



The FURROW

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Patrick Hannon

Religious Freedom for the Good of All

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There was a time, not long ago, when religious freedom rarely featured in media coverage in Western countries, unless it was about the persecution of Christians in the Soviet Union or in what used to be called the Far East. Not so now, and hardly a day passes without reports of controversy over the exercise of religious freedom rights, and accounts of religious persecution not just of Christians but of members of all the major faiths. Some of these are implausible, as when Covid-related restrictions on attendance at religious services are said to be an infringement on the right to practise religion, or when it is claimed that to compel a confectioner to make a cake for a gay wedding amounts to persecution. But most have to do with issues that are inherently important, the resolution of which matters for the rights of persons and communities, and for social justice and peace. Notable instances have concerned the French ban on wearing Islamic scarves in schools and by public servants in their workplace, and face-coverings in public places; a case before the European Court of Human Rights concerning the display of a crucifix on the wall of a classroom in a public school; and ongoing contention in the United States about the reach of the right to non-discrimination on religious grounds in the case of church-employed LGBT teachers and others. In Ireland the theme surfaces most usually nowadays in discussion of the patronage of schools and the ownership and management of hospitals.

For over fifty years, Catholic thinking about religious freedom has been shaped by *Dignitatis humanae*, the Declaration on Religious Freedom of the Second Vatican Council, published on December 8, 1965. Statements of the popes have elaborated upon the principles set out in the Declaration, and episcopal conferences issue statements applying the principles to local situations. But there has been no systematic account at the level of *magisterium*

Patrick Hannon is a priest of the Diocese of Cloyne. He is Emeritus Professor of Moral Theology at St. Patrick's College, Maynooth, Co. Kildare.

since the Council's, and meanwhile the scene has greatly changed, globally and domestically. Census figures show that the fastest-growing religions in the Irish Republic between 2011 and 2016 were Eastern Orthodox Christian, Hindu, and Islam, whilst the number identifying as Catholic was notably down, and there was a significant increase under the heading No Religion.¹ Globally there is an increased prominence of religious and cultural traditions associated with Islam, Hinduism and Buddhism especially, in part owing to the persecution of adherents of these faiths, partly also by the migration into Western Europe of people from countries traditionally Muslim in religion and culture.

This is the background against which a document entitled *Religious Freedom for the Good of All* was published in March 2019 by the International Theological Commission. The members of this Commission are appointed by the pope following recommendations by the Congregation for the Doctrine of the Faith, the head of which is ex officio its chairman, and whose approval is necessary before a document is referred to the pope. The present document was drafted by a sub-committee and is the outcome of its deliberations and those of the Commission's plenary council, the majority of whom approved it in a written vote. A preliminary note states that it was 'submitted for approval to its President, His Eminence Card. Luis F. Ladaria, S.I., Prefect of the Congregation for the Doctrine of the Faith, who, after receiving a favourable opinion from the Holy Father Francis, authorized its publication'. Given papal approval, and as the fruit of the work of an important adjunct of the church's magisterium, the document has an obvious authority.

The Commission however is careful to clarify its nature: it is not an academic treatise on the many aspects of the religious freedom, a complex theme in terms both of its personal and social ramifications and of the interdisciplinary perspectives it involves. It is, rather, 'a theological-hermeneutical reflection with a twofold aim: (a) to propose a reasoned updating of the reception of *Dignitatis humanae*, and (b) to make explicit the reasons for a proper integration - anthropological and political - of the personal and the communitarian dimensions of religious freedom'. Its 'guiding thread' is 'inspired by the usefulness of keeping the personalist, communitarian and Christian principles of religious freedom for all closely linked from both anthropological and theological points of view'. The undertaking is seen as required

1 Respectively, by 37.5% (at 412,374), 34.1% (at 107,143), and 28.9% (at 492, 634). The total number identifying as Catholic was 3729,100, down by 5.9% since 2011, and the number under No Religion was 468,400, an increase of 73.6%.

by the need for the Church's social doctrine to take account of 'the most relevant historical evidence of the new global experience'².

