

SECOND VATICAN COUNCIL

RELIGIOUS LIBERTY, I

DECLARATION ON RELIGIOUS
FREEDOM

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Religious Liberty

THE Declaration on religious liberty of Vatican II is the conciliar sanction on a prerequisite to the dialogue with non-Catholics and non-Christians, and even non-believers. The whole Church was called to this dialogue by Pope John and more definitely still by Pope Paul in his encyclical *Ecclesiam Suam*. The very existence of this text, despite its limitations, signifies an evolution in the Church's official stand. The former view of tolerance of non-catholic confessions was based on the theory of thesis and hypothesis: only the one true religion should be allowed freedom of worship, but in the circumstances, to avoid greater evil, other confessions too may be tolerated. The new doctrine or new approach recognizes the right of the human person to religious freedom. Pope John had mentioned this right in his encyclical *Pacem in terris* (cf. C.M. 1963, 207). The Declaration is an expression of the Church's realistic awareness of religious pluralism in the world today. Its elaboration and debate at the Council sessions were among the most painful and dramatic in the history of the Council.

At the preparatory stage of the Council, a difficulty had already arisen between the theological commission and the secretariat for christian unity, each of these having prepared its own text very different in inspiration. It was finally the secretariat which proposed a schema on religious liberty in connection with ecumenism (cf. C.M. 1962, 296 and 295). After the first session, when the initial 70 schemas were reduced to 17, the text on religious liberty became a chapter in the schema on ecumenism and received the *nihil obstat* of the theological commission. Presented to the Council by Bishop de Smedt, on November 19, 1963, as chapter five of the schema on ecumenism, it did not come up for debate for lack of time (cf. C.M. 1964, 91). Redrafted during the interval according to suggestions received in writing, the Declaration on religious liberty, now detached from the schema on ecumenism, was debated at the third session, September 23-25, 1964, and later, on November 18, a revised text was distributed, too late however to be submitted to the vote of the Council (cf. C.M. 1965, 47; *ibid.* 52f for the tensions and manoeuvres in connection with the postponement of the vote). The postponement, a great disappointment for a number of the fathers, would in the long run prove beneficial and allow the preparation of a more mature text. This new draft was debated at the fourth session, September 15-22, 1965 and accepted as basis for a definitive text by 1,997 votes against 224. After new revision, it came up for voting section by section October 25-29, and was finally approved on November 19, with 1,954 'placet' against

249 'non-placet' (13 null votes). Before its promulgation on December 7, its final approval won 2,308 votes against 70 (and 8 null votes).

Shortly before the fourth session, Pope Paul VI himself summed up the substance of the conciliar teaching on religious liberty : "In matters of faith, no one should be hindered, no one should be compelled" (cf. C.M. 1965, 352). The key note to the Declaration is given in its title : "Declaration on religious freedom, on the right of persons and communities to social and civil freedom in religious matters". It is the juridical freedom of practising one's religion that is the burden of the Declaration.

One or other remark concerning the structure and import of the complex and important document may be made here. As suggested by the opening words *Dignitatis humanae*, it is the dignity of the human person that is the basis of his right to religious freedom. And the introductory section states that this right does not go against the traditional catholic doctrine concerning the moral obligation of persons and communities with regard to the true religion and the one true Church of Christ. This last minute addition, meant to rally the minority, adds to the complexity of the text.

The first part gives the general doctrine on religious liberty based on the natural rights and duties of the human person. This should find acceptance with all. It excludes religious indifferentism by stating that the right to religious liberty does not set aside man's natural right and duty to worship God. The second part deals with religious liberty in the light of revelation and develops mainly the essential freedom of the act of faith, or of the acceptance of the revelation, and its implications. It shows that the doctrine on religious liberty does not impair the necessity of preaching the gospel, it only excludes such methods as would involve coercion or denial of that freedom.

The right to religious freedom belongs not only to individual persons, but also to groups, or moral persons, because man is social by nature. Hence follows the right for communities to practise their religion according to their conscience — however, within certain limits required by the civil order. Hence follows also for the Church the right to freedom in discharging her divine mission of preaching the gospel.

Declaration on Religious Freedom

ON THE RIGHT OF THE PERSON AND OF COMMUNITIES TO SOCIAL AND CIVIL FREEDOM IN MATTERS RELIGIOUS

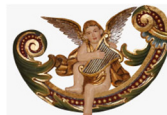
An unofficial translation of the Declaration Dignitatis humanae of the Second Vatican Council, which was promulgated in the public session of December 7, 1965, after having been approved by 2,308 votes against 70 (and 8 null votes).

