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*Pope Benedict XVI and Religious Liberty.  
Separating Facts from Fiction*

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Papież Benedykt XVI a wolność wyznania. Oddzielenie faktów od fikcji

ABSTRACT

Whether the teaching on religious liberty of the Second Vatican Council contradicts the early Magisterium of the Catholic Church is a matter of contention among Catholics and a crucial issue in the controversy with the ‘traditionalist’ movement of the late Archbishop Lefebvre. Benedict XVI’s strategy has been to promote a paradigm of “reform within continuity”, admitting that Vatican II has introduced elements of reform and even discontinuity, but within a fundamental continuity and without ‘ruptures’.

**Key words:** Benedict XVI, Catholic Church, Vatican II, religious liberty, Christophobia

THE CONTROVERSY

One of the conflicts involving the contemporary Catholic Church which has generated a considerable interest in the media is the one with the followers of the late Archbishop Marcel Lefebvre (1905–1991) and others who challenge the authority of the Second Vatican Council. Lefebvre was excommunicated in 1988, and died without reconciling himself with the Church. Four bishops he consecrated without Rome’s authorization were also excommunicated. Pope Benedict XVI lifted the latter excommunications in 2009, and started talks aimed at bringing Lefebvre’s organization, the Society of St. Pius X, back to the Roman fold. This is a complicated and difficult process, whose results are still very much uncertain at the time of this writing.

Although many media reports give the impression that at the heart of the controversy is Lefebvre's and his followers' defense of the pre-Vatican II Mass against the liturgical reform of Pope Paul VI (1897–1978), Benedict XVI warned that this is not the case. He has liberalized the celebration of the traditional Latin Mass, but this has not solved problems with the so-called traditionalists. In fact, a general judgment on the documents of the Second Vatican Council is a deeper subject of contention than liturgy. And the controversy has mostly focused on religious liberty.

Catholic Magisterium consistently taught that only true religion, i.e. Catholicism, has a genuine right to be propagated and endorsed by the States. Other religions may be tolerated for the sake of the common good, but there is, strictly speaking, no “right to error” in religious matters. This doctrine, although with different nuances, was particularly developed against modern liberalism by Popes Pius IX (1792–1878) and Leo XIII (1810–1903). The Second Vatican Council in its declaration *Dignitatis humanae* (December 7, 1965) proclaimed that religious liberty is a fundamental right for everybody, based on the very dignity of each human being. The declaration was adopted by the Council after a very long discussion. It cautioned in its very first paragraph that its content “has to do with immunity from coercion in civil society. 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” [Vatican II 1965: 1].

This caveat notwithstanding, traditionalist opposition to the Second Vatican Council focused on the apparent contradiction between *Dignitatis humanae* and earlier encyclicals which had condemned the modern notion of religious liberty such as Pius IX's *Quanta cura* (1864) and its companion *Syllabus of Errors*, and Leo XIII's *Libertas* (1888). Traditionalists did acknowledge that Pope Pius XII (1876–1958) was somewhat more tolerant of religious minorities in Catholic countries. But he always talked of religious tolerance rather than of religious liberty.

The debate may seem somewhat strange to non-Catholics. They may argue that the problem has one simple solution. The Catholic Church before Vatican II was either wrong or speaking from the perspective of a bygone theology, which modernity unavoidably changed. Happily, Vatican II took notes of these changes and accepted the same liberal doctrine of religious liberty that Pius IX and Leo XIII had condemned. Indeed, this has been the position of some liberal Catholic historians – sometime referred to as “the Bologna School” – with respect to both religious liberty and other teachings of the Second Vatican Council. The Council, they argue, has represented a discontinuity and a rupture in the teachings of the Church. But a happy one, a new beginning. Paradoxically, their position is quite similar, as far as the historical reconstruction is concerned, to Msgr. Lefebvre's. The French Archbishop also argued that several documents of the Council represented a rupture with the past. For him, however, such rupture was not happy but catastrophic. Recently, ‘anti-Council’ Catholic authors not aligned with Msgr. Lefebvre and his movement, including Italian historian Roberto de Mattei [2010] and theologian Msgr. Brunero

Gherardini [2009; for a detailed criticism see Cantoni 2011], have adopted the same approach about *Dignitatis humanae*. They argue that indeed it does represent in fact a catastrophic rupture with the older Magisterium.

While several non-Catholic historians of the Council do share the reconstruction of both the Bologna School and Msgr. Lefebvre, post-Vatican II Popes have never endorsed it. In fact, for the Catholic Church admitting that a solemn teaching such as the Council's declaration on religious liberty directly contradicts an equally solemn teaching by previous Popes would create intractable problems about how the Church conceives itself. The problem is not infallibility, since very few teachings of the Catholic Church are clearly defined as infallible, and whether these include the matter of religious liberty is both disputed and unclear. But outside the narrow realm of infallibility does not lie, for loyal Catholics, an alleged area of 'fallibility' including teachings one would be free to accept or reject. The Church claims that even the so-called ordinary or authentic Magisterium, although not necessarily infallible, forms a coherent corpus throughout the centuries and should be loyally accepted by every good Catholic.

