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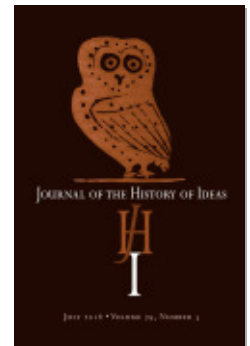
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Catholics, Protestants, and the Tortured Path to Religious Liberty

Udi Greenberg

Of the many texts that emerged from the reformatory Second Vatican Council, few have been as crucial to Catholic thought as the Declaration on Religious Freedom. Approved by the bishops who gathered in Rome in December 1965, it pronounced freedom of worship, preaching, and conversion as a universal right, “greatly in accord with truth and justice.” Most consequentially, the declaration renounced the Church’s long-standing belief in the duty of Catholic-led states to impose its teachings whenever possible, and repress attempts by other religious groups to disseminate their own faith. Governments could no longer be regarded as God’s “secular arm,” the declaration announced, for “the truth cannot impose itself except by virtue of its own truth.”¹ This ideological reversal sent shockwaves not only in the realm of ideas, but also in the world of power. From Spain and Portugal to Columbia, states that had committed to the Vatican in concordats that enshrined Catholicism as the formal state religion began to ease or even abolish their restrictions on non-Catholic preaching, education, and rituals.²

For many years, scholars understood this dramatic transformation as

¹ *Dignitatis humanae* [Declaration on Religious Freedom], 7 December 1965, §1, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html.

² For an overview, see Roland Minnerath, “The Position of the Catholic Church Regarding Concordats from a Doctrinal and Pragmatic Perspective,” *Catholic University Law Review* 47, no. 2 (1998): 467–76.

part of the Church's unavoidable—if not always enthusiastic—adaptation to a modern, pluralist, and democratic world, in which states maintain religious neutrality. Highlighting American Jesuit John Courtney Murray, whose *We Hold These Truths* (1960) and other writings helped develop momentum for change, they especially emphasized the influence of postwar American thought, and its supposed longtime commitment to religious freedom. As John Noonan boldly put it in Vatican II, “the American experience [in religious freedom] has lightened up the skies.”³ More recently, new scholarship has explained this postwar shift as European Catholics' recasting of their opposition to secular liberalism and Communism, which in the interwar years animated their support for authoritarianism but was reborn in a new political guise after Nazism's defeat. In this harsher story, which stresses continuities in European thought, Catholic embrace of religious liberty—and democracy in general—displayed anything but respect for secular ideas. When philosophers such as Jacques Maritain advocated for this principle, most famously in *Man and State* (1951), it was because they believed liberty would best achieve the voluntary Christianization of society, and ultimately more effectively overcome atheist Communism. In this telling, Vatican II was a delayed theological confirmation of shifts that happened earlier in the sphere of politics and social theory. A decade after Europe's Catholics had grudgingly made peace with democracy in the name of anti-Communism, the cardinals in Rome also agreed to stomach tolerance.⁴

Both of these stories are significant in their emphasis on international models and longer continuities. Yet they overlook a crucial ideological context that helped push Catholics in new directions. Alongside democratization and anti-Soviet fury, religious liberty was also fueled by a dramatic Catholic revolution in thinking about *Protestants*, namely a shift from bitter hostility to enthusiastic collaboration. Throughout the nineteenth and

³ John T. Noonan, *The Lustre of Our Country: The American Experience of Religious Freedom* (Berkeley: University of California Press, 1998), 9. See also for example, Barry Hudock, *Struggle, Condemnation, Vindication* (Collegeville, MN: Liturgical Press, 2015); Kenneth L. Grasso, “Democracy, Modernity and the Catholic Human Rights Revolution,” *The Catholic Social Science Review* 9 (2004): 37–46; Joseph A. Komonchak, “Religious Freedom and the Confessional State: A Twentieth-Century Discussion,” *Revue d'Histoire Ecclésiastique* 95 (2000): 634–50; and Thomas P. Ferguson, *Catholic and American: The Political Theology of John Courtney Murray* (London: Sheed & Ward, 1993).

⁴ See for example Samuel Moyn, *Christian Human Rights* (Philadelphia: University of Pennsylvania Press, 2015) and James Chappel, *Catholic Modern: The Challenge of Totalitarianism and the Remaking of the Church* (Cambridge, MA: Harvard University Press, 2018).

early twentieth centuries, an army of Catholic thinkers associated religious liberty first and foremost with the poison of Protestant heresy. It was in part for this reason that Pope Pius X, in his famous 1910 encyclical *Editae saepe*, decried Protestants as “enemies of the cross of Christ,” “corrupters” who “paved the way for modern rebellions and apostasy.”⁵ But in the mid-twentieth century, Catholics abruptly changed their minds and began viewing Protestants as legitimate Christians and spiritual allies. In the pinnacle of ecumenism—as Catholic-Protestant cooperation became known—Vatican II formally promulgated a Decree on Ecumenism (1964), stating that Protestants were “brethren . . . in communion with the Catholic Church.”⁶ It was in the context of this momentous shift that Catholic leaders finally shed their opposition to religious liberty. For many, interdenominational peace required a new vision of the state, in which no church held formal legal hegemony; they believed that the two intellectual projects—making peace with Protestants and revising Catholic teachings on the use of state power—were ultimately inseparable. As numerous observers at the time noted, it was no coincidence that the thinkers who drafted the Council’s Declaration on Religious Freedom also penned the Decree on Ecumenism, and that both texts emerged from the same organ, the Secretariat for Promoting Christian Unity.⁷

To be sure, this shift in Catholic thinking about religious liberty and Protestants was not isolated from a broader embrace of former “others.” The postwar years, after all, also witnessed a doctrinal reconciliation with the Jews, whom theologians had long condemned as cursed but Vatican II celebrated as “brothers.” Yet even though the embrace of religious liberty benefited from this broader context, it is crucial to recognize that it was also uniquely entangled with the toleration of Protestants. The leading Catholic reformers of theological anti-Semitism, as John Connelly has shown, focused on combating racism and eugenics, and wrote little on state-church relations; it was the theologians who were especially concerned with Catholic-Protestant dialogue who most forcefully articulated and helped

⁵ Pius X, *Editae saepe*, 26 May 1910, http://w2.vatican.va/content/pius-x/en/encyclicals/documents/hf_p-x_enc_26051910_editae-saepe.html.

