

OF HUMAN DIGNITY:  
THE DECLARATION ON RELIGIOUS LIBERTY AT 50

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Vatican II ended in December 1965 with an outpouring of enthusiasm and hope. The Council's hope was grounded in two things: a renewed Catholic faith; and confidence in the skill and goodness of human reason.

Half a century has passed since then. A lot has happened. The world today is a very different place from 1965. And much more complex. That's our reality, and it has implications for the way we live our faith, which is one of the reasons we're here tonight.

Hope is one of the great Christian virtues. Christians *always* have reason for hope. As we read in John 3:16, "God so loved the world that he gave his only son, that he who believes in him should not perish but have eternal life." God is alive. God loves us. God never forgets us.

But Christians also need to see the world as it really is, so as better to bring it to Jesus Christ.

In some ways, the Council's Declaration on Religious Liberty – *Dignitatis Humanae* in Latin, or "Of Human Dignity" in English – is the Vatican II document that speaks most urgently to our own time. The reason is obvious. We see it right now in the suffering of Christians and other religious believers in many places around the world.

Pope Paul VI, who promulgated *Dignitatis Humanae*, saw it as one of the most important actions of the Council. It changed the way the Church interacts with states. And it very much improved the Church's relations with other Christians and religious believers. So I'm grateful to Father Billy and Bishop Senior for organizing these talks on the declaration. And I'm glad to offer my own thoughts this evening.

My job tonight is to give an overview of religious liberty issues: the problems we currently have, and the ones we'll face in the years ahead. I'll do that in three parts. *First*, I'll outline what the Church teaches about religious freedom. *Second*, I'll list some of the key religious liberty challenges heading our way. *Third*, I'll talk about why the Council was right. Not just right in its teaching about religious liberty, but right in its spirit of hope. And that spirit of hope needs to live in our hearts when we leave here tonight.

So let's turn first to what the Church teaches about religious freedom. And we should start by recalling the nature of the world that the Church was born into.

One of the themes of the Enlightenment in the 18<sup>th</sup> century, which still has great influence today, was a kind of "anything but Jesus" attack on religious superstition, and a special distaste for the legacy of the Catholic Church. Enlightenment philosophers wanted to recover the habits of reason and learning they thought were embodied in ancient Classical culture. But this is rich in

irony, because the Classical age itself was deeply religious at every level of life. The gods were everywhere in daily routines and civic power.

To put it another way: Early Christians weren't hated because they were religious. They were hated because *they weren't religious enough*. They weren't killed because they believed in God. They were killed because they didn't believe in the *authentic* gods of the city and empire. In their impiety, they invited the anger of heaven. They also threatened the well-being of everyone else, including the state. The emperor Marcus Aurelius – one of history's great men of intellect and character – hated the Christian cult. He persecuted Christians not for their faith, but for what he saw as their blasphemy. In refusing to honor the traditional gods, they attacked the security of the state.

Why does this matter? The reason is simple. T.S. Eliot liked to argue that “no culture has appeared or developed except together with a religion.” Nor can a culture survive or develop for long without one.<sup>i</sup> Christopher Dawson, the great historian, said the same. Religious faith, whatever form it takes, gives a vision and meaning to a society. In that light, pagans saw the early Christians as a danger, because they were. Christianity shaped an entirely new understanding of sacred and secular authority. Christians prayed for the emperor and the empire. But they would not worship the empire's gods.

For Christians, the distinction between the sacred and the secular comes straight from Scripture. In the Gospel of Mark, Jesus himself sets the tone when he tells us to render unto Caesar the things that are Caesar's, and to God the things that are God's.<sup>ii</sup> But if that's true, then how do we explain 16 centuries of the Church getting tangled up in state affairs? The details are complicated, but the answer isn't. Christians are amphibian creatures. God made us for heaven, but we work out our salvation here on earth. As the Roman world gradually became Christian, the Church gained her freedom. Then she became the dominant faith. Then she filled the vacuum of order and learning left by the empire's collapse. Religious and secular authority often mixed, and power is just as easily abused by clergy as it is by laypeople. The Church relied on the state to advance her interests. The state nominated or approved senior clergy, and used the Church to legitimize its power.

