

## Review.

## THE CHURCH AND THE CIVIL POWER.\*

THE Catholic Church is described by many of its enemies as a decaying institution, slowly but steadily tottering to its fall. Its head, it is said, has at last been stripped of all his temporal possessions as well as of every shred of power over foreign nations, while in the moral order his influence is seriously threatened by science and the progress of enlightenment. The very persons, however, who talk or write in this way show that they do not at all believe in the impotence they proclaim. A crumbling fabric is allowed to go asunder in peace, whereas the Church is the object of furious and incessant war. Statesmen, soldiers, lawyers, clerics, professors, and journalists, are never tired of representing the "decayed" organisation as absolutely dangerous to the civil power. By-and-by the secular arm is bared for the combat, and the old-fashioned weapons of physical coercion—penal laws, courts and officers of justice, the police and the military force, fines, imprisonment, and exile—are refurbished up and sharpened for use against a moral authority backed by no material sword, and, if we are to believe all we hear, tending to dissolution by the very necessity of its nature. Nay, in this warfare misrepresentation and calumny are not thought out of place. Newly-defined dogmas are twisted to do service in proving the old familiar charge, that the Church's "pretensions" are incompatible with civil liberty. If the proof required is not found there, a search is made through history for Papal bulls, encyclicals, and other publications that contain traces of what is called "Hildebrandism," and in the examination of those documents such a cloud of sophistry is raised that the distinction between the civil and ecclesiastical spheres which they make becomes hopelessly confused. If the Holy See does not condemn as usurpations various acts of former Popes, which are denounced as such, it is unblushingly accused of intending to perform similar acts itself. If the supreme ecclesiastical authority, to be the better able to meet the storms of a revolutionary age, is strengthened in its centre, the circumstance is regarded as a *casus belli*. Finally, encouragement and protection are given by the State to all who rebel against the authority or disregard the admonitions of the Church.

It is to give a thorough and complete answer to those literary assailants that the work under notice has been published. The writer is one well qualified for the task he has undertaken. As the author of "Anti-Janus," Dr. Hergenrother has established for himself a reputation for learning and literary ability which no one will have the hardihood to question. In the publication referred to he very effectively exposed the machinations of the conspiracy formed first to prevent the definition of the dogma of Infallibility, and then to misrepresent the nature and scope of that definition. In the present book he replies to the criticisms on "Anti-Janus," but his answer is more than a mere criticism in return. "Dr. Hergenrother's intention," says his translator, "has been not to rest on the surface, but to give so thorough, and deep an account of the relations of Church and State as to serve for more than the purposes of ephemeral controversy, and to be a work of permanent value and reference. It is thus," he adds, "especially suited to the present needs of the Catholics of England, who, amid the controversies as to Church and State, which have grown to such proportions since Mr. Gladstone's too-famous Expostulation, require something more than pamphlets, however excellent, and answers, however conclusive, to particular accusations. A more complete and solid discussion of these subjects is needed, which may serve as an armoury from which to draw weapons against any particular attack, and as a bulwark behind which weaker brethren may securely take their stand; a book, in short, which we may place in the hands of our non-Catholic countrymen, and, until it is read and answered, decline to enter on further controversy." That this need is satisfied we join the translator in affirming. The scope of the work is as wide as anyone need desire. The subjects treated by Dr. Hergenrother embrace all the more important points of the controversy. The Holy See and civil allegiance, the dogma of Infallibility and the Syllabus; the fundamental principles of civil and ecclesiastical polity in the Middle Ages, the power of the Papacy in that epoch, and the influence of the Church on social and political life; the relations of the Holy Roman Empire to the Papacy, and the great contests of the Popes with Henry IV., the two Fredericks, and other princes; the feudal connection of the

south Italian kingdoms and of England and Scotland with the Holy See; the origin of the civil power; the Inquisition and the punishment of heresy; liberty of conscience and religious toleration—such are some of the weighty questions concerning which we find here information more or less ample. A knowledge of the chief facts of European history is, indeed, presumed, and to those only who possess such knowledge will the exposition be altogether satisfactory. But, on the other hand, almost every statement made in the text is verified in the footnotes, either by direct quotation, or by exact references to ancient or modern authors, as the case may be.

