

Religious Freedom, Persecution of the Church, and Martyrdom

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First of all, I should like to thank John Cavadini, Professor of Theology and Director of the Institute for Church Life, for this kind invitation to be with you today to discuss an important set of interrelated topics: (1) religious freedom; (2) the persecution of Christians around the world; and, (3) martyrdom. But before I begin this task, I should also like to thank the University of Notre Dame for its sponsorship of this important conference, and especially its President, Father John Jenkins, for his hospitality, and for giving me the opportunity to get to know this prestigious institution of the Church. I also extend my fraternal and prayerful best wishes to the Most Reverend Kevin Rhoades, Bishop of Fort Wayne–South Bend, for his participation in this event and his warm welcome. As you may know, I am the representative of His Holiness Pope Benedict XVI to the United States, and so, in consideration of this official office I hold and exercise, I acknowledge to you all my profound gratitude to be with you today in order to address these important and timely subjects.

In doing so, it is crucial to see that in the world of the present age, persecution of the faithful can manifest itself in a variety of forms, some obvious, but others less so. While it is necessary to remind ourselves of the obvious, we must also consider the not-so-obvious, for great danger to the future of religious freedom lies with religious persecution that appears inconsequential or seems benign but in fact is not. In my service to the Holy See, I have worked in various parts of the world including Iraq and Kuwait, Great Britain, Strasbourg, Nigeria, in the Vatican, and now the United States, it has been a part of my personal makeup and official duties to monitor and register concerns to my superiors about efforts that harm, intentionally or otherwise, the Church and God's people.

I realize that you have scheduled several prominent speakers who will address the critical questions dealing with religious freedom, persecution of Christians, and

martyrdom in the present day around the globe. I do not wish to compete with them nor is in my intention to preempt their incisive and insightful comments which I am confident will elevate the mindfulness of your audience and potential readership about religious freedom, religious persecution, and martyrdom. Countries and regions where these challenges to the faithful exist are in China and Asia, Africa, Europe, the sub-Continent, the Middle East, and Latin America. Let me illustrate the problems in these countries with one example. The circumstances which our brothers and sisters in faith experience in the Peoples' Republic of China are largely well-known by many who follow international developments. The anguish which the Church faces in China has led Pope Benedict XVI to issue his 2007 letter to the Church in China to let the faithful of that great country, and of the world, know that the universal Church has not forgotten them and their faithful witness to Christ and to Christ's Vicar on Earth. Similar problems exist elsewhere.

In nearby Pakistan and India, Christians face intimidation, sometimes with lethal consequences, which the civil authorities of these respective states seem incapable of arresting. Elsewhere, there are new pressures placed on religious freedom in the Middle East, especially in Iraq and now in Syria, in parts of Africa including Egypt, Nigeria, the Sudan, and east Africa. The heavy burdens imposed on Christians in all of these regions can be, and often are, physical and harsh. In some instances, the faithful have witnessed their Christian faith at the expense of their lives, which God gave them. In this regard, the heavy hand of so called "anti-blasphemy" laws has sometimes been the method to subjugate the Christian faith.

In all of these instances, we see that the faithful persist in their fidelity to Jesus Christ and his Holy Church! For throughout her history, the Church has gained strength when persecuted. We must recall the words of the Preface for Holy Martyrs from the second edition of the Roman Missal: God chooses the weak and makes them strong. In short, with God's help we can prevail, but without Him, even our greatest human strength is insufficient because it is frail.

As the papal nuncio to the United States, I realize that I speak from a distinguished podium at a great university. It is my intention to propose for your consideration the interrelated matters of religious freedom, persecution, and martyrdom that are, or should be, of vital concern to you—for these grave concerns exist not only abroad, but they also exist within your own homeland.

