Making Sense of Society
Catholic Essays on the Human Person, the Social Order, Government, and Faith

DR. JEFFREY A. MIRUS

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Making Sense of Society

Catholic Essays on the Human Person, the Social Order, Government and Faith

by Jeffrey A. Mirus Ph.D.

Collected essays from 2007 through 2012 on human nature, society, politics, government, the common good, and how to rightly apply the Catholic Faith to the social order.

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Introduction

May 21, 2013

Collecting essays which deal with social principles is no easy task. Is a “social” essay primarily concerned with the practical exigencies of organizing our common life together? Or is it primarily concerned with the nature and ends of the human person? Actually, of course, it is some of both.

Catholic social teaching occupies a sort of middle ground between a proper understanding of the human person on the one hand and prudential judgments about the best way to organize society on the other. Clearly the principles must guide the prudential judgments, but just as clearly the principles admit of a wide variety of legitimate solutions. These solutions depend on the conditions on the ground, the art of the possible, the variable values and emphases in different cultures and different times and places. But the fundamental truths about man remain unchanged.

Over the past ten years on CatholicCulture.org, I’ve written on a wide range of social topics, well over 200 relevant essays in all. In general, I have not tried to advocate for particular solutions to particular problems, about which good men and women can disagree, but rather to explain the moral principles within which the acceptable solutions must be selected or crafted. I have also written about the nature of the human person apart from any particular social issues whatsoever, though I have not included these more universal essays in this collection, in the interest of keeping the collection manageable.

In addition to keeping things manageable, there was the question of how to best organize the forty-nine essays I ultimately selected for this volume. I could have tried to group them under various headings, but so many essays overlap that I finally decided simply to present them in chronological order. This causes two aspects of the essays to emerge more clearly: first, it shows a series of changing concerns, with different issues rising to the top over the years; second, it shows the evolution of my thought as I attempt to deal with similar issues more effectively and more completely over time.

So here we go: Collected essays on such things as the purpose of government, including its size and scope; the interaction among culture, social life, politics, economics and religion; the role of the Church in the social order; the relationship between what are commonly called the “life” issues and the “social” issues; the
somewhat odd set of social prejudices which characterize the modern secular West; the threat of Statism; the principles of Catholic social teaching, such as subsidiarity, solidarity and the universal destination of goods; the role of natural law; and an analysis of complex specific issues such as budgeting, immigration, pro-life strategy, and moral voting.

It is my profound hope that these essays will shed light not only on the peculiar operations of my own mind, but on the timeless value of Catholic teaching. The goal here is very much the truth about man, which the Catholic Church is so very qualified by God to articulate, and how this truth alone can effectively guide our policies and practices in the social realm.
The High Cost of Political Civility

November 16, 2007

Catholic World News chief Phil Lawler led the way for Trinity Communications in disagreeing with “A Catholic Call to Observe Civility in Political Debate”. When he reported the release of this statement by the Catholic Civility Project on November 7th, Lawler immediately editorialized against it. He did so even though he knows the chief movers behind the statement, has collaborated with them in the past, and has frequently witnessed their dedication to the Faith. If that’s the reaction of a friend, what must the rest of us think?

The Catholic Civility Project is self-described as a diverse group of lay Catholics including eleven former U.S. ambassadors, a number of prominent academics, and several previous chairs of the Republican and Democratic National Committees. The statement argues that as Catholics we “should not enlist the church’s moral endorsement for our political preferences” and “should not exhort the church to condemn our political opponents by publicly denying them holy Communion based on public dissent from church teachings.” The statement concludes that we must “protect our beloved church from being stained by the appearance of partisan political involvement.”

I don’t know any of the signatories, but I agree with Phil Lawler, and I’ll raise the stakes considerably. Don’t get me wrong. Insofar as this statement is narrowly applied to only the dark side of its title topic—civility in political debate, with a sneering emphasis decidedly on the word “political”—there isn’t much wrong. As a matter of political debate, it is inappropriate to call upon a bishop to refuse communion to one’s political opponents. That is, it is wrong to seek to deny anyone a spiritual good for purely political reasons, just as it is wrong to enlist the Church’s support for merely political preferences.

But this isn’t what the statement means or implies, and so it betrays a deep and tragic confusion. Ultimately the Catholic Civility Project is deeply flawed because it is infected by an idea drawn straight out of the larger secular culture, the assumption that religion is essentially a private affair and that our public debates are, therefore, merely political. This assumption is evident in the way the statement is framed. Pointing to the deep divisions over critical policy issues, the statement’s preamble runs as follows:

[S]ome who are active in political life and who differ with the church’s teachings
on certain issues…criticize the church for these teachings. Others, for political and even ecclesiastical reasons, seek the public embarrassment of politicians whose public positions differ with church teachings through the public refusal of the sacrament of holy Communion or public admonition by the bishops. To right this wrong [emphasis added], we should observe the following principles.

Knocking Down a Man of Straw
The key point is that this description of the “wrong” in question is a straw man. Worse, it is a straw man who has lost his stuffing. Worse still, what is left of the straw man is already crumpled on the ground. Here’s a similar argument: “At funerals, people speak in hushed tones when viewing the deceased, some because they fear loud noises will disturb the departed, and others because they don’t believe in death and are afraid of what the deceased might overhear. To right this wrong, we must learn to converse loudly while paying our respects to the dead.” The argument is utterly useless because it is directed at a misunderstanding. Yes, it would be wrong to speak in hushed tones for purely superstitious reasons, just as it is wrong to attempt to seize the spiritual high ground for purely political reasons (using the darkly narrow sense of the term). And that’s as far as the argument goes.