What follows here is an introduction based on the document's opening chapter, which sets the scene and tone of what the Commission will make of the task of speaking to the question of religious freedom in today's world. The chapter is a kind of conspectus of the Commission's principal concerns, and a closer look at these will be the subject of later articles. A first view is provided by the chapter headings:

1. A look at the current context.
2. The perspective of *Dignitatis humanae* in its time and today.
3. The rights of the person to religious freedom.
4. The right of communities to religious freedom.
5. The state and religious freedom.
6. The contribution of religious freedom to harmonious coexistence and social peace.
7. Religious freedom in the mission of the Church.

The headings are self-explanatory, and from 2 onwards the core idea in each chapter is developed under a number of subheadings which help in following the document's line of thought. Its heart is in chapters 3, 4 and 5, which take up key principles enunciated in *Dignitatis humanae*, elaborating on them in the light of the changes that have taken place since the Council. Chapters 6 and 7 introduce themes not treated in *Dignitatis humanae* but which arise from experience and theological reflection in the intervening time.

THE CURRENT CONTEXT

The document begins by noting two features of the contemporary experience of religious freedom which distinguish it from the context in which Vatican II considered the issues. The first is a new focus on religious and national traditions in the Middle East

2 All quotations are from chapter one. An English translation has recently appeared and may be accessed at https://www.vatican.va/roman_curia/congregations/cfaith/cti_index.htm, in the section entitled Published Documents. Some puzzling English renderings are replaced here when they appear to obscure the sense. An example which needs remark immediately is in the heading of chapter 6, which has 'conviviality' for the Italian 'convivenza' and French 'convivance', and this word recurs in the chapter itself and elsewhere. Dictionaries give 'coexistence', never 'conviviality'. It may be that the translator thought – rightly – that more than mere coexistence is meant, but was mistaken about the connotation of conviviality. 'Harmonious coexistence' seems to catch what is intended.

and Asia, a development that has changed how the relationship between religion and society is viewed. No longer are the great religious traditions regarded as mere relics of ancient cultures; rather are they seen now as relevant to the constitution of personal identity, to an understanding of the social bond, and to the pursuit of the common good. In many secularized societies, moreover, the various forms of religious community are still perceived as important mediating bodies between individuals and the state. But, second, '[t]he relatively new element in the current configuration of these models is that, today, the relevance of religious communities requires to be situated – directly or indirectly – in a democratic-liberal model of the State and the techno-economic management of civil society'. This second factor will play a prominent role in the Commission's thinking throughout the document, as becomes clear immediately.

For, one of its consequences, the documents observes, is that religious freedom is nowadays invariably discussed in terms of a conception of human rights and civil liberties associated with a liberal, democratic, pluralistic, and secular political culture. Appeals to values such as peaceful coexistence, the dignity of the individual, or inter-cultural and inter-religious dialogue, are expressed in the language of the modern liberal state, whilst at a deeper level drawing on Christian principles, which as a matter of historical fact have contributed to the formation and universalization of that very language. And although political culture claims to be ideologically neutral, it manifests a tendency to develop what is itself an ideology; one which imposes the marginalization, if not the exclusion, of religious expression in the public sphere, thus curtailing the freedom of the religiously affiliated to participate in the exercise of democratic citizenship. But, 'a civic culture that defines its humanism by excluding the religious dimension of human reality is forced to exclude decisive aspects of its own history: its own knowledge, its own tradition, its own social cohesion. The result is the neglect of important aspects of humanity, and of the citizenship of which society itself is formed'³. Among the consequences is the religious radicalization known as fundamentalism, often a reaction to the ethical relativism and indifference to religion which characterises that kind of state. Moreover, the liberal state seems unable to avoid a tendency to consider faith and religious affiliation as obstacles to the admission of people to full cultural and political citizenship. The document calls this a 'soft totalitarianism', which leaves societies vulnerable

3 When the document uses the term humanism and cognates, what is usually in question is a vision of life which is non-religious but which shares important values with a Christian humanism.

to the spread of a nihilistic ethic in the public sphere, with the result that many people, and especially the young, feel justified in their recourse to a desperate fanaticism, atheistic or theocratic depending on the circumstances.

