THEOLOGICAL Studies

Article

The Divine Dignity of Human Persons in *Dignitatis humanae*

Theological Studies
2014, Vol. 75(1) 8–22

DOI: 10.1177/0040563913519565
tsj.sagepub.com
SAGE

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Abstract
This article concludes our formal series commemorating the fiftieth anniversary of Vatican II. The author inquires about the idea of human dignity that inspired *Dignitatis humanae*, the Declaration on Religious Freedom. The idea is grounded in the fact that human beings are created in the image of God; they are intelligent and free, replicas of divine nature. They are called to meet God in their consciences, and serve God in obedience and love. Such a response must take place in an environment of freedom, internal and external. Five decades later the question is still alive: How ought the Church respect consciences? Further, the implementation of the Declaration in our contemporary world may demand that the "new evangelization" should begin with awakening human persons to their own dignity.

Keywords
ecclesiology, councils, ecumenical councils, Vatican II, religious freedom, conscience, dissent, church and state, human rights, human dignity, evangelization

One of the most insightful of the commentators on the Second Vatican Council, French Benedictine Ghislain Lafont, writes in his book *L'Église en travail de réforme*, "The history of the Christian churches is perhaps the history of their struggle to believe finally in man."[1] The sentence is not so much a quiet affirmation as it is a loud cry. It conveys relief after past exasperation: "finally!"—as if the church

1. "L'histoire des Églises est peut-être celle d'un combat pour finalement croire en homme," in *L'Église en travail de reform*, Imaginer l'Église catholique 2 (Paris: Cerf, 2011) 23. Lafont also poses the question, Why has Christ not yet returned, why so long a wait for

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had failed to have such belief in the past. Then Lafont expresses hope: "perhaps!"—the struggle is over and we are ready to sing a new creed: We believe in God, we believe in human persons. That is, we believe in both with one act of divine faith.

This "belief in man," that is, the Catholic doctrine of the dignity of individual human beings as Vatican II states it explicitly and asserts it implicitly in *Dignitatis humanae*, the Declaration on Religious Freedom, is the principal focus of my inquiry. The Council Fathers were mainly concerned with the political and social aspects of religious freedom, but to find their conclusions they had to ground their reflections in the Christian idea of the human person that is latent yet dominating throughout the document. My intent is to gather what is explicit and to bring to light what is implicit in the Declaration. I do so in four steps.[2]

First, as a somewhat prolonged introduction, I lay out the context of the Declaration, since the full meaning of a part cannot be found unless it is seen as a component of the whole. The context here is nothing other than an ecumenical council—a holistic approach, one might say. Second, I draw attention to the document's inspirational sources, its internal complexities, and its painfully achieved clarities. Third, I bring human persons into full focus and explain their dignity though the "sovereignty" of their conscience. Fourth, I write briefly on the present state of the Catholic Church and inquire about its task in the foreseeable future.

Of course, I am aware of the social dimension of *Dignitatis humanae* that concerns religious freedom in the political community.[3] I hold, however, that without first understanding the Council's[4] teaching on human dignity, a comprehensive vision of the ideal relationship between the sacred and the secular authority is not possible; or, at most, it remains imperfect.

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the end of times? His response is, "Pour nous donner le temps de croire en l'homme" (to give us time to believe in the human person (ibid). This is not a silly play with eschatology: Christ died because he "believed" in the human person. The last chapter of *L'Église en travail*, entitled "L'Espérence de l'Église est dans l'Amour" ("The Hope of the Church Is in Love") (319–35), offers the ultimate hermeneutical clue for the interpretation of the Council and for its implementation.

2. This article is the development of a talk I gave at the Centro Pro Unione in Rome, January 25, 2013, celebrating the 50th anniversary of Vatican II.
3. The social and political significance of *Dignitatis humanae* should be the subject of a separate inquiry. Although the Declaration is commonly referred to as the document on the "the separation of church and state," it could just as well be called a guide for creating organic unity between the secular and the sacred authorities in the state. To date, the nature and the demands of such unity received but limited attention from commentators. For the Council the ideal is not a confessional state but a political society in which each authority preserves its own identity and operations but respects and supports the other's. The authorities have a common purpose, namely, the overall well-being of the citizenry (human persons) to which each authority must contribute according to its own specific character. Excesses in separation of authorities can produce a split mentality and divided loyalties in individual citizens; attempts to create a unity by giving undue advantages either to religion or to secularity may lead to tensions and violent reactions in the community.
4. In this article the word "Council" spelled with an uppercase "C" refers specifically to Vatican Council II; spelled with a lowercase "c" it signifies an ecumenical council unless the context indicates otherwise. I am not dealing specifically with particular councils (regional, provincial, etc.).

