

CATHOLICISM AND RELIGIOUS FREEDOM: CONTEMPORARY REFLECTIONS ON VATICAN II'S DECLARATION ON RELIGIOUS LIBERTY. Edited by Kenneth L. Grasso and Robert P. Hunt. Rowman and Littlefield 2006. Pp. 258. Cloth. \$65.00. ISBN: 0-742-55192-X. Paper. \$26.95. ISBN: 0-742-55193-8.

This book is about *Dignitatis Humanae*, the Catholic *Declaration on Religious Liberty* that was promulgated in 1965 at the Church's General Council, known as Vatican II. It is considered as a foundational document of contemporary Church teaching since it was and remains at the center of Catholic theological and social renewal. It has been a critical step in helping to transform the Church from a closed, autocratic institution to an ecumenical, more socially involved one. The decree stressed the dignity of the human person and supported the individual's quest for human rights; it laid out the rationale for religious freedom, and supported its constitutional status as a civil right.

This change was quite revolutionary. Prior to Vatican II, several basic principles characterized church-state relations with the evolving, emerging modern governments in the world. They were that the spiritual is superior to the temporal order, that there should be a public profession of religion by governments, that the Catholic Church should be protected by the state, and that church and state should work harmoniously for the common good. Further, the medieval rule that "error has no rights" was part of the institutional ethos that pervaded much of the Church's religious separatism and its elitist relations with many social groups, religious denominations, and political movements.

During the 1940s, however, John Courtney Murray, S.J. attempted to reorient such official Church thinking with the reality of the American principle of separation of church and state. The progressive Jesuit began with one basic premise: that church-state theory was evolutionary, and subject to historical, political variables. As a result, he argued that the Church had to adapt its principles of ecclesiastical rights, privileges and duties to the political contingencies of time and place in America. In a series of articles, he gave ethical, theological and political reasons for his ideas, and attempted to reformulate Church thought on its relations with the State.

By 1955, the Vatican took steps to censor Murray's theories: one of his articles was banned and he was restrained from writing about church-state relations any longer. Therefore, it came as a significant

political and theological move when Francis Cardinal Spellman brought Murray with him to the second session of Vatican II in 1965 as a “peritus” or theological expert. Murray’s intellectual exile by the Vatican effectively ended then, reflecting the Church’s new attitude toward church-state relations. He was invited to contribute to writing *Dignitatis Humanae*, part of which had been framed earlier by American theologians such as Gustave Weigel, S.J.

The document reconciled Murray’s theological and political thought with the Vatican and American constitutional principles regarding religious freedom. It made several strategic points: 1) that every person has human dignity and the right to religious freedom, 2) that every person should be immune from coercion in his/her quest for truth, particularly religious truth, and allowed to act on his/her religious convictions, 3) that the protection and promotion of human rights is an essential duty of civil authority, 4) that religious freedom is a civil right, and 5) that the state should accommodate the free exercise of religion.

As a result of this document, the Catholic Church began to play a pivotal role in witnessing to, as well as helping to advance, human rights and social justice around the world. In a meeting of the Latin American Bishops in 1968 at Medellin, for example, the hierarchy committed itself to advance human rights and to restructure the political order of the hemisphere using the social magisterium of the Church. At the same time, they agreed to renounce the Church’s former relationships with both the political left and the right. Such ideas were radicalized and took form in liberation theology during the 1970s. Meetings of the worldwide hierarchy in Rome during that decade supported the notion that the mission of the Church was the “redemption of the human race and its liberation from every oppressive situation.”¹ By 1974, they were even declaring that there was a “mutual relationship between evangelization and liberation,” indeed “an intimate connection.”² Church activism for human rights and social justice, thus, became part of its spiritual responsibility, led by the principles promulgated earlier in *Dignitatis Humanae* and other documents issued from Vatican II as well.

In many of the emerging former colonies in Africa, in liberated communist states, and atheistic ones as well, the Church has continued to serve as a champion of religious rights, as well as all human rights. There have been official papal calls to eliminate economic disparities

1. Declaration of the Synodal Fathers, *Justice in the World* § 6 (1971).

2. Declaration of the Synodal Fathers, *Evangelization in the Modern World* ¶ 12 (1974).

between first and third world countries and to act on behalf of debt relief. Papal confrontations, especially between John Paul II and various dictators, have been notable modern examples of teaching truth to power. Since Vatican II, the Church has moved to accept and respect religious pluralism, to recognize and practice the power of religious witness, and to support non-partisan involvement with faith communities and political movements to bring about personal and religious freedom at many levels and in many states.