It is not our intention to enter on anything like an elaborate examination of the contents of these two volumes; but one or two reflections to which a perusal of them is calculated to give rise may, perhaps, be usefully noticed even in this brief review. And first, it is not a little remarkable that in these days, when so much is heard about the desire of the Holy See to invade the province of the civil power and even to resuscitate the old deposing authority, it is only the Revolution—the great object of the Pope's anathemas—which really threatens sovereigns. "Of the many princes," says Dr. Hergenrother, "dethroned in the last eighty years, not one has been dethroned by the Pope, but all by the Revolution, all by principles unceasingly combated by the Holy See." In truth, it is the State which now seeks to tyrannise, and does tyrannise over the Church. It has not only confined the Church to the purely ecclesiastical domain, but it has loaded her even there with a heavy yoke, subjecting her ministers to the espionage of the police, robbing her of what is undoubtedly and justly her property, and, in some places, exciting against her the mockery of a bribed and unbridled press. Anyone who contemplates the state of things now prevailing in Germany, Switzerland, and Italy, must admit that this is but the baldest expression of a notorious fact. "Which of two powers," asks Dr. Hergenrother, "is seeking to tyrannise over the other—the one which proposes a friendly arrangement and holds as sacred the treaties agreed on, or the one which refuses all arrangement and desires itself alone to regulate all, both spiritual and temporal? the one which desires to preserve and protect what yet remains to it, or the one which desires to seize on what it has never had, nor can have, a right to? the one which defends itself with ancient principles of law, or the one which seeks under various pretexts to create a new condition of affairs, so as to destroy entirely the ancient law, and which misinterprets historical events long past, so as to dress up an accusation of aggression, and then proceeds to measures of extremest violence?" These statements, again, are almost self-evident, and scarcely require any proof. But then it is said that the Church, having in past times undoubtedly occupied a position of lofty prominence, and exercised powers accordant therewith, might, if left perfectly free, endeavour to regain that position with all its privileges. This charge of desiring to bring back the Middle Ages is, perhaps, the most silly and unjust of all. The Middle Ages are past, and past for ever, and no set of men have recognised this fact more often or more readily than the Popes themselves. "As to matters of discipline," says Dr. Hergenrother, "the Church has paid due regard to changed times and circumstances; she has made no claim to rights that rested, as the deposing power, merely on mediæval law, but rather has expressly recognised their cessation; she has made manifold concessions in concordats, and has kept to them in spite of frequent breaches of faith by the other party." At the same time, no apology need be made for what are ignorantly called the pretensions of the Church in the Middle Ages. Without seeking to justify all the actions of all the Popes—some of which are very questionable—we may safely attempt the task of justifying the general line of action adopted by the Holy See in times when the unity of the Christian family of nations had not yet been destroyed, and when princes and people alike, voluntarily and of their own motion, recognised in the Pope the highest judge and supreme arbitrator. Each age, as our author remarks, gives its own special character to States. In the age to which we refer the State was, above all things, Catholic in respect of its political constitution, and the Pope, accordingly, at its instance, stepped in to preserve the monarch, on the one hand, from the excesses of the people, and the people, on the other hand, from the tyranny of the monarch. Now the unity of the Christian family of nations exists no longer, some of the nations do not even profess the Christian or any religion, and, therefore, the Popes do not perform the useful function to which we have referred. If over the various States of the world should think it right to become Catholic again, then,

but not till then, will it be possible for the Popes to exercise the powers of a Hildebrand, a Boniface, or an Innocent.

One word, in conclusion, by way of criticism. In the essay on "The Gifts of Land made by the Popes," mention is made of Hadrian's "gift of Ireland" to the King of England on condition of a yearly tribute. "King Henry II.," we are told, "had expressed to the Pope his desire to extend the kingdom of Christ and to civilise barbarous nations, and had made known to him especially his resolution to bring the inhabitants of Ireland within the pale of the law. In many parts of this country Christianity was well nigh exterminated, and murder, debauchery, and complete lawlessness reigned. According to the English chronicles, the bishops of Ireland assented to this plan of Henry's. Hadrian IV.," adds our author, "merely gave his consent that Henry should land in the island, that the people should receive him with respect, and acknowledge him as their lord. No mention was made of a temporal right or of a real donation." From these words it will be seen that Dr. Hergenrother treats "the bull of Hadrian IV.," as having really been issued by its alleged author. In a subsequent page, indeed, he says that the rescript "was the cause of much perplexity to the Irish in later times," and "may have been obtained on the English side by oppression (giving false reason), and by subreption (suppressing the truth)"; but it never seems to have occurred to him that the English on this occasion might have preferred having recourse to forgery; and yet, after what has been written on this point by Dr. Moran, the present learned occupant of the See of Ossory, it seems to us that no dispassionate student of history can treat either the bull of Hadrian, or the confirmatory one said to have been issued by his successor, Alexander III., as unquestionably genuine. We cannot here summarise the arguments of Dr. Moran, but desiring, as we do, to see a very valuable book made as accurate as possible, we earnestly commend them to the attention of Dr. Hergenrother and his English translator.

