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C

COMMISSION ON HUMAN RIGHTS

Twentieth session, February 17 - March 17, 1964

DRAFT DECLARATION AND DRAFT CONVENTION ON THE ELIMINATION OF ALL
FORMS OF RELIGIOUS INTOLERANCE

RESOLUTION 2

The Commission on Human Rights,

Recalling General Assembly resolution 1781 (XVII) requesting the Commission to prepare a draft declaration and a draft convention on the elimination of all forms of religious intolerance,

Recalling its resolution 10 (XIX) requesting the Sub-Commission on Prevention of Discrimination and Protection of Minorities to prepare and submit to the Commission at its twentieth session a preliminary draft of a declaration on the elimination of all forms of religious intolerance,

Noting the report of the Sub-Commission (E/CN.4/873, Chapter III) on the subject,

Noting the report of the working group (E/CN.4/L.713/Rev.1) established by the Commission at its present session to prepare a draft declaration on the elimination of all forms of religious intolerance,

Having been unable for lack of sufficient time to consider and to adopt a draft declaration on the elimination of all forms of religious intolerance,

1. Requests the Secretary-General to transmit (a) to Member Governments for comment not later than 15 June 1964 the report of the working group (E/CN.4/L.713/Rev.1) and the preliminary draft of a declaration on the elimination of all forms of religious intolerance submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/873, Annex); (b) to the ECOSOC at its thirty-seventh session the comments of Governments and the documents mentioned in (a);

2. Recommends to the ECOSOC to give such further consideration as it may deem practicable to the drafting of a declaration on the elimination of all forms of religious intolerance, in the light of the comments of Governments, and that it transmit the appropriate documents to the General Assembly for consideration at its nineteenth session;

3. Decides to prepare at the twenty-first session of the Commission a draft convention on the elimination of all forms of religious intolerance in compliance with General Assembly resolution 1781 (XVII);

4. Invites the Sub-Commission to prepare and submit to the Commission at its twenty-first session a preliminary draft convention on the elimination of all forms of religious intolerance

COMMISSION ON HUMAN RIGHTS

Twentieth session, February 17 - March 17, 1964

DRAFT INTERNATIONAL DECLARATION AND CONVENTION ON THE ELIMINATION
OF ALL FORMS OF RELIGIOUS INTOLERANCE

Report of the Working Group

Chairman-Rapporteur: Mr. George Hakim (Lebanon)

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4. The Working Group was instructed by the Commission to prepare a draft Declaration on the Elimination of All Forms of Religious Intolerance, using as a basis for its discussion the text submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/873. para. 142).

5. There was no disagreement in the Working Group that the Declaration should protect equally the right to adhere to any religion and the right to maintain any non-religious belief. Certain Members felt, however, that the text of the draft Declaration submitted by the Sub-Commission (E/CN.4/873, para. 142), which used the words "religion or belief", did not adequately cover the notion of non-religious beliefs, particularly "atheism". They would like to have the draft Declaration spell out clearly and categorically the right to non-religious beliefs, including "atheism" and to this end proposed that a definition along those lines should be inserted before article I. On the other hand, several Members felt that it was unnecessary to define the terms "religion" and "belief" since they were terms whose meanings were well understood in United Nations usage. However, a number of Members were prepared to co-operate in drafting a definition if one was deemed essential. The Working Group agreed to leave the question of a definition to the Commission and decided to transmit to the Commission the following suggested definitions:

- (a) Austria: "/"For the purpose of this Declaration the term 'belief' is understood as expression for the various theistic creeds or such other beliefs as agnosticism free thought, atheism and rationalism."/"
- (b) Ukrainian SSR: "/"In this Declaration the term 'religion or belief' means both religious beliefs and atheistic convictions."/"
- (c) United Kingdom: /"In this Declaration the term 'belief' includes both religious and non-religious beliefs."/"

6. The Working Group was not able to take into consideration more than the first six articles of the text submitted by the Sub-Commission (E/CN.4/873, para. 142) in relation to which it prepared the draft provisions set forth below. The words in square brackets are those on which no agreement was reached in the Working Group. The words "religion or belief" which appear throughout the Working Group's text are provisional only, and their final form will depend on the Commission's decision on the question of a definition mentioned above.

Text of the articles as prepared by the
Working Group

Article I

Everyone has the right to freedom of thought, conscience and religion. This right shall include freedom to adhere or not to adhere to any religion or ~~to~~ any religious or non-religious belief and to change his religion or belief in accordance with the dictates of his conscience, without being subjected to any coercion likely to impair his freedom of choice or decision in the matter.

Article II

Discrimination between human beings on the ground of religion or belief is an offence to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and as an obstacle to friendly and peaceful relations among nations.

Article III

1. No individual or group shall be subjected by any State, institution, group or individual on the ground of religion or belief to any discrimination in the recognition, exercise and enjoyment of human rights and fundamental freedoms.

2. Everyone has the right to effective remedial relief by the competent national tribunals against any acts violating the rights set forth in this Declaration or any acts of discrimination he may suffer on the grounds of religion or belief ~~with respect to his fundamental rights and freedoms~~ ~~as defined by the Constitution or by law~~.

Article IV

1. All States shall take effective measures to prevent and eliminate discrimination based on religion or belief, in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life. They should enact or rescind legislation where necessary to prohibit such discrimination and take all appropriate measures to combat those prejudices which lead to religious intolerance.

2. Particular efforts shall be made to prevent discrimination based on religion or belief, especially in the fields of civil rights, ~~access to~~ citizenship and the enjoyment of political rights, such as the right to participate in elections, to hold public office, or in other ways to take part in the government of the country as well as in the field of labour and employment.

Article V

1. Parents or legal guardians have the right to decide upon the religion or belief in which a child should be brought up. In the case of a child who has been deprived of its parents, the best interests of the child being the guiding principle, their expressed or presumed wish shall be duly taken into account. If the child has reached a sufficient degree of understanding, his wish shall be taken into account.

2. The decision concerning the religion or belief in which a child should be brought up must not be injurious to its interest or health, and must not do him physical or moral harm. The child must be guarded against practices which might inculcate in him any discrimination on account of religion or belief.

Article VI^{1/}

Every person and every group or community has the right to manifest their religion or belief in public or in private, without being subjected to any discrimination on the grounds of religion or belief; this right includes in particular:

(a) freedom to worship, to assembly and to establish and maintain places of worship or assembly:

(b) freedom to teach, to disseminate at home and abroad and to learn their religion or belief, and also its sacred languages or traditions;

(c) freedom to practise their religion or belief by establishing and maintaining charitable and educational institutions and by expressing the implications of religion or belief in public life;

(d) freedom to observe the rites or customs of their religion or belief.

1/ The inclusion of this article was agreed upon by all members of the Working Group. The representative of the United States of America felt, however, that the text failed to reflect all of the points covered in the original text of article VI, as transmitted by the Sub-Commission, and that it needed completing with the further provisions proposed by his delegation and appearing in the annex.

Annex

(Proposals submitted to the Working Group which were not discussed for lack of time)

1. Ukrainian SSR: proposal for a new article:

"1. In order to ensure full freedom of conscience, the Church is shall be separated from the State and the School from the Church.

"2. All churches, religious creeds and movements are equal before the law. No church, creed or religious organization is or may be the object of any privileges or restrictions in their activities. The domination, whether in name or in fact, of a particular church or creed shall be eliminated

2. Union of Soviet Socialist Republics: (a) proposal for a new preambular paragraph:

"Considering that freedom of atheistic beliefs is of the utmost importance to those who profess them, and that freedom of those beliefs, including the right to express them, should therefore be respected and guaranteed,"

(b) proposal for a new article:

"Freedom of religious and non-religious belief, and the rights and duties of persons of different beliefs, shall not be used for purposes of political or electoral campaign or the kindling of hatred between peoples and different religious and national groups."

(c) proposal for a new article:

"No religious creed or belief of any kind shall in any circumstance be used in order to prejudice the interests of strengthening universal peace and security or friendship and co-operation between peoples and States."

3. United States of America: proposal for new articles to follow after Article VI:

I

"Everyone, alone or in association with others, shall be free to comply with the tenets of his religion or belief, to observe its rituals, dietary and other practices, and to produce the objects, foods and other articles and facilities customarily used in its observances and practices, with freedom to import such articles from abroad if necessary. Where the State controls the means of production and distribution, it shall make these articles and foods available or provide the means for their purchase or production.

II

Everyone shall be free to observe the Holy Days associated with his religion or belief. Everyone shall have the right to make pilgrimages and other journeys in connexion with his religion or belief, whether inside or outside his country, and free access shall be granted to all Holy Places.

III.

Every individual and religious group has the right to legal protection for its places of worship, for its rites, ceremonies, and activities, and for the burial places associated with its religion or belief.

IV

Every person and every group, in accordance with his religion or belief, shall have the right to organize and maintain local, regional, national and international associations in connexion with their activities. Everyone shall have the right to communicate with and visit his co-religionists and believers, whether individuals or organizations at home and abroad."



Nr. 16

From the Bishops' Press Panel

September 23

It is not enough to argue for freedom of conscience, an American theologian said at the Bishops' press panel.

The speaker was Father John Courtney Murray, S.J. professor at Woodstock College, Maryland.

Freedom of conscience is intangible, he said. It is an interior freedom and cannot be touched. The problem is that of the free exercise of religion, he said. The declaration on religious liberty makes very clear, Father Murray continued, that the individual non-believer is not to be molested in his convictions or coerced in his person. But, he said, it also makes it very clear, without mentioning any specific nations, that massive atheistic propaganda is an infringement on religious liberty.

This is a most important aspect of the whole declaration, Father Murray remarked.

The text is not quite clear on whether the rights of religious liberty apply to the non-believer, Father Murray said, but perhaps it will be clarified.

The problem of the religious freedom is familiar to us in the United States, Father Murray continued. It has come up again in our courts and it has been greatly debated throughout our history.