1. A sense of the dignity of the human person has been impressing itself more and more deeply on the consciousness of contemporary man,¹ and the demand is increasingly made that men should act on their own judgment, enjoying and making use of a responsible freedom, not driven by coercion but motivated by a sense of duty. The demand is likewise made that constitutional limits should be set to the powers of government, in order that there may be no encroachment on the rightful freedom of the person and of associations. This demand for freedom in human society chiefly regards the quest for the values proper to the human spirit. It regards, in the first place, the free exercise of religion in society. This Vatican Council takes careful note of these aspirations of the human mind and shows them to be in accord with truth and justice. To this end, it searches into the sacred Tradition and doctrine of the Church — the treasury out of which the Church never ceases bringing forth new things that are in harmony with things that are old.

To begin with, the Council professes its belief that God Himself has made known to mankind the way in which men are to serve Him and thus be saved in Christ and come to blessedness. This one true religion subsists, we believe, in the Catholic and apostolic Church, to which the Lord Jesus committed the duty of spreading it abroad among all men, when He said to His Apostles: "Go, therefore, and made disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all things whatsoever I have enjoined upon you" (Mat 28: 19-20). On the other hand, 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.

This Vatican Council likewise professes its belief that those obligations fall upon and bind human conscience, and that truth cannot impose itself except by its own power of truth as it enters man's mind with compelling gentleness. Now, considering that the religious freedom, so necessary to men for the fulfilment of their duty to worship God, concerns its immunity from coercion in civil society, it leaves intact the traditional Catholic teaching on

1. Cf. JOHN XXIII, enc. *Pacem in terris*, April 11, 1963 (*AAS* 1963, 279 and 265); PIUS XII, radiomessage Dec. 24, 1944 (*AAS* 1945, 14).



the moral duty of man and of societies towards the true religion and towards the one Church of Christ. While treating of religious freedom, the Council further intends to give fuller development to the doctrine of recent Popes both on the inviolable rights of the human person and on the juridical order of society.

I. RELIGIOUS FREEDOM IN GENERAL

2. [*Object and basis of religious freedom*] — This Vatican Council declares that the human person has a right to religious freedom. This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that in religious matters no one is to be forced to act against his conscience, or is, within just limits, to be hindered from acting in conformity with his conscience, whether privately or publicly, whether alone or in association with others. The Council further declares that the right to religious freedom has its foundation in the very dignity of the human person, as this dignity is known through the revealed word of God and by reason itself.² This right of the human person to religious freedom must be recognized in the constitutional law governing society and is thus to become a civil right.

In virtue of their dignity as persons — that is, beings endowed with reason and free will and, consequently, privileged to bear personal responsibility — all men are impelled by their very nature and bound by a moral obligation to seek the truth, especially religious truth. They are also bound to adhere to the truth, once it is known, and to order their whole lives in accord with the demands of truth. However, men cannot discharge their obligations in a manner in keeping with their own nature unless they enjoy psychological freedom together with immunity from external coercion. It follows that the right to this immunity continues to exist even in those who do not live up to their obligation of seeking the truth and adhering to it, and that the exercise of this right is not to be impeded, provided that just public order is observed.

3. [*Religious freedom and man's relation to God*] — All this becomes clearer still when one considers that the highest norm of human law is none other than the divine law itself, eternal, objective and universal, whereby God, in the design of His wisdom and love, orders, directs and governs the entire universe and all the ways of the human community. Man has been made by God to participate in this law, with the result that, under the gentle disposition of divine Providence, he can come to perceive ever more fully the truth that is unchanging. Wherefore, every

2. Cf. JOHN XXIII, enc. *Pacem in terris* (AAS 1963, 2600); PIUS XII, radiomessage Dec. 24, 1942 (AAS 1943, 19); PIUS XI, enc. *Mit brennender Sorge*, March 14, 1937 (AAS 1937, 160); LEO XIII, enc. *Libertas praestantissimum*, June 20, 1888 (*Acta Leonis XIII*, 8, 1888, 237f).

man has the duty, and therefore the right, to seek the truth in matters religious, in order that by the use of all suitable means he may with prudence form for himself right and true judgments of conscience.

