

ECUMENISM AND FREEDOM OF RELIGION¹

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1. Ecumenism and freedom of religion: a necessary correlation

‘There is no true ecumenical dialogue without freedom of religion’. With this unequivocal confession Cardinal Johannes Willebrands, the second president of the Pontifical Council for the Promotion of Christian Unity, pointed to the necessary and positive relationship between ecumenical activity and the right to religious freedom, and named this right as ‘the indispensable precondition for ecumenical trust’.² That a very close relationship exists in this regard is already evident from the historical fact that it was Cardinal Augustin Bea, the first president of the then Secretariat for the Promotion of Christian Unity, who was entrusted with the task of preparing a draft for the Second Vatican Council on the question of freedom of religion, and that draft was originally treated as an appendix to the Decree on Ecumenism. Already in the second version of that text we find the remarkable sentence that the principle of freedom of religion is ‘*conditio omnino necessaria ut dialogus oecumenicus haberi possit*’. This declaration in turn was located in an ecumenical context, insofar as the World Council of Churches had already shortly after its foundation in 1948 taken up the issue of the freedom of religion in the 1950s, in connection with the question arising among its member churches regarding the concrete structuring of the relationship of the churches to one another.³

The close connection between ecumenism and freedom of religion should not of course give rise to the misunderstanding that the issue of freedom of religion applies to a problem concerning only or even primarily Christians. As the final text of the conciliar Declaration on Religious Freedom shows in grounding this right in the ‘dignity of the human person’, and in the deliberately wide and open formulation ‘freedom in matters religious’ used in the sub-title,⁴ the question of freedom of religion is in fact

¹ Lecture to the XVII Plenary Session of the Pontifical Academy of Social Sciences on the topic ‘Universal Rights in a World of Diversity. The Case of Religious Freedom’ in Rome, 29 April to 3 May 2011.

² J. Kardinal Willebrands, Religionsfreiheit und Ökumenismus, in: Ders., *Mandatum Unitatis. Beiträge zur Ökumene* (Paderborn 1989) 54–69, cit. 54.

³ Cf. N. Koshy and D. Epps, Article: Religious Liberty, in: N. Lossky *et al.* (Ed.), *Dictionary of the Ecumenical Movement* (Geneva 2002) 976–979.

⁴ Cf. J. Hamer and Y. Congar (Ed.), *Die Konzilerklärung über die Religionsfreiheit* (Paderborn 1967).

a question which concerns every individual in his own religious conduct. Pope Benedict XVI has therefore again and again emphasised that the right to freedom of religion must be accorded ‘pride of place’ among the fundamental human rights ‘since it involves the most important human relationship, our relationship with God’.⁵ Since the church can only be a credible advocate for respecting religious freedom in the civil and social realm if it realises that freedom itself within the church and in inter-church relations, freedom of religion is rightly considered the touchstone of the ecumenical engagement of the churches. Among the broad spectrum of questions arising from that, only a few central aspects of the relationship between ecumenism and religious freedom can be touched on in the current context.

2. Freedom of religion as a prerequisite for ecumenical dialogue

The correlation of religious freedom and ecumenical dialogue arises in the first instance out of the quintessential nature of dialogue as such. A true dialogue can only take place when it is conducted between convictions, and when both dialogue partners have something to say to one another and are willing to seek and find the common truth. Since such a dialogue is only possible in the sphere of freedom, in the sense of respect for the other precisely in his otherness, thus respecting his freedom, it presupposes a symmetrical relationship between the two dialogue partners or, in the words of Otto F. Bollnow, the ‘anticipation that both partners are prepared to speak with one another in full openness on the plane of fundamental equal rights and freedom’.⁶ That true dialogue presupposes an elementary reciprocal relationship readily becomes clear on the basis of the simple fact that a real dialogue is hardly imaginable between a prison warder and his prisoner. On the other hand, the necessary equality does not mean levelling out the convictions of the two partners; equality forms part of the methodology of true dialogue and genuine encounter. These can only do justice to their claim if they are carried out in the spirit of substantive tolerance.⁷ There is an essential distinction between this and the purely formal tole-

⁵ Benedetto XVI, Giustizia, libertà, perdono e riconciliazione, speranza: Formidabili impegni per costruire la pace nella verità. Al Corpo Diplomatico presso la Santa Sede durante l’udienza per la presentazione degli auguri per il nuovo anno, in: *Insegnamenti di Benedetto XVI II*, 1 2006 (Città del Vaticano 2007) 43-51, cit. 47.