⁶ *Unitatis redintegratio* [Decree on Ecumenism], 21 November 1964, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19641121_unitatis-redintegratio_en.html.

⁷ Pietro Pavan, “Declaration on Religious Freedom,” in *Commentary on the Documents of Vatican II*, ed. Herbert Vorgrimler (New York: Herder and Herder, 1969), 49–86 and John H. Miller, ed., *Vatican II: An Interfaith Appraisal* (Notre Dame, IN: University of Notre Dame Press, 1966).

lead the Church's shift in this field.⁸ Similarly, one cannot fully explain the changing view of Protestantism and religious liberty as a consequence of the Church's Cold War crusade against atheist Communism. The Cold War may have helped lead Catholics to the language of human rights in the name of combatting Communism, as some have claimed, but this did not automatically necessitate increasing tolerance for other churches or accepting state neutrality in religious matters.⁹ Pope Pius XII, for example, who did so much during and after World War II to popularize the language of rights, was vocally opposed to ecumenism and remained deeply suspicious toward religious freedom. Bringing Catholic thought to ecumenism and religious liberty, then, was not just a side effect of other transformations. It was a particular project with a distinct intellectual trajectory.

Charting the intertwined evolution of Catholic thought on religious liberty and ecumenism, this essay explores their twin geneses in the 1930s and 1940s, their forceful repression by the Vatican in the 1950s, and their rapid rebirth in the 1960s. In doing so, it seeks to shed light on an important motor behind the emergence of Catholic religious liberty, and on the scope and consequences of the Protestant-Catholic accord. Although scholars have paid scant attention to ecumenism, it was one of the most revolutionary intellectual movements of the twentieth century.¹⁰ Its thinkers helped redefine Christian understanding of the self and the other, reconstitute the borders of Christian community, and offer new legal-political norms on what could and should govern "Christendom." That this movement—alongside democratization and anti-Communist mobilization—led Catholics to religious liberty is a testament to its impact. Yet the movement's spectacular and quick success made it easy to forget how tenuous it was when it began.

THE BIRTH OF CATHOLIC RELIGIOUS LIBERTY FROM THE SPIRIT OF ECUMENISM

In the toxic clashes that defined Catholic-Protestant relations in the modern era, few concepts were as prominent as religious liberty. Well into the late

⁸ John Connelly, *From Enemy to Brother: The Revolution in Catholic Teaching on the Jews* (Cambridge, MA: Harvard University Press, 2012).

⁹ See for example Moyn, "Religious Freedom between Truth and Tactic," in *The Politics of Religious Freedom*, ed. Winnifred Sullivan et al. (Chicago: University of Chicago Press, 2015), 135–41, and Chappel, *Catholic Modern*.

¹⁰ Scholarship on ecumenism in Europe has focused largely on the political sphere, and less on its intellectual content. See, for example, Maria Mitchell's groundbreaking *The*

nineteenth and early twentieth centuries, the church's relationship with the state and the right to practice one's religion freely without state coercion marked a defining fault line between the two denominations. The Catholic Church, as numerous Popes made sure to remind their flock, denounced freedom of conscience and religion as "absurd and erroneous," a betrayal of the state's duty to protect the "one true faith." As Gregory XVI put it in his 1832 encyclical *Mirari vos*, state law had to restrict the preaching of Protestants and secularists, for "is there any sane man who would say poison ought to be distributed, sold publicly, stored, and even drunk because some antidote is available and those who use it may be snatched from death again and again?"¹¹ If the church was occasionally willing to suspend this norm (or "thesis," as it was called) and endorse religious liberty, it was only in countries where Catholics formed a minority, and as an exception ("hypothesis") to the general rule. As the American Catholic writers John Ryan and Moorhouse Millar wrote in their controversial book, *The State and the Church* (1922), Catholics had to be loyal to the US Constitution for now, "but constitutions can be changed, and non-Catholic sects may decline" sufficiently to transform the country into a real "Catholic state."¹² For many, religious liberty was a Protestant invention, a Trojan horse designed to undermine Catholic hegemony. In his reactionary *Three Reformers* (1925), written before his subsequent change of heart to ecumenism, Jacques Maritain explained that Luther's blow to Catholic state-church dogma had released politics from all moral and transcendent authority, and had given birth to the abhorrent theories of liberalism, secularism, and Communism.¹³

This association of religious liberty with Protestant conniving was not altogether detached from reality. On both sides of the Atlantic, it was not only secularists but also Protestants who routinely invoked religious freedom to disparage Catholics as mindless supporters of hierarchy and oppression, if not sleeper agents for a Vatican takeover. Indeed, religious freedom

Origins of Christian Democracy (Ann Arbor: University of Michigan Press, 2012). Scholars of US thought have explored ecumenism in far greater detail, but their work is often confined to the American sphere, sometimes overlooking important figures and traditions. See, for example, Kevin Schultz's excellent *Tri-Faith America: How Catholics and Jews Held Postwar America to Its Protestant Promise* (New York: Oxford University Press, 2011).

¹¹ Gregory XVI, *Mirari vos*, 15 August 1832, <http://www.papalencyclicals.net/Greg16/g16mirar.htm>.

¹² John A. Ryan and Moorhouse F. X. Millar, *The State and the Church* (New York: Macmillan, 1922), 38–39.