Truth, however, is to be sought after in a manner consistent with the dignity of the human person and his social nature. The inquiry is to be free, carried on with the aid of teaching or instruction, exchange of views and dialogue, in the course of which men explain to one another the truth they have discovered, or think they have discovered, in order thus to assist one another in the quest for truth, but when truth has been discovered, it is to be adhered to by a personal assent.

But it is through the mediation of his conscience that man perceives and acknowledges the imperatives of the divine law; and it is this law that he is bound to follow in all his activity in order that he may come to God, the end and purpose of his life. It follows that he is not to be forced to act contrary to his conscience; nor is he to be restrained from acting in accordance with his conscience, especially in matters religious. The reason for this is that the practice of religion, of its very nature, consists above all in those internal, voluntary and free acts whereby man sets the course of his life direct towards God; such acts can be neither commanded nor forbidden by any merely human authority.³ But social human nature is such that it requires man to give external expression to his internal acts of religion, join with others in matters religious and profess his religion in community.

Injury is done, therefore, to the human person and to the very order God established for human life, if the free exercise of religion is denied within the framework of society, as long as the just public order is preserved.

There is a further consideration. The religious acts by which men, in private and in public and out of a sense of personal conviction, direct their lives to God transcend by their very nature the order of terrestrial and temporal affairs. Civil government, therefore, ought indeed to take account of the religious life of the citizenry and show it favour, since the function of the government is to make provision for the common welfare; though it would clearly transgress the limits of its power, were it to presume to command or repress acts that are religious.

4. [*Freedom of religious groups*] — The freedom or immunity from coercion in matters religious, which is the endowment of persons as individuals, is also to be recognized as their right when they act in community. Religious communities are a requirement of the social nature both of men and of religion itself.

Provided the just demands of public order are observed, religious communities rightfully claim freedom in order that they

3. Cf. JOHN XXIII, enc. *Pacem in terris* (AAS 1963, 270); PAUL VI, radiomessage Dec. 22, 1964 (AAS 1965, 181f).

may govern themselves according to their own norms, honour the Supreme Being in public worship, assist their members in the practice of the religious life, strengthen them by instruction, and promote institutions in which they may join together for the purpose of ordering their own lives in accordance with their religious principles.

Religious communities also have the right not to be hindered, either by legal measures or by administrative action on the part of the government, in selecting, training, appointing and transferring their own ministers, in communicating with religious authorities and communities abroad, in erecting buildings for religious purposes, and in the acquisition and use of suitable funds or properties.

Religious communities also have the right not to be hindered in their public teaching and witness to their faith, whether by the spoken or by the written word. However, in spreading religious faith and in introducing religious practices every one ought at all times to refrain from any manner of action which might seem to carry a hint of coercion or of a kind of persuasion that would be dishonourable or unworthy, especially when dealing with poor or uneducated people. Such a manner of action would have to be considered an abuse of one's right and a violation of the right of others.

In addition, it comes within the meaning of religious freedom that religious communities should not be prohibited from freely undertaking to show the special value their doctrine possesses for the organization of society and for the inspiration of the whole human activity. Finally, the social nature of man and the very nature of religion afford the foundation of the right of man freely to hold meetings and to establish educational, cultural, charitable and social organizations, under the impulse of their own religious sense.

5. [*Religious freedom of the family*] — To each family — in so far as it is a society enjoying its own primordial right — belongs the right freely to organize the religious life of the home under the guidance of the parents. Parents, moreover, have the right to determine, in accordance with their own religious beliefs, the kind of religious instruction that their children are to receive. Government, in consequence, must acknowledge the right of parents to make a genuinely free choice of schools and of other means of education, and the use of this freedom of choice is not to be made a reason for imposing unjust burdens on parents, whether directly or indirectly. Besides, the rights of parents are violated if their children are forced to attend courses of lectures or instructions which are not in agreement with their religious beliefs, or if a single system of education, from which all religious formation is excluded, is imposed upon all.

6. [*On responsibility regarding religious freedom*] — Since the common welfare of society consists in the entirety of those condi-

tions of social life in which men enjoy the possibility of achieving their own perfection more fully and more easily, it chiefly consists in the protection of the rights, and in the performance of the duties, of the human person.⁴ Therefore, the care of the right to religious freedom devolves upon the whole citizenry, upon social groups, upon civil powers, and upon the Church and other religious communities, in virtue of the duty of all towards the common welfare, and in the manner proper to each.