⁶ O. F. Bollnow, *Das Doppelgesicht der Wahrheit* (Stuttgart 1975) 66.

⁷ Cf K. Koch, Säkulare Toleranz und christlicher Glaube, in: Ders., *Konfrontation oder Dialog? Brennpunkte heutiger Glaubensverkündigung* (Freiburg / Schweiz – Graz 1996) 123-147.

rance which prevails today, which immediately accuses all differences as discrimination and accepts only equality, so that tolerance only seems possible and practicable when the search for truth is suspended, under the false assumption that convictions presented with the certainty of truth would simply endanger peace between people. But a 'dialogue' conducted between partners who do not themselves represent any clear standpoint and are indifferent to the truth that is sought, does not deserve this honorific title. By contrast, substantive tolerance respects existing differences and leads to unity and peace precisely through the recognition of those differences.

What is true of dialogue between individuals is even more relevant for ecumenical dialogue, where questions of faith are involved. The Decree on Ecumenism of the Second Vatican Council stressed that in ecumenical dialogue 'each one deals with the other on an equal footing', and therefore formulated the necessary reciprocal relationship for any true ecumenical dialogue in the term 'par cum pari agat'.⁸ It deserves to be remembered that this fundamental formula for ecumenical dialogue was already contained in the *Instructio Ecclesia catholica* published by the Holy Office in 1949, which has become foundational in the history of Catholic ecumenism. There it is stated that 'each of the two partners, Catholic and non-Catholic, is to discuss questions of faith and morality and explain the teaching of his confession on the basis of equality (*par cum pari*)'. Therewith it also becomes clear that ecumenical dialogue takes place and is therefore a dialogue between brothers and sisters on the foundation of the common Christian heritage.

Ecumenical dialogue consequently resembles a tightrope walk between extremes: on the one hand, a 'dialogue' which is not interested in the truth and allows any arbitrary point of view to stand unquestioned very soon leads to the boredom of indifference. On the other hand, any 'dialogue' leads to the fanatical bigotry of intolerance if one partner claims absolute truth for himself alone. A truly ecumenical dialogue distinguishes itself from both extremes of apathy and fanaticism, of indifference and intolerance, by being conducted in freedom between convictions of truth, and thereby serves unity and peace. That demands a tolerance which engages itself in dialogue and recognises the principle of religious freedom as an indispensable prerequisite, as Pope Benedict XVI expressed it in unambiguous words: 'We impose our faith on no-one. Such proselytism is contrary to Christianity. Faith can only develop in freedom. But we do appeal to the

⁸ *Unitatis redintegratio*, No. 9.

freedom of men and women to open their hearts to God, to seek him, to hear his voice'.⁹

3. Missionary witness and proselytism

With that, the second keyword has been uttered, a word which deserves special consideration in reflecting on the correlation between ecumenism and freedom of religion, that is the keyword proselytism. This word of course bears within it the difficulty that it can be used in varying senses.¹⁰ In a positive or at least neutral connotation the word can define all endeavours of a religious community to gain new members. In ecumenical discussion of course the negative connotation of the word predominates, which is understood as all endeavours of a religious community to gain new members at any price and with the application of all methods which may in some way be effective, acting according to the morally decadent principle that the end justifies the means. This negative connotation has become dominant in the ecumenical movement since the study document which was adopted by the General Assembly of the World Council of Churches in New Delhi in 1961, and which states: 'Proselytism is not something totally distinct from authentic witness: it is the corruption of witness. Witness is distorted when – subtly or openly – cajolery, bribery, undue pressure or intimidation are applied in order to achieve a seeming conversion'.¹¹

The Second Vatican Council also rejected every form of proselytisation in its Declaration on Freedom of Religion, when it is for example emphasised that 'in spreading religious faith and in introducing religious practices' everyone ought at all times refrain 'from any manner of action which might seem to carry a hint of coercion or of a kind of persuasion that would be dishonourable or unworthy especially when dealing with poor or uneducated people'.¹² With the keyword 'persuasion' the Council gave a helpful pointer for making an essential distinction between the force of persuasion and the art of conviction. While the temptation and the attempt to persuade another person is always authoritarian and totalitarian and has the aim of imposing one's own standpoint on the other, the art of conviction proves

⁹ Benedetto XVI, La 'vendetta' di Dio e la croce: Il 'no' alla violenza. La solenne concelebrazione eucaristica sulla spianata della 'Neue Messe' in München il 10 settembre 2006, in: *Insegnamenti di Benedetto XVI* II, 2 2006 (Città del Vaticano 2007) 230–135, cit. 234.