¹³ Maritain, *Three Reformers* (London: Sheed & Ward, 1926).

was often a powerful tool in the assault that Protestant majorities unleashed on minorities. In both the United States and Germany, for example, where Protestants proclaimed themselves the guardians of national values, freedom of religion was commonly employed to justify “protection” of the majority against the minority, resulting in blatant discrimination in education and the shutting down of Catholic schools and monasteries.¹⁴ This anti-Catholic energy showed little sign of intellectual exhaustion during the interwar, wartime, and postwar years, as Protestants proclaimed the promotion of religious liberty to be a primary aim of their activism across the globe. The American scholar and missionary thinker Miner Searle Bates spoke for many when, in his massive *Religious Liberty* (1945), he condemned Catholic states such as Spain as the major oppressors of Protestant freedom, worse than the Nazis and equal in their menace only to the Soviet Union.¹⁵ Contrary to what some scholars have claimed, Protestants rarely conceived religious liberty to be an individual right, the purpose of which was to confine religion to the private sphere. In the early and mid-twentieth century, it was often used as a sword in the battle to “open up” Catholic-majority states to proselytism and to defend the Protestant majority against an assumed Catholic conspiracy.¹⁶

The opening salvo in the struggle to rethink the Catholic approach to both Protestants and religious liberty was fired in 1937, when French Dominican theologian Yves Congar published *Divided Christendom: The Principles of Catholic Ecumenism*. Alarmed by the unfolding of the Nazi revolution in Germany, Congar decried Hitler’s “pagan” biological obsession, which left little room for divine grace or conversion. It was a heresy, he claimed, for Catholics to participate in the construction of the “organic” Aryan body, as many in Germany had done, even if the Reich was helpful in suppressing the despised atheist Communists.¹⁷ As an antidote to this

¹⁴ On the United States, see David Sehat, *The Myth of American Religious Freedom* (Oxford: Oxford University Press, 2011). On Germany, see Helmuth Walser Smith, *German Nationalism and Religious Conflict: Culture, Ideology, Politics, 1870–1914* (Princeton, NJ: Princeton University Press, 1995).

¹⁵ Miner Searle Bates, *Religious Liberty: An Inquiry* (New York and London: The International Missionary Council, 1945).

¹⁶ Elizabeth Shukman Hurd, *Beyond Religious Freedom* (Princeton, NJ: Princeton University Press, 2015) and Saba Mahmood, *Religious Difference in a Secular Age: Minority Report* (Princeton, NJ: Princeton University Press, 2016). For a more elaborate critique on this point, see Linde Lindkvist, *Religious Freedom and the Universal Declaration of Human Rights* (New York: Cambridge University Press, 2017).

¹⁷ Yves Congar, *Chrétiens désunis, principes d’un “œcuménisme” catholique* (Paris: Éditions du Cerf, 1937). Quotes here are taken from the English translation, *Divided Christendom: A Catholic Study of the Problem of Reunion* (London: G. Bles, 1939).

spiritual peril, Congar drew on recent works of theologians such as Henri de Lubac to remind Catholics that they belonged to the “mystical body of Christ,” a spiritual organism defended by the Church.¹⁸ This “divine unity” could not be broken by “nation or race,” and those who tried to appropriate Catholicism in the service of parochial national politics were ultimately seeking to “divide Christ” himself.¹⁹

While this opposition to racism was not particularly original, and circulated among anti-Nazi Catholics, *Divided Christendom*’s conception of the “mystical body” was new in its thinking about other Christians. Congar claimed that Christ’s unity included not only the pope’s flock, but anyone who had been baptized, regardless of their denomination. According to Congar, Catholics had misunderstood the Reformation, which was not an evil heresy, but a legitimate effort at renewal. “The inspiration of Lutheranism,” he provocatively claimed, “is authentic Christianity and unassailable Catholicism.”²⁰ Indeed, was not a Protestant “believing, truly consecrated to God and living a holy life, more really a member of the Church than a baptized Catholic who is slack and sinful?”²¹ Boldly redrawing the Church’s borders, Congar mused that “Christendom is more extensive than the visible reality of the Church. . . . Although for us the one and only Church is the visible Catholic Church, we know that outside her visible membership there are souls who belong to Jesus Christ. There are multitudes of the baptized and countless spiritual and holy souls in other Christian communions.” Protestants, then, belonged too in “the mystical body, predestined to eternal life.” Contrary to what countless Catholic writers had claimed for centuries, “these are in fact our brethren,” which made them “in some way members of the Catholic Church.”²²

But how could the rigid boundaries of the visible Church—defined by its sacraments, hierarchy, and rituals—differ from those of the mystical body of Christ? “The reason for it,” Congar asserted, “would seem to be that the Church is the Body of Christ *crucified*.”²³ In this vision, the Church

¹⁸ The most influential work to popularize this conception of the mystical body of Christ was Henri de Lubac’s *Catholicisme*, which appeared simultaneously with Congar’s work, and later appeared in English as *Catholicism: Christ and the Common Destiny of Man* (London: Sheed & Ward, 1950). On the emergence of this concept and its enormous significance for Catholic thought, see Sarah Shortall’s excellent “Soldiers of God in a Secular World” (PhD diss., Harvard University, 2015) and Gerd-Rainer Horn, *Western European Liberation Theology* (Oxford: Oxford University Press, 2008), esp. 69–76.

¹⁹ Congar, *Divided Christendom*, 88.

²⁰ Congar, 41.

²¹ Congar, 222.

²² Congar, 222, 223.