It is not surprising that it should be considered at the Council, he said.

But, he continued, the great difficulty arises in trying to find the normal criterion which justifies the limitation on freedom to exercise the religious beliefs.

The Secretariat which has prepared the declaration is not entirely sure that it has found the right formula to express this criterion, Father Murray said, and he added that he suspects there will be a great deal of discussion and debate on it.

16-E-1964

CARDINAL OTTAVIANI SEES
WEAKNESSES IN RELIGIOUS
LIBERTY DECLARATION

Rev. Dr. Ralph M. Wiltgen SVD

Divine Word News Service
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ROME, Sept. 23 (DW) - His Eminence, Alfredo Cardinal Ottaviani, 73, head of the Doctrinal Commission of the Second Vatican Council, today pointed out various weaknesses in the schema on Religious Liberty for the Individual in Human Society. He said the Church had always taught the general principle contained in the declaration, that "no one must be forced into religion," and quoted Tertullian as a witness of this.

But he said the schema was guilty of exaggeration where it said "he is worthy of honor" who obeys his own conscience - and thus also God - even though "sometimes in a confused or unconscious manner." He said it would be better to say that such a person is worthy of "tolerance" or, at the most, "respect" or "charity".

Listing various weaknesses in the schema text, Cardinal Ottaviani said "the principle which says each one has the right to follow his own conscience must suppose that the conscience is not contrary to the divine law."

He said there was lacking in the text "an explicit and solemn affirmation of the first and genuine right to religious liberty which objectively belongs to those who are members of the true revealed religion." Such a religion's right is at once subjective and objective, while on the contrary for others who are in error there is only question of a subjective right.

To assert that every kind of religion has the liberty of propagating itself, he said, "is a very serious matter." He said this would "evidently result in harm for those nations in which the Catholic religion is the one generally held by the people," and added that their unity of faith "would thus be rent asunder."

He asked that religious liberty be not promoted too strongly, quoting the words of St. Paul to Timothy: "Reprove, entreat, rebuke with all patience and teaching, for there will come a time when they will not endure the sound doctrine (2 Tim. 4, 2-3)."

An Ecumenical Council of the Catholic Church, Cardinal Ottaviani said, cannot ignore the fact "that the rights of the true religion are based not only on merely natural rights, but also - and to a much greater degree - on the rights which flow from revelation." He reminded the Council Fathers that they are not taking part merely in some philosophical or naturalistic congress, but in a Council of the Church of Christ, and therefore have the obligation to proclaim and defend true religious liberty, trampled under foot today in so many countries.

15-E-1964
58 LATIN AMERICAN BISHOPS
WARMLY APPROVE OF
DECLARATION ON RELIGIOUS
LIBERTY

Rev. Dr. Ralph M. Wiltgen SVD
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ROME, 23 Sept. (DW) - His Eminence, Raul Cardinal Silva Henriquez, 57, Salesian Archbishop of Santiago in Chile, speaking in the name of 58 Latin American Council Fathers, gave warm approval to the declaration on Religious Liberty which came up for discussion today. "The Text pleases us," he said in the Council Hall, "but we are submitting a few amendments in writing."

"The great value of the declaration consists in its being issued not as a chapter of some schema," the cardinal said, "but as an independent declaration meant for all mankind." He called this "one of the special reasons why we approve of the text."

He said the text "pointed out very well the reasons why in the present condition of human society the observation of religious liberty must especially be urged, and also why this liberty is recognized for individuals as well as for religious groups, within the limits given by God to society."

Cardinal Silva Henriquez said "we fully approve of what is said about the incompetence of civil powers, as such, in determining the relations of citizens with their Creator and Saviour. This affirmation reinforces the right of liberty of the Church in those regions where today this liberty is unfortunately being trampled upon by the state."

Stressing the significance of the declaration, the cardinal said, "A proclamation by the Council on religious liberty seems to us of the greatest importance, not only for Christians but also for all men, whether they be of the entire world, or whether specifically of Latin America." In the world at large, he said, Catholics would be disabused of the idea that religious liberty springs from their being "a majority or minority group in civil society".

He said a United Nations document issued this year on religious liberty likewise stated that religious liberty is based "on the recognized dignity of the human person and on the admitted incompetence of civil powers in discriminating against religious truth held either by individuals or by groups."

According to the cardinal "this Council declaration is of special importance for the evangelization of Latin America" which needs "to be Christianized anew," because of the modern development there of ideas on the individual and on the common good, and "because of special difficulties that have arisen for their traditional faith." He said that Latin Americans wanted such a declaration, and added that there could be no real ecumenical movement in Latin America until non-Catholic Christians "become aware of our sincere recognition and defense of this fundamental liberty."

Cardinal Silva Henriquez closed his remarks with a condemnation of proselytism, saying this was carried on by some Christian non-Catholic groups and also by some Catholic groups, whereas both groups should be more concerned with evangelization or true pastoral concern for souls. He said the declaration on religious liberty would put a brake on proselytism.

18-E-1964
BISHOP DE SMEDT EXPLAINS
IMPORTANT DECLARATION
ON RELIGIOUS LIBERTY

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ROME, Sept. 23 (DW) - Discussion on the Declaration of Religious Liberty was opened today in the Council Hall by a detailed report or "relatio" on the schema given by Bishop Emile Josef De Smedt, 54, Bishop of Brugge in Belgium. Bishop De Smedt is a member of the Secretariat for Promoting Christian Unity which helped prepare the Declaration.

Discussion in the Council has always perfected the various schemas, he said, "but the new edition of the schema presented to you today could not yet enjoy the benefit of such conciliar discussion." He said that not less than 380 written observations and amendments had been sent to the General Secretariat of the Council by the Council Fathers, and "have been most accurately examined by the Secretariat for Promoting Christian Unity."

"The present new edition being given to you still needs to be perfected in many points," he continued, "since as all of you know, religious liberty has never been treated in an Ecumenical Council." He told the Council Fathers that the ones drafting the Declaration "desire and beg to be illumined in their arduous labor by the Holy Spirit, through means of the amendments which they hope will be proposed by you in the Council Hall or in writing."

He then pointed out various parts of the Declaration with which those drafting the text were not yet satisfied, or which needed to find a better form of expression. Council Fathers had asked in writing, he said, that "more explicit indications be given as to the rights possessed by religious groups," and that - to avoid every danger of subjectivism and indifferentism - it be stated clearly that man, in forming his conscience, "must seriously inquire into the demands of divine law which is always binding for all men."

Bishop De Smedt explained the major objections to the text, one of which proposed the use of "Religious Tolerance" instead of "Religious Liberty," but he defended the use of "Religious Liberty." The text was not to be a doctrinal one, he said, but rather a pastoral document. Some Council Fathers had said the text was neither logically arranged, nor clear, which Bishop De Smedt then attempted to disprove, giving the outline of the Declaration:

He said the Declaration consisted in a definition of what was meant by "religious liberty," followed by four sections showing 1) the Council's directives for Catholics on the attitude they must have in this matter; 2) the right an individual has to religious liberty and what this entails for other individuals as well as for society at large and for state officials; 3) the right of religious groups, considered under the same aspects as the right of an individual; and 4) the impossibility of mankind peacefully living together unless religious liberty is given sincere recognition.

17-E-1964
BISHOPS OF UNITED STATES
FAVOR COUNCIL DECLARATION
ON RELIGIOUS LIBERTY

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ROME, Sept. 23 (DW) - His Eminence, Richard Cardinal Cushing, 69, Archbishop of Boston, speaking "in the name of almost all the bishops of the United States," said today in the Council Hall that "the declaration on religious liberty in general is acceptable," but does need some amendment here and there.

"But it is earnestly hoped," he said, "that the amendments be such that the Declaration be stronger in the meaning it already expresses, and not weaker." He said "the substance of the doctrine as we have it here is true and solid, and it is aptly appropriate for our times. Therefore the declaration must remain intact as to its essential meaning."

Cardinal Cushing said it was of the greatest importance that the Church in this declaration "show herself to the entire modern world as the champion of liberty, of human liberty and of civil liberty, specifically in the matter of religion." He said the question was a practical one of great importance, "both for the life of the Church and for the social and civil life." It was likewise a doctrinal question, he said, "for the doctrine of the Church on religious liberty in modern civil society has not yet been declared clearly and unambiguously".

The cardinal said "this clear declaration is owed to the whole world - both Catholic and non-Catholic - which is indeed awaiting it."

The whole matter of religious liberty "can be reduced to two propositions," Cardinal Cushing said. "First: throughout her history the Catholic Church has ever insisted upon her own freedom in civil society and before public powers," he said. "The second proposition is this: that same freedom in civil society, which the Church has ever insisted upon for herself and her members, she now in this our age also champions for other churches and their members, indeed for every human person."

Cardinal Cushing then quoted Pope John XXIII as supporting the second proposition in his Encyclical Letter "Pacem in Terris" where he said, "Every well ordered society is grounded in truth, in justice, in love, in liberty". Equal and universal religious liberty is demanded by fundamental truth, the cardinal said, because all men are equally endowed with the same human rights "among which Pope John specified the right to religious liberty".

Religious liberty is demanded also by justice, he said, "for justice requires that all citizens equally enjoy the same civil rights... and among these rights the first is the right to religious liberty".

It is further demanded by love "because there is nothing that more violently destroys unity and civil friendship than coercion or discrimination on religious grounds..."

And religious liberty, he concluded, is demanded by the very principle of civil liberty which, as the highest political end, "is also the means necessary to attain the higher ends of the human person." One of these particular ends, he said, was religious freedom, "or the immunity from all coercion in religious affairs," which he called "a necessary means by which man, in a manner which is human and willed by God, can seek God, can find Him, can serve Him." Cardinal Cushing on finishing his address was applauded; it was the first time that he had ever spoken on the Council Floor.