¹⁰ Cf. S. Ferrari, Proselytism and human rights, in: J. Witte, Jr. and F.S. Alexander (Ed.), *Christianity and Human Rights. An Introduction* (Cambridge 2010) 253–266.

¹¹ F. Lüpsen (Ed.), Neu Delhi-Dokumente (Witten 1962)) 104–106, in: *Ecumenical Review* 13/1 October 1960, p 79–89.

itself to be a free invitation to the partner to commence communication and enter into an invigorating dialogue. It is self-evident that only the second alternative is consonant with the Christian gospel of freedom.¹³

In the draft of the Declaration on the Freedom of Religion which was presented to the Central Committee during the lead-up the Council in 1962, the key-word ‘proselytism’ was still used expressly: ‘vitatis omnibus apertis vel consortis improbi proselytismi molimentis seu mediis improbiis vel inhonestis’. But that word was not retained because it seemed as though this passage was directed exclusively at Catholic missionaries. The Council wished thereby to prevent another misunderstanding: that with its Declaration on the Freedom of Religion the Second Vatican Council had heralded the end of the mission activity of the church. That this was in no way the case is unmistakably demonstrated in Article 14 of ‘*Dignitatis humanae*’: ‘The Church is, by the will of Christ, the teacher of the truth. It is her duty to give utterance to, and authoritatively to teach, that truth which is Christ himself, and also to declare and confirm by her authority those principles of the moral order which have their origin in human nature itself’.¹⁴ The Declaration on Religious Freedom does not in any way express an obligation to renounce missionary witness to the truth of the faith, but it expresses an obligation to renounce all those means which are not consonant with the good news of Jesus Christ, and instead to apply solely the means of the gospel itself, which consist in the proclamation of the word and the testimony of life, even to the extent of martyrdom. Or to use the precise words of Cardinal Johannes Willebrands: the conciliar Declaration on Religious Freedom ‘contributes to an intensification of missionary work in that it causes it to become more true and more pure’.¹⁵

Every Christian church needs render an account of whether it has not again and again succumbed to the temptation of proselytism. The Milanese legal expert Silvio Ferrari has drawn attention to one particular problem, in commenting that the charge of proselytism made by the Russian Orthodox Church against those churches which have established their own communities and organisational structures on Russian territory again following the

¹² *Dignitatis humanae*, No. 4.

¹³ Cf. K. Koch, Mission oder De-Mission der Kirche? Herausforderung an eine notwendige Neuevangelisierung, in: G. Augustin / K. Krämer (Ed.), *Mission als Herausforderung. Impulse zur Neuevangelisierung* (Freiburg i. Br. 2011) 41–79.

¹⁴ *Dignitatis humanae*, No. 14.

¹⁵ J. Kardinal Willebrands, Religionsfreiheit und Ökumenismus, in: Ders., *Mandatum Unitatis. Beiträge zur Ökumene* (Paderborn 1989) 54–69, cit. 63.

collapse of the Soviet Union is not compatible with the principle of religious freedom. He states that this is also true of the actual background for this charge, which is located in the principle of Canonical Territory, based on the principle 'One city – one bishop – one church'.¹⁶ In response, Cardinal Walter Kasper has rightly maintained that the Catholic Church cannot 'permit itself to be deprived of the missionary dimension of its being as church in the name of an abusively extended proselytism concept', and that consequently the charge of proselytism, like the whole issue of converts, touches on the fundamental human right of religious freedom.¹⁷

