

In light of the U.S. Supreme Court ruling that states may restrict Church meetings and services based on COVID-19 concerns, the following article is reposted. Despite the centuries long mantra of separation of Church and state by civil authorities, it is clear that it is only a one way street. This article first appeared in the *Latin Mass Magazine* and has been edited for reposting.

Ascendancy

The point of this article is not to discuss the fact that no less than three popes have condemned separation of Church and state.¹ This article will also not discuss the fact that the state must be confessionally Catholic in order to render true justice to God.² This article will not be a commentary on the current attack of the state in the United States and in other countries on the Church. Rather, this article will seek to demonstrate that separation of Church and state is a metaphysical impossibility.

1. The Metaphysics of Hierarchy³

According to the Aristotelian and Thomistic metaphysics, all beings are in a hierarchy.

More and less is twofold. In one way, insofar as matter participates in the same form in diverse ways, as white wood; and according to this more and less does not diversify the species. In another way, according to the diverse grades of perfections of forms; and this diversifies the species. For there are diverse species of color insofar as more or less closely they relate to light; and this more or less is found in diverse Angels.⁴

¹See among others, Gregory XVI, *Mirari Vos*; Leo XIII, *Libertas Praestantissimum*, passim., Pius X, *Une Fois Encore*.

²See Leo XIII, *op. cit.*

³This section of the article comes in substance from the author's forthcoming book on the psychology of masculinity and femininity.

⁴*De anima*, q. un., a. 7, ad 6: "magis et minus est dupliciter. Uno modo secundum quod materia eandem formam diversimode participat, ut lignum albedinem; et secundum hoc magis et minus non diversificant speciem. Alio modo secundum diversum gradum perfectionis formarum; et hoc diversificat speciem. Diversi enim colores specie sunt secundum quod magis et minus propinque se habent ad lucem; et sic magis in diversis angelis invenitur." St. Thomas

Substances and species are in a hierarchy depending on whether they have more or less being. In his commentary on the separate substances, St. Thomas observes that the diversity of forms is according to a certain order or perfection and imperfection and the perfect is in act while the imperfect is in potency to the more perfect. Essentially what this means is that the hierarchy of being depends on how much act or existence the thing has.⁵

It should also be noted that in the passage quoted above that there is a hierarchy or grade of perfection in relationship not only to substantial form but to accidental form. Two conclusions follow from this. The first is that among the categories of accidents, some are higher than others, e.g. the category of quality is higher than the category of place.⁶ The second is that within each category of accident one is able to have an accident more or less and St. Thomas gave the example of white wood since some are whiter than others.

Joseph Owens observes, “This means that quantity is the ground through which all other corporeal accidents are sustained in being by their substance, for they all require a substance that is already extended.”⁷ This observation essentially states that all corporeal accidents are quantified and so “qualities admit of degrees.”⁸

Gredt makes the following observation:

by reason of quantity, things are and are said to be equal or unequal, i.e. quantity founds the relation of equality and inequality. The reason is that quantity renders the subject measurable; now truly those which come together in some measure are said

observes the same thing in *De ente et essentia*, c. 5.

⁵See *De substantiis separatis*, c. 8 and Wippel, *The Metaphysical Thought of Thomas Aquinas*, p. 91.

⁶Aristotle lists the order of the accidents as: quantity, quality, relation, place, time, habit, disposition, action and passion. See Aristotle, *Metaphysics*, L. V. There are actual metaphysical reasons for the exact order of this list. Some metaphysicians listed differently but the above order follows specific metaphysical reasons.

⁷Owens, *An Elementary Christian Metaphysics*, p. 168.

⁸McInerny, *Metaphysics*, p. 183.

to be equal and those which are different in it are said to be unequal.⁹

Essentially this observation states that whenever you have a particular category of being which is quantified, if two things are in the same category of being but are different, then there is an inequality between those two things. The difference in being is based upon how much the potency determines the act and this is called the principle of the limitation of act.¹⁰ The full formulation of the principle is: “an act or perfection as such is limited only by the potency which is really distinct from it, in which it is received, and with which it unites in a real compound.” Briefly: act is not limited except by reception in the distinct potency. Two things in the same category which are different, i.e. there are different potencies, are unequal in act or existence. When there is an inequality, one thing is greater based upon how much act it has in relationship to the other thing.