Of course, the idea of the “state” is a modern invention. I use it here to mean every prince or warlord the Church has faced through the centuries. The point is this: Over time, and especially after the Wars of Religion and the French Revolution, the “confessional state” – a state committed to advancing the true Catholic religion and suppressing religious error – became the standard Catholic model for government.

That's the history *Dignitatis Humanae* sought to correct by going back to the sources of Christian thought. The choice to believe *any* religious faith *must* be voluntary. Faith must be an act of free will, or it can't be valid. Parents make the choice for their children at baptism because they have parental authority. And it's important that they do so. But in the end, people who *don't* believe can't be forced to believe, especially by the state. Forced belief violates the person, the truth and the wider community of faith, because it's a lie.

Or to put it another way: Error has no rights, but persons *do* have rights – even when they choose falsehood over truth. Those rights aren't given by the state. Nor can anyone, including the state, take them away. They're *inherent* to every human being by virtue of his or her creation by God. Religious liberty is a “natural” right because it's hardwired into our human nature. And freedom of religious belief, the freedom of conscience, is – along with the right to life – the most important right any human being has.

Having said this, we should recall what *Dignitatis Humanae* doesn't do. It *doesn't* say that all religions are equal. It *doesn't* say that truth is a matter of personal opinion or that conscience makes its own truth. It *doesn't* absolve Catholics from their duty to support the Church and to form their consciences in her teaching. It *doesn't* create a license for organized dissent within the Church herself. It *doesn't* remove from the Church her right to teach, correct and admonish the baptized faithful – including the use of ecclesial penalties when they're needed.

It also *doesn't* endorse a religiously indifferent state. It *doesn't* preclude the state from giving material support to the Church, so long as “support” doesn't turn into control or the negative treatment of religious minorities. In fact, the declaration says that government “should take account of the religious life of its citizenry *and show it favor* [emphasis added], since the function of government is to make provision for the common welfare.”<sup>iii</sup>

In its own words, *Dignitatis Humanae* says “religious freedom . . . has to do with immunity *from coercion in civil society* [emphasis added]. Therefore it leaves untouched traditional Catholic doctrine on the moral duty of men and societies toward the true religion and toward the one Church of Christ.”

In the same passage, the Council Fathers stress that the “one true religion subsists in the Catholic and Apostolic Church,” and that “all men are bound to seek the truth, especially in what concerns God and his Church, and to embrace the truth they come to know, and to hold fast to it.”<sup>iv</sup>

To put it another way, *Dignitatis Humanae* is not just about freedom *from* coercion. It's also about freedom *for* the truth. The issue of truth is too easily overlooked.

The declaration took four drafts to complete. And it created a great deal of internal debate. Karol Wojtyla took part in Vatican II as a young bishop. He supported *Dignitatis Humanae* and became a great defender of religious freedom as John Paul II. But he *resisted* an early draft of the declaration *precisely* because it failed to make a strong connection between freedom and truth. The two go together.

What John Paul saw, and what the Council Fathers addressed in the declaration's final draft, is that words like goodness, freedom and beauty don't mean anything without an anchor. They're free-floating labels -- and very easily abused -- unless they're rooted in a permanent order of objective moral truth.<sup>v</sup> We see that abuse of language every day now in our public discourse. But I'll come back to that in a moment.

In the mind of the Council, religious liberty means much more than the freedom to believe whatever you like at home, and pray however you like in your church. It means the right to

preach, teach and worship in public and in private. It means a parent's right to protect his or her children from harmful teaching. It means the right to engage the public square with moral debate and works of social ministry. It means the freedom to do all of this without negative interference from the government, direct or indirect, except within the limits of "just public order."

Before we turn to the second part of my remarks, it's also worth noting that the full title of *Dignitatis Humanae* is: *On the right of the person and of communities to social and civil freedom in matters religious*. Religious liberty belongs not just to individuals, *but also to communities*. Civil society precedes the state. It consists of much more than individuals. Alone, individuals are weak. Communities give each one of us friendship, meaning, a narrative, a history and a future. They root us in a story larger than ourselves or any political authority. Which means that communities, and especially religious communities, are *strong* – and a necessary mediator between the individual and the state.