This is why, rather than accepting the positions of the Bologna School or of Msgr. Lefebvre, the Magisterium has tried to reconcile older and more recent teachings on religious liberty, claiming that the discontinuity is merely superficial and hides a deeper continuity, and does not involve a rupture. Although both Paul VI and John Paul II (1920–2005) did speak on these topics, here I would confine myself to teachings associated with Joseph Cardinal Ratzinger, first in his tenure as Prefect of the Congregation for the Doctrine of Faith (1981–2005) and later as Pope Benedict XVI.

#### THE 1987 LETTER TO MSGR. LEFEBVRE

In 1987, one year before his excommunication, the Congregation for the Doctrine of Faith tried to persuade Msgr. Lefebvre that there was no rupture about religious liberty between pre-Vatican II Magisterium and *Dignitatis humanae*. The letter to the French Archbishop *Liberté religieuse. Réponse aux 'dubia' présentés par S.E. Msgr. Lefebvre*, dated March 9, 1987 [Congrégation pour la Doctrine de la Foi 1987], enclosed a lengthy theological opinion which, although technically not part of the Catholic Magisterium, is quite important for our topic. The opinion quoted the commission which during the Council prepared the text of *Dignitatis humanae*, to the effect that "on no part is it affirmed nor is it licit to affirm (this is an evident matter) that there is a right to spread error. If persons then spread error, it is not the exercise of a right, but its abuse". The opinion insisted on two points: that the religious liberty proclaimed by *Dignitatis humanae* is not a positive right but an immunity from the coercion of the modern secular State; and that this peculiar form of State is the immediate reference of the document of the Second Vatican Council, while the oldest Catholic statements had in mind a different kind of State. The opinion also recalled

the lively discussion which led to the decision by the Council to use the word ‘liberty’ rather than ‘tolerance’, both because the notion of ‘tolerance’ was slowly disappearing from international treaties and conventions and because ‘tolerance’, when dealings with these modern States which tend to expand their sphere of authority, would have been a weaker claim than liberty, and may have implied that religious freedom is something that the State may or may not concede according to its changing priorities. The opinion concluded that, once an admittedly difficult process of interpretation is completed, one discovers that “the teaching of Vatican II is perfectly compatible with the teaching of Leo XIII”.

#### THE CATECHISM AND FURTHER DOCUMENTS OF THE CONGREGATION

In 1992 the Holy See issued the *Catechism of the Catholic Church*, the second universal catechism in the Church’s history and a very important document, which both summarizes and authoritatively interprets the Second Vatican Council. Its paragraph 2108 states that: “The right to religious liberty is neither a moral license to adhere to error, nor a supposed right to error, but rather a natural right of the human person to civil liberty, i.e., immunity, within just limits, from external constraint in religious matters by political authorities” [*Catechism of the Catholic Church* 1992, para. 2108]. There are three footnotes, referring respectively to the encyclical *Libertas* by Leo XIII, to Pius XII, and to *Dignitatis humanae*. The *Catechism*, thus, canonized the opinion shared by several leading Catholic scholars that the right to religious liberty of the Council is not a positive right – the “right to error”, which remains condemned today as it had been by Leo XIII – but a negative right, i.e. an “immunity” from the constraints of the modern secular State, which has no business in interfering in religious matters.

The Congregation for the Doctrine of Faith headed by Cardinal Ratzinger issued in 2000 the declaration *Dominus Jesus* [Congregation for the Doctrine of Faith 2000], perhaps its most famous – and somewhat controversial – document. While not directly dealing with religious liberty, it assured the faithful that nothing has essentially changed in the traditional Catholic doctrine that there is only one true Church.

In 2002, the Congregation for the Doctrine of Faith issued a *Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*. Its no. 8 «recall[s] a truth which today is often not perceived or formulated correctly in public opinion: the right to freedom of conscience and, in a special way, to religious freedom, taught in the Declaration *Dignitatis humanae* of the Second Vatican Council, is based on the ontological dignity of the human person and not on a non-existent equality among religions or cultural systems of human creation. Reflecting on this question, Paul VI taught that “in no way does the Council base this right to religious freedom on the fact that all religions and all teachings, including those that are erroneous, would have more or less equal value; it is based rather on the dignity

of the human person, which demands that he not be subjected to external limitations which tend to constrain the conscience in its search for the true religion or in adhering to it". The teaching on freedom of conscience and on religious freedom does not therefore contradict the condemnation of indifferentism and religious relativism by Catholic doctrine; on the contrary, it is fully in accord with it» [Congregation for the Doctrine of Faith 2002, no. 8].

