

VATICAN II COUNCIL – PRESENTATION 6C
DIGNITATIS HUMANAE – ON RELIGIOUS LIBERTY

I. The Vatican II Council's teachings on religious liberty bring to a fulfillment historical teachings on human freedom and the obligation to pursue truth to the modern world.

A. The Church had not always upheld the robust notion of religious liberty that she does now, but she had never taught that faith should be coerced.

1. The Church in the Middle Ages did seek and receive help from governments and tended to impose disabilities on those who were not Catholic, for in a time when the state and the Church were considered allies, threats to the faith were considered threats to society. But the Church has never taught coercion should be used to compel people to believe against their will.

a. For example, St. Thomas Aquinas wrote in his great work the Summa Theologica, "There are some unbelievers such as Gentiles and Hebrews who have never accepted the Christian faith. These people should in no way be forced to believe, for faith is a matter of the will." ST II-II q. 10 art. 8. Pope Innocent IV (1243-54) argued that property and civil rights belong to all people, Christian or not, because they are innate in human nature. As he wrote "ownership, possession, and jurisdiction can belong to infidels licitly . . . for these things were made not only for the faithful, but for every rational creature."

b. It is true Pope Leo XIII in his 1888 encyclical Libertas, wrote that non-Christian worship is often tolerated mostly because suppressing would cause greater harm. But practically speaking the Church did tolerate other religions.

c. Regarding the persecutions against Jews and others, in most all of those instances, the force came from those outside the Church hierarchy, not within it. For example, while it is true that heretics were often required to recant their heretical beliefs, non-Christians could not be tried as heretics, for a heretic had to be a believer who teaches falsehoods. And, with regard to the violence against Jews, the worst oppression was done because of popular superstition or simple greed by the wealthy, not from Church instruction. See Phillip Daileader, The High Middle Ages Lecture 13 (The Teaching Company 2001.) Thus, for example, the expulsion of the Jews from France in 1182 and England in 1290 were engineered by kings and nobles trying to seize property or get out of paying their debts, not primarily by churchmen.

2. The great American theologian Fr. John Courtney Murray, S.J. argued that, in the modern world, a neutral government and religious liberty were now the best arrangement.

a. He held to the principal that all salvation is through the Church, although he recognized that that salvation flows to others through the truths we hold together. But he also strongly promoted neutrality from the government, not because all religions are equal, but rather because the acceptance of religion should be by the individual and society, not the state; and he argued that, whatever was the case in the past, there is no longer in most countries any need for the government to support a specific religion. These views were especially outlined in his 1955 classic We Hold These Truths.

b. His views, as with similar views by the lay theologian Jacques Maritain, were greeted with some skepticism by many high in the Church, including Cardinal Alfredo Ottaviano, the prefect of the Holy Office, the precursor to the Congregation on the Doctrine of the Faith. Largely as a result, his Jesuit superiors told Fr. Murray to stop publishing on that subject until the disagreements were resolved. However, behind the scenes, he argued in private letters for this careful distinction between the political and religious realms.

3. The environment for teachings favorable to religious liberty was becoming better as the Council approached. The support came especially from both American and English-speaking theologians generally, and bishops in Communist, Arab and other countries where the faith was oppressed and who wanted an affirmation of the importance of religious liberty.

B. The Conciliar Commission on Christian Unity drafted the document on religious liberty and shepherded its way through the Council.

1. During the First Session, Pope John XXIII created the Conciliar Commission on Christian Unity, and placed Cardinal Augustine Bea in charge of it. Through its participation in the document on ecumenism, that Commission would write the document on religious liberty.

2. At the Second Session, the decree on ecumenism included a chapter on religious liberty. However, the debate indicated that bishops wanted a separate document on religious liberty. And so Pope Paul VI entrusted that task to the Commission on Christian Unity. The Second Session ended, however, before there was time for a debate on the topic.

3. On September 23, 1964, the Commission on Christian Unity presented the document to the Third Session of the Council. The document not only affirmed that people should not be forced to convert to any faith (a principle that was widely agreed upon), but also that the very dignity of the human person demanded that people should be fully free to profess and promote their faith, with the understanding that there is a duty to seek the truth and adhere to it. There was a passionate debate for four days. Some bishops, such as Cardinal Ernesto Ruffini of Palermo, Italy and Cardinal Fernando Palacios of Santiago de Campestelllo, Spain strongly opposed the document on the grounds that it changed Church teaching and that error has no rights. Other bishops, especially from America, England, and Eastern Europe supported it strongly. Archbishop Karol Wojtyla of Krakow, later Blessed Pope John Paul II, supported the document, but said that there must be more emphasis on the duty to pursue truth and virtue.