It does not follow that we should shy away from involving the Church in public debate any more than it follows that we should speak loudly at the side of a casket. What follows is that at the casket we should speak in hushed tones out of reverence for the mystery of life and death, and in politics we should attempt to engage the Church for purposes of moral, spiritual and religious clarity (out of reverence, by the way, for the mystery of life and death).

Do some whose political positions contradict Catholic principles criticize the Church for her teachings? How I wish it were so, for it would be a service of clarity! Instead, they prattle on about how religious they are and how vital the Catholic faith is to their very identities as public servants, and then they proceed to advance policies and programs which violate the very principles which Magisterial authority insists are the sine qua non of just policies and programs. They seek the benefit of apparent religious sincerity without the substance of religious commitment.

And are those who urge the bishops to end the resulting confusion really motivated by a desire to publicly embarrass their political opponents in the hope of costing them votes? Well, if so, such persons must be at once terribly petty and incredibly naive. Does anyone really imagine that getting a bishop to refuse communion to someone is likely to
sway public opinion against the one refused? Are we to assume that those who seek
moral, spiritual and religious clarity in our public life are motivated only, or even
primarily (or even at all), by a desire to embarrass those with whom they disagree?

**Politics and Truth**

This is a strange reading of the political landscape. It is a reading influenced by the vast
cultural assumption, born of modern secularism, that religion is a purely private affair.
On this reading, any attempt to induce the Church either to speak clearly about our public
life or to act decisively for the spiritual good of its professional practitioners is *ipso facto*
uncivil. But the contrary is actually true. The Church, by virtue of the spiritual and moral
principles at the core of her doctrines, is by a considerable margin the most important
participant in the public life of any society. Her principles have vast implications not only
for our eternal destiny but for a just social order. The attempt to clarify those principles
and who holds them is therefore a signal service to the common good.

But even so, are these attempts primarily political in nature? Do they escalate every
few years just because of the political stakes? This hardly seems likely. Rather, most of
those who demand straight talk about what it means to be Catholic, including straight
talk about the reception of communion by notorious public sinners, are not so much
alarmed at the prospect of losing an election as at the scandalous abuse of truth within
the Church herself. It is primarily this scandal which visits us with renewed intensity
every few years, owing to the cyclical abuse of the Catholic name by those seeking high
public office. And it is precisely this scandal which serious Catholics are desperate—it is
not too strong a word—to bring to an end.

I cannot speak for the signers of “A Catholic Call to Observe Civility in Political
Debate”, but I have not heard anyone in a very long time make the political argument that
“if only we could get the bishops to draw a firm line, we could win this election.” Deeply
committed Catholics are painfully aware that the Church has tremendous work to do in
strengthening the faith of her own members and evangelizing the larger culture before
candidates with unmistakably Catholic principles are going to win many elections. But
we are drained and exhausted by the failure of our bishops, taken as a whole, to act
publicly as if the Catholic faith really matters. The call to refuse communion is not a
cheap political trick but an anguished cry: Please teach, rule and sanctify as if my life’s
commitment means something. Please, please put our Catholic house in order.

If Church leaders will neither articulate Catholic principles in ways the public can
understand nor apply them to the internal life of the Church for the good of souls, then
the Church will neither make her members holy nor assist the State in discerning the
proper ends of man, and also the legitimate means to those ends, which are vital to a just and harmonious society. Unfortunately, the latest effort by the American bishops to clarify these matters at their Fall meeting has only contributed to the moral murkiness which so warmly cloaks all those who hold religion to be a purely private affair (see Phil Lawler’s latest story US Bishops Eschew Political Leadership).

Viewing yet another exercise of contemporary episcopal committee work, it is painfully obvious that the signers of the Catholic Civility statement are not the only ones hiding in the recesses of confused and divided minds. It is no good arguing that the quest for religious, spiritual and moral clarity is petty and partisan and uncivil. It is rather a luminous service, from which the Catholic Civility Project has sounded retreat when we ought to be redoubling our efforts. The quest for clarity is absolutely indispensable to the successful political exploration of the mystery of life and death. The alternative is a truly hellish politics, for which the price of admission is the abandonment of hope.
Politics 101: Belonging to Nature’s God

February 22, 2008

“In this great experiment that is American democracy, ‘secular’ is the only word we have to describe the idea, handed down by the Founders, that our leaders do not belong to God, they belong to us.” Thus ends another of Lisa Miller’s infamous “Belief Watch” columns in *Newsweek* (2/25/2008). In this case, however, I come neither to praise Miller nor to bury her. It’s just that her typically misstated conclusion raises important questions about representative government.

**Belonging to Us**

America is not, and can never be, a pure democracy on the model of a Greek city state, in which all citizens could sit together in a single assembly and vote. Large societies which prefer to act democratically (that is, to be ruled by the *demos*, or people) must inevitably resort to representation. Representation in America is defined and orchestrated in unusual ways. We have various checks and balances, various ways of weighting the interests of sparsely populated states against their more populous neighbors, and various ways of filtering the vote through arcane institutions (such as the Electoral College and a labyrinthine court system) which are designed to minimize the possibility for tyranny by the majority. But the idea of representation remains.