The Context: An Ecumenical Council

Fifty years after Vatican II, as we survey the literature on and around the Council, we are bound to find—not without surprise—that many scholars have put admirable acumen and effort into reporting on and recreating the conciliar event, or labored intensely on interpreting the documents, but few of them paused and asked the foundational question, What is an ecumenical council?[5] Yet, raising this question should be the starting point for all research concerning an ecumenical council, because only a proper response to it can provide the needed horizon for understanding it and its achievement. But to construe a well-rounded theology of ecumenical councils built on old tradition and refreshed with new insights is a daunting enterprise—certainly beyond the purpose of this article. Much research and reflection should go into it, and it ought to be a labor of love. Such studying, however, is necessary because as long as we have only partial conclusions, we have precisely that—parts to be inserted into the whole. The danger exists that we may follow the proverbial wanderer in the woods who sees the trees but not the forest.[6]

I am not suggesting that the study of Vatican II should come to a halt until we have a definitive treatise on councils in general. We know enough right now to engage with it—no less than did the Fathers who produced the documents. We have a fair notion of what a council is about—a "working knowledge" that can be accounted for and described in various ways while we await the consummate synthesis.

An ecumenical council is both *a human reality and a divine mystery*. It is the product of human effort and the gift of our saving God. It is human through and through, and it is sustained by divine assistance.

Or, an ecumenical council is *a vital act of an earthly community that has the Risen One for its head and draws energy from the Spirit* dwelling within it. "I am with you always, to the end of the age" (Mt 28:20), and "when the Spirit of truth comes, he will guide you into all truth" (Jn 16:13).

Or, an ecumenical council is an *immense wave of divine energy moving a human community* that was gathering strength for a long time before the bishops assembled, and after the event, it remains fresh and forceful to the end of the times. It is not an isolated occurrence in our salvation history. The same Spirit who prompted and supported the council assists the people in appropriating and implementing it. An

5. See Massimo Faggioli, "Council Vatican II: Bibliographical Overview 2007–2010," *Christianesimo nella storia* 32 (2011) 755–91. A recent installment of the running series on publications about Vatican Council II, Faggioli's reports are comprehensive, informative, and balanced.

6. An ecumenical council can be approached at different levels, and our understanding of it will correspond to the level of our questions. On the level of reason and human sciences, historians may ask, What happened at the council? Their response will contain what their standard historical-critical method can discover. Literary critics may inquire, What literary forms do the texts represent? What hermeneutical principles are applicable? Their answers will consist of explanations that are acceptable within their horizon. Every council, however, happens and speaks on both a human and divine level (within the realm of reason *and* faith), hence a holistic approach cannot exist without "faith seeking understanding." For a comprehensive inquiry, reason and faith must blend.

ecumenical council has a staying force in the community of believers because the Spirit is permanently with them. As the kingdom of God unfolds in time and space, the people reach new depths in understanding a council.

Or, an ecumenical council is *a sacramental event*: the community of bishops—sacramentally mandated to guide the people—speaks and interprets the word of God. Then, the believers at large—sacramentally enabled and moved by the Spirit—respond with an *Amen*. For this immense dialogue between the shepherds and the flock, the examples are at hand. The bishops of the Councils of Nicaea (325) and Constantinople (381) called out to the church with a profession of faith, and people from generation to generation are responding to them whenever they sing the councils' creed. The Council of Ephesus (331) honored Mary of Nazareth as *theotokos*, "God-bearer," and ever since the faithful greet her in every "Hail Mary" as "holy Mary, Mother of God." When we do our Easter duty, we respond to Lateran IV (1215). Whether we are aware of it or not, we are, in our present moment, participating in an ongoing vital response to every one of the past ecumenical councils.

The Content of the Declaration

On the last of its working days, December 7, 1965, the Council approved a document that was long in the making, brief in its composition, and powerful in its content: *Dignitatis humanae*, the Declaration on Religious Freedom. Its text moves from the conceptual realm of philosophical reflections into the luminous world of faith. It culminates with a proclamation that amounts to a profession of faith in the dignity of human persons.[7]

Dignitatis humanae is one of the most mature products of the Council.[8] It contains more than what a first reading may reveal. A document of contrasts and paradoxes, it regularly refers to tradition but opens new vistas by expanding the tradition. It invokes Scholastic philosophy but soon transcends it by arguing from the Scriptures and patristic writings. It presents an uncompromising ideal from the viewpoint of Catholic philosophical and theological tradition, but it leaves ample space for practical accommodations. It demands faith in absolute principles yet appears as if it left truth