#### BENEDICT XVI'S SPEECH OF DECEMBER 22, 2005

On December 22, 2005 Benedict XVI delivered his now famous speech to the Roman Curia on the interpretation of the Second Vatican Council [Benedict XVI 2005]. He started by noting that «the implementation of the Council has been somewhat difficult, even without wishing to apply to what occurred in these years the description that St Basil [330–379], the great Doctor of the Church, made of the Church's situation after the Council of Nicea [325]: he compares its situation to a naval battle in the darkness of the storm».

«The question – continued the Pope – arises: Why has the implementation of the Council, in large parts of the Church, thus far been so difficult? Well, it all depends on the correct interpretation of the Council or – as we would say today – on its proper hermeneutics, the correct key to its interpretation and application. The problems in its implementation arose from the fact that two contrary hermeneutics came face to face and quarreled with each other. One caused confusion, the other, silently but more and more visibly, bore and is bearing fruit. On the one hand, there is an interpretation that I would call a “hermeneutic of discontinuity and rupture”; it has frequently availed itself of the sympathies of the mass media, and also one trend of modern theology. On the other, there is the “hermeneutic of reform”, of renewal in the continuity of the one subject-Church which the Lord has given to us. [...] The hermeneutic of discontinuity risks ending in a split between the pre-conciliar Church and the post-conciliar Church».

While condemning this “hermeneutic of discontinuity and rupture”, Benedict XVI did not oppose to it a simple “hermeneutic of continuity”. Although he will later use the shortened form “hermeneutic of continuity” both in the endnote 6 to the apostolic exhortation *Sacramentum Caritatis* of 2007 [Benedict XVI 2007a] and in his speech of March 12, 2010 to the participants in a theological conference of the Congregation for the Clergy [Benedict XVI 2010a], the 2005 text clarified that the correct hermeneutic of Vatican II is a “hermeneutic of reform in the continuity”. In a reform there is some discontinuity – otherwise, there will be no reform –, but there is also a more fundamental continuity – otherwise, it would not be the reform of an existing institution but the creation of a new body. “It is precisely in this combination of continuity and discontinuity at different levels, the Pope said, that the very nature of true reform consists”.

In the same speech, Benedict XVI applied the “hermeneutic of reform in the continuity” precisely to the controversial question of religious liberty. The Pope admitted that there is “some kind of discontinuity” in the Catholic teaching about this issue from Pius IX to the Council. Once the correct hermeneutic is applied, however, we may conclude that there is no rupture. The general principles taught by the Church have not changed. Their applications have changed, also as a consequence of new and different historical situations. The liberalism of the French Revolution considered religious freedom as a philosophical doctrine, implying that all religions are equal and that religious truth is merely subjective. This notion of religious freedom was rightly condemned by Pius IX, the Pope said, and the Church cannot accept it even today. “If religious freedom, the Pope explained, were to be considered an expression of the human inability to discover the truth and thus become a canonization of relativism, then this social and historical necessity is raised inappropriately to the metaphysical level and thus stripped of its true meaning. Consequently, it cannot be accepted by those who believe that the human person is capable of knowing the truth about God and, on the basis of the inner dignity of the truth, is bound to this knowledge”.

However, the meaning of religious liberty derived from the French Revolution is not the only possible meaning. “The American Revolution, the Pope argued, was offering a model of a modern State that differed from the theoretical model with radical tendencies that had emerged during the second phase of the French Revolution”. Thus, the Second Vatican Council proclaimed the right to religious liberty not at a “metaphysical level”, but “as a need that derives from human coexistence” within the context of the modern secular State. The Pope did not claim that there is a literal continuity between Pius IX and *Dignitatis humanae*. Obviously, there is not. But he did argue that the discontinuity concerned the application of the principles, “the practical forms that depend on the historical situation and are therefore subject to change”, while there was continuity at the more crucial level of “the principles that express the permanent aspect”. This “combination of continuity and discontinuity” is precisely a clear example of a “reform in the continuity”, as opposed to a rupture.

#### FURTHER CLARIFICATIONS

In the Magna Charta of his social teaching, the 2009 encyclical *Caritas in veritate* [Benedict XVI 2009], the Pope did mention religious freedom as one of the fundamental human rights, but at the same time warned once again that “religious freedom does not mean religious indifferentism, nor does it imply that all religions are equal” (no. 55).

