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The Declaration on Religious Freedom: Its Deeper Significance

It would be a disastrous error to suppose that our major task at the moment is simply to do commentaries on the conciliar texts. This work of explanation and justification does indeed have to be done, in order to insure that the themes explicitly treated by the Council are understood. But to stop with this would be to return theology to its pre-conciliar state, in which the theologian had been forced to abdicate his high function and to become simply a commentator on the latest magisterial utterance. Such a return to the past would be a contradiction of the intention of the Council. The Council did not aim to turn the Church in upon itself—to make it the complacent auditor of its own voice. The Council's intention was to bring the Church into courageous confrontation with the new moment of history.

This is true of the Declaration on Religious Freedom. In itself it did no more than clear up a historical and doctrinal *équivoque*. Its achievement was to bring the Church, at long last, abreast of the consciousness of civilized mankind, which had already accepted religious freedom as a principle and as a legal institution. None the less, the document was rightly called by Paul VI "one of the major texts of the Council." But to understand why this is true, one must view the document in the light of the two great historical movements that came to a certain term in the 19th century. Both movements were bitterly opposed by the Church, by a sort of tragic necessity, because the historical term reached by each of them was altogether unacceptable.

The first movement was socio-political. It was the transition from the sacral society to the secular society. The second movement was intellectual and even more profound in its import. It was the transition from the classical mentality to historical consciousness. The profound significance of the Declaration on Religious Freedom—and also of the Pastoral Constitution on the Church in the Modern World—lies in the fact that it marked the acceptance by the Church of these two movements and the alliance of the Church with them, toward goals that still lie over the historical horizon, as all the goals of the pilgrim Church do.

In the 19th and early 20th centuries, the movement away from the classical mentality toward historical consciousness came to an immediate term in modernism, that compendium of all heresies. The Church rejected this term, flatly and uncompromisingly. This was altogether necessary. Unfortunately, however, the Church also rejected the movement itself. This was not altogether necessary, as now we know. Happily, the Declaration on Religious Freedom signified the acceptance of the movement. The whole document is permeated by historical consciousness, just as the opposition to it had its deepest roots not so much in an opposing theory, but in the classical mentality. This, however, is too large a subject for discourse here. The matter of the first movement is more manageable.

For centuries, the sacral conception of society in various forms had been solidly installed in history—from the days of the Hebrew theocracy, to the Roman Empire under the *divus Imperator*, the early Christian and later Byzantine Empires, the Carolingian Empire, medieval Christendom, the French classical monarchy, and the Catholic and Protestant states of the era of confessional absolutism. The dissolution of the sacral idea had its roots in the *quattrocento* and the rise of *l'esprit laïque*. And the ensuing movement toward the secular idea reached a historical climax in the Enlightenment and in the later political-social triumph of Continental sectarian Liberalism.

The European Church of the 19th century did not accept the movement for the simple reason that it could not accept its historical term. What emerged, in fact, was not the secular society, claiming its rightful relative autonomy, but the laicized society of sectarian Liberal theory, which claimed an autonomy that was absolute. In the eyes of the Church, its special vice was the programmatic denial of public status to religion and its reduction of the Church to the private status of a voluntary society, wholly enclosed within the monist structure of the state and subjected to its omnipotent sovereignty.

The opposition of the Church to this term of a great historical movement was rigid and unremitting. And rightly so. The trouble was that the ultramontane Church failed to read the signs of the times, and to discern beneath the new features of the historical scene the more profound factors of change that were at work. In the depths, what was really afoot was a legitimate and necessary differentiation of the two orders of human life: the temporal and ter-

restrial, and the transcendent and more intimately personal. Concretely, a historical passage was being effected from the sacral society to the secular society. This profound movement was legitimate and necessary. It was a process of healthy growth, something that always entails a process of differentiation. The surface phenomenon—the laicist society-state—was a distortion, a deviation from the true line of history, a decadence. It was, as De Tocqueville pointed out, nothing but the outworn *ancien régime* turned upside down. But beneath the surface of history a progress in civilization was being realized.