One does well to question, therefore, the sense in which our representatives “belong to us”. While it is true that people expect their representatives to protect their legitimate interests, it is not true that representatives are (or even ought to be) bound to vote always according to the majority view of their constituents. Many people, probably most of them, value representative government partly because it saves them the trouble of acquiring a deep knowledge of all the various public issues and proposed solutions. They happily delegate this responsibility to elected officials, and they vote for candidates whom they believe are most likely to make sound public decisions about which issues to address, which solutions to support, and which solutions to oppose.

In this sense, our representatives do not “belong to us”. We do not expect them to suspend their intelligence upon taking office, to fail to investigate public problems.
thoroughly, or to check their own consciences and values at the assembly-room door because they “belong” to some institution, party, group or mogul. We all understand, I think, that in the last analysis the only human persons our representatives belong to are themselves. Certainly from their own point of view, our representatives regard it as their responsibility to vote as they think best, even while taking due account of the interests of those they represent. Any representative worth his salt will regard himself as “belonging” to his constituents only in the sense that he has an obligation to do his best for them.

And Not to God

Given this normal understanding of representation, it is not only historical nonsense but also logical nonsense to suggest that the American idea of secularity handed down from the Fathers is that our leaders belong to the people as opposed to God. It is historical nonsense because, of course, our founding fathers—even the mere Deists among them—would have found the idea that they did not belong first to God appalling. It is logical nonsense because there is absolutely nothing in any normal understanding of representation to suggest that a representative is obliged to do anything more than pursue his constituents’ best interests as he himself understands them. This leaves full scope for his own values, his own conscience, and his own relationship to God.

Miller is right, of course, that, within our current culture war, there is an escalating battle over the proper meaning of secularity. The traditional American concept of separating Church and State is under attack by a militantly atheistic secularism more typical of Europe. The former is completely compatible with Christianity. The latter is incompatible with anything other than itself, and so can never possibly serve the public good. It is precisely for this reason that we must always and everywhere resist the strange notion that our representatives belong to us in a sense which prevents them from belonging to God.

Legitimate Public Order

The confusion about this “belonging” is in some ways understandable. The idea that Church and State should be separated—that is, that the Church should not rule the State, nor the State the Church, nor should their respective missions be unnecessarily juridically or financially entangled—is difficult to properly understand in a culture which no longer recognizes the existence of God even as a necessary source of the natural law. Militant atheism denies the natural law, and therefore reason itself, and this eliminates the fundamental basis for legitimate authority in any civil society. On an atheistic reading

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of our situation, any reflection of God or the natural law in our public life becomes an unreasonable establishment of a specific religion—that is, respect for God—against the desires of those who claim that the non-existence of God is the normal and rational position of unprejudiced minds.

But the non-existence of God is little more than the pipe-dream of those who wish to have everything their own way. It is an idea that runs counter to nearly the entire history of man’s reflection on his place in the universe. Indeed, the non-existence of God not only lacks rational support but has to be carefully taught and inculcated to overcome man’s natural inclination to thirst for something beyond himself. Moreover, the non-existence of God carries with it the inevitable removal of any reference to a higher moral law, without which legitimate government (as opposed to the mere tyranny of a particular person or group) is impossible to conceive. For the legitimacy of government, the legitimacy of its purposes or ends, and the legitimacy of the means for which it rules are totally dependent on our rational perception of, at the barest minimum, the natural law. It is within the natural law that we first encounter, in broad terms, the “right” ordering of our human relationships, the distinction between private and public, and the purpose and constraints of the public order itself.

The natural law presupposes an ordered universe—that is, a universe ordered rationally by an intelligent being generally called God. In the absence of natural law, only the vestiges of forgotten virtues or the formal teachings of religion itself can interpose themselves between the private person and his public destruction. This was recognized at America’s founding, and the founders deliberately based our government on principles they believed to be derived from nature and nature’s God. As I said, they would have found it appalling to consider that the public order must be devoid of respect for God and His natural laws. They would not have believed it possible for any nation to thrive in such a setting. And they would have been right. Accommodation of the public order to the denial of the principles on which its legitimacy rests, and within which it must function, can only lead to self-destruction.

The Only Reasonable Political Slogan

All of this is Politics 101, for politics has no possibility of success except when those who rule, be they kings, citizens, or representatives, retain the implicit understanding that everything and everyone belongs to God, that everything and everyone can be successfully ordered only through a vision of the good which is ultimately authored by God, and that this Good therefore stands outside and above any person’s or group’s desires, fallacies, stupidity and sins. Thus the slogan “our leaders do not belong to God,
they belong to us” can never serve the public purpose. The only possible slogan for “this great experiment that is American democracy”—or indeed for any other political and social experiment—is a paraphrase of St. Thomas More’s last words: “We live and die the public’s good servant—but God’s first.”
Secularism, Acculturation and Creeping Totalitarianism

March 05, 2008

I wanted to follow up on my comments concerning the California home-schooling case (see Ideology, Totalitarianism, and the Public Schools) because it raises another question: At what point is totalitarianism recognized by the citizenry?

Bear with me a moment. I am not arguing that the United States is a totalitarian state, or that Americans have no political freedom. The vast numbers of immigrants who continually flock to the United States as a land of opportunity give the lie to this notion. But totalitarian control is not always imposed by revolution or conquest. Cultures can tend in a totalitarian direction, if they are not careful, and modern cultures have a strong tendency to do so for three significant social reasons.