²³ Congar, 223.

may well have been mutilated during the Reformation, but all the rebellious sects had always remained a part of it. Their enduring existence was not a sign of spiritual corruption, but of the Church's own failure to extend a brotherly hand to its former children. Thus, if the Christian mission was to reconstitute Christ's body on earth, Catholics had "no right to look upon this dismembering of Christendom as permanent," and were obliged to make their peace with Protestants. As *Divided Christendom* asked rhetorically, "Is it not possible that we should learn to subordinate our particular values as explained by ourselves to the faith which is given from above and which should unite us all in God?"²⁴ Congar moreover made sure to add that the rise of Nazi "totalitarianism" made such denominational friendship a matter of existential urgency. "It is becoming no longer a question of confessional differences within Christendom itself," he ominously warned, "but a radical choice between the Kingdom of God and the reign of anti-Christ."²⁵

This ecumenical reconstitution of Christendom, however, could not be achieved without some dogmatic shifts. To Congar, it was obvious that the starting point would be rethinking the Church's approach to state power. Selectively reading papal statements and the Church fathers' works, Congar claimed that the Church had never maintained that imposing its teachings was a non-negotiable duty. Jesus, after all, could have forced humanity to embrace him, but instead left it to believers to come to him on their own initiative. "Though He had the right to the adoration of mankind and to the obedience even of natural forces," Congar explained, "He came not to be ministered unto but to minister, in the form of a servant and not of a conqueror. . . . Here on earth Christ saves rather than reigns." The Church, then, may have had the right to impose its rules but, to be true to Jesus's teachings, had to suspend its political prerogatives in Catholic states. "Christ the Savior is indeed Christ the King, but the Kingly prerogatives are as it were obscured, and to all appearance very nearly in abeyance for the benefit of His priestly work of salvation by the Cross." Without explicitly invoking the language of religious liberty, Congar explained that relinquishing the service of the "secular arm" and allowing unhindered preaching of other creeds was the only way the Church could recognize all Christians' membership in Christ's mystical body. Even where Christ does reign, he explained, "it is not in a Kingdom manifest in its perfection, but

²⁴ Congar, 47.

²⁵ Congar, 275.

in an interior Kingdom, hidden, crucified and crucifying—the economy of salvation by the Cross and not of triumphant Kingship.”²⁶

To be sure, Congar did not invent Catholic ecumenism *ex nihilo*. Already in the nineteenth century, theologians such as Johann Adam Möller and Ignaz von Döllinger from Germany and John Henry Newman from Britain sparked controversy by advocating for cross-denominational *rap-prochement*.²⁷ Similar initiatives sprouted again in the 1920s and 1930s, especially in the German-speaking sphere, as mounting anxieties over Socialism and Communist atheism made Protestants look like potential allies. Theologian Karl Adam received substantial attention when he claimed that Protestants “maintained a considerable amount of the Catholic inheritance, and also certain Catholic means of grace,” and that Catholics thus must “regard this Christian life, wherever it appears, with unfeigned respect and with thankful love.”²⁸ Congar broke new ground, however, in articulating an inseparable link between such ecumenism and a new conception of state-church relationship. Protestants, he claimed, were not only worthy of Christian love, but also of equal legal status in legal and political matters. More than any of the earlier important precedents in the ecumenical tradition—all of which would enjoy newfound popularity in the 1960s—it was *Divided Christendom* that set the two on the same level.

While Congar’s blending of ecumenism and religious freedom was idiosyncratic, the advent of war combined with Nazism’s increasingly overt hostility toward most churches substantially increased its appeal. Indeed, it is quite striking how many pioneers of Catholic religious liberty drew from Congar, adopting and justifying this principle through a growing belief in a Catholic-Protestant alliance. For example, this was true of Jacques Maritain, who by the late 1930s had abandoned his earlier reactionary stances and emerged as the world’s most important anti-totalitarian Catholic thinker. Writing in 1941 from exile in the United States, the French philosopher proclaimed that theology’s most important task was “to clear up the principles of that co-operation of men of different creeds which is required

²⁶ Congar, 223.

²⁷ On this, see for example John Connolly and Brian Hughes, eds., *Newman and Life in the Spirit* (Minneapolis, MN: Fortress, 2014) and Stewart J. Brown and Peter B. Nockles, eds., *The Oxford Movement: Europe and the Wider World* (Cambridge: Cambridge University Press, 2012).

²⁸ Karl Adam, *The Spirit of Catholicism* (New York: Macmillan, 1929), 165–67. On initial ecumenical efforts in this period, see Jörg Ernesti, *Ökumene im dritten Reich* (Paderborn: Bonifatius, 2007).

by the common good of temporal society.” The Communist and Nazi “secular” assault on Christianity—which Maritain took to be these regimes’ worst sin—forced on Catholics and Protestants agonies “so much alike,” that they had no choice but to stand alongside each other.²⁹ Even more vocal was the American Jesuit John Courtney Murray, who in 1942 issued a plea for “Christian co-operation.” Catholics must build a “Christian world-order,” Murray explained, but “we cannot do it alone. . . . a purely Catholic effort is unequal to the task.”³⁰ Both authors agreed that this alliance could not be based on mere political expediency, but must include Catholic recognition of Protestantism’s Christian nature. “Co-operation for the good of temporal society,” so Murray maintained, required “a certain community of doctrine.”³¹ Maritain, too, claimed that all those who believe in the cross “have an implicit faith in Christ and accept implicitly the entire divinely revealed truth.” If Catholics held there was no salvation outside the Church, it was because practicing Catholics were “not its only members.”³²

For Maritain and Murray, the legal and political implications of this newly discovered Christian affinity with Protestants were even more clear cut than for Congar. They claimed that ecumenism essentially denied Catholics any ground for contesting religious liberty. If the Church was the truest and purest manifestation of a broader Christian body, how could it justify its opposition to the right of other believers to practice and promote their faiths? Throughout the war and the postwar years, both authors penned a stream of essays and booklets that sought to bend Catholic teaching in a more pluralist direction. Tolerance, Maritain stated in *The Rights of Man and Natural Law* (1943), would enshrine “the currents of liberty and fraternity released by the Gospel.”³³ To be sure, their enthusiasm for the principle stemmed in part from the conviction that a pluralist society would be better equipped than a dictatorship to inject Christian teaching into the social fabric and combat secularism, largely because it relied on voluntary action. Murray explained that only a “spiritual effort exerted on society from the bottom up, rather than . . . through the state and government” could truly “reverse the secularist drift.”³⁴ But just as important,

²⁹ Maritain, “The Achievement of Co-operation Among Men of Different Creeds,” *The Journal of Religion* 21, no. 4 (1941): 364–72, at 366.