Session No. 3NEWS BULLETIN NO. 8GENERAL CONGREGATION NO. 87

The 87th General Congregation of the II Ecumenical Vatican Council opened on Thursday morning; September 24, 1964 with the Votive Mass of the Holy Spirit celebrated by the Most Rev. J0seph Cordeiro, Archbishop of Karachi, Pakistan. Bishop Joannes Maria Holterman, O.P., Bishop of Willenstad, Island of Curacao, enthroned the Gospel Book. During the Mass, special selections in Gregorian Chant were sung by a group of choir boys from Bresseto (Parma). The Moderator for the session was Cardinal Leo Jozef Suenens, Archbishop of Malines-Bruxelles, Belgium.

The General Secretary announced that the deadline fixed for the presentation of summaries by those who wish to speak on the schema on Divine Revelation for Sept. 25 is to be understood as referring only to the first part of the discussion, namely to the introduction and chapters 1 and 2. The deadline for the second part, which will take up Chapter 3 on the inspiration and interpretation of Sacred Scripture will be Sept. 28, while Sept. 30 will be the final day for presenting summaries dealing with chapters 4-6, on the Old and the New Testaments and on Scripture in the life of the Church.

During the continued discussion of the declaration on religious liberty, the Council Fathers completed the six votes scheduled for today's Congregation:

Vote 19. Individual Bishops exercise their power over the portion of the people of God assigned to them but as members of the Episcopal College they are under obligation to be also interested in the universal Church. This is not an expression of jurisdiction but something which promotes the unity of Christ's mission for the Church. Votes cast: 2,226; Placet, 2,162; Non placet, 64.

Vote 20. The text states the obligation of individual Bishops to be missionary-minded in helping to supply men and money for needy churches - Votes cast, 2,228; Placet, 2,205; Non placet, 23.

Vote 21. The text approves and encourages the formation of Episcopal conferences. Votes cast, 2,226; Placet, 2,147; Non placet, 77; Null, 2.

Vote 22. Insists on the element of service in the discharge of the mission of teaching and preaching. Votes cast, 2,225; Placet, 2,189; Non placet, 35; Null, 1.

Vote 23. Bishops can be canonically established in conformity with customs approved by the Holy See, by local laws, or by the Roman Pontiff, but if in any case, the Pope refuses Apostolic Communion, the Bishop in question cannot be regarded as a valid member of the Episcopal body. Votes cast, 2,221; Placet, 2,177; Non placet, 43; Null, 1.

Vote 24. The principal duty of Bishops is to preach the Gospel. Votes cast, 2,203; Placet, 2,152; Non placet, 51.

The following speakers continued the Council discussion on the text of the Declaration on Religious Liberty:

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1. Cardinal Franziskus Koenig, Archbishop of Vienna;
2. Cardinal Michael Browne of the Council Theological Commission;
3. Archbishop Pietro Parente, Assessor of the S.C. of the Holy Office;
4. Archbishop Pedro Cantero Cuadrado, Archbishop of Zaragoza, Spain;
5. Bishop John Abasolo, Bishop of Vijayapuram, India;
6. Archbishop Enrico Nicodemo, of Bari, Italy;
7. Bishop Jose Lopez Ortiz, of Tuy-Vigo, Spain;
8. Bishop Antonio De Castro Meyer, of Campos, Brazil;
9. Bishop Giovanni Canestri, Auxiliary of the Cardinal Vicar of Rome;
10. Bishop Johannes Pohlschneider, of Aachen, Germany;
11. Archbishop Marcel Lefebvre, Superior General of the Congregation of the Holy Spirit;
12. The Very Reverend Joseph Buckley, Superior General of the Society of Marists;
13. Bishop Ernest Primo, of Manchester, New Hampshire;
14. Bishop Peter Nierman, Bishop of Groningen, Holland;
15. Bishop Angel Temino Saiz, of Orense, Spain;
16. Bishop Michal Klepacz of Lodz, Poland;
17. Archbishop Marcel Dubois, of Besancon, France;
18. Bishop Anastasio Granados, Auxiliary of Toledo, Spain;

The remarks of these Council Fathers can be summed up in the following paragraphs;

1. Although the declaration is altogether acceptable as it stands, still it should not keep silence regarding the tragic fact that there are nations who enjoy no religious freedom. Some governments today are militantly atheistic, while others grant religious freedom only when this can be distorted so as to mean the suppression of all religion. In these countries Catholic education is barred from using any of the public media of communication and is even punished as a crime. This is against the 1948 declaration of the United Nations. It is likewise against the idea of sincere tolerance as expressed by the Council in keeping with the needs of our pluralistic society today. This attitude is likewise against scientific principles because nothing is more anti-scientific than to suppress the opinions of others. Those who act in this way set themselves up as infallible and proclaim an atheistic intolerance which is far worse than any conceivable religious intolerance. This is a direct offense to the dignity of man. The fostering of religious prevents totalitarian domination by any government while the denial of religious liberty is in contradiction with social progress and human dignity. The Council should find a way to speak out in the name of all men in order to arouse the conscience of the world and to prevent those deplorable situations where atheism has all the privileges and religion has no rights. Government can be separated from atheism

2. The declaration cannot be approved in its present form, a form which is not even necessary for the peace and unity for the peoples of the world today. It puts the foundation of religious liberty in the rights of the human conscience. But it is evident that social rights based on an individual conscience which is erroneous cannot be equated with rights flowing from an individual conscience which is right. John XXIII did not speak of the dictates of any conscience as being a norm, but only of the dictates of a right conscience. The norm of a right conscience is the Divine Law. In his allocution to the Roman prelates in 1946, Pius XII set forth an altogether different foundation for religious liberty, basing this liberty not on the rights of the individual conscience but rather on the demands of the common good.

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3. The text cannot be approved as it stands. To the rights of God it prefers the rights of man and his liberty and the rights of his conscience. There is no clear distinction between the objective and subjective aspects of truth and error, nor is there a forthright admission of the mission of the Church. Much in the text is open to equivocation. We should be concerned about the probably reactions among various governments and learned circles. Our declaration speaks of protecting the followers of every religion in the name of liberty of conscience. It seems to forget the duty of the Church to preach the truth with prudence and charity. It is an unfortunate suggestion which would have the Church make use of her extraordinary magisterium to proclaim absolute religious liberty. The text should be amended in such a way as to safeguard basic principles. It contains much truth but it should avoid even any semblance of argumentation and set forth only what is absolutely true and uncontested in keeping with the observations made yesterday by Cardinal Ritter.

4. The text is acceptable in general and must be regarded as necessary for any ecumenical dialogue. As regards its internal structure, this should correspond to the pastoral and ecumenical aims of the Council. The treatment should remain on the juridical, not the practical plane. It must not be forgotten that there can be no freedom of religion before God since man has no right of choice in the Presence of God when God has made known His Will. When we consider the social nature of religious liberty, we should carefully avoid equivocal concepts, in order, as the text does not do, to distinguish clearly between religious liberty and liberty of conscience. They differ in their subject, because religious liberty deals with the individual and society whereas liberty of conscience concerns the individual alone. Religious liberty concerns only religious acts and liberty of conscience has a wider scope, and thus these two forms of liberty differ in their objects. They likewise differ in their scope. Liberty of conscience means immunity from external coercion. It is a moral faculty which does not always need to be accompanied with external rights. The exercise of religious liberty is not absolute but must be conditioned by many circumstances because it must be reconciled with the rights of others.

5. When speaking of religion we should put more emphasis on the concept of beauty than on that of right. Man's rights in matters of religion, such as freedom of worship, arise basically from man's duties towards God. It must not be forgotten that not all consciences have the same rights. The rights of a conscience which is correct are on a higher plane than those of a conscience which is invincibly erroneous. Only what is true and right can be a source of inviolable rights. Consequently the title of the declaration should be made to read "The Duties and Rights of Individuals and Communities in Matters Religious." A man's subjective obligation in matters religious comes from his conscience, while the objective obligation stems from the Divine Law. Those who profess the truth have absolute and inviolable rights both before their conscience and before society. Those who are in error will not necessarily have the same rights as far as society is concerned. There can be no right to persuade men to error because this would be sowing cockle in the field of the Lord. Christ proclaimed that we are to observe everything that He has commanded us and reminded all men that he who is not with Him is against Him.

6. To avoid perplexity and confusion of ideas, certain principles should be clearly stated. Although we distinguish error from the erring, we must not forget that error as such can have no rights. Religious liberty is not based on any objective right inherent in error but on the subjective right of the human person to follow the dictates of his conscience. An erroneous conscience cannot act against the natural law and it is here that public authority can intervene. Religious liberty can never mean that an individual has the right to judge the religious society to which he belongs.

segue...

7. Because of its false and harmful consequences, the passage declaring the incompetence of the state to judge of truth regarding religion, should be deleted from the text. Although brief, the passage is very dangerous. It insinuates that no Government can declare itself Catholic if it so wishes. When a Government makes such a declaration, it is not passing judgment on truth concerning religion but only solemnly manifests its obedience to the Divine Law. If Governments had no right to judge on any religious matter, then they would have to be agnostic, which is inadmissible. When the citizens of a nation, with practical unanimity profess the true religion, then the state should act accordingly.

8. The declaration needs to be completely recast. It states the equality of rights for all religions, true and false, whereas the public profession of religion is to be allowed only to the one true Faith. Human nature is perfected only in adherence to the good and the true. Therefore human nature can derive no dignity from error even when it is error in good faith. Mutual relationships in society must be based on the natural law and the positive law of God. This law of God commands that all men accept the true faith. No man will ever be damned except through his own fault, but all men are under obligation to embrace the faith revealed by God.

9. Religious liberty does not always come from conscience as its foundation. We must beware lest the practice in the doctrine of the Church be changed in some of its substantial elements. It is false to declare that all proselytism is bad. Proselytism is to be condemned only when it uses dishonest means. It is wrong to proclaim the neutrality of the State. Leo XIII declared that, notwithstanding certain advantages it might have, this neutrality is not always the best solution of the problem.

