Article 1 of the Concordat between the Holy See and the Republic of Poland done in 1993 and ratified

¹ Sacrosanctum Concilium Oecumenicum Vaticanum II, Constitutio Pastoralis de Ecclesia in mundo huius temporis *Gaudium et spes* (07.12.1965), AAS 58 (1966), p. 1025–115 [hereinafter: GS].

² “The College of Bishops exercises its power over the universal Church in solemn form in an Ecumenical Council.” See *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars II, p. 1–317 [hereinafter: CIC/83], Canon 337, para. 1.

³ “The relationship between the State and churches and other religious organizations shall be based on the principle of respect for their autonomy and the mutual independence of each in its own sphere, as well as on the principle of cooperation for the individual and the common good.” See the Constitution of the Republic of Poland of 2 April 1997, Journal of Laws No. 78, item 483 as amended.

in 1998,⁴ and also Article 2 of the Act of 17 May 1989 on the Relations between the State and the Roman Catholic Church in the Republic of Poland.⁵ These instruments do not fall within the scope of this article, therefore they will not be discussed further below.

The article seeks to answer the following questions: What do the terms “independence,” “autonomy,” “Church,” and “State” imply? What is the origin of the principle of independence and autonomy of religious and political communities? How does the independence and autonomy of the Church and the political community influence the objectives of the two? What obligations arise from respecting the principle of independence and autonomy, both for the Church and State?

1. TERMINOLOGY

Before elaborating on the principle of independence and autonomy of the Church and State (both gathering the same people anyway, although for different reasons) and addressing the questions posed above, some clarification is needed of the terminological and substantive matters.

1.1. Independence

The Latin term for “independent” is *independens*. It is derived from a negative particle *in* usually used as a prefix [Plezia 2007b, 74] and the verb *dependeo*, *-ere*, *-i* understood as to be dependent on something [Idem 2007a, 92]. According to the dictionary of the Polish language, the adjective “independent” means not subordinate to someone or something, able to decide on their own, proving the lack of subordination to someone or something, not being designated, determined by something, expressing impartial opinions, not belonging to any of the opposing parties.⁶

Independence, therefore, is a factor that conditions the relationship of one subject to another, excluding both interference of one in the internal affairs of the other [Krukowski 2013, 138] as well as any mutual subordination of the two. In the literature on the subject also proposes a view that “independence” is one of the concepts of “autonomy” [Scharffs 2004, 1246–251]. Independence so understood implies, in the individual aspect, that in fundamental matters each person should manage his or her life in an unrestrained manner. In the institutional aspect, the mutual independence of the Church and State means that each of them operates in its own field of activity [ibid., 1248].

⁴ “The Republic of Poland and the Holy See shall confirm that the State and the Roman Catholic Church are, each in its domain, independent and autonomous, and shall undertake to fully respect this principle in mutual relations and cooperation for the growth of the human being and the common good.” See the Concordat between the Holy See and the Republic of Poland done at Warsaw on 28 July 1993, Journal of Laws of 1998, No. 51, item 318.

⁵ “In its own domain, the Church is governed by its own law; is free to exercise its spiritual and jurisdictional powers and manages its own affairs.”

⁶ See <https://sjp.pwn.pl/slowniki/niezale%C5%BCno%C5%9B%C4%87.html> [accessed: 13.07.2020].

1.2. Autonomy

The term “autonomy” comes from the combination of the Greek words *autos* (alone) and *nomos* (right). Therefore, autonomy is the right of a community to decide their own internal affairs and independence in making decisions about themselves.⁷ Autonomy is also the capacity of self-determination or abiding by one’s own laws [Kamiński 1995, 1159].

Autonomy, like independence, must be approached from an individual and institutional angle. Autonomy of the person comes from their unique place in the hierarchy of beings. They enjoy the inherent and inalienable dignity. Therefore, as an autonomous entity, nobody can be used as a means to achieve particular goals of other people or social groups [Krukowski 2013, 138; Kaminski 1995, 1160]. Human autonomy, however, is naturally limited by dependence on the Creator, in the first place. “A vision of man and things that is sundered from any reference to the transcendent has led to the rejection of the concept of creation and to the attribution of a completely independent existence to man and nature. The bonds that unite the world to God have thus been broken.”⁸ Second, the limitation is also attributable to a certain degree of dependence on social groups, e.g. such as the Church and State. Those who belong to a political community, although organically united among themselves as a people, maintain autonomy at the level of personal existence and of the goals to be pursued.”⁹

At the institutional level, to guarantee, recognize, and respect the autonomy of individuals is indispensable if they are to freely achieve their goals while not rejecting mutual cooperation.

1.3. Church

Founded by Jesus Christ, the Church is a divine and human religious community of the baptized administered by hierarchical bodies.¹⁰ The salvation of souls is the Church’s main goal and supreme law (Canon 1752 CIC/83).¹¹ The Church, as an autonomous body, is designated to carry out the saving mission in the world. The mission of the Church is universal because it does not exclude any person. According to the teaching of the Second Vatican Council, “[...] the mi-

⁷ See <https://sjp.pwn.pl/sjp/autonomia;2551312.html> [accessed: 13.07.2020].