The first is complexity. As societies become increasingly complex, they have a tendency to establish regulatory power over more and more aspects of their common life. As standards of social services and social protection rise, so does regulation. The combination of dense populations with significant prosperity accelerates this trend. With our democratic presuppositions, we may instinctively assume that Americans are very free in comparison with those who live, for example, under monarchy, but the degree of habitually accepted government intrusion into the ordinary person’s life in our society is far higher than anything an ordinary subject in a medieval monarchy ever experienced.

The second is technology. Certain things are extremely difficult to monitor and track in relatively low-tech cultures. In such circumstances, totalitarian control must be exercised by employing hordes of spies and enforcers, as has been often done by regimes hostile to their own people. But in a highly technological society, huge amounts of information about our families, assets and personal activities are tagged, monitored and tracked as a normal and nearly inevitable part of “doing business”—of keeping all transactions both quick and convenient across a broad geographical region. The combination of technology with the desire to regulate causes a formidable increase of government control over daily life.

The third is secularism. While the totalitarian impulse can be found in some religions, it is generally held strongly in check by Christianity. This is because
Christianity holds that every human person is made in the image and likeness of God, which means a reasonable degree of self-determination is part of his dignity; and also because Christianity holds that a perfect world is not possible here on earth. Rather, we are to live now according to the law of love so as to be worthy of perfection in the next life. Secularism has neither restraint. It lacks a coherent understanding of human dignity, and it is intrinsically (and often desperately) ordered toward utopianism. The secularist has but one shot at the world he wants. Hence secularism, which begins in proclaiming freedom from God, always ends by enslaving the mass of men under the program of its visionaries.

Modern societies are marked by all three of these characteristics. Therefore we are not surprised that they also exhibit an unmistakable trend toward ever-greater totalitarian control. But since this trend comes from within (not from revolution or conquest), as citizens become acculturated—to greater social complexity, to broader and deeper use of technology, to increasingly secular ideas—they become less and less conscious of the liberties they are losing in the process. And since it is typically a highly aware minority that gets itself into trouble through resistance, a large portion of the citizenry tends to think these few have gotten what they deserved for rocking the boat. A generation or two ago, these very same complacent observers would have been appalled at such an abuse of rights, all in the name of frightening social values they now find altogether normal.

So I repeat the question: At what point is totalitarianism recognized by the citizenry? At what point does a sufficiently large group of people understand what is going on that they can move cohesively to stop it? Some argue that, in a decadent culture, this will happen only when it is too late. I think it likely that, in the foreseeable future, the inhabitants of today’s highly complex, technological and secularist societies—including Americans—will have a chance to find out.
Now and Tomorrow: The Universal Destination of Goods

November 21, 2008

Most Americans are fairly affluent. Most Catholics—at least those who take their Faith seriously—worry about this from time to time. If properly directed, such worry is very healthy. We weren’t created to feather our own nests, and if we expend too much of our time and resources on feathering, it interferes mightily with our response to the One who loved us into being. For this reason, it is a good thing to reflect on the comforts we enjoy, the plans we have for our future, and the will of God. And if that doesn’t typically make us uncomfortable, then either something is spiritually wrong or we must be very atypical American Catholics indeed.

Selfish Tendencies

Most deeply committed American Catholics also tend to be politically and economically conservative. There are several reasons for this. One is the American tradition of “rugged individualism”; another is the long ideological war between the Catholic Church and that philosophical “liberalism” which informs so much of modern politics, giving us such treasures as abortion and same-sex marriage. For all these reasons and more, it has been very easy for even passionate American Catholics to unwittingly adopt an essentially selfish attitude toward the claims of the larger social order. At the same time, good Catholics who have more liberal economic views can fall into the trap of thinking that if only the right federal policies were instituted, our responsibility would be fulfilled. Between our affluent lifestyles and our politics, then, we continually run the risk of being lulled into spiritual sleep when it comes to what the Church calls the universal destination of goods.

Clearly this dilemma arises both privately and publicly. What does it mean to be a faithful steward of the gifts we have received? How much of our personal time and resources should be spent helping those less fortunate? What adjustments need to be made in the way we order our common life together to overcome gross inequities or assist those in serious need? What governmental policies should be enacted to foster such adjustments? There is no single, concrete right answer to these questions which must be
adopted by each and every Christian. But we are all called both to reflect deeply on these questions and to root out any selfishness we find inhibiting the clarity and consistency of those reflections. As we claim to believe, so should we live.

Now before I purport to show everyone the Right Way, let me admit that I have impeccable credentials for being on the receiving end of the Church’s advice. I grew up in an affluent, professional household; there was nothing blue collar about it; I had a strong sense of leadership with little sense of solidarity. I was instinctively conservative, and in my early college years I was active in Young Americans for Freedom. Unfortunately, the girl I loved kept raising uncomfortable questions, and nothing is more calculated to throw a young man off stride. Of course, I could have come at this from the other side, chanting the slogans of Students for a Democratic Society and demanding radical institutional change without personal responsibility. In any case, I saw something new when *Triumph* magazine was founded by L. Brent Bozell, the result of a break with his brother-in-law William F. Buckley’s conservative *National Review*. *Triumph* devoted itself to restating a uniquely Catholic way of thinking about the world. I was hooked immediately.

I’m still hooked, but I’m also still influenced by early formation and early prejudices. Oh, and I’m still selfish.