In order to establish a framework for my presentation, several key definitions are in order. I will first address the subject of martyrdom. What is it, and why is it relevant to you today? I am sure that most if not all of us are familiar with the martyrs of the Church—both past and present—who gave of their lives because they would not compromise on the principles of faith that accompany the call to discipleship. Theirs is the experience of great suffering that often includes torture and death. Some of the early martyrs of the Church experienced this through cruelty, often by slow means, designed to bring on death. However, the intention underlying the objectives of the persecutor is important to understand: it was to eradicate the public witness to Jesus Christ and His Church. An accompanying objective can be the incapacitation of the faith by enticing people to renounce their beliefs, or at least their public manifestations, rather than undergo great hardships that will be, or can be, applied if believers persist in their resistance to apostasy. The plan is straightforward:

if the faith persists, so will the hardships. In more recent times, martyrdom may not necessitate torture and death; however, the objective of those who desire to harm the faith may choose the path of ridiculing the believers so that they become outcasts from mainstream society and are marginalized from meaningful participation in public life. This brings me to the meaning of persecution.

Persecution is typically associated with the deeds preceding those necessary to make martyrs for the faith. While acts of persecution can mirror those associated with martyrdom, other elements can be directed to sustaining difficulty, annoyance, and harassment that are designed to frustrate the beliefs of the targeted person or persons rather than to eliminate these persons. It would seem, then, that the objective of persecution is to remove from the public square the beliefs themselves and the public manifestations without necessarily eliminating the persons who hold the beliefs. The victimization may not be designed to destroy the believer but only the belief and its open manifestations. From the public viewpoint, the believer remains but the faith eventually disappears.

In the context of martyrdom and persecution, the law enforcement branches of the state can be relied upon to achieve the desired goal. The state's enforcement mechanisms were surely employed in the campaigns that brought the deaths of the early Roman martyrs. The legal mechanisms of new legislation and its enforcement in Tudor England were relied upon in the persecution and martyrdom of Thomas More and John Fisher. As one thinks about these two heroic individuals, you can see the multiple objectives of the state. The first, in their sequential order, were words and then deeds designed to encourage through pressure More and Fisher to accept the King's and Parliament's wills to agree with the divorce of King Henry from Queen Catherine. However, when Fisher and More remained resolved in their fidelity to the Church's teachings about the validity of the marriage but discreet in how they did so, the state mechanisms designed to bring them and their views around were ratcheted up so as to increase the pressure on them. When they resisted the increased pressure, statutes were enacted and amended to make non-compliance a treasonable and, therefore, a capital offence. It was understood by Fisher, More, and the King's agents that a hideous death rather than a lesser punishment was the inevitable penalty. It is said that while torture was recommended by some to hasten the compliance of Fisher and More, the King's conscience would not permit it. Nevertheless, when increased levels of persecution did not achieve the desired result of modifying the views of Fisher and More, martyrdom by beheading—rather than hanging, drawing, and quartering—was the inevitable solution. In the cases of Fisher and More, persecution came first, and then it was followed by martyrdom. In both cases, religious freedom was the target. I now turn to religious freedom. What is it?

Religious freedom is the exercise of fidelity to God and His Holy Church without compromise. Human action that reflects this fidelity is what has hastened martyrdom and persecution for many believers of the past, and of today. At the core of this fidelity is the desire to be a good citizen of the two cities where we all live: the City of Man and the City of God. This kind of dual citizenship necessitates *libertas Ecclesiae*, i.e., the freedom of the Church. This freedom is essential to the religious freedom which properly belongs to the human person. And this freedom that belongs to the human person is simultaneously a human, civil, and natural right which is not

conferred by the state because it subsists in the human person's nature. As the papal representative of the Holy See to the United States, the subject of religious liberty frequently surfaces in the international discussions that constitute a major part of my priestly service to our Church, to the Holy Father, and to you, my dear friends.

