

GAUDIUM ET SPES AND *DIGNITATIS HUMANAЕ*:
ARE THEY IN CONFLICT: REFLECTIONS IN LIGHT OF
THE CURRENT CONTROVERSY REGARDING
CATHOLICISM AND POLITICS

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Over the years one of the aspects of *Gaudium et Spes* that has often been highlighted is its section on culture (#54-#62). In this section of the Pastoral Constitution faith and culture are envisioned as thoroughly integrated. The document clearly sets forth the need for the Catholic Church to bring its faith perspectives to bear on the prevailing cultural ethos in a given society even though it recognizes a plurality of cultural models. I fully subscribe to this perspective presented in *Gaudium et Spes* which definitely has links with the classical model of "Christ Transforming Culture" articulated by H. Richard Niebuhr. But I also recognize the difficulties such a model presents when placed side by side with another major document of Vatican II *Dignitatis Humanae*, the statement on religious liberty, which won conciliar approval only after a hard fought battle. How do we integrate what may appear as conflicting visions in these two statements, one clearly framed within a communitarian ethic and the other grounded in the Western tradition of political liberty? John Courtney Murray, S.J., who with Msgr. Pietro Pavan played a central role in the framing of *Dignitatis Humanae*, was aware of the tension existing between these two conciliar documents. He argued that it could be overcome by understanding that, as a result of *Dignitatis Humanae*, the Catholic Church had renounced any desire to dominate a society or culture in the legitimate pursuit of bringing the gospel to bear on culture.

I would like to begin my reflections on the still unresolved tension between the visions of *Dignitatis Humanae* and *Gaudium et Spes* with a brief historical overview. The Catholic outlook towards ecclesial involvement in the public sphere was remarkably uniform, at least on the theoretical level, prior to Vatican II. Before the Council, the so-called Catholic confessional state was the clear ideal, even in those societies such as the United States and Canada where democratic principles had been solidly implanted in the political fabric and where, as a result, the church was forced to compromise this theological ideal on the practical level. Until the revolution generated by John Courtney Murray, S.J., and others, through the conciliar document on religious liberty that met approval in Vatican II's final session in 1965 after intense debate, Catholic theology had championed the notion of church-state unity in which the church held ultimate pre-eminence. This vision was rooted in the unshaken belief that since the church possessed revealed truth, attainment of the ideal would guarantee perfect justice in all social relations. There was not even the slightest suspicion that the church itself could ever be an instrument of social oppression, despite the fact that as Joe Holland as pointed out in his recent volume on early modern Catholic social teaching¹ the Papal States had one of the worst records on

human rights in nineteenth century Europe. As long as the church-state relationship had not attained its ideal point, the church and its theological tradition stood over against the state in an attempt to guarantee that activities on the commons were in line with the perceived will of God.

A central component of the traditional church-state model was the principle that "error had no rights." This principle was strongly reasserted by Pope Pius IX (1846-1878). Within this framework those outside the Catholic church enjoyed no claim in principle to political and civil rights because they lacked the true faith. When Roman Catholics found themselves a minority in a particular region, they generally tried to negotiate the best possible arrangement for themselves with respect to religious and political freedom. When Roman Catholics were in the majority, they usually pressed for a church-state union of some kind. Non-Catholics in such a society were sometimes tolerated, often persecuted. Clearly notable exceptions to this pattern did exist on the part of individual dual bishops, popes, and Catholic rulers. But these exceptions should be seen for what they were the result of personal sensitivity rather than official Catholic teaching. In several instances where toleration was evident, hope of converting people to Catholicism was the principal motivating force behind this toleration.

Vatican II witnessed an intense effort by theologians such as Murray and Gustav Weigel, by enlightened ecclesiastics such as Msgr. Pietro Pavan, and by the U.S. hierarchy in particular to alter the traditional Catholic commitment to the primacy of the confessional state model. This effort owed much to the concrete experience of U.S. Catholicism, particularly its collaborative efforts on behalf of worker justice with Protestants and Jews in the 1940s. When Murray and the others launched their efforts, they were often attacked with considerable vehemence by prominent theologians such as Msgr. Joseph Fenton, editor of the *American Ecclesiastical Review*. These attacks persisted right through the period of the conciliar debates on the proposed text on religious liberty. "Heretic" was not an unheard word relative to Murray during the Vatican II era.