4. No established state church but religion in the public sphere

This example is not mentioned in order to denigrate any specific church as especially negative, but because it harbours the fundamental problem of the relationship of church and state, which concerns every church in one way or another, and which has a direct effect on the understanding and practice of religious freedom. With regard to the Roman Catholic church, it is still instructive today to read what Pope Benedict XVI as a young theologian had to say on the conciliar debate over the Declaration on Religious Freedom in his highly regarded reports on the course of the Second Vatican Council: it was the Anglo-Saxon, American and South American episcopates and the episcopate of the so-called mission countries which were most vocal in speaking out in favour of the Declaration on Religious Freedom. By contrast, the most vehement opponents of the Declaration were the Italian and Spanish episcopates, which were still living under the protection of the state and were fearful on account of their concordats, which had by then become anachronistic. This strong minority demonstrated the tenacious strength which traditional positions can exert even when they are theologically untenable and can only hurt the church. Joseph Ratzinger therefore evaluated the Declaration on Religious Freedom as 'one of the most important events of the Council' and defined it as the 'end of the Middle Ages, the end even of the Constantinian age'. He did so in the conviction that in the last 150 years there was little that had hurt the church as much as the 'tenacious clinging to outmoded political-religious positions', and drew the conclusion: 'The use of the state by the church for its own purposes, climaxing in the Middle Ages and

¹⁶ S. Ferrari, Proselytism and human rights, in: J. Witte, Jr. and F.S. Alexander (Ed.), *Christianity and Human Rights. An Introduction* (Cambridge 2010) 253–266, esp. 259–261.

¹⁷ W. Kasper, Theologische Hintergründe im Konflikt zwischen Moskau und Rom, in: *Ost-West. Europäische Perspektiven* 3 (2002) 230–239, zit. 237.

in absolutist Spain of the early modern era, has since Constantine been one of the most serious liabilities of the church, and any historically minded person is inescapably aware of this'.¹⁸

That is an unambiguous expression of the fact that respecting religious freedom has as its prerequisite the separation of church and state, and therefore a positive relationship of the church to a healthy laicity. Pope Benedict XVI professed this above all in his address of greeting at the beginning of his Apostolic Journey to France in a most principled manner: 'At this moment in history when cultures continue to cross paths more frequently am firmly convinced that a new reflection on the true meaning and importance of laicity is necessary. In fact it is fundamental on the one hand to insist on the distinction between the political realm and that of religion in order to preserve both the religious freedom of citizens and the responsibility of the state towards them, and on the other hand to become more aware of irreplaceable role of religion for the formation of consciences and the contribution which it can bring to – among other realities – the creation of a basic ethical consensus in society'.¹⁹

That statement addresses in a sense the negative side of the principle of religious freedom, that the state may not exercise control over the faith of its citizens, but that instead each citizen is able to freely choose his faith. Religious freedom therefore includes the right of each individual to change his religion or confession, without that action being liable to result in social, economic or political disadvantage. But far more fundamental is respect for the positive or corporative freedom of religion, which permits each person the right to proclaim his faith in public, both as an individual and in community with others, and means that faith communities are to administer their internal affairs in spheres of freedom protected by the state. Anyone who acknowledges the separation of church and state and with it a certain healthy laicity of the state, is therefore not only entitled but also obligated to defend himself against the strong current tendency towards total privatisation of religion and its expulsion from the public sphere into the purely private sphere of the individual person. Pope Benedict XVI has done so in an exemplary manner, above all during his pastoral journey to the USA, where he declared unequivocally that there is in principle no room for purely private religion within Christendom: 'Christ is the Saviour of the world, and, as members of his Body and sharers in his pro-

¹⁸ J. Ratzinger, *Theological Highlights of Vatican II* (New York 2009) 144.

¹⁹ Benedetto XVI, *Tra Chiesa e Stato un dialogo più aperto e positivo. La cerimonia di benvenuto nel Palazzo Presidenziale dell'Eliseo il 12 settembre 2008*, in: *Insegnamenti di Benedetto XVI* IV, 2 2008 (Città del Vaticano 2009) 265-269, cit. 267.

phetic, priestly and royal “munera”, we cannot separate our love for him from the commitment to the building up of the Church and the extension of his Kingdom. To the extent that religion becomes a purely private affair, it loses its very soul’.²⁰ Since the modern declaration of religion as a private matter of the individual civil subject may at its core simply represent opposition to established state religion, but not to the public social dimension of religion, the principle of religious freedom intrinsically includes state facilitation of the public mission of a religious community, as Pope Benedict XVI has in turn demanded in his famous address to the UN: ‘The full guarantee of religious liberty cannot be limited to the free exercise of worship, but has to give due consideration to the public dimension of religion, and hence to the possibility of believers playing their part in building the social order’.²¹