4. Many bishops who objected to the document wanted the revisions to be made by a new Commission, guided by Cardinal Ottaviano, and with participation from Archbishop Marcel LeFebvre, who opposed it altogether and would later be in schism from the Church partially because of it. However, Pope Paul VI assigned the Commission on Christian Unity the task instead.

5. After the debate, the Commission revised the document to respond to the objections. Cardinal Francis Spellman, the archbishop of New York, had brought Fr. Murray with him as his peritus. And the Commission allowed Fr. Murray a great deal of influence in drafting the revisions.

6. The revised document was presented to the Council on November 16. But many bishops objected taking an immediate vote on it because it had been changed so much that the amended document needed more discussion and consideration. The Presidents of the Session argued for a delay on a vote until the next session; and Pope Paul VI agreed to delay the vote, but with the promise that it would be the first issue on the agenda for the Third Session.

7. On the second day of the Fourth Session in 1965, the revised draft was presented again to the Council. Once again there was strong debate for four days, but with the debate largely going in its favor. It was very likely to get the required two thirds vote, but if the vote was close, Pope Paul VI likely would have required more revisions to satisfy the bishops who objected. The final vote was 1997-224, a ninety percent majority, although with the most dissents of any final document of the Council.

II. The Decree consists of an introduction, two chapters, one on the overall principles of religious liberty and the other on Scriptural insights into this matter, and a conclusion.

A. The introduction involves a careful balance between the rightful call to religious liberty and the demands of the truth.

1. It begins with observing how it is that people in the modern world are increasingly demanding the right to use their own judgment and freedom in their lives. It says that this document is a commentary on what is true and just in this aspiration.

2. It then proclaims that God has revealed Himself and offered salvation through the Church and has called the Church to proclaim this Gospel to all peoples. It affirms the obligations of all peoples to seek the truth and to adhere to it once found. The idea is that rights are based upon obligations. And thus, there is a right to religious liberty, but it is based upon the calling of truth.

B. Chapter 1, which consists of sections 2-8, then sets forth in strong terms the principles of religious liberty, as based upon God's calling freely to adhere to the truths of the spirit.

1. Section 2 affirms the importance of religious liberty as immunity from coercion and the ability, within due limits, of all people to act in accordance with their consciences in matters of faith, both as individuals and together as a people. It says that this right is based upon human dignity itself. Once again the section affirms to obligation to use reason and free will to seek the truth. But because one cannot freely seek the truth if there is not freedom, people must have religious liberty to fulfill this calling, and that liberty must be given even to people in error. The idea is that error in itself may not have rights, but people in error do.

2. Section 3 refers to the divine law. The idea is that there is an eternal law that governs all things, natural and human. The theology here is that all principles governing the material and spiritual realms are summed up in God's eternal law, which is above us and draws us to His kingdom. This law includes the freedom of the human person, freedom he is meant to use to pursue the truth and live by it.

a. People's conscience tells them of the moral and religious truth that calls for them to live in accordance with God's law. Because the conscience is our access to God's calling, it must be respected, even when in error.

b. The call in particular to union with God must be given freely. And thus, to the degree that it does not interfere with a just order, people should be free in their religious pursuits.

c. The section says that the government should “recognize and look with favor on the religious life of its citizens,” but not control their lives and structures. Thus, the Council is saying that the government should not be neutral between the existence of faith and lack of faith, but rather should encourage the former without mandating any practice.

3. Sections 4 and 5 describe this freedom in very broad terms as needed for the very fulfillment of human nature and religion, while acknowledging the need to preserve justice in society.

a. Thus, section says that religious groups must have the right to organize themselves and give religious instruction with complete freedom, consistent with the requirements of just order.

b. The section specifically denounces interference with the selection and training of ministers and affirms the need to allow religious groups to build structures and own property for their mission.

c. Section 4 then affirms the freedom fully to promote the teachings of a religion, with the qualification that religious groups must not use dishonest or coercive methods.

d. Section 4 goes on to affirm the right of religious groups full to engage in educational, cultural, social and charitable activities, for they are necessary to the fulfillment of a faith.