⁸ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Wydawnictwo Jedność, Kielce 2005, no. 464. See also GS 30.

⁹ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, no. 385. See also GS 74.

¹⁰ “Christ, the one Mediator, established and continually sustains here on earth His holy Church, the community of faith, hope and charity, as an entity with visible delineation [...] But, the society structured with hierarchical organs and the Mystical Body of Christ, are not to be considered as two realities, nor are the visible assembly and the spiritual community, nor the earthly Church and the Church enriched with heavenly things; rather they form one complex reality which coalesces from a divine and a human element.” See Sacrosanctum Concilium Oecumenicum Vaticanum II, *Constitutio dogmatica de Ecclesia Lumen gentium* (21.11.1964), AAS 57 (1965), p. 5–75, no. 8.

¹¹ “[...] the Church has a saving and an eschatological purpose which can be fully attained only in the future world” (GS 40).

ssion of the Church is not only to bring the message and grace of Christ to men but also to penetrate and perfect the temporal order with the spirit of the Gospel.”¹² Cardinal Stefan Wyszyński reiterated that in 1968, “Today, people are struggling for respect, liberty, freedom of outlook, freedom to express their opinions and judgments, freedom to make their lives rational and free, in accordance with the mission of the human person. Where does all this come from? Does it not come from the Gospel? And from the fact that the Church keeps reminding you about the high dignity of God’s children?”¹³

1.4. State

Cardinal August Hlond said, “The Church definitely accepts the State as a temporal need, as a necessary consequence of the fact that man created by God has a very specific nature. The State is therefore not of voluntary character, but it is a prerequisite for natural human development, which, without this institution, could not achieve worldly goals [...]”¹⁴ The Catholic social teaching points to the tripartite nature of the State: social, legal, and moral. The State is a community, i.e. an organized social group distinct from other social groups in terms of territory and population. It is endowed with the law and power and has a common goal of ensuing common good [Strzeszewski 1985, 493–94].¹⁵ The State is a natural community made by people to satisfy their temporal needs. “Men, families and the various groups which make up the civil community are aware that they cannot achieve a truly human life by their own unaided efforts. They see the need for a wider community, within which each one makes his specific contribution every day toward an ever-broader realization of the common good. For this purpose they set up a political community according to various forms” (GS 74). The State is the most developed, higher political community incorporating smaller groups. In the social teaching of the Church, the concept of “political community” is primarily equalized with “state.” The literature on the subject also suggests that the concept of “state” emphasizes the aspect of power, while in the concept of “political community” underlines intentional bonds linking its members with a view to achieving the same values [Krukowski 2013, 154].

¹² Sacrosanctum Concilium Oecumenicum Vaticanum II, Decretum de apostolatu laicorum *Apostolicam actuositatem* (18.11.1965), AAS 58 (1966), p. 837–64, no. 5.

¹³ Quoted after: Sitarz 2018, 145–46.

¹⁴ Quoted after: Strzeszewski 1985, 493.

¹⁵ The common good includes “all the conditions of social life in which people can more fully and more quickly attain their own perfection.”

2. THE ORIGIN OF THE PRINCIPLE OF CHURCH-STATE INDEPENDENCE AND AUTONOMY

Although solemnly proclaimed at Vatican II, the principle of Church-State independence and autonomy is not new. It stems from the Bible¹⁶ where the foundations of religious and political dualism were laid, as in the passage, “Give Caesar what is Caesar’s and give God what is God’s” (Matthew 22:17).¹⁷ In accordance with the position of the Congregation for the Doctrine of the Faith of 2009, the Second Vatican Council “neither changed nor intended to change this doctrine, rather it developed, deepened and more fully explained it.”¹⁸ This is also confirmed by the words of Pope Paul VI, “What Christ willed, we also will. What was, still is. What the Church has taught down through the centuries, we also teach. In simple terms that which was assumed, is now explicit; that which was uncertain, is now clarified; that which was meditated upon, discussed, and sometimes argued over, is now put together in one clear formulation.”¹⁹

3. DUTIES AND OBJECTIVES OF THE CHURCH AND STATE ENSUING FROM THEIR INDEPENDENCE AND AUTONOMY

Whereas the same people, although for different reasons, belong to both the Church and State, and given the fact that both the Church and State operate through visible organizational structures, yet they serve people, they have a different nature because of their distinct goals. The Church responds to the spiritual needs of Christ’s faithful, while the State, through its institutions, serves everything that falls under the temporal common good. Hence, their autonomy and independence are particularly evident with regards to their ends.²⁰ The Church, by reason of her role and competence, cannot be identified in any way with the political community and remains a sign and a safeguard of the transcendent character of the human person (GS 76).²¹ The mission of the Church is bound to no particular form of human culture, nor to any political, economic, or social system but by religion (GS 42). The Church demands freedom in the face of any political authority. This freedom is the fundamental principle in what concerns the relations be-

¹⁶ *Pismo Święte Starego i Nowego Testamentu w przekładzie z języków oryginalnych*, 5th edition of the Millennium Bible updated and revised, Pallottinum, Poznań 2003.