**The Church’s Social Teaching**

The Church’s social teaching is derived from the understanding of God’s purposes and the nature of man provided by Revelation and the natural law. The three pillars of that teaching are: The common good, subsidiarity, and solidarity. You can read more about these things in *Principles of the Church’s Social Doctrine*, which is the fourth chapter of the *Compendium of the Social Doctrine of the Church* issued in 2004 by the Pontifical Council for Justice and Peace. For the purposes of this discussion, I’ll concentrate on the principle of the common good, which includes my main topic, the universal destination of goods.

The idea of the common good arises from the fact that God created the world and everything in it so that He might give man dominion over it. Wary of the modern overtones of the word *dominion*, some prefer *stewardship*. In this context, the meaning is the same, for the steward exercises dominion until the Lord comes. In any case, that man should have such dominion is consistent with his creation in the image and likeness of God. God’s plan is that man should exercise dominion as a sort of cooperation with and extension of God’s own role of sustaining all things in being and bringing them to perfection. Through this cooperation with God, man gives glory to his Creator and,
ultimately, achieves union with Him. Now clearly God intended for all men and women
to share in this dominion, not just a few. He also intended that we should share in it
*morally*, that is, according to his Divine will, which is always a manifestation of love.

Just as moral responsibility must govern our participation at the individual or
personal level, so too must there be moral responsibility at the social or community level.
The individual’s good does not consist in the sum of his wealth, but rather in his moral
good, his proper participation in God’s plan. Similarly, the common good is not some
quantitative summation of individual wealth or even individual moral goods, but rather
the social and community dimension of the moral good. Thus the common good is
always subordinate to both the ultimate ends of the human person and the universal
common good of all creation—that is, it is subordinate to the purpose of creation and the
correspondence of all created things to that purpose. In other words, the common good
consists of the right ordering of a community whose every member is called to
participate with God in a dominion which will bring all creation to fulfillment.

Only at the end of a discussion of the common good do we finally arrive at
government. For the common good is the reason—indeed, the sole legitimate
reason—for the establishment of political authority. The purpose of government is to
order our common life to more fully secure the common good.

**The Universal Destination of Goods**

One of the critical principles of the common good derives directly from the fact that *all persons*, not just a few, are intended to participate in man’s dominion over nature. This
principle is called “the universal destination of goods”. All of creation is given not just to
man, but to all men, so that each might exercise a creative and conserving dominion,
completing and perfecting creation for God’s glory. This universal destination of goods
implies a universal right to use the goods of the earth, a right of which no person may be
completely or even largely deprived without grave injustice (except as necessary to
prevent attacks on the common good itself).

Note that the universal destination of goods does not militate against personal
ownership or private property. To the contrary, ownership is essential to free and full
participation in the universal destination of goods. It is the ordinary means by which we
exercise dominion, provide for ourselves and others, act as good stewards, creatively
develop resources, and so participate more effectively in God’s plan. But at the same
time, we can see that because the destination of goods is universal, ownership and
private property are not absolute values in themselves. They have a larger social
function, and the proper exercise of that larger function is essential to the common good.
In this way, the universal destination of goods speaks to the matter at hand on two levels. First, at the private level, we are called to exercise our own personal dominion over creation in such a way that provides for our own needs and benefits others. To do this we must recognize that the benefits of work are not ordered to private gain but to the good of all concerned: the customer, the worker, his employees and dependents, and the good of society as a whole. Second, at the public level, the universal destination of goods reminds us to promote political or governmental policies which attempt to secure the right and ability of all persons to similarly participate in the dominion over created things that God has entrusted not to a few, but to all.

It should be immediately obvious how Catholicism “transcends the dialectic” of left and right in these matters, as in so many others. For the theory of capitalism makes a god of ownership by holding that the purpose of business (or economic activity) is to make a profit, when in fact the purpose of all work is service. To put it more fully, work receives its special dignity because it is an imitation of and cooperation with the Creator, an exercise of dominion ordered to a service of love. Hence work must always proceed with a full appreciation of the common good, including the universal destination of goods. Unfortunately, we find no relief from error on the other side of the “dialectic”. The theory of socialism makes a god of state manipulation by holding that the common good depends on the absence of ownership. To the contrary, however, it is precisely through ownership that people can most fully participate in the universal destination of goods, cooperating with God by exercising their dominion for the good of all. Catholics who reflexively fall into the economic battles of conservative versus liberal need to school themselves in the Church’s social teachings. Too often we fail to realize how different we are, how wise are our theories, how high is our calling.

The Universal Destination Begins at Home
But we also too often fail to realize that the effort to live the Church’s social teaching starts at home. For it is at home that we face the big questions concerning the talents we have to offer, the legitimacy of our material needs, and the subordination of both to the ends for which we were created. It is at home that we also face the innumerable small choices which seem always to expand our lifestyles to consume all available resources (repeatedly forcing us to postpone our good intentions for charitable giving). And it is at home that we face the decisions about friends or acquaintances who need our generosity even though it may not be tax-deductible. Truth to tell, it is also at home that we come to grips with our instinct to vote for our own pocketbooks instead of valuing the real common good—that social dimension of the moral order which contributes to the ability
of each and every person to reach the end for which he was created.

   It is very easy in our culture to fall into one of two over-simplifications of personal economic responsibility toward the wider community. The conservative may think about what he can give to charity out of his surplus, but he may seldom examine either the larger social situation or his attitudes toward his own work, business operations and wealth. The liberal may think about how government can solve this or that economic inequity, but he may seldom examine either how he is using his own surplus or, again, his attitudes toward his own work, business operations and wealth. We will never build a Catholic culture until we get beyond classing economic responsibility as either a charitable or a federal afterthought. We need to see how the universal destination of goods adds meaning to our lives, how it ought to inform everything we do, and how it can help change what we will ultimately become.