The movement spearheaded by Murray, Weigel, and Pavan eventually prevailed at Vatican II with the passage of *Dignitatis Humanae*. This document had somehow managed to withstand the strong conservative onslaught against it for allegedly breaking with authentic Catholic truth in not affirming church state unity as the premier model of the ecclesial role in the social/political realm.

In one sense the conservatives did have a legitimate point. There is little doubt that the statement on religious liberty represented a critical turning point in Catholic history. As David Hollenbach has noted, Vatican II unequivocally rejected the automatic primacy previously accorded the confessional state model in Catholic teaching, "bringing about a major development of doctrine within the Catholic tradition."² And Pietro Pavan, who was very instrumental in shaping the final version of the conciliar statement, has described it as "a new position that reveals itself as an intrinsic development in the socio-political teachings of the Catholic Church."³

One clear implication of the conciliar declaration is its basic endorsement of the democratic "constitutional" state as the best model for preserving justice and religious freedom for all people in a given society, Catholics included. We have here an obvious abandonment of the traditional Catholic confessional state model. Pope John XXIII's strong insistence upon this new model in his encyclical *Pacem in Terris*, released in 1963 in the midst of heated debate at Vatican II on the question, undoubtedly played a pivotal role in inducing this fundamental shift in Catholic thinking. Papal approbation had been given to the movement headed by Murray and Pavan.

Dignitatis Humanae must be viewed as an important new dimension in Catholicism's ongoing efforts to grapple with the realities of the modern world. Officially it marked the end of any Catholic expectation that government and its socio-political institutions are to serve as defenders of the Catholic faith. In the secular, constitutional state, the highest value that both state and society are called upon to protect and foster is the personal and social value of the free exercise of religion. The document brought an abrupt end to the "error has no rights" principle. But in so doing it also posited a perspective that to some degree stands at odds with the communitarian thrust of *Gaudium et Spes* and its strong call to bring the gospel to bear upon modern culture.

A certain euphoria set in right after the Council that all problems relative religious liberty had been resolved. This certainly is not the case as subsequent debates about religion's role in society in Latin America, Europe and North America clearly shows. As David Hollenbach has rightly observed, "though the church-state issue was resolved at the council in favor of religious liberty, the relation of the church to a religiously pluralistic society continues to need clarification."⁴

The conciliar document on religious liberty is now being viewed in much more modest fashion as marking the end of one era in Catholicism (at least on the level of theological principle) and opening the doors for development of new approaches more consonant with the realities of the contemporary world. In itself it did not offer a wholly satisfactory replacement for the Catholic confessional state model because its line of argumentation tended to reflect almost exclusively the liberal Western emphasis on the primacy of conscience without adequate consideration of the role that public culture and societal structures play in shaping and preserving moral values.

As more and more controversies have emerged relative to the church's role in public life and the responsibilities incumbent upon Catholic political leaders attempts have been made by theologians and ethicists to develop new models that take us beyond the formulation of *Dignitatis Humanae* and incorporate the far more communitarian vision of *Gaudium et Spes*. One such model that has gained considerable support, especially in North America, is the public church model. One of the principal architects of this public church model Fr. J. Bryan Hehir has described it in the following way. The role of the public church, according to Hehir is:

Less that of providing definite answers to complex socio-political questions than it is to act as a catalyst moving the public argument to grapple with questions of

moral values, ethical principles and the human and religious meaning policy choices. This catalytic role does not exclude—particularly in the Catholic tradition—moments when the moral position will require a firm, unyielding position on an issue, but these specific moral choices are made in the context of a broader teaching style.⁵

Hehir clearly views the public church model as a natural outgrowth of *Dignitatis Humanae*. He also regards it as the model envisioned in *Gaudium et Spes*. Like Murray before him, he feels that the conciliar declaration on religious liberty finally scuttled any aspiration on the part of the Catholic Church to impose its theological and moral perspective on the social order. Hence Catholics are now freer to pursue a public policy agenda without reawakening the traditional apprehensions among other religious groups, commonplace so long as the confessional state model prevailed as the Catholic ideal, about a drive for Catholic hegemony in the public sphere.