It is evident that there is a pressing need to protect religious freedom around the world. However, this freedom is not something that can or should be imposed for it subsists on the Truth of God—"Truth can impose itself on the human mind by the force of its own truth, which wins over the mind with both gentleness and power"¹ That there is recognition by many people of goodwill about this truth is reassuring given the fact that religious persecution and martyrdom are still present in the world today. This recognition, however, is often challenged by alarms registered by skeptics who question whether it is proper for there to be a public role for religion in civic life.

We live in an age where most, but not all, of your fellow countrymen still share in the conviction that Americans are essentially a religious people. While current data suggests a progressive decline in religious belief across the western world including the United States, there still appears to be deference given to the importance of religion. But as I have just indicated, there are those who question whether religion or religious belief should have a role in public life and civic affairs. The problem of persecution begins with this reluctance to accept the public role of religion in these affairs, especially but not always when the protection of religious freedom involves beliefs that the powerful of the political society do not share. Thus we are presented with the pressing question about whether the devoted religious believer, let us say the Catholic, can have a right to exercise citizenship in the most robust fashion when his or her views on civic concerns are informed by the faith. The First Amendment of the United States Constitution more than suggests an affirmative answer to this question. But we should not be satisfied with this recognition. After all, important figures, some of whom hold high public office, are speaking today about the right of freedom of worship, but their discourse fails to acknowledge that there is also a complementary right about the unencumbered ability to exercise religious faith in a responsible and at the same time public manner.

In the remaining time that is allotted to me, I shall focus on these concerns and the emerging deleterious impact on the authentic and legitimate exercise of religious freedom within your great country. Let me address the concerns that I see about this fundamental and non-derogable right, on your home front.

Let me begin by briefly stating that as a man of God and therefore a man of hope, it is essential to pray for a just resolution to the issues which face the faithful and their fidelity. As you may know, the Bishops of the United States conducted earlier this year the Fortnight for Freedom, and more recently in October a Novena for Life and Liberty, in order to elevate prayerful consciousness and other responsibilities of the faithful to ensure protection of the "First Freedom" cherished by your nation. One compelling catalyst for these initiatives is found in the legitimate concerns about religious liberty posed by the uncertainties surrounding the Patient Protection

¹ Second Vatican Council, Declaration on Religious Liberty, *Dignitatis Humanae*, N.1.

and Affordable Care Act; however, this is by no means the only source of concern. When Catholic Charities and businesses owned by faithful Catholics experience pressure to alter their cherished beliefs, the problem is experienced in other venues. In short, the menace to religious liberty is concrete on many fronts. Evidence is emerging which demonstrates that the threat to religious freedom is not solely a concern for non-democratic and totalitarian regimes. Unfortunately it is surfacing with greater regularity in what many consider the great democracies of the world. This is a tragedy for not only the believer but also for democratic society. Here we must consider the important point that religious freedom is not an end in itself, because it has as its highest purpose protection of the ultimate dignity of the human person.² This argument was acknowledged by Pope Paul VI at the conclusion of the Second Vatican Council in his address to the rulers of nations when he rhetorically asked the question “What does the Church seek from you?”

She asks of you only liberty, the liberty to believe and to preach her faith, the freedom to love God and serve Him, the freedom to live and to bring to men her message of life. Do not fear her. She is made in the image of her Master, whose mysterious action does not interfere with your prerogatives but heals everything human of its fatal weakness, transfigures it, and fills it with hope, truth, and beauty.

Allow Christ to exercise his purifying action on society! ... And we, His humble ministers, allow us to spread everywhere without hindrance the Gospel of peace ... Of it, your peoples will be the first beneficiaries, since the Church forms for you loyal citizens, friends of social peace and progress.³