7. There is a striking contrast between the subject matter of the great councils of antiquity and Vatican II. The early Fathers focused mostly on God's mighty deeds in our salvation history: on the Word who became flesh, died, and was raised; on the inner nature of God who is one and three; on the two natures of Christ, and so forth. The attention of the bishops of Vatican II centered on the church, its internal structures, and its place and role in the larger human society.
8. For a comprehensive history of the text and its exegesis, see Pietro Pavan (one of the chief architects of the Declaration), "Declaration on Religious Freedom," in *Commentary on the Documents of Vatican II*, 5 vols., ed. Herbert Vorgrimler (New York: Herder & Herder, 1967–69) 4:49–86; also Louis Tagle, "The Declaration on Religious Liberty," in *History of Vatican II*, 5 vols., ed. Giuseppe Alberigo and Joseph A. Komonchak (Maryknoll, NY: Orbis, 1995–2006) 4:395–406; and Peter Hünermann's brief but excellent reflections in "*Dignitatis humanae*: A Creative Solution," in ibid. 5:395–406, at 451–57. For a summary of the genesis and maturation of the document through the conciliar process, see John T. Noonan Jr., *The Lustre of Our Country: The American Experience of Religious Freedom* (Berkeley: University of California, 1998) 323–53.

unprotected. Its greatest paradox, however, is that, while it vindicates the unique God-given mandate of the church as the carrier of the word of God, it claims no privileged political position for the church either among the nations or within any nation.

Admittedly, the Council Fathers struggled to find adequate and defensible responses to highly complex demands and puzzles that had accumulated over the centuries.[9] They debated endlessly—mainly outside the conciliar hall. They went through confounding obscurities and promising enlightenments, but at the end they succeeded "like a householder who brings out of his treasure what is new and what is old" (Mt 13:52), all in a happy blend. They reached a resolution remarkable for its clarity in simplicity. They discovered—conceivably once and for all—that in the hierarchy of human and Christian values living human persons (imperfect as they are) have priority over abstract propositions (true as they may be). Humans have rights; propositions have meanings but no rights.

The central point of the Declaration is the sacred event where human persons meet God—an event that occurs in human consciences. Toward this central event everything in the Declaration converges; from the recognition of its importance, its conclusions follow. The meeting between creature and Creator is an intimate episode, but it has a cosmic significance because it concerns not only the salvation of an individual but also the composition (building) of God's eternal kingdom.

Peter Hünerman calls the resolution of the problem of religious freedom "a creative solution":

> What, then, was at the heart of the solution and at the same time the innovative element in this document? The document does not take as its starting point either the freedom of conscience of the individual or the necessity that the state should issue legal regulations touching on questions of morality or religion. Nor does it start from the claim of the religions or the Church to proclaim the truth and the will of God. Instead, the fathers chose as the point of departure of their arguments the dignity of the human person as something that must be respected in principle by all institutions. But *part of the dignity of the person is the religious relationship with God.*[10]

Sources of Inspiration

The ecclesiological significance of the introductory paragraph of the Declaration goes well beyond the theme of freedom of religion: it is about the Council's source of inspiration. A seemingly secular movement—the demand for human rights—in the human family at large caught the Fathers' attention. They present themselves as learners, honoring the nations as their teachers. In so doing they acknowledge the common sense of humanity as a *locus theologicus*, a legitimate source for theological information:

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9. The celebration of the Council was an evolving event. For example, in matters of collegiality the participants first practiced it without articulating it; the majority then insisted on articulating their intuitive vision and making it normative. They succeeded in inserting their idea of collegiality into the final version of *Lumen gentium* but not in having it formally accepted as a universally binding norm. In spite of such failure, they left to the Church a far more developed doctrine of collegiality than was present at the beginning of the Council.
10. Peter Hünermann, "The Final Weeks of the Council," in *History of Vatican II* 5:363–483, at 453.

> The dignity of the human person is a concern of which people of our time are becoming increasingly more aware. In growing numbers they demand that they should enjoy the use of their own responsible judgment and freedom, and decide on their actions on grounds of duty and conscience, without external pressure and coercion. . . . Keenly aware of these aspirations, and wishing to assert their consonance with truth and justice, this Vatican synod examines the sacred tradition and teaching of the church from which it continually draws new insights in harmony with the old. (DH no. 1)[11]

The bishops in council sensed the presence of the Spirit in the human community at large. They responded positively; hence the unheard of opening in a conciliar document.[12] Then they turned to the "sacred traditions."