10. This declaration is a truly historical document which will serve the good cause of peace on earth. It needs to be supplemented, however, by a reference to freedom of education. This point might be regarded as being more appropriate in the schema on Catholic schools, but it really has its place here also, at least in brief mention. Our affirmation of liberty of education should be directed not merely to atheistic governments but to the governments of all nations. The complete freedom demanded by human dignity is not only freedom of conscience and freedom of worship but it also extends to that duty which is the gravest of all for parents and which consists in the right to educate their children. This basic right should never be interfered with by any state monopoly. It is the duty of the state to enable parents to make a free choice of schools, without this choice resulting in additional burdens for the family. These rights are in some degree violated everywhere in the world today. Because these facts are not commonly known, it belongs to the Council to bring them out in the open with a firm demand for tolerance toward schools and the education of youth.

11. Unless revised on a broad scale, the present declaration can involve great dangers. The text should distinguish the internal acts of conscience from external acts. They are not in the same category because external acts always entail the dangers of scandal because of our human associations. The exercise of liberty in external acts involve public authority. It would be impossible to affirm full religious liberty for all groups without thereby in some cases condoning immorality. Because of the close connection of religion and morality some groups make immoral acts part of their religion. It is likewise a mistake to formulate a doctrine in view of only one particular set of circumstances, such as might prevail in one particular country. Unless corrected, the declaration could be quite harmful.

12. There is an urgent need to affirm the sacred right of religious liberty. One correction is needed in the text which often

often refers to religious liberty as flowing from man's response to his "divine vocation." According to this, any sincere conscience, even when erroneous, is the echo of a divine vocation. As a matter of fact, we know that it is impossible for a man to know always, in the concrete, exactly what God demands of him in a particular situation. There would be a danger of pseudo-mysticism if the expressions of the text were pushed too far. The affirmation that an erroneous conscience can represent a divine vocation is the culminating point reached by unhappy concept of divine vocation as here set forth. Consequently, this expression must be avoided. The basis of religious liberty should be made to consist in the obligation flowing from conscience under God, i.e., the categorical imperative of conscience. There is no right not founded on a prior obligation. Man has the right to worship God according to his conscience because he has the obligation to do so. We should not forget that at times the rights of one individual can be restricted because they are in conflict with the rights of others. We should adopt the text with necessary corrections lest we disappoint the world.

13. We should distinguish between religious liberty which is internal and personal and religious liberty which is external and social. In present day parlance the first is called liberty of conscience, while the second is known as freedom of worship. There is a commonly accepted bond between the two. We must beware of that false concept of man which would make him first an individual and then social. Man is essentially social. We should not allow any dichotomy in human personality. Because of this, it is unlawful to recognize a man's right to freedom of conscience while restricting him in his freedom of worship. Both freedoms are equally essential and pertain to the integrity and dignity of the human person. Freedom of worship is not only a logical deduction from freedom of conscience. Religious freedom must be regarded as a true and strict right. In this light, it constitutes a guarantee of immunity from coercion.

14. The declaration has great value as regards its description of the nature of religious liberty and its practical implications for the life of the Church. The principles laid down on religious freedom may at times be invoked to justify the restriction of freedom of worship by particular religious groups.

15. Man's first obligation is to heed God when He has spoken clearly. It would be a bad thing to publicly and socially subject God to individual reason and to equate those who heed God with other men. The declaration is based on the equality of all religions in society and for this reason it must be revised drastically. At times it may be in the interest of the Church to permit broader religious liberty and we should base our proclamation of religious liberty on this fact, not of false principles smacking of humanism -- which would consider man as the supreme norm and the source of all rights giving worship to God.

16. The declaration omits an important point, namely the discussion of the relationships of the society, the state, the nation, and the human race to the individual and the individual's relationship in turn to the community. Important considerations are contained in any reflection on the mutual obligations of the individual and society, especially in the light of justice.

17. The text is too philosophical and too juridical. It should be given a tone more in keeping with the spirit of Sacred Scripture and Tradition. Every man must be regarded as a man, as a member of human society and as an object of the love of Christ. It was for these reasons that St. Augustine addressed a heretical Bishop as "honorable brother," as he explained in the letter addressed to this individual. Our Lord, Himself commended religious liberty as can be seen in the passages comparing the Apostles to light and salt, comparisons which exclude

coercion. Many other texts of Sacred Scripture could be used appropriately.

18. In this declaration there is both a doctrinal and a practical aspect. It is better for us here to refrain from passing judgment in the practical order. As regards the doctrinal aspect, the principle which enunciates the strict right of all religious groups to profess their own doctrines, true or false, the following observations are in order. 1) This doctrine is new in the Church. Our traditional doctrine has always been only truth has rights while error is treated with tolerance if this is demanded by the common good. 2) This doctrine is opposed to the mind of Pius XII as expressed in his allocution "Ci riesce". 3) The declaration makes an unlawful tradition from the subjective to the objective order. 5) This principle cannot be reconciled with the concept of religious liberty as set forth in the doctrine itself.

The Congregation adjourned at 12:35.

* * *

PLEASE NOTE:

1. Until further notice the daily briefing of the English language journalists will take place at Via della Conciliazione, 51, in a hall which opens to the left off the cloister at the entrance.

2. The information given yesterday on the appointment of new Men Auditors and Women Auditors erroneously listed Mother Mary Luke as Superior General of the Convent of St. Joseph of Mt. Carmel of Dubuque, Iowa. Mother Luke is Superior General of the Sisters of Our Lady of Loreto at Nerinx, Kentucky.

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RELIGIOUS NEWS SERVICE

FOREIGN SERVICE

-7- THURSDAY, SEPTEMBER 24, 1964

RELIGIOUS FREEDOM DECLARATION'S
MAIN POINTS ARE OUTLINED

By Religious News Service (9-24-64)

VATICAN CITY (RNS) -- Hailed by both the Catholic and non-Catholic worlds as of epochal importance, the declaration on religious liberty on which debate opened at the Second Vatican Council's 86th general congregation will remain a secret document until -- as is generally expected -- it receives final approval.

However, the Council's press office made public some of the main points of the document which Richard Cardinal Cushing, Archbishop of Boston, in opening the debate, declared was demanded by "decent respect for the opinions of mankind." This was a quotation from the American Declaration of Independence.

Appended as a declaration to the schema on ecumenism, the text on religious liberty affirms, among other things, that men have the right to practice their own religion privately and publicly and no restriction must be placed on this right. Other points stressed are:

Religious liberty must be recognized and respected by all and everyone. No one can be forced to embrace the (Catholic) faith.

If, in his attempts to know the will of God, a man falls into an erroneous interpretation of that will, no man and no power has the right to induce him to act contrary to the dictates of his conscience.

Men, as individuals or groups, have the right to organize according to their religious precepts the whole of their family, educational, cultural, social and charitable life.

The exercise of this right can be restricted only when it is in grave conflict with the ends of society.

It is unlawful for the state to discriminate against religion. It must protect and encourage religious liberty.

The Catholic Church expects from state authorities a recognition of the rights of religious liberty in social co-existence.

Religious groups are entitled to carry on a sincere and honest propagation of their religion, but must refrain from any proselytism which would employ dishonest means.

Civil authorities have no direct power to regulate the relationships of their citizens with God. Consequently they may not subject religious groups to the temporal aims of the state.

There can be no peaceful co-existence in the human family in the world today without religious liberty in society.

(more)

The draft on religious liberty was presented to the Council by Bishop Emile Josef de Smedt of Bruges, Belgium, who also had been selected to present the original version of the now-revised text at the Council's second session last year.

In 1963, the bishop, a member of the Vatican Secretariat for Promoting Christian unity, noted that it had strong ecumenical aspects because of the fact "many non-Catholics hold the Church in aversion and suspect her of Machiavellianism for allegedly demanding religious freedom where she is in a minority and ignoring it when she gets control."

In detailing the revised text, he told the Council Fathers at their 86th general congregation that "the real foundation of religious liberty is found in the nature of the human person as created by God."

"The right of religious liberty," he added, "rests upon the fact that, under the guidance of his conscience, every human being must obey God's call and will. Regarding the very difficult problem of the restriction of religious liberty, the Council is not appealing to the common welfare, but more profoundly to the order established by God for society. In a matter of this kind, it is impossible to find any formula which could not be distorted by an abuse in the hands of ill-intentioned public authorities."

The religious liberty draft was prepared by the Secretariat for Promoting Christian Unity, headed by Augustin Cardinal Bea, with a large measure of assistance from Father John Courtney Murray, S.J., of Woodstock College in Maryland, an authority on Church-State relations.

Speaking at the American bishops' press panel, he explained that, in American terms at least, freedom of religion was subject to three criteria: public peace, public morality (including public health) and harmony in the exercise of all civil rights.

As to the first, he said, there can be no "religious freedom" to stage a parade down New York's Fifth Avenue at the noon rush hour. Public morality was violated by Mormon polygamy and public health by fundamentalist "snake-handling sects," and both were suppressed, he said, adding that harmony in the exercise of all civil rights implies that the personal exercise of religious liberty does not infringe on the exercise of other rights by another.

Because of the situation in Spain, where a law has now been proposed to improve the status of the Protestant minority, special interest was aroused by the speech made at the Council by Jose Bueno y Monreal, Archbishop of Seville, who joined the strongly conservative Alfredo Cardinal Ottaviani, Secretary of the Sacred Congregation of the Holy Office, in criticizing the religious liberty draft.

The Spanish cardinal obviously had strong reservations against the freedom of Protestant "proselytizing" in his traditionally Catholic homeland.

He said he agreed that the doctrine of the declaration was "generally correct," but he said he felt that it needed a certain clarification, "differing as it does from previous stands of the Church on this topic."

"We should not forget," he said, "that although applications may sometimes change, fundamental principles always remain the same. One weakness of the declaration would seem to be that it makes a transition from the doctrinal level to a juridical or political level."