5. Ecumenical responsibility for the freedom of religion today

It is not possible to claim that these fundamental lessons of the Second Vatican Council have really been learned even in Europe. Hence it is an urgent demand of the present hour that the Christian churches in ecumenical solidarity become strong advocates for safeguarding religious freedom, not only in its negative and individual sense but above all in its positive and corporate sense. That should be seen as a specific touchstone for the correlation of religious freedom and ecumenism, particularly since individual churches have very different traditions in the structuring of the relationship of church and state, and this relationship is one of the least discussed subjects in ecumenical dialogues.

In past centuries we find a tendency for a church, whether Catholic, Protestant or Orthodox, to demand for its members full freedom of religious confession in those states in which it existed as a minority, while denying the same freedom to other religious communities in those countries where it existed as the majority. Such an unequivocal attitude towards religious freedom must today be judged as in principle anachronistic,²² not

²⁰ Benedetto XVI, Nuovi modi di pensare l’Identità Cattolica e la Libertà. Le risposte alle domande dei Vescovi sul secolarismo, l’individualismo e il declino delle vocazioni in Washington il 16 aprile 2008, in: *Insegnamenti di Benedetto XVI IV*, 1 2008 (Città del Vaticano 2009) 587-592, cit. 590.

²¹ Benedetto XVI, I diritti umani vanno radicati nella giustizia. Ai partecipanti all’Assemblea Generale delle Nazioni Unite, in: *Insegnamenti di Benedetto XVI IV*, 1 2008 (Città del Vaticano 2009) 618-626, cit. 625.

²² Cf. W.Thönissen, Art. Religionsfreiheit, 3. Ökumenischer Aspekt, in: Ders. (Ed.), *Lexikon der Ökumene und Konfessionskunde* (Freiburg i. Br. 2007) 1173-1175.

least in view of the fact that the Christian faith is the most persecuted religion in the world today. In this situation it proves insufficient and also lacking in credibility for individual churches to claim religious freedom for themselves alone. They are instead called upon to show empathy and solidarity in particular with those Christian churches and other religious communities which have to suffer persecution on the basis of their faith. Such solidarity ought to be taken for granted as soon as it becomes evident that any breach of the religious freedom of other faith communities at the same time puts at risk the fate of one's own religion. Our actions must be directed according to the principle which Benedict XVI called to mind in his Message for the World Day of Peace 2011: 'Religion is defended by defending the rights and freedoms of religious communities'.²³

It is the credible translation of this principle into concrete action by Christians and churches which will demonstrate whether religious freedom really is 'a kind of litmus test for respecting all other human rights',²⁴ as Pope John Paul II was wont to express it. And then, in view of the fact that today all Christian churches and ecclesial communities have their martyrs, he also spoke of 'an ecumenism of martyrs', and linked that to the beautiful promise: In spite of the drama of church division, the steadfast witnesses to the truth in all Christian churches and ecclesial communities have shown how God himself upholds communion between the faithful at a deeper level, with the ultimate claim of faith testified by the sacrifice of one's life. While we Christians and churches here on earth still live in an imperfect communion to and with one another, the martyrs in heavenly glory already live in full and perfect communion. Martyrs are therefore 'proof for the fact that total devotion of the self to the cause of the gospel can confront and overcome any element of division'.²⁵

This prospect should encourage us Christians even more to give credible witness to it with effective aid to persecuted Christians and Christian communities in the world today, with the public denunciation of persecution situations and ecumenical engagement for respecting religious freedom and human dignity. In the ecumenism of the martyrs the correlation of religious freedom and ecumenism finds without a doubt its most urgent kairological concretisation.

²³ Benedict XVI, Religious Freedom, the path to peace. Message for the celebration of the World Day of Peace 2011, No 13.

²⁴ John Paul II., Ansprache an die Teilnehmer der Konferenz der Organisation für die Sicherheit und Zusammenarbeit in Europa OSZE, in: AAS 96 (2004) 111.

²⁵ John Paul II., *Ut unum sint*, No. 1.