Despite Hehir's contention, the public church model does not flow as easily and smoothly from *Dignitatis Humanae* as he would have us believe. Rather, the emergence of the public church model represents an important shift away from the focus on the primacy of the person in *Dignitatis Humanae* to a far greater stress on the public sphere and its impact on the physical and spiritual well-being of the masses. In some ways the public church model is more the heir of *Gaudium et Spes*, with its greater emphasis on communitarian justice and the influence of culture, than the child of *Dignitatis Humanae*.

How institutional Catholicism's developing public church model can avoid becoming merely the old confessional state model in sheep's clothing (or at least giving that impression) is an issue not yet fully resolved by its architects, Hehir's claim to the contrary notwithstanding. Hehir is certainly correct in arguing that *Dignitatis Humanae* has granted the church greater freedom to pursue a new ecclesiological vision involving direct church participation in efforts to transform national cultures in the direction of a greater commitment to human dignity, equality, justice, and world peace as detailed by Vatican II and subsequent documents. Nevertheless, pursuit of this vision has a "shadow side" which must be more fully confronted if interreligious tensions are to be kept at a minimum.⁶

In the 1980s in the United States then Governor Mario Cuomo of New York instigated a major national debate among Catholic politicians about the authentic implications of a public church model. One group of bishops led by Cardinal Joseph Bernardin, Archbishop John May and the then President of the National Conference of Catholic Bishops Bishop James Malone championed a number of "life issues" issues in the public sphere while retaining some notion that the public order in a pluralistic setting such as the United States may never be expected to endorse fully the Catholic agenda. This clearly picks up an important dimension of *Dignitatis Humanae*, *i. e.*, the understanding that secular society should not be regarded by Catholics as a necessary conduit for its moral teachings.

The late Cardinal Bernardin articulated this version of the public church model more thoroughly than any other bishop of the time. He argued that from the Declaration of Independence to present day politics the themes of religion, morality and culture have been part and parcel of the American political landscape. The key question for Bernardin was not whether religion ought to impact society and its decision-making but how to structure a public conversation of the question. He acknowledged the legitimate secularity of the political process. But this secularity cannot assume absolute priority. A careful church-state conversation must be established "which seeks neither to transform secularity into secularism nor to change the religious role into religiously dominated public discourse."⁷ Bernardin also recognizes that at times religious groups can legitimately organize to exert power on political bodies.⁸ He likewise supported the idea that politicians can vote in favor of legislation that only partially meets Catholic moral criteria but disagreed with Governor Cuomo that certain core values can be permanently put on the back burner by a Catholic politician in order to pursue effective coalitions on other important issues. The heir to this legacy of the public church in recent times has been Cardinal Mahony of Los Angeles and in a strange twist Archbishop McCarrick, now of Washington, who originally stood far more in the Law/O'Connor camp.

A second group of bishops included Cardinals Bernard Law and John O'Connor as well as the then Archbishop Francis Stafford. These bishops insisted much more strongly on the complete adoption of the Catholic agenda in certain critical areas. On the whole, they were not as willing to accept the kind of "compromises" on the part of Catholic political leaders which the Bernardin group was willing to countenance. This position has been taken in the past couple of years by a vocal group of Catholic bishops led by Archbishops and Burke.⁹

The question of the Catholic politician's role has assumed prominence in this discussion since the 1980s. It was a central consideration during the 2004 U.S. Presidential elections. And it has also surfaced in terms of recent appointments to executive positions within the European Union's administration. It is one of the sharpest points of distinction between the two proponent groups of the "public church" model. One point that has hardly been raised in this discussion, a point I believe must be discussed in light of *Dignitatis Humanae's* affirmation of the democratic constitutional state as the preferred Catholic social model, is whether a Catholic politician represents his or her church in the first instance or his or her constituency. While no either-or response will do, the bishops espousing the second option regarding the public church model seem to assume that the Catholic politician must always represent institutional Catholic perspectives on particular legislation. But in my view the democratic model of state organization requires an elected politician to be sensitive to the views of those who were responsible for the politician's election. This is at the heart of the representative democracy endorsed in *Dignitatis Humanae*. And rarely will a politician have a overwhelming Catholic constituency in today's pluralistic societies. This is not to relegate the Catholic politician's responsibility to bring Catholic values to bear on the culture of his or her society to a secondary status. But neither can the second responsibility be regarded as the exclusive responsibility of a Catholic politician. Rather they must be given equal weight in a Catholic politician's vote on particular legislation.