"It also passes from personal liberty to freedom of action in society, that is, to circumstances which may interfere with the rights of others. It is sometimes lawful to prohibit the spread of error when it can do harm to those who want to profess the faith they have received from Christ."

RELIGIOUS NEWS SERVICE

FOREIGN SERVICE

-9-

THURSDAY, SEPTEMBER 24, 1964

Spanish Prelate's Freedom Views
'Disappointing' To Protestants

By Religious News Service (9-24-64)

MADRID (RNS) -- Protestant circles here voiced "disappointment" over a statement on the question of religious liberty made in Rome by a Spanish prelate attending the Second Vatican Council.

As the Council began debate on a religious freedom declaration, Archbishop Casimiro Gonzalez of Madrid, in an interview with a representative of EFE, Spanish foreign news agency, was reported to have defended restrictions on Protestant "proselytizing" in this country.

The archbishop was quoted as stating that in regard to a projected law to regularize the status of the Protestant minority in Spain, "the state has undeniably shown goodwill, and the Church also has faced up to realities by not overlooking the fact that there is a small number of non-Catholic Spaniards, not to mention non-Catholic foreigners either living or transient in Spain."

However, he went on to defend the "limitations, if they may be so called, on the liberty of non-Catholics" in Spain such as the restriction on all proselytizing, saying this was "in accordance with accepted doctrine on which we Christians, Catholic and non-Catholic alike are agreed, while granting to the latter (non-Catholics) whatever may be necessary for the development of their religious life."

Protestant sources said they hoped to get a more complete report of Archbishop Gonzalez' remarks, but meanwhile they could not but be disappointed over what had already been reported.

They said the Vatican Council's discussion of religious liberty had only just begun, and held that the archbishop's observations would appear to prejudge the outcome of the Council's deliberations so far as the issue of religious liberty in Spain was concerned.

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SYRIAN RITE DIOCESE TO GET
OUR LADY OF FATIMA SHRINE

By Religious News Service (9-24-64)

LISBON (RNS) -- Plans for building a shrine in his home diocese dedicated to Our Lady of Fatima were announced here by Syrian Rite Chor-Bishop Etienne Rahal of Damascus, Syria.

The prelate, who has been promoting devotion to Our Lady of Fatima in his native country, said he had already obtained a plot of ground for the projected shrine.

He is the Vicar General of the Syrian Rite See of Damascus headed by Archbishop Georges Sade. His title of chor-bishop is one of honor, giving him the right to certain pontifical insignia although not having any episcopal powers.

He celebrated a Mass according to the Syrian Rite in the Chapel of Apparitions at the Fatima Basilica, and was scheduled to sing a High Mass in the Salesian church here.

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n° 21

September 24th, 1964

Press release from the U.S. Bishops' Press Panel

There is no contradiction between full religious freedom, as it is expressed in the declaration on religious freedom, and ancient historical ties between a state and a religious group, a theologian and expert on Church-State relations said here.

The statement was made by Father John Courtney Murray, S.J. professor at Woodstock College, Maryland, at the U.S. Bishops' press panel meeting. Father Murray said that there is nothing in the declaration to prevent a nation proclaiming that the majority of its citizens are Catholic or Lutheran or Muslim.

This, he said, would just be a statement of fact, and a statement that people might set store by because it means the continuation of a long historical tradition.

Some changes might be made in virtue of the declaration on religious freedom; Father Murray continued, but only in cases where the establishment of one religion means that other religions are excluded.

Father Murray added that the declaration would not permit the use of governmental or legal coercion to exclude other religious groups from their proper place in public life. Questioned about the newness of the expression of religious liberty, Father Murray said that the declaration is both traditional and new.

He said that the Catholic tradition is one of progress, and a progressive search for a deeper, and perhaps new, understanding of tradition.

He cited the instance in which the question of religious liberty was raised in the nineteenth century. It was dealt with differently then, because the question then was put forward in a different form, he said.

The Church is searching her own mind, he stated, within her own tradition, as to what the answer is to the new question which arises today.

Father Murray also explained the grounds on which the argument for religious liberty is based. He pointed out that the demand for religious liberty is based on principles: human dignity, love for man and civil freedom... the same principles as expressed in Pope John's encyclical "Pacem in Terris".

But, he noted, these are not the same grounds on which the Church claims freedom for herself, for her ministers and her people. This claim, he said, is made on the grounds of divine law because the Catholic Church believes that she is the one true Church, established by the will of God and as expressed in the New Testament. In the regard to the concrete affects of the declaration, Father Murray said that he thought it would have been unwise for the declaration to descend to the application of the principles outlined in the text. It would have to vary from country to country, he said.

Nº 20

Friday, 25th Sept. 1964

Prof. R. Holk at the DO-C Press Conference

The I.A.R.F. and Religious Liberty

As delegate for the Intern Association for the Liberal Christianity and Religious Freedom I am of course deeply interested in the proceedings of the Council in this matter.

Rather disappointed in Dec. '63 that there had been no vote on the Schema De Lib. Relg., we are all the most grateful that now this theme is handled with full attention and interesting discussions. There are several points meriting more explicit mentioning:

1. Combining religious liberty with civic rights gives them a firm part in modern social consciousness and democracy.
2. By acknowledging the fundamental necessity of forming and accepting a religious conviction as the basis of a personal free decision there is reached an acceptance of Man's Coming -of- age, closely akin to all modern social and psychological thinking.
3. It is a pity, however, that the Schema does not push into the biblical foundation of religious liberty, as given e.g. in the preaching of Saint Paul (2 Cor 3,17). That would have made the case even stronger.
4. It also seems a lack now that nothing is said about the right not-to-believe in the traditional truth, although everybody can see that the non-religious conviction ("humanism") takes a powerful place in the spiritual life of today.
5. Nevertheless there is strong reason for rejoicing in this Schema: the acceptance of liberty, tolerance and pluralism, by now guaranteed.

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RELIGIOUS NEWS SERVICE

FOREIGN SERVICE

-21-

MONDAY, SEPTEMBER 28, 1964

BRITISH PRIMATE, BISHOP WRIGHT
ENDORSE RELIGIOUS FREEDOM DRAFT

By Religious News Service (9-28-64)

VATICAN CITY (RNS) -- Religious liberty provides advantages for the common good so great that they outweigh the possibility that "errors" would be propagated, Archbishop John C. Heenan of Westminster told the Ecumenical Council.

Speaking on behalf of all the bishops of England and Wales, the British Primate said that the common good of all mankind required that religious liberty be implemented in every country.

In endorsing the Council's proposed religious freedom declaration, the British prelate was supported by Bishop John J. Wright of Pittsburgh, who also discounted the possibility of "errors" being promoted.

"The denial of religious freedom," said the American bishop, "brings greater harm to the common good than that which could come from the propagation of error."

He said the declaration "has too propagandist a character without fully exhausting the arguments concerning relations between religious freedom and the common good... Religious freedom is part of the true conception of the human person and of society."

Archbishop Heenan opened his address with a summary of the history of religious liberty in Great Britain. He noted that although the Anglican Church has been the country's "official" religion for a long period, "all religious confessions in Great Britain have enjoyed the fullest freedom of action."

"This is proved by the absolute equality of rights in Catholic and Anglican schools," he observed... "In the light of its experience, the English hierarchy unreservedly approves the declaration."

Asserting that Catholics have a "moral obligation" to tolerate non-Catholic confessions, Archbishop Heenan said that the denial of religious freedom is not justified on the grounds that "risks and dangers" may be derived from the "distant possibility of the propagating of error."

Bishop Hadrianus Dedungo of Masaka, Uganda, speaking for many African bishops, also emphasized the necessity for the Council and the Church to "recognize and proclaim" religious freedom.

The debate on this declaration was closed by Archbishop Jean B. Zoa of Yaounde, French Cameroons, who said the statement "must be universal in that it must take into account the need of the whole human race, founded on doctrine, clearing itself of error and of every accusation of pragmatism."

"Without the affirmation of such a principle, indeed we cannot approach the man of today. The declaration was absolutely necessary not only for particular ecumenical reasons, but also for missionary ones."

He added that without such a declaration "we unconsciously betray Christ who came to us in the spirit of meekness and charity, not of coercion."

21-E-1964
AFRICAN ARCHBISHOP ASKS FOR
REJECTION OF ALL COERCION
IN RELIGIOUS MATTERS

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Divine Word News Service
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ROME, Sept. 28 (DW) - "If we do not explicitly and clearly reject without any loopholes the deplorable doctrine of legitimate coercion in religious matters, we shall appear to have made some small concession to modern thought, but will have proclaimed no truth," said African-born Archbishop Jean Zoa, 40, head of the Yaoundé Archdiocese in Cameroun and member of the Missions Commission of the Council, speaking today in the Council Hall on the Declaration on Religious Liberty.

Cloture on this debate had been called near the end of last Friday's session, but Archbishop Zoa received the necessary 70 signatures "of many bishops of Africa, Madagascar and many other regions;" and so was given the floor.

His remarks seemed aimed against that part of the Declaration text which speaks of state protection for certain religions. If this part of the text is not deleted, he said, "we shall appear to be skillful politicians or diplomats, but we shall gain the serious confidence of no one, and people will begin to think that, when we find ourselves in a favorable position, we shall once again defend coercion in religious matters."

It is absolutely necessary, he said, that religious liberty be doctrinally and not merely pragmatically justified, both in a positive way "by recalling the absolute dignity of the human person created according to the image of God, and by recalling the reverence due him especially in religious matters;" and also in a negative way "by solemnly rejecting the so-called right of using coercion on people, should here or there in the future a concrete possibility of practicing such coercion again present itself."