   This is true for everyone of course, not just Americans or other residents of the so-called First World. But Americans, including American Catholics, are generally wealthy and generally very comfortable. That carries a grave risk of complacency, and as Christians we are always challenged to recognize complacency as a living death. For most of us, this challenge will bear fruit only through a long slow war of attrition against our very selves, foot by foot, inch by bloody inch. There is an overpowering tendency to delay: Perhaps when we’re more settled, or when we’ve achieved our career goals, or when the kids are out of school, or after we’ve done two or three things we’ve always wanted to do, or when we retire—and anyway, couldn’t we remember a few charities in our will?

   Endless rationalizations! Truly our failure to struggle makes us inhabit a world of tomorrows. In contrast, the key to winning can be summarized with painful brevity: Start now.

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God and Mammon: Catholic Support for Abortion

April 16, 2009

Recently I exchanged emails with a correspondent who argued that a Catholic political stance in favor of abortion is morally acceptable because the evil of abortion is something that we know only from Faith, and not something that all men can know as demonstrably true. When I suggested in reply that the Catholic position on abortion is based on natural law, and so its truth is knowable by all, my correspondent responded that I was simply wrong. It is not possible, he said, to understand the evil of abortion experientially, as we do with other actions proscribed by civil law. Therefore, Catholics such as Joseph Biden and Nancy Pelosi (and Fr. Robert Drinan before them) can recognize the evil of abortion from their Faith while, at the same time, legitimately choosing to vote in favor of it as a matter of civil law.

This is, of course, merely a more sophisticated expression of the argument against “imposing our religious views” on others (including, apparently, on ourselves). In fact, it raises the argument to the Nth degree, in effect asserting that we may not endorse a public prohibition of anything that all men cannot (or do not?) know certainly and experientially to be evil. The mind boggles at the complacent absurdity of this argument.

Natural Law and Natural Justice

The first defense against such absurdity is to insist, with the Church, that it is an essential purpose of civil government to foster justice: to ensure that each person receives his due, to criminalize actions which strip another of what is rightfully his, and to punish those who commit such crimes. A large part of civil government is necessarily occupied with the protection of life, property and legitimate human opportunity from both internal and external assault. It is precisely our natural knowledge of these things which forms the basis of our civil pursuit of justice; in other words, our responsibility for proper civil government derives immediately from the natural law.

Now, in considering natural justice as a practical matter, it will often be preoccupied with those things about which most citizens agree, but it is ludicrous deliberately to restrict its implementation to such matters, let alone confine it to those things about
which the entire body of citizens claims to be certain. A moment’s reflection reveals that such an approach is unworkable. There may be any number citizens or groups of citizens who fail to understand that stealing from businesses is wrong, that blacks and whites have equal human rights, that children are not mere things, that women possess the same dignity as men, that workers have a right to the fruits of their labor, and so on. In fact, history is replete with instances of entire cultures which have failed to recognize some aspects of the natural law that our own culture finds obvious (and vice versa).

But just as ignorance of the positive law is no excuse, neither is ignorance of the natural law, for the understanding of the natural law and its codification in positive law is a work of reason which citizens are always expected to possess even when they fail to exercise it properly. Consequently, operating with prudence, civil government not only may but must act in accordance with natural justice, however dimly perceived. In fact, the failure to so on a major scale is sufficient to render a government illegitimate, and to permit its legitimate replacement should the opportunity arise. While in practice no culture and no government ever recognizes all of its obligations under the natural law, every government has a duty to pursue natural justice even when—perhaps especially when—some among the citizenry wish to deny justice to others in their midst while claiming that this denial is necessary or even good.

It ought to go without saying that the first requirement of justice is to protect that which is both dearest to each person and most fully his own, namely his very life. It is a relatively simple exercise of reason to understand that all innocent human persons have a right to life, and that there is a moral obligation to protect that right through all the stages of a human person’s existence. The fact that, for any number of reasons, some persons are blind to this reality when it comes to groups they dislike or find inconvenient does not provide a warrant for declaring the protection of life optional for these groups. In practice, of course, grave injustices may arise and there may be very little anyone can do about them. But in theory, the obligation to protect the right to life is clear, and there can be no possible justification for concluding that, because not all citizens recognize that right, it is therefore permissible for those who do recognize it to frame laws as if they do not. The only possible excuse for someone to work in favor of the violation of the right to life, or in favor of any other grave natural moral evil, is serious confusion; but again, such confusion about naturally-knowable goods is rightly considered blameworthy.

**Christianity Clarifies Nature**

Because of the weakness of the human intellect and the influence of the passions, men frequently make mistakes about what is good, and so they misunderstand issues of
natural justice. For this reason, pagan societies frequently have large gaps in the understanding and application of the natural law. It is also true that the light of faith and the influence of grace lift the intellect out of darkness and help it, without superceding nature, to perceive more accurately all natural truths. As societies have become Christian, their sense of natural justice has been strengthened and many disputed principles have become more clearly understood and more properly valued.