## Correspondence.

## THE OLD CHURCHYARDS AND CHURCHES OF IRELAND.

TO THE EDITOR OF THE NATION.

MR. EDITOR—With your wonted kindness and patriotism, perhaps you will please publish this letter in your well-conducted journal. I flatter myself, if you give publicity to this letter, something may be done to remedy the evil, particularly if combined with any remarks of your own. I allude to the disgraceful and neglected state of so many of our old rural graveyards—these ancient monuments of our early faith and devotion. As many of these old churches and their graveyards date as early as the sixth and seventh centuries, when Ireland was called the "Isle of Saints," it is not, to say the least of it, irreligious to leave them exposed, as many of them are, to the pig and the dog to root up the graves of the dead? which would not happen were they decently fenced. I occasionally read in some of our daily newspapers letters from correspondents deploring the dilapidated state of these antiquities, where once the solemn worship of God was performed. I need not remind your numerous readers, Mr. Editor, that these old graveyards are consecrated ground; and I presume it is not too much to say that within their ancient and hallowed limits many of our early saints and martyrs are interred. By preserving them at present, some future historian may be enabled to point to them as evidences of Ireland's early devotion, as Rev. Father O'Hanlon does in his beautiful and national work, "The Lives of the Irish Saints." I could point out near half a score of these ancient monuments within a stone's throw of Dublin, I may say, and their dilapidated condition is scandalous. For the love of our kindred and of Christianity, and for the sake of decency, I beg leave to say that if gentlemen would form themselves into different committees here and there throughout Ireland to remedy this shameful disgrace, and get these old monuments decently fenced, they would deserve the thanks of all true Irishmen and the lovers of antiquity.—I am, Mr. Editor, your most obedient servant,

CARNDONAGH.

I send my name and address, but not for publication.

## THE MEAGHER MONUMENT.

TO THE EDITOR OF THE NATION.

Dungarvan, 14th November, 1876.

SIR—Seeing that the contemplated monument to T. F. Meagher in Waterford has been abandoned, as a humble admirer of the patriotism and genius of T. F. Meagher I trust that a renewed effort will be made by the people of Ireland to raise a monument to the memory of one of her most gifted sons. I would suggest that, if another committee be formed, it should decide on procuring in Dublin a site for the monument of T. F. Meagher, and I have no doubt but the Corporation of Dublin would willingly grant a site for so patriotic a purpose. I think one of the causes of the failure of the last effort was the decision arrived at of having the proposed monument to Meagher erected in Waterford and not in Dublin. But some may say, "Why not erect a monument to Meagher in Waterford, as there is to be one in Limerick to the memory of Sarsfield?" The cases are quite dissimilar, for Limerick and its surroundings were the scenes of

Sarsfield's glorious achievements, but it was in Dublin, in "Conciliation Hall" and at the meetings of the "Irish Confederation," that Meagher's greatest oratorical efforts were delivered. It was fittingly decided upon that Dublin should possess the statue of the patriotic and high-minded William Smith O'Brien, Meagher's friend and compatriot; and why not it be so with the proposed monument to "the silver-tongued" and "chivalrous Meagher," who bravely commanded the last "Irish Brigade"? It will give me great pleasure to contribute my mite towards it when set on foot again.—I am, sir, sincerely yours,

AN ADMIRER OF MEAGHER.

## "JOYCES' COUNTRY."

TO THE EDITOR OF THE NATION.

SIR—Owing to very pressing business I could not, until now, well devote a minute to reply to a letter which appeared in your issue of the 28th ult., over the *nom de plume* "Hibernicus." Your correspondent, in the first place, endeavours to make it appear that I said there was no such place as Connemara. I never insinuated anything of that kind; what I said, and now repeat, was that "the greatest and most admired part of the mountain, lake, and woodland solitude described by your correspondent, 'A Traveller,' was, is, and will be known as the Joyces' Country." There was certainly a small district in the South-East of this county called Connemara (or Connemara)—the barony of Ballinahinch, properly speaking. Most assuredly Joyces' Country is not Connemara; they are as different as the counties of Galway and Mayo. We, Joycelanders, have at least as good an opportunity of knowing the extent of Connemara as the "travelling public," Mr. Ward, or "Hibernicus"; and the reason why it was so termed too: it was called after the posterity of Connaic, son of Fergus MacRoy by Maud, an ancient Queen of Connaught.