Archbishop Zoa, an outstanding African clergyman and one of the leaders of the Pan African Conference of Bishops, gave three reasons why the Declaration on Religious Liberty was "absolutely necessary" for the mission of the Church itself. Without such a Declaration, he said, 1) no contacts can be made, or kept, or developed; 2) the Catholic Church will appear like a sect, or like a totalitarian group, both of which are accustomed to ignore the rights of the human person because of "so-called rights of truth;" and 3) "we shall be like traitors to Christ... who in no way used force against us, nor a panoply of law, nor any form of power, but rather came to us only in the spirit of humility, charity and patience." Christ's constant symbol, the archbishop said, had always been "a living and inexhaustible charity, or, as the Fathers teach, the philanthropy of God, which is that charity by which God loved the world, and we are his witnesses in the entire world."

Summing up his remarks he said, "We must therefore speak about religious liberty in such a way that every man, as such, will be able to agree with our assertions."

SPANISH LAW ON PROTESTANTISM
AWAITS CLOSING OF COUNCIL

By Religious News Service (10-2-64)

MADRID (RNS) -- Observers here feel that no final action will be taken on a draft law liberalizing the "status" of Spanish Protestants until conclusion of the Second Vatican Council.

This report came at a time when a prelate in Rome conceded that failure to provide "status" for Protestants had caused difficulties for the Spanish Church -- even with Catholics of other lands.

The draft defining the rights of the Protestant minority is still under study by a special commission, according to Spain's Information Minister Manuel Fraga. His statement followed a Cabinet meeting of the Franco government.

He told newsmen that the projected law was based "on the principle of Catholic unity," but maintained the confessional (Catholic) character of the Spanish state.

Senor Fraga said the draft was "within the framework of what had been agreed with the Vatican, while based on the principle of toleration laid down in Article 6 of the Spanish Constitution (1945), recognizing the human personality's rights."

He added that contacts with the Spanish hierarchy would continue, "for whose exemplary cooperation" the government was grateful.

If, as it was indicated by other observers, the government waits for the Ecumenical Council to close before taking action here, it is quite likely that the law would be passed shortly before Christmas at a plenary session of the Cortes. The Council is scheduled to conclude on Nov. 20.

Protestants in Spain continue to express satisfaction at the government's assurance of progress of the legislation.

Implementation of the law, they know, will depend a great deal on the views of the Catholic hierarchy.

Observers here noted the publication of an interview with Archbishop Pedro Cantero Cuadrado of Zaragoza conducted by the Spanish official news agency in Rome.

The reporter first noted that some Council Fathers agreed with the spirit of the declaration on religious liberty but not with the doctrinal arguments on which it is based. He then asked Archbishop Cantero whether he agreed with the theological premises cited in the statement.

The Spanish prelate said he was not in agreement with its doctrinal basis "and many Fathers share my opinion." He was also quoted as saying, however, that "the present absence of legislation on 'status' (for Protestants) puts Spain and the Church in Spain in a disadvantageous position, even with Catholics in other lands."

Madrid's Protestants also were heartened by a report that the "status" law, when finally enacted, will provide for establishment of a standing committee to deal with problems which may arise during its implementation.

No.32

COMMUNICATION OF THE SPANISH INFORMATION OFFICE OF
THE COUNCIL

Rome, 5. October. At the conclusion of the Council of Ministers which took place on the 30. Sept., the Minister for Information and Tourism, Mr. Fraga Iribarne, announced to the journalists that the interministerial commission nominated for this purpose will continue to meet to study the preparatory bill which will regulate the legal situation of non-catholics in Spain, a bill which, once approved by the Council of ministers, will be a bill in the Spanish Courts.

Meanwhile, as this legal process requires a certain amount of time to be completed, and as the Council on its side has in progress a work already quite advanced as regards the Declaration on religious freedom, the Council of Ministers considers it opportune--as the Minister of Information and Tourism has also declared--to make the bill on non-catholic denominations harmonize with the Conciliar Declaration, naturally not neglecting to take into account the particularities and characteristics of the Spanish situation. This willingness of the government to take the conciliar directives into account in the Spanish solution of the problem is perfectly normal in a Catholic State such as Spain.

The new legislation, according to the statements of Mr. Fraga Iribarne, will keep this confessionality of the State and will be based on the catholic unity of the Spanish nation, developing at the same time the constitutional norms (Charter of the Spanish People) for the legal protection of non-catholics.

The Spanish government wishes to proceed in this important problem with the greatest prudence and keeping all the aspects of this problem carefully in mind.

Mr. Fraga Iribarne added that the government will doubtless continue to take into account, as it has until now, the opinion and advice of the Spanish ecclesiastical hierarchy.

zens, the strongest Medicare lobby, accepted the defeat of the social security bill, denounced Mills, and has come to the support of the Democratic ticket. Senator Goldwater talks of "strengthening" social security, which is an espousal of the Mills position. His Physicians for Goldwater Committee reads like a Who's Who of the American Medical Association, which has not been known to equivocate on Medicare. At the

national level, the issue is clear.

The current Medicare strategy is, of course, based on a major Johnson mandate on election day, as well as a change in the composition of the House in the program's favor. Mills has held out for seven years, under constantly growing pressure. He probably cannot hold out much longer.

MILTON VIORST

THE CATHOLIC ATTITUDE ON FREEDOM OF CONSCIENCE

Vatican II—Act III

Rome

The heart of the declaration on religious liberty, now being discussed at the third session of the Second Vatican Council, is the affirmation that every human person has the right, privately and publicly, to follow his conscience in matters of religion. Cardinal Leger specifically urged that the declaration state explicitly that those who choose not to believe in God also share this right; as it stands, the declaration seems to mention only believers although its logic includes the latter. The declaration is extremely well turned, so as to make clear that it is not endorsing religious indifferentism, or saying that Catholicism renounces its claim to be substantially true to Christ's revelation. The council fathers declare that all consciences are equally free, not that all are equally true.

Some council fathers have urged that the statement be merely pragmatic: that most men agree that it is good, and it works — for the individual, society, and the Church. Others have countered that it has to go deeper than that, if only to break the back of the accusation that Catholics are for religious liberty when they are a minority and against it when they are a majority. (In this sense, Paul Blanshard must surely be credited with prodding the council fathers on.)

In trying to ground the doctrine, two different currents of thought have been operative. One group, led by those who have been showing most leadership at the Council, desires a theological statement; they turn to Scripture and point out that the act of faith, if it is to have any value at all, is a free act. Faith, they point out, is not a mere intellectual assent to propositions organized in a logical system; it is a commitment of one's whole person and destiny, a freely entered relationship with God. But more philosophically-minded theologians find a difficulty in this approach.

How does one move from this inner freedom to a right that has binding social and political force?

It is at this point that the long labors of John Courtney Murray, SJ, become significant. In many respects, Father Murray is a classical theologian, but on one crucial point he parts company with most forms of classical scholasticism: he has a keen sense for the historical development of ideas and institutions. Beginning inside a putatively eternal scheme of "ideal" church-state relations, he soon shows that it is a logical fiction and that at every point its basic ideas and institutions are historically conditioned.

As the missing link for the passage from spiritual, evangelical freedom to a declaration of religious liberty, Father Murray points to the ideas and institutions gradually worked out by the political tradition of the West, particularly in Anglo-Saxon countries. In this context, the main point of that tradition is the concept of limited, non-ideological government; otherwise put, it is the depersonification of the state. The state does not make an act of faith, have a creed, decide questions of orthodoxy, or offer worship. Moreover, the common good of its citizens (as Bishop Wright of Pittsburgh pointed out to the Council) goes far beyond the limited goods over which the state has competence. The declaration of religious liberty, though rooted in the gospels, had to wait for historical evolution to supply ideas and institutions for the gospels to be made politically real and effective on this point.

Those council fathers who still live in the world view of the age of absolute kings and absolute logic, however, find it difficult to grasp the point of the declaration. They imagine — they are chiefly from Italy and Spain — that a state can be "Catholic" if it so declares itself; but a state is not a person. "Error has no rights,"

they say, because for them the abstraction "error" (or "truth") is more compelling than living men who, fitfully, grope slowly for a little light. In proportion as they have personified the state, they have depersonified individual men.

At the Council, however, only the Dominican Cardinal Michael Browne of Ireland directly opposed the declaration; other speakers either supported it most warmly, favored strengthening it, or confined themselves to asking for this or that weakening modification. The declaration will come up for approval sometime before the end of this session (November 20), and estimates in Rome were that it would pass by at least 85 percent of the vote. The establishment of a national religion, as in England or Sweden, is not of itself contrary to the document; but negative restrictions on private or public exercise are — and such restrictions in nations like Spain are already yielding under advance moral pressure.

A Jewish observer at the Council, meanwhile, confided to me that the declaration on religious liberty was of more historical significance to his people than the specific statement on the Jews. But there is no disguising his hopes — and fears. Three times in the past that promised declaration on the Jews had been sidetracked: once by a preparatory commission before the Council began, once near the end of the second session, and then in the summer of 1964 when the coordinating commission under Cardinal Cicognani, who is also Vatican Secretary of State, succeeded in seriously weakening the good statement prepared the year before. The motives for this last blow are obscure. Cer-

tainly the Arab nations have been in violent opposition, raising serious threats against Christians in the Near East, and accusing Northern European prelates of wishing to salve their own consciences for Hitler's deeds at the expense of the Arabs. They protest, moreover, that the state of Israel always wants it both ways: political legitimation through the Bible, and a "non-political" statement from the Council. But theological fundamentalism and naïveté concerning public opinion were also involved in the weakening of the draft.

Fortunately, in one of the most intense and moving meetings of the entire three sessions, council father after council father rose to demand that the omitted points of Cardinal Bea's original declaration be restored and that, besides, another part be added asking pardon of the Jews for crimes committed by Christians through history. The commission which will revise the document accordingly is Cardinal Bea's, so that there is every reason to suppose that the final declaration, overwhelmingly supported, will state: that all men, by their sins, are guilty of Christ's death; that the Jews as such, in the time of Christ as today, are not guilty thereof; and that even the few Jews who officially contributed to that death, not knowing what they did, received their pardon from One who judges where men dare not. More positively, the declaration sees Christians and Jews as serving that One and hopes that, beyond history, their family relationship will be revealed. It does not say, or imply, that Jews singly or in groups should be "converted"; but it does see Christianity as a "fuller" revelation of God. Taken together, the two declarations open a new era. MICHAEL NOVAK

Tires and Road Safety

by James Ridgeway

The federal government is moving into the whole area of car safety, but thus far legislation has been tentative and mild. The Department of Commerce is required to set standards for brake fluid and seat belts, but it doesn't have any real enforcement authority. A National Driver Register Service, also in Commerce, provides a federal clearinghouse containing names of persons whose driver licenses have been revoked. The scope of its activities has been broadened since it was set up in 1960. The Service now gets half a million queries a month.