One illustration of interference with religious freedom, as outlined by Pope Paul, recently surfaced in England, which has a Christian past and for centuries was one place where Christianity flourished. The 2010 decision of an English court in the case of *Johns vs. Darby City Council*, Queens Bench division, has essentially declared that an evangelical Christian couple is unfit to be legal guardians of foster children because of their faith, which informs them that certain sexual expressions by consenting adults are sin. Mr. and Mrs. Johns, a devout evangelical couple, had successfully and lovingly served as foster parents for needy children in the past. In spite of their previous exemplary service caring for children who needed love and protection, the civil authorities of the United Kingdom expressed grave reservations about the continuing suitability of Christians who firmly pursue their Christian faith. As a result of the court’s decision, the exercise of religious faith which is protected in theory by juridical texts is, in fact, subject to forfeit. As the judges noted in their decision, the belief of Mr. and Mrs. Johns is based on “religious precepts” which can be “divisive, capricious, and arbitrary.”

² This point was made by Father John Courtney Murray, S.J., who was a major contributor to the drafting of the Declaration on Religious Liberty; fn 23, *The Documents of Vatican II, Declaration on Religious Freedom, Dignitatis Humanae*, Angelus Publication, 1966, p. 688.

³ See, http://www.vatican.va/holy_father/paul_vi/speeches/1965/documents/hf_p-vi_spe_19651208_epilogo-concilio-governanti_en.html.

Paradoxically, Mr. and Mrs. Johns were doing what is clearly protected by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights—texts which your nation claims to adhere to, and, in the case of the Covenant, is a party. The Johns’ religious freedom was sacrificed to practices which are today considered “rights” by many well educated persons but which are not mentioned in the applicable juridical texts as is religious freedom. If George Orwell were still alive today, he would certainly have material to write a sequel to his famous novel *1984* in which the totalitarian state, amongst other things, found effective means of distancing children from their parents and monopolizing the control of educational processes especially on moral issues.

I am sure the Johns case will be discussed much more in the future. But we must take stock of the fact that the challenges to authentic religious freedom are not relegated to distant places such as England. My concerns about religious liberty and my efforts to protect them have a bearing on what is presently going on in the United States. Over the past months, we have heard much about the legitimate reservations raised by the United States Conference of Catholic Bishops that pertain to authentic religious freedom and the proper exercise of faith in public. The issues and reservations identified by the Conference’s president, Cardinal Dolan, about the health care mandate dealing with artificial contraception, abortion-inducing drugs, and sterilization are very real, and they pose grave threats to the vitality of Catholicism in the United States. But we must not forget the other perils to religious liberty that your great country has experienced in recent years. Once again, we see that the rule of law, in the context of your First Amendment and important international protections for religious freedom, has been pushed aside. Let me cite some examples of these other hazards.

A few years ago, the federal courts of the United States considered the case of *Parker v. Hurley* in which a number of families were alarmed over the curriculum of the public schools in Lexington, Massachusetts (ironically one of your cradles of liberty!) where young children were obliged to learn about family diversity as presented in a children’s book that elevated as natural and wholesome same-sex relations in marriage. The Parker family and other families, who are Judeo-Christian believers, wished to pursue an “opt-out” for their children from this instruction. While they may not have been aware of it, their sensible plan reflected sound and reasonable rights that are addressed and protected by international human rights standards which are echoed in the Declaration on Religious Liberty, *Dignitatis Humanae*, of the Second Vatican Council.⁴ However, the civil authorities and the federal courts disagreed with, and thereby denied, the lawful claims of these parents who were trying to protect their children from the morally unacceptable. If these children were to remain in public schools, they had to participate in the indoctrination of what the

⁴ The Declaration on Religious Liberty, *Dignitatis Humanae*, in N. 5, asserts, as do the UDHR and the ICCPR, that parents have rights concerning the moral education of their children which reflect their religious beliefs. The courts deciding the *Parker* case did not even mention these obligations in their decision.

public schools thought was proper for young children. Put simply, religious freedom was forcefully pushed aside once again.