Again, he appears to be satisfied that the Joyces family, with two others, only possessed a district of twelve miles by eight; or, in other words, a patch of four miles by two and one-fourth to each; and that they came as adventurers to Ireland, under the auspices of Dermot M'Morrough. This is certainly fallacious, as I will prove from credible historians.

In "The Tribes of Galway," the following interesting account is given of the Joyces:—"This old family is of ancient and honourable descent, and was allied to the Welsh and British princes. Thomas Joyces, the first of the name that came to Ireland, sailed from Wales in the reign of Edward the First, and arrived at Thomond, where he married Nora O'Brien, daughter of the chief of that district. From thence, putting to sea, he directed his course to the western part of Connaught, where he acquired considerable tracts of territory, which his posterity still inhabit. While on his voyage his wife was delivered of a son, whom he named MacMara—son of the sea. He extended his father's acquisitions; and from him descended the sept of Joyces—a race of men remarkable for their extraordinary stature—who for centuries past, and still, inhabit the mountain districts in Iar-Connaught, called from them 'Dhu-Shoaghaidh,' or 'Joyces' Country,' now forming the barony of Ross (which includes the Isles of Arran), in the county Galway. MacMara Joyces was first married to the daughter of O'Flaherty, Prince of Iar-Connaught, by whom he acquired additional territories."

The "Topographical Dictionary" and other reliable works corroborate the foregoing statement.

Now, sir, it is obvious to any intelligent reader that the assertions of "Hibernicus" are fallacious. For any reader who is acquainted with Ireland's past history must be aware that Dermot M'Morrough was dead about one hundred years before Edward the First reigned; and that the whole barony of Ross, with the other "acquisitions" and "additional territories," which included the barony of Ballinahinch, &c. (where Joyce Castles stand), are far more extensive than the little tract which "Hibernicus" represents to be Joyces' Country.

And again I differ with "Hibernicus's" statement which is to the effect that it was by the consent of the O'Flahertys the Joyces first settled here. For Thomas Joyces, "the first of the name," got a colony from Edward the First in the north-west of the county Galway; and accordingly steered his course thither with an armed fleet. And, furthermore, I greatly mistake if the Joyces themselves were not settled here as early as the O'Flahertys. For it was in the latter end of the thirteenth century they were routed by the English from their native place—the barony of Clara. It was then they first came to Iar-Connaught. "In the thirteenth century the O'Flahertys were expelled from this territory (the barony of Clara) by the English; and, having settled on the other side of Lough Corrib, they got large possessions there in the barony of Moycullen" (only). Accordingly it was not under the "patronage or protection" of the O'Flahertys the Joyces settled here.

I agree with your correspondent that the O'Flahertys and Joyces were allied for some time; but neither of them subject to the other. When MacMara Joyces, son to Thomas, got married to a daughter of the "Chief of Moycullen," or the principal of the O'Flaherty clan, they shrewdly united the one solid phalanx for their common defence.

Were I to dwell upon a multitude of minor charges that are contained in the somewhat defamatory letter of "Hibernicus" the reader would certainly grow weary; I will, consequently, confine my remarks to one or two observations more, relative to the "fanatical heroism" which he fails to attribute to the Joyces. In a work recommended by the NATION I find the following references to that noble race:—"They were a brave and warlike race, of tall and manly stature; and were great commanders of Gallowglashes (or heavily-armed troops) in Connaught, Ulster, Leinster, and Munster."

He also attempts to controvert my statement regarding the war that took place between themselves and an English army, because "history seems to preserve no notice of such heroism." This is, in my judgment, outside the limit of fair discussion. How many heroic conflicts are unrecorded in the annals of history? How many valuable records have perished, or have been destroyed by fanatical fury? The brave exploit is true—handed down from sire to son; and is to-day fresh in the tradition of the natives.—I remain, sir, your humble servant,

T. F. J.

Near Loonane, Joyces' Country, Nov. 13, 1876.

[We cannot insert any further correspondence on this subject.—ED. NATION.]

THE CATHOLIC MAYOR OF WREXHAM.—The fact that the Wrexham town council had resolved to have a Catholic mayor gave great offence to certain antagonistic members. Reading all the speeches

\* Catholic Church and Christian State. A series of essays on the relation of the Church to the Civil Power. Translated with the permission of the author from the German. By Dr. Joseph Hergenrother. In two volumes. London: Burns and Oates, Portman-street, and Paternoster-row, 1876.