2. Application of the Principle of the Limitation of Act

Authority, whether political or ecclesiastic, is a quality held by particular individuals in authority, i.e. in relation to others. As a quality, it admits of various degrees based upon the degree of authority as well as area of competency. When we consider the respective authorities of the Church and state, we recognize that there is a convergency of matter in relation to competency. Christ conferred supreme jurisdiction to the Church over all nations:

And Jesus coming, spoke to them, saying: All power is given to me in heaven and in earth. Going therefore, teach ye all nations; baptizing them in the name of the Father, and of the Son, and of the Holy Ghost. Teaching them to observe all things whatsoever I have commanded you: and behold I am with you all days, even to the consummation of the world.¹¹

⁹Gretd, *Elementa Philosophiae*, vol. 1, p. 148 (n. 186): “Ratione quantitatis res esse et dici aequales vel inaequales, i.e. quantitatem fundare relationem aequalitatis et inaequalitatis. Ratio est, quia quantitas reddit subiectum mensurabile; iam vero ea quae conveniunt in aliqua mensura, dicunt aequalia, et quae different in ea, dicuntur inaequalia.”

¹⁰Wuellner, *Summary of Scholastic Principles*, p. 5. Cf. ST I, q 3, a 4; *ibid.*, q. 7, a. 1.; SCG I, c. 43; SCG II, c. 52-54; *Comp. Theo.* I, c. 18.

¹¹Matthew 28: 18ff.

The stress is on two words *ALL nations*. “ALL” indicates that God (Christ) has conferred to the Apostles and their succession jurisdiction over all nations as to the things which He has commanded. “Nations” indicates that it is not just over individuals but actual groups of individuals organized into nations. This precludes the argument that the right to teach only pertains to their congregations or individuals. Rather, it extends even over nations and the governments that run them. Part of what Christ commanded touches on moral matters which also touches on matters of competency of the state, e.g. the right to teach that murder is immoral held by the Church and the right to enact penal laws for those who commit murder by the state.

The state has the right and competency to enact laws which prohibit citizens from committing crimes which are contrary to the common good. Here we are not talking just about matters that deal with people’s physical health but also the virtues and rightly ordering living of the members of society. For example, the state has a right to enact laws which outlaw abortion (murder), contraception, sodomy, profaning in public, forms of speech which are truly inimical to societal stability and virtue, etc. There are areas which the state addresses that do not fall within the competency of the Church, e.g. where and when people park their cars, what streets are one way, etc. Certain matters, however, pertain to both competencies in different ways, e.g. the Church teaches that certain kinds of behavior result in the unrepentant sinner ending up in hell, certain forms of behavior are excommunicable, etc. Whereas the state puts people in jail, fines them, etc. for the same kinds of behavior.

3. Hierarchy of Authority in Convergent Areas of Competency

Within the areas of convergent competency, the principle of limitation of act obtains. In other words, since the Church and state have areas in their respective competency which touch upon one another as well, in the metaphysical category of being of the quality of authority, one is, *de facto* as a metaphysical necessity, above the other. Since Christ gave the authority to the Apostles and their successors to teach what He had commanded to all nations, then the Church, as a matter of metaphysical necessity is above the state in the areas of convergent competency. Yet, the state is

limited in its jurisdiction to the confines of its own state whereas the Church's jurisdiction extends to all nations.

4. Modern Separation of Church and State

One last thing that should be observed has to do with the reality that many modern states have declared that the Church and state are to be separate, even in the mutual areas of competency. This is a rejection of the right of God (Christ) to confer to the Church the right, duty and obligation to teach and, therefore, pass judgment on laws and actions of the state which touch upon areas of morality and even revealed theology. By doing so, the states have committed an injustice by that very fact. The injustice is not just with respect to God but also the members of the Magisterium who are endowed by Christ of that right to teach by means of Apostolic succession.

The declaration of separation of Church and state since it is inherently unjust is null and void as a civil law or principle since it is not within the competency of the state to make that declaration. Yet those states where this has been put into "law" have placed themselves in a position where they can "teach" or pass judgment on matters pertaining to the Church. For by passing such laws, they have essentially told the Church that the state is above the Church when it comes to the matters pertain to their mutual competency and that the state has a right to tell the Church what it can and cannot believe or do within or in relation to the state. In effect, the state is telling the Church what doctrine it can act upon in relation to the state. In the end, separation of Church and state is a maneuver by the state to gain ascendancy over the Church. Once this is accepted or enacted within a state, the inherent trajectory is that the state will not refrain its doctrinal declarations to merely the separation issue. It will extend to virtually every matter pertaining to the moral law and revealed religion. It is merely a matter of time before the state which has rejected the law of God by this very separation as the law of the land will tell the Church it must pay for abortions, contraception, accept and perform gay marriages or tolerate Satanic and occult practices as a matter of "freedom of religion". In the end, separation of Church and state will lead to the expunging of Catholicism, which teaches the moral code given by God, from the public sector of society. The only solution is for the Church to reclaim its right to teach such matters to the state and to pass judgment on the

morality of the state's laws since that authority to make declarations on the morality of certain forms of behavior was given by Christ to the Church,¹² not the state.

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¹²See Matthew 16: 18f.