There are at least four areas where further work is definitely required on the public church model. The first has to do with the incorporation of Vatican II's documents on ecumenism and interreligious relations (and subsequent guidelines on these documents) into the discussion. Neither the Catholic ethicists nor the bishops advocating the public church model have done much of this. In fact some of the bishops seem to have sidelined these documents in their interpretations of Catholic political activity. Few have noted that the public church model in recent U.S. Catholicism breaks the tradition of an interreligious approach to social action that marked U.S. Catholicism from the 1920s through the civil rights struggle.¹⁰ Neither of the approaches to the public church model makes interreligious cooperation much of a priority. In the future, proponents of the public church model will have to recognize more clearly than has been the case that the inter-religious approach to public policy is required by reason of the general ecumenical mandate added to the Catholic magisterium by Vatican II. They likewise must come to understand that the interreligious approach is the only certain way of insuring that the public church model is not perceived by other religious groups as a disguised effort to restore the old confessional state ideal. In a recent address to bishops from the Northeast region of the United States on their "ad limina" visit to Rome Pope John Paul II reasserted the importance of such an ecumenical and interreligious thrust:

The church in the United States has long been committed to making her voice heard in public debate in the defense of fundamental human rights, the dignity of the person and the ethical requirements of a just and well-ordered society. In a pluralistic nation like your own, this has necessarily involved practical cooperation with men and women of various religious beliefs and will all people of good will in the service of the common good. I am deeply appreciative of your continuing efforts to promote ecumenical and interreligious dialogue on every level of the church's life, not only as a means of overcoming misunderstandings between believers but also for fostering a sense of common responsibility for the building of a future of peace.¹¹

Secondly, far greater discussion of the positive meaning of "neutrality" as a state posture will need to develop among Catholic leaders. Supporters of both public church approaches uncritically assume that state neutrality always equals state hostility. They obviously require a deeper understanding of the neutrality perspective as it emerged from the first amendment to the U.S. Constitution. Such an understanding would also have relevance for recent discussions about religion in the proposed new European constitution. Definite problems unquestionably remain in achieving an understanding of state secularity that does not automatically degenerate into absolute secularism. The book by Fr. Thomas Curry, a civil lawyer and a priest of the Archdiocese of Los Angeles, outlines a sympathetic exposition of the origins of state neutrality in America as a way of breaking the Old European pattern of established religions and thereby protecting freedom of worship for all.¹² Fr. Curry's views need to be heard in a discussion of Catholicism's interaction with the public order.

A third issue for further consideration is the style Catholicism adopts in implementing the public church approach. Use of language is particularly crucial. When so-called Catholic publications such as *Inside the Vatican* begin to develop lists of Catholic villains or when we imply that those who disagree with Catholics on abortion resemble the Nazis during the Holocaust, we are basically violating the vision of *Dignitatis Humanae* about the absolute dignity of conscience and in fact making the effort to meet the challenge laid out by Pope John Paul II for the evangelization of culture far more difficult on a practical level. Here David Hollenbach makes an extremely important point when he argues that Catholic involvement in the public sphere,

Must proceed according to a mode of dialogue and persuasion. Religious vision and theology have crucial roles to play in shaping a just and peaceful society. This role can be played, however, only to the extent that faith and theology are seen as participants in a drama that involves numerous other actors. The church is not the producer or director of this drama. God is—the God who created the worlds of politics, law, science, economics, and culture just as surely as God created the church and gave it a mission.¹³