Traditional Philosophy

Officially the Council shied away from doing any philosophy. It had no intention of canonizing any system. But to understand their deliberations and determinations, we need to keep in mind that virtually all the participants were educated in a variety of Aristotelian-Thomistic interpretations of the universe. The elements of what used to be called *philosophia perennis* may be detected and even seen to dominate—especially in the Declaration's chapter 1, in some translations entitled "The General Principle of Religious Freedom" (DH nos. 2–8).

Theological Tradition

In *Dignitatis humanae* nos. 9–12, the Council recalls the ministry of Christ and his respect for human freedom, the practice of the apostles, and the opinions of early Christian writers.

A theologically significant statement in the Declaration is a reference to previous papal teaching: "in treating of this religious freedom the synod intends to develop the teaching of more recent popes" (DH no 1). The Fathers indeed developed previous papal teaching, but they went beyond it: they corrected it. Pope Pius IX in his Syllabus of Errors condemned as erroneous the proposition "The Church is to be separated from the State, and the State from the Church."[13] This is a delicate matter: an ecumenical

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11. All translations of *Dignitatis humanae* are taken from *Decrees of the Ecumenical Councils*, vol. 2, ed. Norman T. Tanner, trans. John Coventry (Washington: Georgetown University, 1990).
12. Pope Francis writes in his Apostolic Exhortation, *Evangelii gaudium* no. 68, "The Christian substratum of certain peoples—most of all in the West—is a living reality. Here we find, especially among the most needy, a moral resource which preserves the values of an authentic Christian humanism. *Seeing reality with the eyes of faith, we cannot fail to acknowledge what the Holy Spirit is sowing*" (emphasis added), http://www.vatican.va/holy_father/francesco/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium_en.html (accessed December 3, 2013).
13. Proposition 55, in *Enchiridion symbolorum* . . ., 43rd ed., English and Latin, ed. Heinrich Denzinger and Peter Hünermann (San Francisco: Ignatius, 2012) (hereafter Denzinger-Hünermann).

council correcting a previous pope. Of course, what he decreed must be understood within his historical, ecclesial, and cultural context. The pope responded to a specific historical situation with the help of a doctrine that was in the process of development and had not reached full maturity. At any rate, this correction stands as a warning to interpreters of papal pronouncements; caution is needed in assessing their authority.

The Intended Recipients of the Message

The Declaration has a universal scope: the entire human family. Within that broad range we can discern messages to particular groups: states—secular or otherwise; "religions" in their great variety; Christian churches and communities not in union with Rome; and, of course, the Roman Catholic faithful.

The transparent purpose of the Declaration is to describe and promote a measured equilibrium in human society; in particular, a prudent balance between the roles of the secular and the sacred authorities. Both are entitled to proportionate freedom of action; each has a duty to abstain from intruding into the other's field of operation.

For the whole world, the Fathers profess their faith not only in the one Creator but also in Jesus Christ as the universal savior. They state in a matter-of-fact way that Christ entrusted his church, their church, with the task of spreading the Good News of salvation far and wide and offering the means of justification to all who are willing to receive it.

After the affirmation of being in possession of such privileged gifts, the Fathers—speaking in the name of the church—want it to be known that they do not wish for and do not claim any privileged political position for the church within the international or national communities. They want only freedom for their church to speak the word of God, and they want freedom for anyone who wants to follow that word on the testimony of the Holy Spirit. Further, they are not self-centered: the freedom they claim for their own religion they wish to be granted to all others. This is an immense project for all to see—for all to take up.

Accordingly, the Council is mandating the Roman Catholic community to "have the mind which is theirs in Christ." That is, while they have the word of God and the energy of the Spirit, they should not boast vainly about their rich gifts but empty themselves, "taking the form of a servant" (Phil 2:5–11).

Conscience: Creature Meets Creator

Dignitatis humanae is grounded in the Christian idea of a human person: in it faith seeks understanding. But who is a human person in the light of faith, that is, in the sight of God?

The Scriptures are eloquent about the dignity of human persons. The Psalmist sings that humans persons are little less than God and that God crowns them with glory and honor (Ps 8:5). In what does this honor and glory consist? The standard reply comes from Genesis's story of creation: a person is the image of God—"Let us make humankind in our image, after our likeness" (Gen 1:26, RSV). But the meaning of the original Hebrew term for "image" used by the author of Genesis is stronger than what our

English word "image" can convey. A human person is not a mere semblance—like a mirror image—but a reproduction, a "replica," of God, as a child is a replica of his or her parents—"flesh from their flesh"—to use the biblical expression (Gen 2:3).[14]

Human persons are therefore endowed with dominion over the works of God's hands (see Ps 8:6), but that is not the noblest and the highest mark of their dignity. They have a divine quality: they are sovereign; they have dominion over their eternal destiny. They are free to say yes or no to God, to serve him or to reject him. Whatever they decide, God will accept and respect—a dignity that has no parallel in our visible universe.[15]