Thus, for example, many pagan societies (or even nominally Christian societies too influenced by pagan ideas) have erroneously held that some human groups are not fully human, that some particular human condition renders one less than human, or that in any case human persons themselves possess neither an innate dignity nor rights. How often has might made right, with the powerful neatly disposing of the less powerful according to their whims! In our own culture, we tend not to be blind about the stages of human life (our biology is too good), or about racial or sexual equality. But we tend to be very confused about what a person is, about the meaning and purpose of sexuality, and about whether any person has sufficient dignity to trump the desires of those who are healthier, wealthier or more powerful. Thus the inconvenient and defenseless in society are again at grave risk—the unborn, the handicapped, the elderly, the ill. Renewed exploitation of women by men, and of children by parents, is not far behind.

Now it is certainly true that there is a cultural clash between those whose intellects and consciences are enlightened by Christianity and those whose intellects and consciences have become darkened through their own weakness, cultural pressures, and personal sin. But in the civil order this clash is primarily over the understanding of natural justice, and those who properly perceive the demands of natural justice can have no excuse for failing to answer those demands even when others lack understanding. They certainly may not use the foolishness and perversity of their neighbors as an excuse for the promotion of injustice in the name of civic responsibility. Matters that can be known only through Revelation are quite different. Here God calls each one to Himself in a free response of Faith. But with natural justice it is otherwise. In the pursuit of justice, men make serious demands of each other for the sake of what is naturally good and right. Moreover, in the civil order, the exercise of justice is necessarily coercive.

**Personal Responsibility**

But let us suppose for a moment that the right to life of the unborn child is not a matter of natural justice. Let us suppose instead that it can be known only through Faith that an unborn child is a human person with the same rights as his parents, including a right to life which all just societies must recognize. If such were the case, would a Christian who
recognized the personhood of the unborn be justified in voting in favor of abortion because his fellow citizens cannot be expected to recognize that personhood? Answer: The very idea is absurd.

If I know, from whatever source, that my friends are persons, but I see that others who are less enlightened wish to deny their personhood and murder them, am I justified in promoting laws that protect such murder? Laws that make it easier? Laws that encourage it? Laws that reduce the murderers’ risks? Am I not rather obliged to do everything in my power to protect the rights of my friends, to frame laws and policies based on a recognition of their personhood, to restrain and, if necessary, punish those who unjustly try to take their lives? By what possible convolution of argument would I be justified in thinking the blindness of others gives me the responsibility of protecting that blindness through laws that both perpetrate and justify the gravest possible injustice to my friends?

It is wrong to think that there are two conflicting truths, a sacred truth and a secular truth, a religious truth and a civil truth. We cannot say, “My religion teaches me that unborn human life is sacred, but the secular world teaches me either nothing or the opposite. Therefore, when I am in Church, I will defend the unborn, but when I act in the civil order, I will work to ensure that the unborn may be killed. In this way, I will fulfill both my religious and civil responsibilities.” Of course, nobody argues this way, and in any case, those who favor abortion in the civil order do not condemn it when they are in Church. Instead, they are either deeply confused at all times or, very likely in some cases, they are simply cultural opportunists at all times.

With respect to this last point—that of cultural opportunism—I return to a suspicion I have raised on many occasions, the suspicion that most pro-abortion Catholics are driven primarily (albeit often unknowingly) by a desire for acceptance and favor among those they regard as the leaders of our culture. Though the number of politicians active both in the 1960’s and today is growing small, it has been widely noted over the years that many politicians, including many Catholic politicians, who became advocates of abortion in the 1970’s and beyond, were on record as firmly opposing abortion a decade earlier. One cannot judge any person’s motives, but one can recognize that in politics as in life in general—and perhaps especially among those who are attracted to politics—there is a strong desire to “fit in” with the movers and shakers, the cultural elite, the Right People.

Absurdity Redux

There is, in other words, a strong desire to adopt fashionable positions rather than to assume personal responsibility for one’s decisions. In any case, it is a failure to assume

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personal responsibility (and often a lie as well) which causes people to justify their positions by saying they are “personally opposed but” or that they “must not impose their religious views” or that they are justified in approving, promoting and protecting grave evil because a great many of their contemporaries neither know the difference nor (so my correspondent asserted) can be expected to know the difference.

None of this is new. These are ever the arguments of the weasels and the wafflers who wish to be justified in the sight of all, and who love nothing more than to appear to occupy the moral high ground while behaving exactly as the prevailing culture wishes them to behave. Such arguments, when they do not come from those who are profoundly confused morally, are merely the stock in trade of hypocrites. Were the same arguments propounded to justify slavery or the exploitation of women, their fallacies would be immediately spotted, exposed and denounced. The fact that our cultural elites frown on these positions would actually compel Catholics who support abortion to reach, in these other cases, a straightforward and logical conclusion at last.

Can you imagine the following? “I am personally opposed to slavery, but it is my civil duty to make it legally possible for the many who suffer from too many responsibilities to own slaves.” Or, “I know from my Faith that women have the same human dignity as men, but exploitation of women is a widespread need in civil society and to uphold the right of men to act on these needs, we must frame laws that protect this exploitation.”

No, such assertions are taken seriously only when they pander to the larger culture. They are nothing more than evidence of a secularized conscience, a conscience formed not by the will of God but by the will of Mammon. A very high authority once said that we cannot serve both; indeed, the open mind boggles at such currying of favor even when it is unconscious, which is why I described it as complacent absurdity. Only in a topsy-turvy Wonderland does this logic hold—in Wonderland, where we can safely agree with Humpty Dumpty that our words mean exactly what we choose them to mean, neither more nor less, and where—sadly—the one who continually greets the sweetest of little roses with a cry of “Off with their heads” is the true queen of our hearts.
The Bishops, Justice, Health Care and Social Change

May 29, 2009

Bishop William Murphy’s letter to members of the US House of Representatives endorsing comprehensive health care for every inhabitant of the United States (including illegal immigrants) raises an important question about the involvement of the United States bishops in politics. Granted, the letter comes from Bishop Murphy as chairman of the Domestic Justice and Human Development Committee of the USCCB. It is not, apparently, a mandate of the body of bishops as a whole. Nonetheless, the letter once again raises the critical question: Where is the line between moral principles, which the bishops must enunciate clearly and forcefully, and public policy, which the bishops have neither the charism nor the competence to formulate?