The "persuasion through dialogue" model has not been standard fare among many of the bishops pursuing a public church model strategy. This is regrettable. The late Cardinal Bernardin did evidence some sympathy for it. And in an address at the University of Notre Dame Archbishop Rembert Weakland affirmed the importance of recognizing the plurality of religious and ethical standards in contemporary society: "The Catholic tradition is one of many and must be willing to enter the public square without preferential place in order to persuade others of its position."¹⁴ Recently Archbishop Diarmuid Martin of Dublin who has a record of long involvement as a Vatican representative in international meetings spoke in a somewhat similar vein in an address on Ireland's national radio service. He cautioned that a "pluralist" approach to church involvement in the public sphere should not be interpreted as promotion of "secularism." For Martin "the public square is that space of dialogue on public issues where different viewpoints are aired and debated in a process of tolerance and respect, and where decisions come to be made which respect differing opinions. "He added that" there is no way in which the Christian believer can or should impose his specifically religious beliefs on any other in society. But it would be also unacceptable should valid insights which spring from religious concepts and language be excluded from the public square just because they are religious in origin. "The Christian's presence, according to Martin," in a pluralist public square will be a presence based on dialogue with all peoples of good will who desire to establish a fair and just society."¹⁵

As one who has participated with Archbishop Martin in several meetings of the annual World Economic Forum, including most recently in 2005, I would fully concur with his perspective. There is no way in such gatherings that one can proclaim Catholic social teaching from "on high." The only possible approach is presenting Catholic perspectives in the context of a dialogue with other global leaders. Religious perspectives need to be heard in such international form. But they will have some possibility of a hearing only if they presented in a dialogical style that evidences a willingness to learn from others as

well. That is the only possibility of bringing the gospel to bear in the spirit of *Gaudium et Spes* on the global structures of contemporary society.

Finally, I would point to an issue generating considerable discussion in theological circles these days, namely, the importance of local theologies. The evangelization of culture proposed in *Gaudium et Spes* will need to proceed along different paths in various countries. What may work in the United States, Canada or Western Europe is not necessarily the same approach that will work in India or other parts of Asia where Christians are a definite minority and where the fear of Christian proselytizing remains an extremely sensitive issue. Certain broad principles flowing from *Dignitatis Humanae* and *Gaudium et Spes* might be preserved universally. But adaptation to local situations is clearly required. Not a single voice among the architects of the public church model has yet seemed fit to address this question of cultural variation with respect to church-state theology.

There are certainly other approaches to the church-state question in light of *Gaudium et Spes* call for gospel influence on contemporary culture. These include the "prophetic model" associated with people such as the Berrigans and Dorothy Day. There is the more direct confrontational approach advocated in liberation theology. And finally there is the perspective of Cardinal Avery Dulles and others who would argue for the "holiness" model of the church whereby the impact of the gospel on culture would be felt by the church keeping its distance from concrete involvement in social affairs lest the transcendent nature of the church be compromised. While there is room in my perspective for both the prophetic and liberationist models as a counterforce to overly accomodationist tendencies in the public church model, in my judgment the public church model should serve as the prevailing approach on the part of Catholicism. As for the Dulles holiness model, it might be useful as a caution but in the end I think it stands outside the fundamental spirit and vision articulated in *Gaudium et Spes*.¹⁶

If the church is to prove successful in utilizing the public church model as a means of implementing the vision of *Gaudium et Spes* it must also be prepared honestly and completely to acknowledge the times it has used Catholic institutional power in promoting injustice. It is to the credit of Pope John Paul II that, despite severe criticism in some sectors of the Catholic Church, he asked for forgiveness for such offenses against Jews, other Christians, indigenous people and other groups wounded by Catholic power during the liturgy of reconciliation he celebrated in Rome on the First Sunday of Lent 2000 as a way of inaugurating the new millennium. Catholic leadership must also insure that the Catholic tradition does not become enmeshed in the "enemy language" so commonplace in contemporary society. When, as already mentioned, a magazine such as *INSIDE THE VATICAN*, starts publishing an annual list of Catholic villains this degrades the spirit of *Dignitatis Humanae* and ultimately makes the realization of *Gaudium et Spes'* call to evangelize culture so much more difficult.