More recently, we recall the federal court review of Proposition 8 in California. In the legal proceedings surrounding this initiative dealing with the meaning of marriage, Judge Vaughn Walker said this about religious exercise—a freedom enshrined in your Constitution: “Religious beliefs that gay and lesbian relationships are sinful or inferior to heterosexual relationships harm gays and lesbians.”⁵ This “harm” cited by the judge became the basis for devising a mechanism used to minimize if not eradicate the free exercise of religion which includes the vigorous participation of the religious believer in public and political life.

On other fronts, we have witnessed Catholic Charities across the United States being removed from vital social services that advance the common good because the upright people administering these programs would not adopt policies or engage in procedures that violate fundamental moral principles of the Catholic faith. Furthermore, we have observed influential members of the national American community—especially public officials and university faculty members—who profess to be Catholic, allying with those forces that are pitted against the Church in fundamental moral teachings dealing with critical issues such as abortion, population control, the redefinition of marriage, embryonic stem cell commodification, and problematic adoptions, to name but a few. In regard to teachers, especially university and college professors, we have witnessed that some instructors who claim the moniker “Catholic” are often the sources of teachings that conflict with, rather than explain and defend, Catholic teachings in the important public policy issues of the day. While some of these faculty members are affiliated with non-Catholic institutions of higher learning, others teach at institutions that hold themselves out to be Catholic. This, my brothers and sisters, is a grave and major problem that challenges the first freedom of religious liberty and the higher purpose of the human person.

History can help us understand what is happening in the present moment to this first freedom. Catholics have, in the past, experienced and weathered the storms that have threatened religious freedom. In this context, we recall that Pope Pius XI took steps to address these grave problems in his 1931 encyclical letter *Non Abbiamo Bisogno* dealing with religious persecution of the faithful by the fascists in Italy, and in his 1937 letter *Mit Brennender Sorge* addressing parallel threats initiated by the National Socialists in Germany. In the context of Germany during the reign of National Socialism, we recall that the Oxford Professor Nathaniel Micklem examined and discussed the persecution of the Catholic Church in Germany in his 1939 book entitled *National Socialism and the Roman Catholic Church*. The problems identified by Micklem over six decades ago that deal with the heavy grip of the state’s hand in authentic religious liberty are still with us today.

An Englishman who found his way to the United States, Christopher Dawson (who became a Catholic in his early adulthood) still reminds us that the modern

⁵ Chief US District Judge Vaughn Walker, *Perry vs. Schwarzenegger*, Findings of Fact N. 77 (August 2010).

state, even the democratic one, can exert all kinds of pressure on authentic religious freedom. Dawson insightfully explained that the modern democratic state can join the totalitarian one in not being satisfied with “passive obedience” when “it demands full cooperation from the cradle to the grave.” He identified the challenges that secularism and secular societies can impose on Christians which surface on the cultural and the political levels. Dawson thus warned that “if Christians cannot assert their right to exist” then “they will eventually be pushed not only out of modern culture, but out of physical existence.” He acknowledged that this was not only a problem in the totalitarian and non-democratic states, but “it will also become the issue in England and America if we do not use our opportunities while we still have them.”⁶

While Dawson made his observations in the 1950’s, we need to recall that Blessed John Paul II recognized the durability of the problems noticed by Dawson during the era that saw the collapse of the modern Soviet totalitarian state. In his 1991 encyclical *Centesimus Annus*, John Paul reminds us that “totalitarianism attempts to destroy the Church, or at least to reduce her to submission, making her an instrument of its own ideological apparatus.”⁷ But he further noted that this threat is not solely expressed by the state established on dictatorship, for it can also be exercised by a democracy, for “a democracy without values easily turns into openly or thinly disguised totalitarianism.”⁸ Since the conclusion of the Second World War and the formation of the United Nations, democracies around the world have periodically exhibited traits of this new totalitarianism that emerges from a democracy-without-values, values that must be based on the timeless and universal moral principles adhered to and taught by our Church because these principles are founded on the Truth of Christ which came to set us free!