The Council also remarks that human persons have the capacity to recognize

> divine law itself, the eternal, objective and universal law by which God out of his wisdom and love arranges, directs, and governs the whole world and the paths of the human community. God has enabled people to share in this divine law, and hence they are able under the gentle guidance of God's providence increasingly to recognize the unchanging truth (DH no. 3).[16]

Integrity

While human dignity flows from the God-like nature of a human person (hence, it is universal), the authenticity of a human person is grounded in her or his integrity (hence, it is personal).[17] Admittedly, the Council did not use the term "integrity" in *Dignitatis humanae*. Yet it must have been in the minds of the Fathers because what integrity signifies played a consistently directive role in the composition of the document.

Persons have integrity when their inner being is transfused by harmony; when their decisions and actions flow from their honest judgment; when they faithfully pursue the values that they comprehend as means to their perfection. In contrast, they lose their integrity when their volitions and operations are divorced from their vision. Should such a disaster happen, the persons in question become traitors to themselves. Their inner world shatters; it becomes fragmented.

Integrity, however, does not mean that the individual judgments held by persons of integrity are by that fact alone correct and critically unassailable. Quite the opposite: their convictions must be open to critical examination and verification. Integrity

14. Adam "became the father of a son in his own likeness, after his image" (Gen 5:3). See explanatory note in *La Bible: Traduction oecuménique* (Paris: Cerf, 2010) 62.
15. The teaching of Vatican II on the "divine dignity of human persons" is in continuity with the patristic (especially Greek) tradition of "divinization." The Council's practical provisions receive their full and rich meaning in a historical-theological context; for such an "introductory framework" see Myrrha Lot-Borodin, *La déification de l'homme selon la doctrine des pères grecs* (Paris: Cerf, 2011).
16. Cf. Jesus' saying about Nathanael "in whom is no guile" (Jn 1:47).
17. Translation from Denzinger-Hünermann 4316.

speaks of honesty; it is not the final guarantee of the truth of any proposition or of the prudence of any intended action.

It follows that persons holding a mistaken opinion in good faith are not diminished in their dignity. They should be aware, however, that they have the duty to submit their position to detached probing: integrity does not include the gift of infallibility or the highest degree of prudence. To pursue honest self-examination and to be open to an external critical process always remains a duty.

Conscience: The Guardian of Integrity

In *Gaudium et spes* we find a working description of conscience, rich in its intuitive simplicity:

> In the depth of his conscience, man detects a law that he does not impose upon himself but that holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience when necessary speaks to his heart: Do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged. Conscience is the most secret core and sanctuary of a man. There he is alone with God, whose voice echoes in his depths. (GS no. 16)[18]

Briefly, integrity does not guarantee the truth of a judgment or the prudence of an intended action. For that it *must* rely on critical intelligence. The task of conscience is not to create infallible knowledge or unfailing wisdom but to keep a person faithful to his or her honestly acquired conviction.

Such an understanding of integrity has far-reaching consequences for sound policy toward persons who advocate the truth of a proposition (theoretical or practical) by invoking their "dictate of conscience." The community must honor their honesty and in no way invade or destroy it. At the same time, the community has the right—and may have the duty—to examine critically by ordinary and universal criteria the soundness of a position. Further, the community has the right to defend and support the value of unity.

The Inner Drama: Struggle with God

God shared his nature with human persons by creating them intelligent and free. But, I venture to say, it would hardly make sense for God to create such beings without wanting to meet them. In fact, we read in the Scriptures that from the first moment of human beings' consciousness God was conversing with them. Such conversation, symbolically described in Genesis, has never ceased. It continues not only through the external acts of revelation but also in the conscience of every single person.

According to Genesis, there was drama in the Garden of Eden between God who demanded obedience and the humans who wanted to be sovereign like God. This same

18. For example, when parents, following their religious belief, refuse medical care for their child, the secular authority has the right to intervene; it has a duty to care for the temporal welfare of the child. An essential human value is at stake.

drama has resided ever since in the inner depths of every human person. God talks to each of his creatures; each is invited to surrender to God's love. Still, anyone—to his or her ruin—may refuse it; the sanctuary of conscience is the scenery of this divine play. God recognizes the freedom of each person and respects it. The outcome of the drama depends on the created human person. The dignity of the human person is ultimately grounded in the freedom of each one to surrender to God.

Freedom: A Divine Attribute

Freedom is self-revealing; it is a prime experience for every human person. Even little children, long before they are capable of understanding the word, can and do vindicate their freedom with resounding "noes" to their parents' demands.