³⁰ John Courtney Murray, “Christian Co-operation,” *Theological Studies* 3 (1942): 413–41, at 413, 416. See also Murray, “Current Theology: Intercreedal Co-operation: Its Theory and Its Organization,” *Theological Studies* 4 (1943): 257–86.

³¹ Murray, “Christian Co-operation,” 424.

³² Maritain, *Ransoming the Time* (New York: Charles Scribner’s Sons, 1941), 120–21.

³³ Maritain, *The Rights of Man and Natural Law* (New York: Scribner’s Sons, 1943), 15.

³⁴ Murray, “Current Theology: On Religious Freedom,” *Theological Studies* 10 (Septem-

the allure of religious liberty lay in its power to facilitate a broadening of Christendom itself. This ecumenical concern—rather than an effort to spread American constitutional principles—particularly animated Murray, who before the late 1950s rarely mentioned US law or tradition in his publications.³⁵

By the dawn of the Cold War, as Catholics debated potential partners in their anti-Communist crusade, religious liberty had become almost synonymous with those who advocated for a pan-Christian front.³⁶ Catholic-Protestant cooperation surged, most famously epitomized by the foundation of West Germany's powerful and explicitly cross-denominational Christian Democratic Union party, and a growing chorus called for reform of Catholic dogma.³⁷ The conservative Austrian author Erik von Kuehnelt-Leddihn, a vocal opponent of democracy but an avowed ecumenist, lamented in a 1949 *Wort und Wahrheit* article that the Catholic ban on Protestant evangelization in Spain, Italy, and Latin America was endangering the emerging bond between “Rome and Geneva” against “Moscow.”³⁸ Belgian philosopher Jacques Leclercq, in a highly publicized symposium in Paris, lamented that by creating “a social order which humiliates certain people [by which he meant Protestants] and makes life difficult for them,” Catholics were sabotaging their own mission to bring the truth to all of humanity.³⁹ Perhaps the most forceful was the German publicist and long-time advocate of denominational rapprochement, Max Pribilla, who deemed Catholic opposition to religious liberty “a scandal” that smacked of an eerie similarity to Communism. The Church, he warned in a widely

ber 1949): 409–32, at 424 and Murray, “Reversing the Secularist Drift,” *Thought* 24 (1949): 36–46.

³⁵ This is especially apparent in Murray's “Current Theology: Freedom of Religion,” *Theological Studies* 6 (1945): 85–113. His more sustained writings on American law and its relevance to the church appeared in his *We Hold These Truths: Catholic Reflections on American Propositions* (New York: Sheed & Ward, 1960).

³⁶ On the broad panorama of Catholic thinking about international politics during this period, see Martin Conway and Tom Buchanan, eds., *Political Catholicism in Europe, 1918–1965* (Oxford: Oxford University Press, 1996).

³⁷ On this brief moment, see George Tavard, *Two Centuries of Ecumenism* (Notre Dame, IN: Fides Press, 1960) and Robert McAfee Brown, *The Ecumenical Revolution* (Garden City, NY: Doubleday, 1967).

³⁸ Erik von Kuehnelt-Leddihn, “Katholische Toleranz?,” *Wort und Wahrheit* 4, no. 5 (1949): 342–53, at 344.

³⁹ “Or nous nous reportons aujourd'hui vers ces notions afin de découvrir les conditions les plus favorables pour l'homme de reconnaître la vérité, et nous rendons compte qu'un ordre social qui humilie certains et leur rend la vie difficile, ainsi qu'un ordre interdisant la discussion, qu'il soit, n'est pas favorable à l'épanouissement de la vérité,” Jacques Leclercq, “Etat chrétien et Liberté de l'Eglise,” *Vie intellectuelle* (February 1949): 99–111, at 109–10.

read 1949 essay, could not stand aside as “the whole of civilized mankind is on principle renouncing coercion in spiritual, and especially in religious matters, and tends to class the use of force in this respect with that barbarianism against which the people of the western culture are uniting their resources.” To Pribilla, it was clear that “it can bring only blessings on the Church, if she pledges herself to the freedom of conscience and willingly renounces the method of governmental correction even where it is still at her disposition. What she in this way loses in physical power she will gain in moral strength.”⁴⁰

A new formula, then, had been forged, combining ecumenism and religious freedom. In a new and threatening world, the Protestants formerly condemned as enemies were now friends, and their cherished principle of religious liberty was no longer a threat but a reappropriated tool to revitalize Christendom. The stage, however, was not yet set for the triumph of these ideas. First, they would have to confront an internal challenge.