e. Section 5 then affirms in very strong terms the religious freedom of the family. In particular, it says that parents should have a wide range of choices over the means of educating their children so that their education does not conflict with the family’s religious heritage

4. Section 6 then describes the role of civil authorities in promoting religious freedom.

a. In the first paragraph, it affirms that all people, individuals, groups, governments and the churches must all cooperate in this endeavor.

b. The next paragraph then calls upon governments in particular to safeguard religious liberty and in fact “create conditions favorable to the fostering of religious life.” There is a recognition here that society often discriminates against specific religions, or has a materialistic bent that

discourages religion in general. The calling is for the government to counteract these social threats to religious liberty.

c. There is a recognition that, in a few countries, it is still fitted for the government to recognize a particular religion as central, but such a policy should not lead to diminishing the rights of adherents of other faiths.

d. The calling of the government is to establish equality under the law and thus to avoid anything that may compel a person to adhere to a faith or prevent one from leaving a faith.

5. Sections 7 and 8 then give balancing considerations that allow a certain field of regulation to avoid abuses and call for people to use freedom responsibly.

a. Section 7 recognizes that there is a need for all people to respect the rights of others and thus a call for the government to have neutral legislation along these lines. Thus, it says that the government should guarantee that people live in peace, not harming each other. And it says that law should uphold public morality for the common good. But even which such regulations are needed, authorities should respect religious freedom as much as possible.

b. Section 8 says that, while people should have the legal right to act in accordance with their own judgment, this right should be exercised responsibly and with respect for the rights of others. The idea is that a freedom in religious matters does not imply freedom from the moral law.

C. Chapter 2, which consists of sections 9-14, then describes the consistency of these principles of religious freedom with Revelation and Church teachings.

1. Section 9 recognizes that there has been progress in the understanding of religious liberty, and that truths in this regard have not always been clearly understood. However, it goes on to argue that Biblical principles of human freedom natural imply that there should be religious liberty.

2. Section 10 describes the principle, understood in Scriptures and historic teachings of the Church, that people should respond to the word of God freely, and that no one should be compelled to embrace a faith against their will. The footnotes extensively cite teachings of the Church and Church Fathers that people must not be compelled to enter a faith. That much has been taught by the Church. The additional teaching that people should not be discriminated against because of their faith is newer, at least as a universal teaching.

3. Section 11 reflects upon the example of Christ to distinguish between the demands of conscience and coercion. Conscience and the calling to live in accord with the truth does not limit freedom, but rather enhances it, for this calling gives freedom its goal and firmest basis.

a. This section points out that Christ was very demanding of people, calling them to adhere fully to God's law. But He left it to their free choice whether to respond.

b. The section goes on to point out that Jesus respected the independence of the political sphere, but also said it was still under God's law. Likewise, the Apostles always respected the government, but were willing to defy its demands when those were against God's law.

c. Thus, Jesus and His followers were bold in speaking the truth and telling people of their obligations before God and His law. But they would not use the worldly weapons of coercion, instead relying upon persuasion and the grace of God.

4. Section 12 then says that the Church has always taught that people must not be coerced into believing the Gospel, although as practical matter behavior has not always been consistent with this principle. There is again a subtle recognition that the broader idea of religious liberty stated in chapter 1 has not always been taught in fullness or practiced in history.

5. Section 13 then goes on to say that the Church must insist on her liberty to proclaim and practice the faith. In fact this call for the liberty of the Church "is the fundamental principle governing relations between the Church and public authorities and the entire civil order." This liberty must not only be in the words of law, but in practice. And, likewise, individual members of the Christian faithful should insist on their own liberty to proclaim and practice their faith.

4. Section 14 makes it clear that this respect for religious liberty should not lead to religious indifference. It says that the faithful should support religious liberty, but should also know their faith well and share it with others in society. This witness should be both courageous and done "with prudence and patience."

D. Section 15 then concludes with some observations about the current state of affairs.

1. On the one hand, most constitutions in principle recognize the importance of religious liberty. On the other hand, practically speaking, governments often

ignore this right. The Church and all of the faithful must be active in defending the religious liberty that is in principle recognized by most legal systems.

2. The declaration then observes that a respect for religious liberty will allow the peoples of the world to live in greater harmony.

3. The declaration then concludes with a prayer that a greater respect for religious liberty will help all people live in the true freedom of the sons and daughters of God.