Only God is perfectly free: God freely communicates himself in creation, and freely receives the surrender of his creatures. God gives and takes: God gives himself, the Supreme Good, and takes the homage of the person intent on serving him. Ultimately freedom is the autonomous capacity to opt for what is truly good.

Persons are free internally when their spirit in its deliberations, decisions, and actions is independent, when it is not imposed or hampered by an outside agent or by their own unruly passions. They are free externally when no outside power coerces them physically or sets up obstacles for their intended actions.

Dignitatis humanae is primarily concerned with the latter, external freedom in religious matters within human society—with a view toward securing internal freedom for the demands of faith. The document demands external "space" for the profession of religious beliefs and for worship, individually or in community. At the same time, it recognizes a limit to this demand: freedom for religion must not interfere or diminish secular authority within its own domain, that of caring for the temporal well-being of the citizens.[19]

Dissent

While *Dignitatis humanae* advocates religious freedom in human society, how is the doctrine of the primacy of conscience applicable within the Catholic Church? In other words, what can our postconciliar Church do? What ought it do to respect the "claim of conscience" within its own boundaries?

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19. I am not referring here to crimes of heresy, apostasy, and schism as defined in canon law: obstinate denial or obstinate doubt of Catholic truth, the total rejection of Christian faith, the refusal of submission to the pope, or the denial of communion with the members. Please note the adjective "obstinate"; it signals that the person is aware of his or her wrongdoing but does it anyway (see canon 751). Persons of good faith who are holding an erroneous doctrine keep their integrity. They have no criminal intent; hence they are not criminals. Canon law has no particular provisions (procedure, court, sentencing) for such cases and admits only two possibilities in their resolutions. One is excommunication; another is submission with little or no regard to conscience (mistaken as it may be). In either case, the result is bound to be the violation of human dignity that should be respected in all persons of integrity. Excommunication is humiliating; it implies guilt. Pressure to conform may destroy the integrity of the person. There should be a third alternative: "Let us part in peace and in mutual respect."

Good-faith conflict situations in the Church are arising with some frequency, and often with urgency.[20] The cases are of similar pattern: recognized values are in conflict. On the one hand there is the value of unity in belief and action as Luke describes it in the Acts of the Apostles: "the company of those who believed were of one heart and soul" (Acts 4:32). On the other hand there is the value of the integrity of a person—member of the community—who finds him- or herself in conscience opposed to official doctrine or practice. That is the well-known issue of dissent.

When such a conflict happens, there is a crisis. For the resolution of such a conflict we may begin by referring to some venerable principles, old and new:

- "Unity in all that is necessary; freedom in all that is doubtful; charity in all"—a maxim often quoted at the council;
- the dignity of the persons must be upheld by respecting their integrity;
- the objective correctness of all judgments held "in conscience" must remain subject to critical examination, using the criteria that faith and reason can provide;
- the identity of the community in its essential beliefs and practices must be preserved.

So much for principles: they have their role, but they remain abstract, general, and impersonal. They offer universal guidance but no solution for individual cases, because each case is concrete, particular, and personal. It can hardly be otherwise; consciences differ.

The solution consists in admitting that such cases do not, cannot, fall under the law. Since they are concrete, particular, and personal, so must be their resolutions. Peter Hünermann, however, thinks that the Council should have taken care of this problem, possibly by universal legislation:

> There is one consequence that the Council fathers did not have in mind. The strict distinction between, on the one hand, the legal level with its element of compulsion, and, on the other, the religious level, the freedom of faith, also has consequences for defining the relationship and distinction between institutional and juridical regulations within the Church . . . and the questions of faith and the duty of believing. . . . The history of the postconciliar period bears painful witness to the continued existence of this blind spot.[21]

Hünermann is right. The Council did not give any indication as to how church authorities should handle cases where a person asserts that, in conscience, he or she cannot accept some official teaching or practical order. He is also right that in the postconciliar

20. See Hünermann, "A Creative Solution" 457.

21. Whenever the conscience of a person is involved in a case, the issue becomes so personal that the law conceived for general occurrences may not be able to handle it. Yet justice ought to be done. For such circumstances, Aristotle invoked equity as a balancing factor and an instrument of justice (not of mercy). Equitable consideration takes into account the concrete, particular, and personal circumstances of the individual involved. See Aristotle, *Nicomachean Ethics*, Book 5. Further, to the point: "Thus, there is no magic in equity. There is no fuzziness either. The life of human communities is regulated by various norms, legal, philosophical, religious. Each group of norms has its own built-in limits. When in concrete life a case arises which cannot be justly resolved by law, it is right that the community should turn to philosophy or to religion and let them prevail over the positive law.

decades we have had plenty of experience with painful situations—at times unresolved, at times terminated in a manner that left the impression that justice was not done.