The General Services Administration, which acts

as the purchasing agent for the government, now is meeting with representatives of other government agencies, industry and independent experts, to lay out safety standards for passenger vehicles the government buys. The GSA could require manufacturers to install safety padding in dashboards and other parts of the passenger compartment, provide seat belts front and rear, install safety locks on doors, fail-safe brake systems, collapsible steering shafts, stronger bumpers and fenders. A governor or some other device could be put on motors to hold speeds below 80 miles per hour. For its technical advice, the GSA probably will

FOREIGN SERVICE

-3-

WEDNESDAY, OCTOBER 21, 1964

**DR. RAMSEY CONDEMNS SECT'S BELIEFS,
BUT UPHOLDS ITS RELIGIOUS FREEDOM**

By Religious News Service (10-21-64)

LONDON (RNS) -- Dr. Arthur Michael Ramsey, Archbishop of Canterbury, branded beliefs of the Exclusive Brethren as a "perversion of the Christian faith" but opposed attempts to keep the leader of the ultra-fundamentalist sect out of the country.

In a first public comment on the sect, at a conference of the British Council of Churches, Dr. Ramsey opposed efforts to prohibit "Big Jim" Taylor of Brooklyn from coming to England.

The Anglican archbishop said he was against the ban in the name of religious liberty, which he stated should not be threatened "even in the case of a sect whose teachings may be abhorrent."

Led by the 68-year-old Brooklyn evangelist, practices and beliefs of the Exclusive Brethren have been widely condemned in the press, Parliament and Church circles.

Widespread opposition to the sect has been spurred by reports that its doctrines -- prohibitions against owning radio or television sets, keeping pets, and associating with any "non-believers" -- have led to family dissension and marital breakups.

"Something clearly has gone wrong," Dr. Ramsey said, "when the reconciling Gospel of Christ is made the reason for broken marriages and divided homes.

"The error is to take certain texts out of context of the whole New Testament teaching and then to apply them ruthlessly...this can only lead to a real perversion of the Christian faith."

The archbishop urged "particular pastoral care to those who suffer from the consequences of the teaching of the Exclusive Brethren."

Appeals for legislation against the sect have been made to the Britian's Home Office. Home Secretary Henry Brooke, M.P., has indicated, however, that the office will not initiate such action.

In a letter to a businessman, Mr. Brooke said he did not consider it would be consistent with Britain's tradition of religious toleration for him to ask for any statutory regulation on the "propagation of sincerely-held religious views."

Although the Exclusive Brethren do not give out statistics, it is believed there are some 15-20,000 members in Britain. About half that many members are in the United States, it has been estimated.

After his last evangelistic tour of England, in August, "Big Jim" Taylor was charged with leaving many broken families in his wake. Meetings where he appeared were held under strictest security precautions.

RECESS FOR TIRED BISHOPS
URGED TO VATICAN COUNCIL

WEDNESDAY, OCTOBER 21, 1964

By Religious News Service (10-21-64)

VATICAN CITY (RNS) -- The Second Vatican Council has been moving at such great speed that it should take a brief recess to relieve the "jaded minds" and "weary bodies" of the 2,300 Fathers.

This, according to a statement by a Council expert broadcast by Vatican Radio, is what many of the Council participants believe would be a wise and useful step.

The expert was Father William Smith, S.J., director of the Institute of Social Order in Melbourne, Australia, who also reported a strong sentiment in favor of a fourth session, the argument being that this is not too great a price for the Church to pay in order "that the Council's work should be well done."

Father Smith said the bishops and their advisers "have been working very hard over the last six weeks and the Council has moved with great speed. Its proceedings were deliberately accelerated so that the Fathers could deal with, at least, the major part of the agenda at this session.

The result has been "eminently satisfactory" from this point of view, according to the Jesuit commentator. He noted that several schemata -- those on the Church, divine revelation and ecumenism -- have reached an advanced stage of revision, and the schema on the lay apostolate has been fully debated and heavily criticized.

"There are now," he added, "some sets of brief propositions and one full-scale schema, that on the Church in the Modern World, to be debated for the first time. After that, the revised schemata must be brought before the bishops again for further consideration and final votes."

"So far," he said, "the work of the Council has been of high quality and the documents now being put into their final form are progressive and deal worthily with great issues. The schemata on the Church and on ecumenism are particularly fine."

However, he stressed, the immediate prospects for the final section of the agenda are "not so reassuring."

There are, he explained, several reasons for this: the fatigue of the bishops and uncertainty as to how to treat some topics, and the desire for some prelates to avoid a fourth session at almost any cost.

"The bishops undoubtedly," he said, "have been working very hard and under constant pressure. This situation has its natural effect and weariness is noticeable. The temptation, obviously, is that of agreeing too easily to revised versions of the earlier texts and of moving too quickly and uncritically through the final schemata."

(more)

PAGE -1-

Father Smith held that while "the bishops will certainly resist this temptation," even with the best intentions "it is possible for tired men to treat difficult and demanding subjects with less than the attention they deserve."

He said a second problem was how best to deal with certain topics, such as the priesthood, the seminaries and the Oriental Churches. This, he pointed out, has resulted in several schemata being "reduced to sets of short summarizing propositions."

However, he stated, "many bishops are not satisfied that the short propositions are adequate, nor that they should be discussed only briefly. Clearly it would be a definite disappointment to see either inadequate treatment of a decision to drop some matters entirely because adequate treatment would be a lengthy process."

Father Smith said that with regard to the possibility or desirability of a fourth session "it is true that no wants to keep coming to Rome indefinitely. But the majority of the prelates are doggedly determined to do their job well and to come again if necessary."

On the other hand, he continued, "a minority, namely those of rather conservative outlook, would be glad to end the Council this session, even at the expense of eliminating further sections from the agenda, or of treating them in a summary fashion. They feel that the Council has done enough already to justify its existence -- perhaps too much -- and they press strongly for their view."

"This, along with the points already outlined, creates an atmosphere of doubt and some confusion, and the feeling of wanting to pack up and have done with the whole thing. This temptation will also be resisted."

Remarking that "the Council does stand at a crossroads and some clear and definite step should be taken to give its latter stage a valid direction," Father Smith concluded by reporting the sentiment in some quarters in favor of a short but adequate recess. "After that, when minds are less jaded and bodies less weary," he said, "the work should continue at a slightly less rapid pace."

"Finally," he added, "the need of a fourth session, which is now being openly urged on the floor of the Council, should be taken up and faced unflinchingly and immediately."

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ANGLICAN CATHEDRAL WILL APPOINT AFRICAN PRIEST

By Religious News Service (10-21-64)

CAPE TOWN, So. Africa (RNS) -- Dean E.L. King of St. George's Cathedral here announced he is planning to appoint a non-white minister for the first time to this mother church of Anglicanism in South Africa.

This is the latest step in a countrywide Anglican bid to eliminate lingering traces of racial discrimination in the Anglican community.

Dean King emphasized that there had always been "complete integration of the races" in St. George's and the fact that there was no color prejudice there was part of the traditional liberal attitude toward race in Cape Province.

However, until now, he added, there had never been a non-white priest on the staff of the mother cathedral.

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INTERVENTION OF THE MOST REVEREND JOSEPH BUCKLEY,
SUPERIOR GENERAL OF THE SOCIETY OF MARY (MARIST FATHERS)

This intervention of mine is dictated by two main considerations. First, I am concerned that this Ecumenical Council should issue a declaration of the inalienable right of man to follow the dictates of a sincere conscience, especially in matters of religion.

In the second place, I am concerned that the Council's affirmation of religious liberty should be set forth on a firm foundation - one that is also understandable and congenial to men generally.

While in the text which is now before us a number of ameliorations seem desirable, let me deal with just one which appears to merit public review, namely the very foundation of personal liberty in the religious order.

Throughout the document, repeatedly, the right to liberty of a sincere conscience (conscientia recta) is based on the principle of a "call from God" (vocatio divina). According to this principle, every sincere conscience, even if mistaken (erroneous), is a call from God: a divine vocation. Calling an erroneous conscience a divine vocation, even from the viewpoint that it is written in the "heart of nature," constitutes the ultimate point attained thus far in a most unhappy evolution of the concept of divine vocation.

Originally, in the New Testament, a divine vocation was a call to follow Christ,¹ to the Christian faith,² to heaven³ and to the holiness which befits those who are so privileged.⁴

In the New Testament the priesthood is also called a divine vocation.⁵

This is not a suitable occasion for a discussion of the idea of a divine vocation to the priesthood, but spare me, Venerable Fathers, if I recall to mind for you a tendency to speak as if the call of God to the priesthood was recognizable to each of us in the human psychological order, as if each of us knew that he was called by God.

From the evolution of the idea of divine call it has become customary to speak also of a divine vocation even to the married state. So far has the term "divine vocation" been extended that we now read and hear of a divine vocation to become a doctor, a lawyer, an engineer, a nurse.

Finally, in the document before us, we have the reductio ad absurdum of this entire unfortunate evolution: the imperative of a conscience, right but erroneous, is a divine vocation.

This way of speaking is a long way from the teaching of the Common Doctor, Saint Thomas, in the Summa theologiae, Ia IIae, q. 19, a. 10, where he asks: "For the human will to be good, is it necessary that it agree with God's will in the thing willed?" St. Thomas answers: " . . . In individual matters we are ignorant of what God wills. Hence in these things we are under no obligation of trying to make our will agree with God's."