REPRESSION AND REBIRTH

Despite the enthusiasm of its advocates, this initial postwar interest in Catholic intellectual ecumenism and religious liberty was stillborn. For at least as far as the Vatican was concerned, there was nothing in American-led democratization and anti-Soviet mobilization—both of which pope Pius XII vocally endorsed during and after the war—that called for any ideological or dogmatic modification.⁴¹ Both causes could be championed without bending an inch on the claim to be the one and only citadel of truth. In fact, even though Catholics and Protestants shared an intense aversion to Communism in the postwar years, the Cold War was not sufficient to facilitate a broad ecumenist alliance or consensus on religious liberty. If anything, the Communist menace only served to strengthen the Vatican’s

⁴⁰ “Wir nähern uns einer Zeit, in der die gesamte gesittete Menschheit den Zwang in geistigen und zumal in religiösen Dingen grundsätzlich ablehnt und Gewaltanwendung in dieser Hinsicht nur der Barbarei eignet, gegen die heute die Völker der abendländischen Kultur ihre Kräfte sammeln. Es kann daher der Kirche nur zum Segen gereichen, wenn auch sie sich zu Freiheit des Gewissens und der Religion bekennt und auf staatliche Gewaltmittel gegen Andersgläubige freiwillig auch dort verzichtet, wo diese ihr noch zur Verfügung stehen sollten,” Max Pribilla, “Dogmatische Intoleranz und bürgerliche Toleranz,” *Stimmen der Zeit* 144, no. 7 (1949): 27–40, at 35.

⁴¹ Giuliana Chamedes, *To Make the World Safe for Religion: The Vatican Counter-Revolution in Twentieth-Century Europe* (Cambridge, MA: Harvard University Press, forthcoming).

resolve to suppress forcefully any call for change; it would take a full decade, and an ecumenical breakthrough, for a Catholic commitment to religious liberty to overcome this resistance.

Few moved more decisively to quash the dreams of Congar, Maritain, and Murray than Pius XII, whose fierce antagonism to reform was matched only by his fervent anti-Communism. In his fiery 1949 address, “On the ‘Ecumenical Movement,’” the pontiff prohibited his followers from attending and participating in Protestant or ecumenical gatherings, even those intended to work “against the enemies of God who are now leagued together.”⁴² The following year, he redoubled his intellectual war on ecumenical “false irenicism” by censoring ecumenist publications and ordering their withdrawal from seminaries and libraries.⁴³ Cardinal Alfredo Ottaviani, Secretary of the Holy Office and the pope’s right-hand hardliner, was even more extreme in his denunciation, resurrecting the prewar equation of Protestants with Communism. In a highly publicized 1953 address in Rome, he defended Italy and Spain’s recent expulsion of Protestants by the logic of American domestic persecutions. Why should Catholic “authorities be denied the right to do in their own country what the American authorities do in theirs,” he wondered, “when they apply, with unyielding firmness, laws made expressly in order to prevent entrance into their territory . . . [by] those who are reckoned as dangerous by reason of certain ideologies and who are considered capable of doing harm to the free traditions and institutions of the fatherland?” For Ottaviani, anti-Protestantism and anti-Communism were in fact not merely analogous, but virtually the same. “The majority of those ‘converts’” to Protestantism, he scoffed, “are authentic Communists.”⁴⁴

Not surprisingly, it was in this same address (which the Vatican made sure to translate and distribute) that Pius and Ottaviani attacked the intellectual movement for religious liberty. “We deplore and condemn,” the cardinal thundered, “the calamitous error which invents an imaginary Church, a society nurtured and shaped by charity, with which it disparagingly contrasts another society which it calls juridical.” With thinly veiled references to Congar and Murray (whose essays the text quoted), Ottaviani exclaimed that “reason revolts at the thought that, out of deference to the

⁴² Pius XII, “On the ‘Ecumenical Movement’: An Instruction to the Holy Office,” 20 December 1949, <https://www.ewtn.com/library/CURIA/CDFECUM.HTM>.

⁴³ Pius XII, *Humani generis*, 12 August 1950, http://w2.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_12081950_humani-generis.html.

⁴⁴ Alfredo Ottaviani, *Duties of the Catholic State in Regard to Religion* (Kansas City, MO: Angelus Press, 1954), 23.

demands of a small minority, the rights, the faith, and the conscience . . . of the people should be spurned, and that this people should be betrayed, by allowing the enemies of its faith to introduce division among its members with all the consequences of religious strife.” The Vatican’s support for “the Christian State” was unwavering, and its expectations of the “secular arm” were “firm and unchanging.”⁴⁵ This was part of the Holy Office’s broad campaign against reformists, whose opinions were deemed too “modernist.” Culminating in the Pope’s 1950 encyclical *Humani generis* and its condemnation of “false opinions threatening to undermine the foundations of Catholic Doctrine,” it called for widespread censorship and expulsions of priests from their offices. For the next few years, silence fell on Catholic ecumenism and church-state reform alike. Congar was dispatched to a monastery in Jerusalem, and Murray was forbidden from writing about the topic.⁴⁶

Several social and political factors, however, converged in the late 1950s to resurrect ecumenism, and by extension, religious liberty. In the United States, Catholics and Protestants increasingly found common cause in the postwar years, especially on religion’s place in public education and racial politics. Their shared opposition to Supreme Court rulings such as *McCullum v. Board of Education* (1948), which sought to prohibit religious teachings in schools and erect a “wall of separation” between church and state, bred joint protests and public advocacy groups. Similarly, in the push to diminish racial separation, liberal Protestants found an ally in senior Catholic clergy. When Catholic bishops in New Orleans or Washington, DC, ended segregation in their churches, theologian Reinhold Niebuhr and others termed them partners in rejuvenating “Christian justice.”⁴⁷ An even more powerful grassroots ecumenism flourished in West Germany, where cooperation with Protestants propelled Catholics to unprecedented political power. By defeating the Socialists in a series of elections, the Christian Democratic Union was able to secure Christian teachings in public schools and enshrine traditional marriage in law (for example, denying benefits to single mothers and out of wedlock children).⁴⁸ This social and political

⁴⁵ Ottaviani, 9, 11.

⁴⁶ On this anti-reformist campaign, see Komonchak, “*Humani Generis* and Nouvelle Théologie,” in *Ressourcement: A Movement for Renewal in Twentieth-Century Catholic Theology*, ed. Gabriel Flynn and Paul D. Murray (New York: Oxford University Press, 2012), 138–56.