I doubt whether the Council Fathers could have given any clear and workable rules (to be placed into the Code of Canon Law) even if they had wanted to. The reason is that in such cases the concrete variables are so numerous and subtle, so singular and personal, that laws—by nature always abstract, general, and impersonal—cannot do justice to them. They belong to the realm of equity.[22]

I do not see any other way of resolving cases than by handing each case over to a wise and learned person (or persons) who can search for a fair resolution and advise the interested parties accordingly. Such approach in a spirit of reconciliation could be supported by some institutional structure. Is it too far-fetched to think of an Office of Reconciliation (Conflict Resolution? Arbitration?) in the territory of an episcopal conference or, for that matter, in the Roman Curia? When good faith is ascertained, there is no need for a criminal process.[23]

Admittedly, there will be cases (as there have been from apostolic times) where no reconciliation is possible. Then the two sides may have no other option than to agree to separate, with respect for each other's integrity. It may be a far better solution than the fulmination of an excommunication.

Five Decades Later

History, including church history, has its own rhythm. Once an ecumenical council is concluded the church at large needs to receive it by making its teachings and practical directions vital forces in the lives of the faithful. The essential pronouncements must become existential events. This transition can be described also from a different (opposite) point of view: once a council is concluded, the Holy Spirit wants to bring the people of God into the movement that the Spirit has initiated. Bishops debate, make decisions, and produce documents, but the purpose of the council is fulfilled only when the universal faithful make it their own and live by it.

Reception

The reception of an ecumenical council is a long, dynamic, and variegated process. On the one side the Council Fathers communicate their inspiration, vision, insights, and

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When this happens, there is authentic equity" (Ladislas Orsy, *Theology and Canon Law* [Collegeville, MN: Liturgical, 1992] 63).

22. At the present we have only the "tribunal" of the Congregation for the Doctrine of Faith with its procedure conceived principally to take care of criminal situations, such as heresy or schism. We have no institutional structure and procedure to deal with good-faith cases of disagreement or error.
23. The fiftieth anniversary of Vatican II offers a good opportunity for each person and community to make a detached assessment of their progress in assimilating the Council—or of letting themselves be absorbed into the conciliar movement initiated by the Spirit. Here one question, among others, suggests itself: Have we not spent effort and energy beyond measure in discussing hermeneutical principles and less than what would have been necessary to introduce collegiality?

determinations. They do it with authority: *Placuit Spiritui sancto et nobis* (it pleased the Holy Spirit and us). On the other side the communities (local churches, parishes, religious communities, etc.) respond first by accepting the information on a human level, and then by progressively *believing* in the council on the testimony of the one Spirit who moves in both the Fathers and the faithful. They achieve this grace-filled act with the gift of the theological virtues (as a sacramental community): faith brings them light to see, hope gives them courage to surrender, and love moves them to be disciples. Although every community receiving the council participates in the same gift, each one absorbs it according to its capacity; one does it slowly, another tries to do it rapidly; none can do it instantaneously.

The process of reception, therefore, displays innumerable degrees and modalities that cannot be described with precision. Four stages, however, are always recognizable in these movements. Initially the communities learn in a human way about *what happened at the council*; then they want to know in a historical-critical context *what meanings can be found in the texts*; then, in the light of their faith they wonder *how the word of God is unfolding in the council's message*; and finally, on the strength of their hope and love, they reshape and reorder their lives according to the Council.[24]

The reception of the Council demands the transformation of minds; it requires the appropriation of a vision of faith that touches every aspect of the lives of individual Christians and of their communities. This is especially true of Vatican II, as it was a seminal council that aimed to bring about a fresh way of thinking and acting concerning issues human and divine. The evangelical parables about the kingdom of God can help us understand what is happening. The Council has thrown leaven into the dough; it has sown seeds bursting with energy; it has put a lamp on a stand. Now we are watching fermentation; we see growing plants splitting rocks; and we find light in the dark corners of our house (see Lk 18–20; Mt 5:15). But we need patience: the tasty bread, the mature tree laden with fruit, the light that radiates afar will come only in God's own time.