Most talk of divine vocation and finding out God's will is a lot of pseudo-mysticism.

I suggest as the foundation of religious liberty not some divine vocation but the obligation of conscience: the categoric imperative of conscience itself, under God. Under God for those who believe in God, but for all men the categoric imperative

of conscience.

The right to religious liberty, like all the other rights of man, springs from an obligation. In created things no right exists which is not founded in a prior obligation.

If a man feels that he should worship God in a particular way, he has a right to fulfil this obligation. If a man, as a social person, judges that he is obliged to worship God socially, he has a right to social worship. There is no authority superior to the individual conscience under God, unless it is an authority sincerely perceived by the conscience itself. This is how Catholics accept the authority of the Church over them.

The exercise of the right of an individual or association, can be limited by society but only inasmuch as this exercise infringes on the rights of others. Such a conflict of obligations and of rights should not be supposed too readily.

It is on this solid basis that I hope to see the declaration on religious liberty erected by the Council.

Liberty is most precious to all men. Whatever we priests may like to think, the Catholic Church does not enjoy a very high reputation in the world generally for its sponsorship of liberty. Still, such is the esteem of the world for the Church that it welcomes any earnest indication that the Catholic Church is on the side of liberty. Witness the enthusiastic reception universally given to the encyclical of Pope John XXIII, Pacem in terris.

The Council must not disappoint the world!

¹Mark 3/13 ²II Thess. 1/11 ³Hebr. 3/1 ⁴I Thess. 4/7 ⁵Hebr. 5/4 ⁶Loc. cit., ad 1

UFFICIO STAMPA

Background and Summary

DECLARATION ON RELIGIOUS LIBERTY in the RIGHTS OF
THE HUMAN PERSON AND OF COMMUNITIES TO FREEDOM IN
RELIGIOUS MATTERSIntroductory note:

The revised text ON RELIGIOUS LIBERTY comprises 5 pages as an Appendix to the schema DE ECUMENISMO with the indication DECLARATIO I, along with another DECLARATIO II, dealing with the Jews and non-Christians. The Declaration on religious liberty is accompanied by five pages of Notes, a Relatio, and a brief Summary. The text was transmitted to the Council Fathers on April 27, 1964.

The genesis of the amended text on Religious Liberty.

In the Second Session of the Council, on November 19, 1963, the Fathers were given the fascicule on Religious Liberty as Chapter 5 of the schema "De Ecumenismo", and in the 70th General Congregation held on that same day, Bishop De Smedt, of Bruges, Members of the Secretariate for Christian Unity, read to the Council an explanatory and introductory Relatio. Conflicting opinions were immediately evident among the Council Fathers, ranging from enthusiasm to severe criticism. The text was not brought up for discussion on the Council floor for want of sufficient time.

Up to February 27, 1964, the Secretariate for Christian Unity accepted observations from the Council Fathers and incorporated them into a volume of some 280 pages. Some of the Fathers wanted the text on religious liberty incorporated into the schema on Ecumenism, inasmuch as the recognition of religious liberty forms part of the foundation of Ecumenism. According to certain other Fathers, however, the text in question should constitute a distinct chapter of the schema on Ecumenism. Still others would have abbreviated the presentation and included it in Chapter I of the schema, treating of the basic principles of Ecumenism. Lastly, others proposed the presentation of the subject as a decree distinct from that on Ecumenism, considering the fact that, notwithstanding its ecumenical importance, the subject matter exceeds the limits of Ecumenism strictly so called.

The text was amended by the Secretariate for Christian Unity according to the recommendations made by many of the Fathers, but its great importance did not permit it to be compressed into such compact form as would have permitted its insertion into Chapter I of the schema on Ecumenism. Thus, according to the desire expressed by the Co-ordinating Commission in its meeting of April 18, 1964, the text on religious liberty, like that on the Jews and non-Christians, is now submitted to the Council as a "Declaration" distinct from, but annexed to the schema on Ecumenism.

The criteria followed in the revision of the text.

After a careful study of all the observations sent in by the Council Fathers concerning the revision of the text, the Secretariate for Christian Unity saw fit to retain five principal points:

- a) A clearer expression of the concept of religious liberty.

The purpose of this clarification is to forestall any fallacious or equivocal interpretations of the text. Consequently, at

at the very beginning of the new text, an additional paragraph explains the exact significance of the concept of "religious liberty". A distinction must be made between freedom as far as relations with God are concerned, and freedom in relations with men. The text is concerned exclusively with religious liberty in relation with other men, considered either as individuals as members of religious groups. The foundation of these rights comes from the very serious obligation of respecting human dignity and following the law of God according to the dictates of a conscience sincerely formed. Freedom to follow one's own religious conscience is the greatest advantage of every person and for this reason it is a strictly personal right in social association, and there must be respect for freedom of following the call of God, in which we behold the peak of the dignity of the human person.

b) Explicit indications of the rights of religious groups.

To these groups is recognized authentic religious liberty in those things which develop spiritual life among men.

c) A better explanation of the principle by which our rights can be restricted.

The aim of society is the complexus of those conditions of social life which aid men to achieve the more fully and the more expeditiously the perfection at which they are aiming. It is thus the duty of public authority in matters of religion to reconcile and to harmonize among themselves the exercise of the rights of both, in such wise that the exercise of the rights of one group will not constitute an obstacle to the exercise of the rights of the other.

A distinction must also be made between the right to propagate sincerely and honestly one's own religion and the abuses of this right when dishonest means are employed in religious propaganda.

d) Emphasis on/objective truth of the Divine Law with all its exigencies.

This is done in such a way as to exclude all danger of subjectivism and indifferentism.

e) Present-day circumstances confirm the necessity and the rights of religious liberty.

The urgency of this problem becomes all the more evident because of the closer bonds created among men of diverse cultures and religious, along with the increased consciousness of personal responsibility, with the evolution of the juridical structures of civil institutions.

SUMMARY OF THE DECLARATION ON RELIGIOUS LIBERTY

The numbering of the articles follows that of the schema on Ecumenism, which comprises 24 numbers. Hence the articles of this Declaration begin with No. 25.

No. 25 - The consideration of the problem of religious liberty favors contacts among Christians. This emphasized its ecumenical aspect.

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No.26 - The nature of religious liberty.

a. Its foundation: In the religious field, it is both a duty and an honor for man to follow the will of God, according to the dictates of conscience. This is the very root of the right to religious liberty.

b) The right to religious liberty in society puts men in a position to be able to practise privately and publicly their own religion, and no restriction must be placed on this religious practice,

c) Religious liberty demands that there should be established in society the conditions required to guarantee it.

d) The Council, in its affirmation of man's dependence on God, proclaims that religious liberty in society must be recognized and respected by all and everywhere.

No.27 - The task of the Church.

According to the mandate received from the Lord, the Church propagates the Word of God and prays for the salvation of all men, exhorting her own children to spread the life-giving light of the Gospel.

No.28 - No one can be forced to embrace the Faith.

With love, prudence and patience, in accordance with the ways of God, contact is established with those who do not have the true Faith. But all coercion, direct or indirect, is to be excluded from the preaching of the Truth, because according to the traditional norm of the Church, based on the very nature of the act of Faith, the acceptance of Faith must be fully free.

No.29 - The religious liberty of the individual in human society.

In human society, religious liberty is to be respected not only by Christians and for Christians, but by all and for all -- persons, individuals, and religious groups.

Freedom to follow God's call is the peak of human dignity, and consequently this liberty is in social co-existence is a right in the truest sense of the term, and is the foundation and safeguard of other freedoms.

The objective, absolute and universal Divine Law is the norm of our relationships with God, whence there derives man's obligation to acquire diligently the knowledge of this Law. But man can follow the Divine Law only through the judgment of his own conscience which he forms for himself under the guidance of prudence. In sincere obedience to conscience, a man implicitly obeys God. If, in his attempts to know the Will of God, a man falls into an erroneous interpretation of that Will, no man and no power has the right to induce him to act contrary to the dictate of his conscience.

An essential element of religious liberty is the right to practise one's religion publicly. Hence the Church proclaims not only the right to one's opinion and freedom to practise the rites of one's own religion, but also an individual's genuine right to observe and to witness his private and public worship

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RELIGIOUS LIBERTY - 4.

before God and men, whether individuals or groups, and to organize according to the precepts of his religion the whole of his own individual, family, educational, cultural, social and charitable life.

The exercise of this right must be adapted to the exigencies of the social nature of man. Hence it can be subject to restrictions. But it can be restricted legitimately only when it is in grave conflict with the end of society. Consequently, it is unlawful for State authorities to discriminate in any way against religion. It is, on the contrary, their duty to protect and to encourage religious liberty.

No.30 - The freedom of religious groups in social co-existence.

Men have the right of free assembly in groups, which groups in turn, within the limits determined by the end of society, have the right to govern themselves according to their own laws, to honor God with public worship, to assist their members in their religious life, and to create institutions of social character based on religious principles.

The Catholic Church expects from State authorities a recognition of the right of religious liberty in social co-existence.

Any violent oppression of religion itself or of the religion of a determined religious group is in opposition with the Divine Will and with human rights.

Religious groups are entitled to carry on sincere and honest propagation of their religion, but they must refrain from any "proselytism" which would employ dishonest means.

Civil authorities have no direct power to regulate the relationships of their citizens with God. Consequently, they may not subject religious groups to the temporal aims of the State. On the contrary, it contributes to the common welfare when conditions are created which will favor religious life.

No.31 - Religious life in the world today.

Today in particular, the problem of religious liberty is of greater urgency because of the more extended contacts which exist between men of different cultures and different religions, because of an increased consciousness of personal responsibility, because of the juridical organization of today's civil order -- all of which set off in a clearer light the incompetence of the State to establish itself as a judge of religious truth.

There can be no peaceful co-existence in the human family in the world today without religious liberty in society.

Fine;