So, what can be done? Cardinal Dolan has recently exhorted the Catholic faithful to confront the challenges which the faith faces today. His brother bishops in this country and around the world have taken similar action. It is a desperate day when well-educated persons label these efforts as attempts by the hierarchy to control the activities of Catholics in public life. Some have even criticized publicly Cardinal Dolan’s call to the faithful to defend the Catholic contribution to political debate in this fashion: “Dolan to Lay Catholics: Be Our ‘Attractive, Articulate’, (and Unpaid) Flacks.”⁹ I pray that the authors meant well in saying this, in spite of the statement’s disparaging tone, but these persons fail to recall the nature of the Church as explained by the Second Vatican Council and reiterated by Blessed John Paul II in his Apostolic Exhortation *Christifideles Laici* (1988).

In this exhortation, the Pope urged the lay faithful to be mindful of their crucial role in temporal affairs as disciples of Christ rather than as elements of some political

⁶ Christopher Dawson, “The Challenge of Secularism”, *Catholic World* (1956).

⁷ John Paul II, Encyclical Letter *Centesimus Annus* on the 100th Anniversary of *Rerum Novarum*, 45, (1991); cf, Second Vatican Ecumenical Council, Pastoral Constitution on the Church in the Word of Today, *Gaudium et Spes*, 76.

⁸ *Centesimus Annus*, 46.

⁹ Eduardo Peñalver “Dolan to Lay Catholics: Be Our ‘Attractive, Articulate’ (and Unpaid) Flacks,” *Commonweal Magazine, dotCommonweal blog* (5 March 2012).

or secular ideology that bases its platform on an indecipherable formula established on the ambiguous foundation that unsuccessfully relies on the cure of “social justice.” It is the proper function of bishops to be teachers of the faith, but it is also true that the laity exercise a major role in implementing this same faith in the affairs of the world. This is why John Paul repeatedly encouraged the faithful with the words of Jesus: “You go into my vineyard, too” (Mt 20:4).¹⁰ In order to respond affirmatively to this call, religious freedom is essential.

We are still a far cry from fully embracing the Holy Father’s encouraging exhortation when we witness in an unprecedented way a platform being assumed by a major political party, having intrinsic evils among its basic principles, and Catholic faithful publicly supporting it. There is a divisive strategy at work here, an intentional dividing of the Church; through this strategy, the body of the Church is weakened, and thus the Church can be more easily persecuted.

We must all be mindful that our Lord noted, time and again, that each member of the Church—clerical, religious, and lay—is a branch on the vine of Christ. In our unity with Him, we are a part of something universal—one faith, one belief displayed through a variety of talents, in a multiplicity of places. This is what our Lord asks us to do, and, therefore, this is what we must do: to preach and live the Good News and to do so in communion with our Lord, with the successors of His apostles, and with His Vicar. It is our faith, and it is our duty to live and proclaim the Gospel through the Church’s teachings so that by reasoned proposition, not imposition, God’s will and our discipleship can advance the common good for every member of the human family. This, my friends, is essential to authentic religious freedom because it is the means by which we fulfill the destiny of the human person.

And so, let us go into the Lord’s vineyard together, with love, hope, freedom, the firmness of the convictions of our faith, and the help that God so willingly extends to us. We have been appointed by God and His holy Church to go forth and bear much fruit. Let us do so with the freedom and its necessary complement, responsibility, which God has given us. We further know that Christ is the way, the truth, and the life. What God has given, the servant state does not have the competence to remove. And God has given us the truth of His Son, the truth who gives us the most precious freedom of all, which is the desire to be with God forever! This is our destiny, and this is why religious freedom as I have explained it is of paramount importance. It is essential to the exercise of our other rights and responsibilities as citizens of the Two Cities.

Thank you very much.

¹⁰ John Paul II, Post-Synodal Apostolic Exhortation on the Vocation and Mission of the Lay Faithful in the Church and the World, *Christifideles Laici*, 2 (1988).