One brief word about an issue that has arisen within the last year, especially with regard to the denial of the Eucharist to Catholics who take positions that seem outside the parameters of the institutional church. Some bishops have argued that this is a necessary

and appropriate way to dramatize the Catholic perspective on key social issues to the wider society. I would disagree. Here I would support the stance taken by Cardinal Francis George of Chicago who has said that the Eucharist is "our highest, most perfect, form of worship of God. It should be manipulated by no one, for any purpose."¹⁷

In conclusion, I would maintain that *Gaudium et Spes* with its more communitarian ethic should serve as the controlling framework for the Catholic approach to public society. But *Dignitatis Humanae* must continue to serve as watchdog lest the effort to evangelize culture lose sight of the primacy of conscience and the profound dignity of the human person upon which it rests its argument for religious liberty. There will be need for a balancing act of sorts on the part of Catholics in some situations. But restoring these two conciliar documents to a central focus in current discussions about religion and public policy is an absolute requirement if the Catholic Church is to engage society in a significant way. The path recently taken by some Catholic leaders in the past year will ultimately prove ineffective.

¹ Cf. Joe Holland, MODERN CATHOLIC SOCIAL TEACHING: THE POPES CONFRONT THE INDUSTRIAL AGE 1740-1958. Mahwah, NJ: Paulist Press, 2004.

² David Hollenbach, S.J., JUSTICE, PEACE AND HUMAN RIGHTS: AMERICAN CATHOLIC SOCIAL ETHICS IN A PLURALISTIC CONTEXT. New York: Crossroad, 1988, 10.

³ Thomas F. Stransky, CSP, ed. DECLARATION ON RELIGIOUS FREEDOM OF VATICAN COUNCIL II. New York: Paulist, 1966, 13

⁴ David Hollenbach, S.J., JUSTICE, PEACE AND HUMAN RIGHTS, 10.

⁵ J. Bryan Hehir, "Church-State and Church-World," The Ecclesiological Implications," PROCEEDINGS: THE CATHOLIC THEOLOGICAL SOCIETY OF AMERICA 41 (1986), 64.

⁶ J. Bryan Hehir, "The Public Church," ORIGINS 14 (May 31, 1984), 41.

⁷ Joseph Cardinal Bernardin, "Address to the National Executive Council of the American Jewish Committee," Cardinal Joseph Bernardin, A BLESSING TO EACH OTHER: CARDINAL JOSEPH BERNARDIN AND JEWISH CATHOLIC DIALOGUE. Chicago: Liturgy Training Publications, 1996, 52-53.

⁸ Cardinal Joseph L. Bernardin, "Religion and Power: The Urgency of a New Synthesis," in Cardinal Joseph Bernardin, A BLESSING TO EACH OTHER, 113-119.

⁹ On the views of various bishops in the current debate, cf. ORIGINS, 34:12 (Sept. 2, 2004)

¹⁰ Cf. John Pawlikowski, OSM, "A Growing Tradition of Ethical Critique," in John Pawlikowski, OSM and Donald Senior, CP, eds., ECONOMIC JUSTICE: CTU'S PASTORAL COMMENTARY ON THE BISHOPS' LETTER ON THE ECONOMY. Washington, DC: The Pastoral Press, 1988, 39-48.

¹¹ John Paul II, "The Importance of the Evangelization of Culture," ORIGINS, 34:14 (Sept. 16, 2004), 219.

¹² Thomas Curry, THE FIRST FREEDOMS: CHURCH AND STATE IN AMERICA TO THE PASSAGE OF THE FIRST AMENDMENT. New York: Oxford, 1986.

¹³ David Hollenbach, S.J., JUSTICE, PEACE AND HUMAN RIGHTS, 13.

¹⁴ Archbishop Rembert Weakland, "How Medellin and Puebla Influenced North America," ORIGINS 18 (April 13, 1989), 759.

¹⁵ Archbishop Diarmuid Martin, "The Christian's Presence in the Pluralist Public Square," ORIGINS 34:14 (Feb. 10, 2005), 541-546.

¹⁶ For more on these models, cf. John T. Pawlikowski, "Catholicism and the Public Church: Recent U.S. Developments," THE ANNUAL: SOCIETY OF CHRISTIAN ETHICS 1989., ed. D.M. Yeager., 147-165.

¹⁷ Cf. WE BELIEVE, January 2005, 8