The energies of the Spirit are explosive by nature; impeded in one direction, they find another. After the Council of Trent theological reflection went into a recession due mainly to Pius IV's bulla *Benedictus Deus* of 1564 forbidding any insightful commentaries on the decrees of Trent.[25] It did not recover until the nineteenth century when Newman's genius broke into the field. Yet, after the Council of Trent there was an explosion of other fields. Fresh initiatives abounded in religious life (Carmelites, Jesuits), in schools of arts (baroque), in education (seminaries, colleges), in

24. "Furthermore, in order to avoid the distortion and confusion that could arise if it were permitted to every individual, as he pleased, to publish his own interpretations and commentaries on the decrees of the council: by apostolic authority We order all . . . that none, without Our authorization, should dare to publish any commentaries, glosses, notes, explanations, or any kind of interpretation at all concerning the decrees of the said council" (Denzinger-Hünermann 1849). The same pope, also in 1564, reinforced this order by the Rules for the Prohibition of Books in the constitution *Dominici Gregis* (Denzinger-Hünermann 1851–61).

25. Quoted and reaffirmed by Pope Francis in *Evangelii gaudium* no. 84.

propagating the faith (Far East, South America, Canada), and so forth. Meanwhile reflections on the tradition displayed little originality and liturgy stagnated. But the Spirit cannot be extinguished.

The mandate of Vatican II for the hierarchy is not so much to preserve discipline in the Church as to support and manage creative communities by providing space for their immense energies—they have the Spirit. The primary guidebook for such a task cannot be anything other than the book of the Gospels. *Mutatis mutandis*, the words of the Lord for the times of persecution are valid for peaceful times too: "Do not be anxious . . . [about] what you are to say"—"for the Holy Spirit will teach you in that very hour what you ought to say"—and, we may add, what you ought to do (Lk 12:11–12). The task of ecclesiastical laws is to create freedom for the subjects to follow the Spirit, and, more importantly, to create freedom for the Spirit to lead the community.

New Evangelization

It is the great tragedy of Western society that so many persons have lost their faith in God. It may be an even greater tragedy that just as many, if not more, lost their faith in human persons. Those who have lost faith hold and proclaim that we humans have no capacity to know the truth and are not free to love. Such persons place themselves in a tragic situation indeed. A false state of mind prevents them from listening to the One who is the Truth. A wrong disposition hinders them from freely responding to the One who is Love. When we meet such people, their evangelization ought to begin with the proclamation that human beings have the capacity to know the truth, and that they have the gift of freedom to love. It follows that the God-given task of the church is never confined to preaching the gospel in a restricted sense only (that is, the Christ event) or to dispensing the sacraments in an internally purified church only, but in proclaiming openly—opportunely or not—the innate divine dignity of human persons.

Concluding Remarks

The reception of *Dignitatis humanae* is far from coming to a close; its meaning continues to unfold. The Council's vision is supported among the nations by an immense movement in favor of human rights. Interestingly, even governments who deny it in practice honor it in their "official" statements; they do not want to lose credibility in the worldwide forum of nations. A secular movement is supporting the Council's religious vision.

The Spirit of God was poured out in Jerusalem on the first believers. Soon after the first Pentecost, however, the community understood that the Spirit was sent to renew the face of the earth—the whole earth, that is, the whole human family. Is it too much, therefore, to see in the promptings of the same Spirit the ultimate origin of the movement for human rights? Granted, the movement is often marked by human sinfulness and provokes misery and bloodshed, but is it not conceivable that at its core is the Holy Spirit, present and active? In truth, how could it be otherwise? God has not abandoned his people; all nations belong to him.

Pope John XXIII liked to invoke the signs of the times. Surely, the Council's Declaration on Human Dignity and the people's demand for human rights are loud signs that the greatest value in this creation is, must be, the human person. The noble aspiration of the peoples and the holy inspiration of the Council converge to recognize and honor human persons for what they are: authentic "replicas" of God.

It is fitting to close these reflections with a quote from John XXIII (soon to be proclaimed holy; blessed be his memory) from his Allocution for the Opening of Vatican Council II, October 11, 1962:

> In our times Divine Providence is leading us to a new order of human relations which, by human effort and even beyond all expectations, are directed to the fulfillment of God's superior and inscrutable designs, in which everything, even human setbacks, leads to the greater good of the Church.

Credo in Deum: credo in hominem. We believe in God; we believe in human persons;[26] we believe that by honoring them, we honor God.

Author biography

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26. It would be difficult to think of persons in a more tragic situation than those who lost faith in the capacity of their own intelligence to know the truth and in their ability to reach freely for what is good. Such persons have no home; they are strangers in the universe. They cannot enter freely into any human relationships; they can only experience interactions imposed by irrational forces. Whenever an evangelizer meets such persons, his or her first task is to lead them to believe in themselves, to accept their innate dignity—with their own divine gifts of intelligence and freedom. Sages of old called such an operation preevangelization. In the Western world, where today such an attitude is widely spread and shared by many, it should be seen as the beginning of new evangelization. No one can believe in the gospel if he or she does not believe in his or her own dignity.