In his moments of profound insight, Leo XIII made the beginnings of a recognition of the true sense of the movement of history. And he blessed it—perhaps without fully realizing what he was doing, but surely guided by the Spirit who "searches everything, even the depths of God" (1 Cor. 2:10) and also the depths of history. Like the good householder, who brings forth from his treasury both new things and old, he restored the ancient Gelasian dyarchy to its proper centrality in Christian thought, and—what is more—he developed it into the doctrine of the two societies, the two laws, the two authorities. This development of doctrine was, in effect, an implicit recognition and acceptance of the validity of the historical development—an acceptance, namely, of the due and rightful secularity of civil society in its dynamisms, processes, purposes.

In the Vatican II Declaration on Religious Freedom—together, of course, with the Pastoral Constitution on the Church in the Modern World—this recognition of a centuries-long historical movement and this acceptance of its contemporary term become conscious and explicit. In the first place, the declaration disallows the ancient notion of the religious prerogative of the prince that was consequent on the sacral concept of society. That is to say, it denies that the care of religion itself—its truths and practices—is a function of government. Instead, the declaration affirms that a care of the freedom of religion as a human right, personal and corporate, does rank among the primary concerns of government. On the one hand, therefore, the declaration disallows the notion of the sacral society, within which the government was somehow the defender of the public faith; on the other hand, it disallows the notion of the laicist society, within which there could be no public faith. The new affirmation falls on the rightful secularity of society and on its openness to faith, both public and private.

To affirm freedom of religion in society is to affirm a secular value. Together with truth, justice and civic friendship, freedom is one of the quaternity of secular values that define the bases, the goals, the spirit and the methods of secular society. More than that, to affirm freedom of religion in society is to affirm the value of religion in and for the secular society. More precisely, it is to affirm the paradox that the shallow age of Reason, with its geometric mentality, wholly failed to see: namely, that without religion society cannot progress toward a healthy secularity but must inevitably regress along the line of history that leads from the laicist totalitarianism of Jacobin ideology to the even more bleak and inhuman totalitarianism of today, within which the values of truth, justice, love and freedom have reached the most advanced stage of corruption history has seen.

In the second place, the declaration disavows the legal institution of state religion that in various ways was characteristic of the sacral society. The disavowal is discreet but firm: "If, in view of peculiar circumstances obtaining among people, special civil recognition is given to one religious community in the constitutional order of society . . ." The statement regards legal establishment of religion as hypothetical, as a matter of circumstances, not of doctrine. Thus, again, the notion of the sacral society is dismissed into history, beyond recall. The free society of today is recognized to be secular.

In the third place, the declaration clarifies the true Catholic tradition that had long been obscured under the successive forms of the sacral society. It asserts: "The freedom of the Church is the fundamental principle in what concerns the relations between the Church and governments and the whole civil order." Paul VI sharpened this assertion to luminous simplicity in his address of Dec. 8, 1965. Speaking to the statesmen of the world, he inquired what the Church asked of them. And, in reliance on the doctrine of the Declaration on Religious Freedom, he answered his own question: "Nothing but freedom." The answer was an official interpretation of the declaration. It was also a great historic utterance, resonant of the past in its highest moments, programmatic for the future. It was the Church's final farewell to the sacral society and to the situation of legal privilege in it that she had bought at the price of her own freedom.

The new assertion is not romantic, nor is it a triumphal anticipation of great victories to come. It may be that freedom is not adequate armor for the truth to wear in the new secular society, in which instruments of power have multiplied in number and efficiency. In any event, freedom is the only armor that the truth can wear without disguising itself and betraying its identity.

These historical reflections lead to a conclusion. A work of differentiation between the sacral and the secular has been effected in history. But differentiation is not the highest stage in human growth. The movement toward it, now that it has come to term, must be followed by a further movement toward a new synthesis, within which the differentiation will at once subsist, integral and unconfused, and also be transcended in a higher unity.

Here, I suggest, is a task for the university that bears the name of Catholic. It is to be the bearer of the new movement that will transcend the present dichotomy of sacral and secular, and it is to be the artisan of their new unity. The task is manifold, complicated and most delicate. This is not the place or time to describe the details of it—even if one man could do so, and I cannot. I simply emphasize the fact of the task. The Council has dissolved an older problematic: the differentiation of the sacral and the secular. Thereby it has installed a new problematic: the unity of these two orders of human life, achieved under full respect for the integrity of each.

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