⁴⁷ These dynamics are described in detail in John T. McGreevy, *Catholicism and American Freedom* (New York: Norton, 2003), 189–215 and Schultz, *Tri-Faith America*.

⁴⁸ Mitchell, *The Origins of Christian Democracy*, esp. 152–79.

mobilization increasingly diminished the impact of the Vatican's apocalyptic warnings about the dangers of cooperation, and increased ecumenism's appeal. As Murray asserted in a private meeting with Protestant and Catholic clergy, it seemed increasingly obvious that ecumenism was the only way to prevent "a victory for secularism."⁴⁹

The growing success of these ecumenical social and political models prepared the ground for a parallel intellectual effort, as many hesitant theologians grew sympathetic to ecumenism. Pius's death in 1958, and his replacement by the more ecumenically friendly John XXIII, therefore opened the door to an avalanche of Catholic calls for cross-denominational collaboration. One after another, theologians and bishops proclaimed that the Church's hostility toward Protestants had never been crucial to its dogma, and could now be discarded. The Canadian theologian Gregory Baum offered a way forward with *That They May Be One* (1958). This was soon followed by George Tavad's *Protestant Hopes and Catholic Responsibility* and Charles Boyer's *Christian Unity* in France, Hans Küng's *The Council and Reunion* in Germany, and countless similar titles, as well as symposia, seminars, and discussion groups on both sides of the Atlantic. In 1962, a group of Catholics from Toronto launched *The Ecumenist*, a path-breaking journal dedicated solely to propagating pan-Christian amity.⁵⁰ Most notably, ecumenism's early proponents such as Congar and Murray resumed their activity, flooding journals and publishing houses with calls for engagement with Protestants.⁵¹ So strong was this intellectual buzz that one commentator proclaimed in 1962 that "we are standing, today, at the beginning of a great revolution in Christian history, an unprecedented revolution."⁵²

As almost all observers—Catholics and others—recognized at the time, this ecumenical wave was bound to generate a rethinking of church-state relations.⁵³ How could the Church, with its army of thinkers and writers,

⁴⁹ Quoted in McGreevy, *Catholicism and American Freedom*, 205.

⁵⁰ Gregory Baum, *That They May Be One* (Westminster: Newman, 1958); Tavad, *Protestant Hopes and the Catholic Responsibility* (Notre Dame, IN: Fides, 1960); Charles Boyer, *Christian Unity* (New York: Hawthorn Books, 1962); Hans Küng, *The Council and Reunion* (London: Sheed & Ward, 1960).

⁵¹ Most of these essays were later collected in Congar, *Dialogue Between Christians* (Westminster: Newman, 1966) and Murray, *The Problem of Religious Freedom* (Westminster: Newman, 1965).

⁵² Henry St. John, "The Eirenic Dialog," *Christian Unity* (London: Sheed & Ward, 1962), 30–50, at 31.

⁵³ This sentiment, for example, was common in the essays by Protestant authors collected in Kristen Skydsgaard, ed., *The Papal Council and the Gospel* (Minneapolis, MN: Augsburg, 1961).

have been so wrong for so long? Few addressed this issue as forcefully as Swiss theologian Charles Journet, one of the leading luminaries of Catholic thought, Maritain's closest theologian disciple, and a longtime supporter of ecumenism. In his massive *The Church and the World Incarnate*, which appeared in parts from the 1940s onward but was republished in full in 1962, Journet explained that Catholic synergy with state power was only a temporary historical arrangement. It had made sense during the medieval period, when a rebellion against the Church meant an attack on public order and political hierarchy, but had lost its purpose in the modern world, when Catholics "find themselves closely united for the needs of temporal life with men of other religions, men who do not belong to the Church, not visibly at any rate." For Journet, who drew heavily on Maritain's earlier writings, heresy had "ceased to be, as such, a crime against the security, the very existence of the State." The political conditions of the Middle Ages had vanished, "and along with them the legitimacy of any recourse to the secular arm for the repression of heresy."⁵⁴

The new intellectual consensus on the intertwined fates of ecumenism and religious liberty reached its full manifestation in Vatican II, announced by Pope John XXIII in December 1959. As part of the planning for the council, the pope established the new Secretariat for the Promotion of Christian Unity, headed by renowned ecumenist theologians Augustin Bea of Germany and Johannes Willebrands from the Netherlands. Rather than focusing on relations with other churches, as its title suggested it should, this group of theologians and its advisers (which at certain points included Congar, Murray, and Journet) took an expansive vision of its mandate, and set religious liberty as one of its key agendas. Over the next three years, the vocal protests of Ottaviani and others notwithstanding, the Secretariat drafted a lengthy statement in support of ecumenism, which included a chapter embracing religious liberty.⁵⁵ Indeed, the first time that the bishops gathered in Rome discussed religious liberty, on November 1963, was when the Secretariat presented the draft of its suggested declaration of tolerance toward other Christian churches. Bishop Émile-Joseph De Smedt from Bruges, who presented the text to the crowd, pleaded that embracing state

⁵⁴ Charles Journet, *L'Église du Verbe incarné: Essai de théologie spéculative* (Paris: Desclée de Brouwer, 1962 [1955]). The quote is from the English translation, *The Church of the World Incarnate* (London: Sheed & Ward, 1955), 302–3.