¹⁷ For more on the dualism of religion and politics, see Krukowski 2013, 16–19.

¹⁸ Kongregacja Nauki Wiary, *Odpowiedzi dotyczące niektórych aspektów nauki o Kościele* (29.06.2007), in: *Ustrój hierarchiczny Kościoła. Wybór źródeł 2*, ed. M. Sitarz, A. Romanko, U. Wasilewicz, et al., Towarzystwo Naukowe KUL, Lublin 2013, p. 445.

¹⁹ *Ibid.*

²⁰ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, no. 424.

²¹ See also *Catechismus Catholicae Ecclesiae*, Libreria Editrice Vaticana, Città del Vaticano 1997 [hereinafter: CCE], no. 2245.

tween the Church and the whole civil order.²² Pope John Paul II, in his speech before the President of Zaire in 1980, pointed out that the Church demanded freedom to address consciences and provide the faithful with the possibility of professing, strengthening, and proclaiming their faith publicly.²³

The Church “[...] respects the legitimate autonomy of the democratic order and is not entitled to express preferences for this or that institutional or constitutional solution.”²⁴ However, as highlighted in the Pastoral Constitution on the Church in the Modern World, “at all times and in all places, the Church should have true freedom to preach the faith, to teach her social doctrine, to exercise her role freely among men, and also to pass moral judgment in those matters which regard public order when the fundamental rights of a person or the salvation of souls require it. In this, she should make use of all the means – but only those – which accord with the Gospel, and which correspond to the general good according to the diversity of times and circumstances” (GS 76). It is not the Church’s competence to recommend specific solutions in temporal matters, which God left to the free and responsible judgment of every human, but “It is, however, the Church’s right and duty to provide a moral judgment on temporal matters when this is required by faith or the moral law.”²⁵

Every person, both a Christian and layman, is “called to reject, as injurious to democratic life, a conception of pluralism that reflects moral relativism. Democracy must be based on the true and solid foundation of non-negotiable ethical principles, which are the underpinning of life in society.”²⁶ With regard to the autonomy of the State, during his speech in the Polish parliament in 1999, Pope John Paul II said, “While respecting the autonomy inherent in the life of a political community, you must also remember that it cannot be understood as independence from ethical principles.”²⁷ In other words, the autonomy or independence of the State cannot reject ethical or moral norms. The proper autonomy of temporal affairs cannot be approached while ignoring God. “For without the Creator the creature would disappear” (GS 36; see also CCE 2244).

²² Sacrosanctum Concilium Oecumenicum Vaticanum II, Declaratio de libertate religiosa *Dignitatis humanae* (07.12.1965), AAS 58 (1966), p. 929–46, no. 13.

²³ After: Strzeszewski 1985, 348.

²⁴ Ioannes Paulus PP. II, Litterae encyclicae Venerabilibus in episcopatu Fratribus Clericisque et Religiosis Familiis, Ecclesiae Catholicae Fidelibus universis necnon bonae voluntatis hominibus saeculo ipso Encyclicis ab editis litteris «Rerum novarum» transacto *Centesimus annus* (01.05.1991), AAS 83 (1991), p. 793–867, no. 47.

²⁵ Kongregacja Nauki Wiary, *Nota doktrynalna o niektórych aspektach działalności i postępowania katolików w życiu politycznym* (24.11.2002), in: *Kościelne prawo publiczne. Wybór źródeł*, ed. M. Sitarz, M. Grochowina, M. Lewicka, et al., Wydawnictwo KUL, Lublin 2012, p. 514–25, no. 2.

²⁶ Ibid.

²⁷ Jan Paweł II, *Przemówienie w Sejmie RP* (11.06.1999), in: *Kościelne prawo publiczne. Wybór źródeł*, p. 441.

CONCLUSIONS

The following conclusions can be drawn from the analysis of selected documents from the domain of the social teaching of the Church:

1. “The Church and the political community in their own fields are autonomous and independent from each other” as a principle is not new, although solemnly proclaimed by the Second Vatican Council. It stems from the religious and political dualism installed by Jesus Christ.

2. The members of the Church and State are the same people, although for different reasons. The Church and State serve people, and, therefore, they should enjoy freedom in performing their mission. Respect for mutual independence and autonomy is a guarantee of their cooperation in this service.

3. The independence and autonomy of the Church, which manifests itself in a special way through the activity of its members (both the clergy and laity), does not mean that she should remain indifferent to matters where the fundamental rights of the human person require otherwise (also when these matters concern the political order, e.g. legalization of abortion or denial of parents’ right to raise their children in accordance with their own beliefs or transferring this right to state institutions).

4. The independence and autonomy of the State, although involving temporal matters and its goal being the common good of all citizens, should not be understood in isolation from God. Likewise, the autonomy of the State cannot be explained by moral relativism, and the human person, who is both a member of Christ’s faithful and a citizen, should be guided by “one Christian conscience,” whether operating in the political or ecclesiastical order.

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