Catholicism and Religious Freedom is a rich volume that looks deeply into the meaning and legacy of *Dignitatis Humanae*. First, it discusses the scope, foundations and responsibilities of religious freedom. Second, it articulates religious and constitutional understandings of religious liberty. Third, it looks at the document as part of contemporary Catholic doctrine. Fourth, it analyzes Catholic concepts of the state and public morality. Fifth, it examines the document from Protestant perspectives. Sixth, it looks at the specific contributions of John Courtney Murray and John Paul II to the modern understanding of the Church's relationship with the state and its emphasis on personalism and human dignity. Finally, it considers the agenda of work still to be done in advancing religious freedom

Each of the essays is well thought out and deftly argued. The quality of argumentation is flawless, and the perspectives varied. Robert P. George and William L. Saunders, Jr. explain the inherent tension between the Church's spiritual mission to teach, preach and sanctify its followers, and the compelling interest of the state to pursue the common good. Avery Dulles, S.J. provides the theological context for the promulgation of *Dignitatis Humanae* and explains how the Church is able to bring new human rights concepts into harmony with its religious tradition, and why this effort is critical to human rights. Robert P. Hunt's chapter on religious liberty and the Supreme Court is perhaps the most relevant to the readers of this journal. It analyzes the Church's rationale for supporting limits on the juridical authority of the state in religious matters as proposed in *Dignitatis Humanae* setting it against First Amendment jurisprudence of the Supreme Court, in an effort to develop a neutral juridical theory of U.S. church-state relations. Francis P. Canavan, S.J. builds on this discussion and reminds readers that the spiritual mission of the Church is to protect its divine mandate to teach and practice faith. He argues that religious freedom can only be secured by the judicial recognition of that right. Further he argues that religious bodies in the political process play a significant role: they help to form the public conscience by means of persuasion and they provide the

moral framework for a more civilizing and humane politics.

Thomas Heilke and David T. Koyzis respond to these ideas from a Protestant perspective. Their arguments help to balance the book, as Heilke calls on the Church to practice confession and repentance for its former practices of persecution, while Koyzis applauds all of Christianity's witness in the public realm in many countries where religious persecution persists. John F. Crosby looks at the difference between proposing rather than imposing truth in his chapter, and shows how John Paul II's embrace of human dignity as the foundation of his theology and philosophy justifies a stance that individuals should be immune from coercion in their search for religious truth, based on *Dignitatis Humanae*. He believes that the Church's acceptance of pluralism contributes to the unfinished work of Vatican II and affirms the principles of the Vatican document. Kenneth Grasso attempts to synthesize the principles of the Catholic theory of the state, using John Courtney Murray's arguments, the principles of *Dignitatis Humanae*, papal writings, and the theories of several classical ethicists as well as political theorists. This is a significant task, and Grasso does a credible job bringing everything together. His concluding sentence, drawn from John Paul II, might be used to help the reader come to a very complex, and nuanced theory of church and state: "although the road to the political theory presupposed by DH (*Dignitatis Humanae*) indeed must begin with the idea of man's dignity as a person, it necessarily passes through an account of society's pluralist structure," that holds that man with all his rights and dignity must still live and function in the real, pluralist, political world.

While this book is excellent in every way, most of the contributors have taken a delicate and safe approach to the critical social and political problems in the world today. They have neglected to show how the Church should, and could, use its power to bring the moral dimension to geopolitics more forcefully. Religious freedom is not an option for larger and larger numbers of people, rather, it has become an issue that requires the Church to bear witness to this phenomenon—as well as to use its varied resources to deal with a major challenge for the new millennium.

The book also lacks a real critique of the Church and its current, timid efforts to advance social justice and peace in, for example, Iraq; or to play a more significant role in reconciliation, particularly in Africa and the Middle East. It says little about challenging the Church to use its global moral platform to advance the human dignity of women and other marginalized people in much of the world. It does not call on the

Church to use its good offices to reconcile Christians with Muslims, or to engage in dialogue with atheistic states.

Because this is the part of the unfinished, on-going agenda of Vatican II and *Dignitatis Humanae* in the real world, the church's work that this book highlights should be examined more thoroughly in order to more fully assess the true meaning and value of the Church's commitment to ecumenism, religious freedom and human dignity. Nonetheless, the book is a masterful work of research, analysis and synthesis, and an important volume for students of law and religion.

*Jo Renee Formicola**

* Professor, Political Science, Seton Hall University, South Orange, New Jersey.