In 2010, Benedict XVI issued the *Message for the 2011 World Day of Peace* [Benedict XVI 2010b], entirely devoted to religious liberty. Interpreting *Dignitatis humanae*, the Pope reaffirmed the notion of religious liberty as immunity from the coercion of the modern State. But it went one step further, by insisting that religious

liberty «should be understood, then, not merely as immunity from coercion, but even more fundamentally as an ability to order one's own choices in accordance with truth». From a philosophical point of view, an analysis of what the human person is comes 'before' legal solutions. The person is ordained to truth and blessed with freedom for truth. Of course, free will allows for the use of freedom against truth. But in this case freedom erodes its very own foundation. A freedom which is used in order to deny the existence of truth, the *Message* says, «becomes self-negating and does not guarantee full respect for others. A will which believes itself radically incapable of seeking truth and goodness has no objective reasons or motives for acting save those imposed by its fleeting and contingent interests; it does not have an "identity" to safeguard and build up through truly free and conscious decisions. As a result, it cannot demand respect from other "wills", which are themselves detached from their own deepest being and thus capable of imposing other "reasons" or, for that matter, no "reason" at all. The illusion that moral relativism provides the key for peaceful coexistence is actually the origin of divisions and the denial of the dignity of human beings».

On April 29, 2011, Benedict XVI sent a message to the Pontifical Academy of Social Sciences [Benedict XVI 2011], which was holding a conference on religious freedom. He repeated that *Dignitatis humanae* also includes an "anthropological foundation to religious freedom" in addition to legal elements, but also emphasized that "of course, every state has a sovereign right to promulgate its own legislation and will express different attitudes to religion in law". There is in this message an echo of the theological opinion sent to Msgr. Lefebvre by the Congregation for the Doctrine of Faith in 1987, which stated that "DH [*Dignitatis humanae*] does not imply a condemnation of the conduct followed in past centuries by some Christian princes, whose historical evaluation is quite complicated". Obviously these "Christian princes" of old did not grant to their subject religious liberty in the sense of *Dignitatis humanae*. As mentioned earlier, the latter is a document focusing on the contemporary secular State. It recognizes that there have been in the course of history quite different forms of State and it is not aimed at passing judgment on any of these forms, provided that the basic principle that "no one is to be forced to act in a manner contrary to his own beliefs" (*Dignitatis humanae*, no. 2) is respected.

## CONCLUSION

In conclusion, Benedict XVI has consistently reaffirmed that the Church cannot endorse relativism or the idea "that all religions are equal" [Benedict XVI 2009, no. 55]. Contrary to popular misconceptions, this fundamental teaching has not been changed by the Second Vatican Council. In fact, it has been proclaimed again by the very text of *Dignitatis humanae* which, as mentioned earlier, reaffirms "the traditional Catholic doctrine on the moral duty of men and societies toward the true religion and

toward the one Church of Christ” [Vatican II 1965]. During both his twenty-four years of service at the Congregation for the Doctrine of Faith and his pontificate, Benedict XVI has been acutely aware of the controversies about the alleged contradiction between *Dignitatis humanae* and the teachings on religious liberty by Pius IX, Leo XIII and Pius XII. He has rejected the solution of a “discontinuity and rupture” between the old and the new teachings, not only because accepting the rupture would create difficult ecclesiological problems but also because, as evidenced by all his writings, he genuinely believes that such rupture does not exist. On the other hand, he does not claim that a mere continuity exists between encyclicals such as *Quanta cura* and *Dignitatis humanae*. If this was his position, a cynical outside observer may easily object that this is a simple case of sanitizing a contradiction through word games. He does admit the quite obvious “apparent discontinuity” [Benedict XVI 2005]. What he claims is something different: that there is “a combination of continuity and discontinuity at different levels” [*ibid.*], a “reform in the continuity” [*ibid.*], which needs a serious hermeneutical effort. Once performed, the hermeneutic of the reform in the continuity of *Dignitatis humanae* allows to identify both the continuity – in the core principles – and the discontinuity in their applications to different historical situations and forms of State. It also allows to claim that continuity is more crucial than discontinuity, and there is no rupture.

Benedict XVI is persuaded, against both “anti-Council sentiment and erroneous progressivism” – as he said in Auronzo di Cadore on July 24, 2007, answering questions by the local clergy [Benedict XVI 2007b] –, that in the crucial matter of religious liberty some discontinuity in the applications is in order, and indeed confirms that the Church is capable of discerning developments and differences in historical situations. But he also maintains that a fundamental continuity in the principles is both consistently present in the Church and more important than the elements of discontinuity. “Clarity is not served by certain abstract subdivisions of the Church’s social doctrine, which apply categories to Papal social teaching that are extraneous to it. It is not a case of two typologies of social doctrine, one pre-conciliar and one post-conciliar, differing from one another: on the contrary, there is a *single teaching, consistent and at the same time ever new*” [Benedict XVI 2009, no. 12].

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