⁵⁵ For detailed accounts of the formation and work of the Secretariat, see Jerome-Michael Vereb, "Because He Was German!": *Cardinal Bea and the Origins of Roman Catholic Engagement in the Ecumenical Movement* (Grand Rapids, MI: Eerdmans, 2006), and L. D. Pivonka's helpful *The Secretariat for Promoting Christian Unity* (PhD diss., Catholic University of America at Washington, 1982).

neutrality in religious matters was crucial first and foremost because of its importance to other Christians. “Unless it is perfectly clear to our separate brethren that we sincerely acknowledge their freedom,” he exclaimed, all the efforts to increase engagement “will rightly be suspect.”⁵⁶

Ultimately, it was only considerations of expediency and timing that separated this commitment to ecumenism and the declaration of religious liberty into two separate statements. Flooded with nearly four hundred suggestions and emendations to its early draft, the Secretariat’s members decided to first craft a text on interdenominational relations. Entitled the Decree on Ecumenism, it not only declared that all “who believe in Christ and have been truly baptized” should be considered Catholicism’s “brethren,” but also called on Catholics to learn about Protestant history and join pan-Christian associations.⁵⁷ After the Council approved it on November 1964, the Secretariat completed its work on the draft’s other section, which focused on the church’s relations to the state. Ultimately entitled Declaration on Religious Freedom, it declared the right of worship and belief to all, demanded that political authorities provide protection for members of all faiths and religious organizations, and formally ended the Church’s view of the state as a “secular arm” to promote its teachings. Despite some last-ditch efforts by hardliners to derail its passage, in the fall of 1965, the Council formally approved the decree. Many observers declared it “the greatest . . . progress achieved by the Council.”⁵⁸

To be sure, like almost all the Council’s final statements, the final two decrees were the product of considerable compromises, especially with Italian and Spanish opponents of both. The Declaration on Religious Freedom, for example, described freedom as only “consonant” with “the act of the Christian faith,” rather than the only legitimate teaching, and the Decree on Ecumenism qualified its embrace of Protestants by reminding that “only through Christ’s Catholic Church” could they “benefit fully from the means of salvation.”⁵⁹ While these watered-down phrasings left Murray and others somewhat disappointed, it was nevertheless clear that it was their vision that ultimately emerged victorious. As Congar wrote in his diary upon the

⁵⁶ Quoted in Melissa J. Wilde, *Vatican II: A Sociological Analysis of Religious Change* (Princeton, NJ: Princeton University Press, 2007), 97.

⁵⁷ *Unitatis redintegratio*, §3, §9.

⁵⁸ On the last two sessions of Vatican II and the completion of the two decrees, see for example John W. O’Malley, *What Happened in Vatican II* (Cambridge, MA: Belknap Press of Harvard University Press, 2008); Giuseppe Alberigo and Komonchak, *History of Vatican II* (Leuven: Peeters, 2003), esp. 96–134. The quote is from Pavan, “Declaration on Religious Freedom,” 51.

⁵⁹ *Dignitatis humanae*, §9; *Unitatis redintegratio* §3.

Council's conclusion, "What a day! What a moment! . . . This is triumph."⁶⁰

CONCLUSION

Ecumenism's victory was so decisive, and its speed so astonishing, that it has become easy to forget the revolutionary nature of its intellectual content. Like its most consequential manifestation, the promotion of religious liberty, it appears to be an inevitable concession to the modern world, the only realistic way for Catholic thought to move beyond reactionary restrictions. Indeed, the opponents of ecumenism and religious liberty often gave credence to those who accused them of being helplessly locked in an outdated mentality. Archconservative Bishop Marcel Lefebvre, one of the leading anti-reformers involved in Vatican II, sounded pathetically archaic in decrying the Declaration on Religious Freedom as a Protestant plot to "infiltrate" the Church and spread "indifferentism" among believers.⁶¹ Was it not obvious, as Congar noted during the council's deliberations, that a new spiritual brotherhood and the abandonment of coercion was the only way to sustain and revitalize Christianity? From the 1960s onward, even many traditionalist conservatives abandoned dreams of reversing the clock on state-church relations.⁶²

There is, therefore, considerable irony that, over the past two decades, several Catholic and Protestant thinkers have found a new source of cooperation in their critique of religious liberty. The prominent American Methodist theologian Stanley Hauerwas, for example, warned that accepting religious liberty as a core principle induced spiritual apathy, as Christians confused tolerance with viewing other religions as equal. "The inability" of churches, he lamented, "to maintain any sense of authority over the lives of their members is one of the most compelling signs that freedom of religion has resulted in the corruption of Christians" into indifference.⁶³ The

⁶⁰ Congar, *My Journal of the Council*, trans. Sr. Mary John Ronayne, OP, and Mary Cecily Boulding, OP (Collegeville, MN: Liturgical Press, 2012), 869–70. On Murray, see Grasso, "John Courtney Murray, 'the Juridical State,' and the Catholic Theory of Religious Freedom," *Political Science Reviewer* 33, no. 1 (2003): 1–61.

⁶¹ Marcel Lefebvre, "Secularism: A Mentality Harmful to the Apostolate—How Are We to Confront It?," *Pastoral Letters, 1947–1968* (Kansas City, MO: Angelus Press, 1992), 126–48. See also Lefebvre, "To Remain a Good Catholic Must One Become a Protestant?," *A Bishop Speaks: Writings and Addresses 1963–1975* (Edinburgh: Scottish Una Voce, 1975), 73–84.

⁶² Congar, *My Journal of the Council*, 417.

⁶³ Stanley Hauerwas, *After Christendom?* (Nashville, TN: Abingdon, 1991), 88.

Catholic theologian William Cavanaugh recently concurred, and maintained that by accepting religious liberty Catholics risked reducing Christianity to merely a private choice between equally viable teachings. “To resist the confinement of Christianity,” he complained, “we need more than an appeal to freedom of belief and freedom of conscience.” Christians instead had to resurrect their earlier quest to become the hegemonic force in society.⁶⁴ For these writers, religious liberty looms as secularism’s most problematic manifestation, a unifying antagonism for both Christian confessions; they have forgotten how religious liberty made such Catholic-Protestant cooperation possible to begin with.

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⁶⁴ William Cavanaugh, *Field Hospital: The Church’s Engagement with a Wounded World* (Grand Rapids, MI: Eerdmans, 2016), 246.