So let's move now to some issues we'll face in the years ahead. We'll start on the global level.

This year marks the 100<sup>th</sup> anniversary of the Armenian Genocide. Armenians were the first nation in the world to adopt Christianity in A.D. 301. Starting in 1915, Turkish officials deliberately murdered more than 1 million members of Turkey's Armenian minority. The ethnic and religious cleansing campaign went on into the 1920s. The victims were men, women and children. And they were overwhelmingly Christian. Turkey has never acknowledged the genocide. It's one of the worst unrepented crimes in history.

That kind of ugliness may sound impossible in our day. But today we have our own tragedies – from church bombings in Pakistan to the beheading of Christians in North Africa. More than 70 percent of the world now lives with some form of religious coercion. Tens of thousands of Christians are killed every year for reasons linked to their faith. North Korea has wiped religion out of its culture. China runs a sophisticated security system to interfere with, and control, its religious communities. Islamic countries have a very mixed record. Muslim states range from relative tolerance to repression and forced conversion of religious minorities. And the persecution has grown worse as Islam has radicalized. Shari'a law claims to protect religious minorities. In practice, it slowly smothers them.

Even in Europe, laws that interfere with religious dress, practice and public expression are on the rise. The postwar founders of European unity -- committed Catholic men like Alcide de Gasperi, Robert Schuman and Konrad Adenauer -- *assumed* the Christian heritage of their continent. Today the European Union ignores it, and in practice, repudiates it. In doing so, Europe robs itself of any real moral alternative to the radical Islam spreading in its own countries.

And what about the United States? Compared to almost anywhere else in the world, our religious freedom situation is good. Religious believers played a very big role in founding and building the country. Until recently, our laws have reflected that. In many ways they still do. A large majority of Americans still believe in God and still identify as Christian. Religious practice remains high. But that's changing. And the pace will quicken. More young people are disaffiliated from religion now than at any time in our country's past. More stay away as they

age. And many have no sense of the role that religious freedom has played in our nation's life and culture.

The current White House may be the *least friendly* to religious concerns in our history. But we'll see more of the same in the future – pressure in favor of things like gay rights, contraception and abortion services, and against public religious witness. We'll see it in the courts and in so-called “anti-discrimination” laws. We'll see it in “anti-bullying” policies that turn public schools into indoctrination centers on matters of human sexuality; centers that teach that there's no permanent truth involved in words like “male” and “female.” And we'll see it in restrictions on public funding, revocation of tax exemptions and expanding government regulations. We too easily forget that every good service the government provides comes with a growth in its regulatory power. And that power can be used in ways nobody imagined in the past.

We also forget Tocqueville's warning that democracy can become tyrannical *precisely* because it's so sensitive to public opinion. If anyone needs proof, consider what a phrase like “marriage equality” has done to our public discourse in less than a decade. It's dishonest. But it works.

That leads to the key point I want to make here. The biggest problem we face as a culture isn't gay marriage or global warming. It's not abortion funding or the federal debt. These are vital issues, clearly. But the deeper problem, the one that's crippling us, is that we use words like justice, rights, freedom and dignity without any commonly shared meaning to their content.

We speak the same language, but the words don't mean the same thing. Our public discourse never gets down to what's true and what isn't, because it *can't*. Our most important debates boil out to who can deploy the best words in the best way to get *power*. Words like “justice” have emotional throw-weight, so people use them as weapons. And it can't be otherwise, because the religious vision and convictions that once animated American life are no longer welcome at the table. After all, what can “human rights” mean if science sees nothing transcendent in the human species? Or if science imagines a trans-humanist future? Or if science doubts that a uniquely human “nature” even exists? If there's no *inherent* human nature, there can be no *inherent* natural rights – and then the grounding of our whole political system is a group of empty syllables.