In the background is the 'classic thesis' of religious sociology which saw the demise of religion as the inevitable outcome of technical and economic modernisation. This, says the Commission, was grounded in 'an ideological prejudice that saw religion as a mythical construction by a society that had not yet mastered the rational tools capable of achieving emancipation and prosperity for itself'. That theory is now recognised as inadequate, not only in relation to the true nature of religious consciousness but also because of its naïve faith in the humanising possibilities of technological modernisation; and there is talk nowadays of a return to religion in the public arena. About this, however, the Commission is sceptical: 'Many phenomena associated with the new presence of the religious factor in the political and social sphere appear quite alien - not to say contradictory - compared to the authentic tradition and cultural development of the great historical religions.'

Two of these phenomena are specified: new forms of religiosity or pseudo-religiosity, and 'the crude religious motivation of certain forms of totalitarian fanaticism which seek to impose ideology through terrorist violence even within the great religious traditions'. The former it views as the fruit of 'an artificial cross-fertilization between the search for psycho-physical well-being and pseudo-scientific constructions of a vision of the world and the self', troubling deviations from a true religious orientation. Of the latter it says that 'the incomprehensible attraction of violent and totalitarian forms of political ideology or religious militancy, which had seemed to be handed over to the judgment of reason and history, must challenge us in a new way and with greater depth of analysis'. The challenge is complicated by the post-modern withdrawal from commitment to truth and to transcendence. Some theories of the liberal state consider a commitment to truth to be radically independent of any religious contribution, conceive of it indeed as vulnerable to the pressures of forms of religiosity and pseudo-religiosity which assert themselves in the public space without regard to the rules of respectful cultural dialogue and civil democratic debate. But if religious freedom and social peace are to be protected, states must develop a logic of mutual cooperation between religious communities and civil society, and also be capable of creating a culture that is open to religion. This requires that civic culture overcome the prejudice of a conception of religion as something purely emotional or ideological, whilst

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religion must explain its own vision of reality and of human living in a language intelligible to a non-religious humanism.

RELIGIOUS FREEDOM AND EVANGELISATION

What then of evangelisation, and the mission to bring the gospel to all nations? The ground is laid for a fuller treatment in the statement that 'Evangelization today is directed toward the promotion of a context of religious and civil freedom of conscience, which Christianity views as a historical, social and cultural space favourable to the call of faith'. Christianity – Catholicism in particular, with the seal of the Council - has devised an approach which involves the repudiation of any attempt to instrumentalize political power in aid of spreading its message. It places a positive value on religious and civil freedom of conscience, interpreting this as socially and culturally favourable to an appeal to faith that does not want to be confused with an imposition. The proclamation of religious freedom for everyone, and the witness of a transcendent truth which is not imposed by force, are profoundly consistent with the intuition of faith, the document says, echoing the second chapter of *Dignitatis humanae*. And a note is struck which will continue to resonate: 'Freedom in the search for the words and signs of God's truth and a passion for human fellowship always go together'.

Changes in the religious scene as well as in humanist culture are profound, and the two spheres are closely connected, their relationships in many respects critical for the future of the race. Hence the importance of the search for the forms most suited to ensuring the best conditions for their interaction in freedom and in peace, 'a decisive factor for the common good, and for the historical advancement of human civilizations'. The significance of this is brought home afresh by the migration of peoples from lands hostile to life and peaceful coexistence, leading to the creation in countries of the West of societies that are structurally inter-religious, intercultural, and inter-ethnic. 'Is it not time to discuss... the fact that history seems to impose here the discovery of a new future for the construction of models of the relationship between religious freedom and civil democracy? Should not the treasure of culture and faith which we have inherited over the centuries and which we have freely welcomed, engender a humanism truly equal to the call of history, capable of responding to the demand for a more habitable earth?'