The protection and promotion of the inviolable rights of man rank among the essential duties of every civil power.⁵ Therefore, government is to assume the safeguard of the religious freedom of all its citizens, in an effective manner, by just laws and by other appropriate means. Government is also to help create conditions favourable to the fostering of religious life, in order that the people may be truly enabled to exercise their religious rights and to fulfil their religious duties, and also in order that society itself may profit by the moral qualities of justice and peace which have their origin in man's faithfulness to God and to His holy will.⁶

If, in view of peculiar circumstances obtaining among people, special civil recognition is given to one religious community in the constitutional order of society, it is at the same time imperative that the right of all citizens and religious communities to religious freedom should be recognized and made effective in practice.

Finally, government is to see to it that the equality of citizens before the law, which is itself an element of the common good, is never violated, whether openly or covertly, for religious reasons. Nor is there to be discrimination among citizens.

It follows that it is unlawful for any public power to impose upon its people, by force or fear or other means, the profession or repudiation of any religion, or to hinder men from joining or leaving a religious community. All the more is it a violation of the will of God and of the sacred rights of the person and the family of nations, when force is brought to bear in any way in order to destroy or repress religion, either in the whole of mankind or in a particular country or in a definite community.

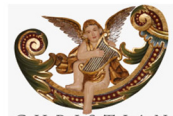
7. [*Limits of religious freedom*] — The right to religious freedom is exercised in human society; hence its exercise is subject to certain moderating norms.

In the use of all freedoms, the moral principle of personal and social responsibility is to be observed. In the exercise of their rights, individual men and social groups are bound by the moral law to have respect both for the rights of others and for their own

4. Cf. JOHN XXIII, enc. *Mater et Magistra*, May 15, 1961 (*AAS* 1961, 417); idem, enc. *Pacem in terris*, April 11, 1963 (*AAS* 1963, 273).

5. Cf. JOHN XXIII, enc. *Pacem in terris* (*AAS* 1963, 273f); Pius XII, radiomessage June 1, 1941 (*AAS* 1941, 200).

6. LEO XIII, enc. *Immortale Dei*, Nov. 1, 1885 (*AAS* 1885, 161).



duties towards others and for the common welfare of all. Men are to deal with their fellows in justice and humanity.

Furthermore, as society has the right to defend itself against possible abuses committed on pretext of freedom of religion, it is the special duty of government to provide this protection. Government, though, is not to act in an arbitrary fashion or in an unfair spirit of partisanship; but its action is to be controlled by such juridical norms as are in conformity with the objective moral order and are required for the effective safeguarding of the rights of all citizens and for the peaceful settlement of conflicts of rights; norms, too, suitable to take adequate care of that genuine public peace which consists in a life lived in common on a basis of true justice; norms also suitable to preserve public morality. In other respects, an unimpaired freedom in society is to be the rule, that is, the freedom of man is to be respected as far as possible and is not to be curtailed except when and in so far it is necessary.

8. [*Training for the right use of freedom*] — Many pressures are brought to bear upon men of our day, to the point where the danger arises lest they lose the possibility of acting on their own judgment. On the other hand, not a few can be found who seem inclined to use the name of freedom as the pretext for refusing to submit to authority and for making light of the duty of obedience.

Wherefore this Vatican Council urges every one, especially those who are charged with the task of educating others, to do their utmost to form men who, on the one hand, will respect the moral order and be obedient to lawful authority, and, on the other hand, will be lovers of true freedom — men, in other words, who will come to decisions on their own judgment and in the light of truth, govern their activities with a sense of responsibility, and strive after what is true and right, willing always to join with others in cooperative effort.

Religious freedom, therefore, ought to have this further purpose and aim, namely that men may come to act with greater responsibility in fulfilling their duties in community.

II. RELIGIOUS FREEDOM IN THE LIGHT OF REVELATION

9. [*The doctrine of religious freedom has its roots in revelation*] — The Declaration of this Vatican Council on the right of man to religious freedom has its foundation in the dignity of the person, whose exigencies have come to be more fully known to human reason through centuries of experience. What is of greater importance, this doctrine of freedom has its roots in divine revelation, and for this reason has to be followed all the more faithfully by Christians. It is true that revelation does not affirm in so many words the right of man to immunity from external coercion in matters religious. It does, however, disclose the dignity of the human person in its full dimensions; it gives evidence of the



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