Liberal democracy doesn't have the resources to sustain its own purpose. Democracy depends for its meaning on the existence of some higher authority outside itself.<sup>vi</sup> The Western idea of natural rights comes *not* just from the philosophers of the Enlightenment, but even earlier from the medieval Church. Our Western legal tradition has its origins *not* in the Enlightenment, but in the 11<sup>th</sup> and 12<sup>th</sup> century papal revolution in canon law.<sup>vii</sup> The Enlightenment itself could never have happened outside the Christian world from which it emerged. In the words of Oxford scholar Larry Siedentop -- and in contrast to ancient pagan society -- “Christianity changed the ground of human identity” by developing and uniquely stressing the idea of the *individual* person with an eternal destiny. In doing that, “Christian moral beliefs emerge as the ultimate source of the social revolution that has made the West what it is.”<sup>viii</sup>

Modern pluralist democracy has plenty of room for every religious faith and no religious faith. But we're lying to ourselves if we think we can keep our freedoms without revering the biblical

vision – the uniquely *Jewish and Christian* vision – of who and what man is. Human dignity has only one source. And only one guarantee. *We're made in the image and likeness of God.* And if there is no God, then human dignity is just elegant words.

Earlier I said we need to leave here tonight with a spirit of hope. So let's turn to that now in these last few minutes before we have questions and discussion.

We need to remember two simple facts. In practice, *no* law and *no* constitution can protect religious freedom unless people actually believe and live their faith – not just at home or in church, *but in their public lives.* But it's also true that no one can finally take our freedom unless we give it away. Jesus said, "I am the way the truth and the life" (Jn 14:6) He also said, "You will know the truth, and the truth will make you free" (Jn 8:32). The Gospel of Jesus Christ is for *people who want to be free*, "free" in the truest sense. And its message is meant for all of us; for all men and women – unless we choose to be afraid.

Looking back over the past 50 years, and even at our lives today, I think it's too easy to see the problems in the world. It's too easy to become a cynic.

There's too much beauty in the world to lose hope; too many people searching for something more than themselves; too many people who comfort the suffering; too many people who serve the poor; too many people who seek and teach the truth; too much history that witnesses, again and again, to the mercy of God, incarnate in the course of human affairs. In the end, there's too much evidence that God loves us, with a passion that is totally unreasonable and completely redemptive, to *ever* stop trusting in God's purpose for the world, and for our lives.

The Second Vatican Council began and ended in the aftermath of the Holocaust and the worst war in human history. If there's an argument to be made against the worthiness of humanity, we've made that argument ourselves, again and again down the centuries, but especially in the modern age. Yet every one of the Council documents is alive with confidence in God and in the dignity of man. And there's a reason. God makes greatness, not failures. He makes free men and women, not cowards. The early Church father Irenaeus said that "the glory of God is man fully alive." I believe that's true. And I'd add that the glory of men and women is their ability, with God's grace, to love as God loves.

And when that miracle happens, even in just one of us, the world begins to change.

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<sup>i</sup> T.S. Eliot, *Notes Towards the Definition of Culture*, Harcourt, Brace and Company, New York, 1949; 13, 28

<sup>ii</sup> See Mark 12:13-17, 1 Peter 2:13-17, etc.

<sup>iii</sup> *Dignitatis Humanae*, 3

<sup>iv</sup> *Ibid.*, 1

<sup>v</sup> See Avery Dulles, S.J., "John Paul II and the Truth About Freedom," *First Things*, August 1995, for a fuller discussion.

<sup>vi</sup> Pierre Manent, *Tocqueville and the Nature of Democracy*, Rowman & Littlefield Publishers, Lanham, MD, 1996; 85-86. See also Robert Kraynak, *Christian Faith and Modern Democracy, God and Politics in the Fallen World*, University of

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Notre Dame Press, Notre Dame, IN, 2001. Note also Kraynak's essay "Justice without Foundations," *The New Atlantis*, Summer, 2001.

<sup>vii</sup> On the origin of natural rights, see Brian Tierney, *The Idea of Natural Rights: Studies on Natural Rights, Natural Law and Church Law, 1150-1625*, Eerdmans, Grand Rapids, MI, 1997. On the roots of the Western legal tradition, see Harold Berman, *Law and Revolution: The Formation of the Western Legal Tradition*, Harvard University Press, Cambridge, MA, 1985.

<sup>viii</sup> Larry Siedentop, *Inventing the Individual: The Origins of Western Liberalism*, Harvard University Press, Cambridge, MA, 2014; 352-353