CHALLENGES

The future has already begun to happen, the document says, and a reading of the signs of the times shows that the link between religious freedom and human dignity has become central even politically. This presents challenges for both religion and politics, church and state, political leaders and leaders of the faiths. An attitude of resignation in face of the difficulties and complexities of the current scene would be an unjustifiable weakness with regard to the responsibility of faith. A believing church that lives in a pluralistic and multicultural society must develop skills suited to the new conditions for the witness of faith, and acquire tools capable of assisting Christian reflection, religious dialogue, and civil discussion. An adequate account of religious freedom in the public square requires Christian theology to reflect deeply about the cultural complexity of society today. As for the state: one that maintains an absolute indifference toward religion and ethics will leave civil society ill prepared in terms of the discernment required for the realization of the right to religious freedom in way that is truly liberal and democratic.

The chapter concludes with a reiteration of its standpoint and intention, again disclaiming any pretension to a comprehensive treatment, or a detailed exposition of the political and ecclesiological categories involved, not least because these categories are liable to fluctuations of meaning as between different cultural and ideological contexts. Nevertheless the Commission believes that this updating instrument can offer help for a better level of understanding and communication of Christian witness, both in relation to a due respect for the humanistic values of the faith and as better elaboration – not only theological, but also anthropological and political – of the new relationship between civic community and religious belonging’.

SOME OBSERVATIONS

On a casual reading one might take an impression of an underlying negativity about modern secular culture, especially in its Western forms, and a defensiveness about the place and role of the faiths. What we find in the opening chapter is a fairly standard critique of what in some societies (including our own) might be termed the orthodoxy of political theory, but with the suggestion also that its professed neutrality and indifference to religious and ethical values contribute to the rise of a religious radicalism which at its worst is expressed in acts of terrorism in the name of God. And it views

this type of liberal-democratic state as unable to cope with another phenomenon of our time, the emergence of a pseudo-religiosity which has nothing to do with a genuinely religious consciousness, but which causes all religion to be looked upon as inimical to a modern view of social and political life. The document may seem also to be pessimistic about the resources with which Catholicism must contend with the relegation of religious faith and the marginalisation of the religiously affiliated entailed in the new orthodoxies.

Yet the appraisal isn't wholly negative, in the introduction, or when its themes are taken up later. Criticism of the thinking of secular-liberal political theorists is on the whole fair and fairly expressed. There is an explicit recognition of the value of the rational justifications of truth and goodness which the history of culture discloses, and of the importance of the interrelationships between faith and secular humanist communities. A positive note is sounded also in allusions to what the faiths share with each other and with the secular communities, and footnotes testify to the influence of the teaching of the popes as well as conciliar documents on ecumenism, relations with other religions, and the church in the modern world. And whilst civic culture is enjoined to overcome the prejudice which assumes that religion is a purely emotional and/or ideological matter, religion should explain itself and its vision of life in terms that are intelligible in a humanist perspective.

Especially to be welcomed is the identification of questions that are compelled by the great modern migrations which, as already mentioned, have created societies in the Western world that are structurally inter-religious, intercultural, and inter-ethnic: 'Is it not time to discuss...the fact that history is seeming to impose the discovery of a new future for the construction of models of the relationship between religious freedom and civil democracy? Should not the treasures of culture and faith inherited over the centuries, engender a humanism equal to the call of history, capable of responding to the demand for a more habitable earth'. *Religious Freedom for the Good of All* may be read as the Commission's answer, and its reflections merit a closer look.