This question has long haunted the Church in America, especially in the heady post-Vatican II years when many bishops apparently believed that Catholic doctrine itself was in the midst of a major reformulation, resulting in episcopal political statements that were sometimes not so very well grounded in Catholic moral principles. But the main issue is not whether the bishops have a firm grasp of Catholic moral principles, but whether they have a superior grasp of how effectively this or that public policy embodies those principles. According to Church teaching, they don’t. In both theory and practice it is up to the laity, formed by Catholic principles, to determine the best prudential response to various public issues.

The episcopal office does not confer any particular special insight into either the feasibility or the effectiveness of proposed public policies; nor is there any historical warrant for suggesting that, in practice, bishops as a body are better at this sort of thing than laymen. In fact, both by training and experience, one would expect politically active lay persons to have a better grasp of the art of the possible in implementing effective public policies, just as one would expect bishops to have a better grasp of Catholic faith and morals.

Social Justice and Social Change

When the Church involves herself in politics, she is wont to talk about “social justice”
rather than charity. However, as Pope Benedict XVI clearly stated in his first encyclical, \textit{L Deus Caritas Est}, the special province of the Church is charity. It is the State which has justice as its proper end. This does not mean that the Church should not teach the principles of justice. Justice derives from the moral law, which Revelation helps the Church to enunciate with unmatched clarity. But there is a blurry line between charity and justice in the public context, even when both aim at the same goal.

For example, consider these questions: Is it a matter of charity or justice that free education should be available to all citizens? Or that the poor should receive a high level of housing and food benefits? Or that health care should be free? There is no “right” answer to these questions; the answers depend very much on the social context. In previous eras, nobody would have argued that the State had an obligation in justice to provide these things. The scope of the State was utterly insufficient to the purpose, and economic conditions were such that it simply could not be expected that a very large percentage of citizens could ever have access to such benefits. But if one person denied to another person a benefit to which he was ordinarily entitled—stealing a noble’s inheritance or riding roughshod over a peasant’s right to common acreage and shared equipment—then a matter of justice was clearly present. For the rest, the charity of friends, neighbors and the Church herself was essential to get people through difficult times.

In Western affluent mass societies, the general level of material well-being is far higher, and it is not (in theory) based on rank or class. Universal public education is a fact of life, and in a non-agrarian society education is seen as a key to making one’s livelihood. We tend to think, therefore, that everyone has a right to be educated; hence it is a matter of justice if someone is denied schooling. But we carry this only so far. It does not apply to college or graduate school. In other words, a moment’s reflection reveals to us that issues of justice are not always absolute. Instead, many issues take on a dimension of justice by virtue of the conventions of the social context in which the issues are raised. The most important point to recognize here is that the term “social justice” is very malleable; it is what the ancients recognized as distributive justice, and it must take circumstances into account. Thus it depends only partly on the natural law and to a much greater degree on the expectations, customs and capabilities of the society in question. (In contrast, charity faces no such conceptual problems: It is always a personal response to another’s need out of love.)

\textbf{Health Care}

Health care is an excellent case in point. The very dream that all people should have
access to a high level of professional health care depends on the peculiar features of particular societies: the widespread availability of competent professional care; a generalized familiarity with such care throughout the social order; a high percentage of persons already enjoying the advantages of this care; a significant understanding of public health; the advancement of medicine to the point that the difference between those who have medical care and those who do not is both significant and predictable; and of course tremendous affluence.

But for this dream to be the proper province of the State, we must somehow translate it from the sphere of desire to the sphere of justice. One would expect that the special gift of bishops would be to articulate the principles which make a given potential benefit a matter of justice; the case needs to be made because there is very little absolute about this sort of social claim. Thus the bishops might suggest (as I believe they would be right to do) that the claim to health care (or any other social benefit) becomes a matter of justice in a given society when that society begins to perceive, in its own context, that health care is unnecessarily unavailable to defined groups of people who—again, in the culture’s own particular context—would ordinarily be expected to have access to it.

The example of education may again prove useful. At a certain point in Western history, it became a feature of our common Western culture that the vast majority of people could be educated. A variety of philosophical, social and economic circumstances led to this cultural shift, and it took a very long time for the availability of education to reach anything like what we might call critical mass. Once critical mass was reached, it became the norm that all persons should be educated in a certain way (so much so that people gradually lost a great deal of personal control over the matter). Once this became the norm—and not before—society was in a position to judge it an injustice if anyone was prevented from going to school. Health care is perhaps now on a similar trajectory. However, it is not a matter of absolute principle but of socio-economic-political judgment whether, in fact, our culture is in a position to demand a certain level of health care as a matter of justice.

**Problems**

Once again, the primary role of bishops is not to endorse a particular policy proposal or a particular demographic result, but to explain the various principles and related considerations which might be sufficient to make health care a justice issue. Such a case may well be worthy of serious consideration, given the current characteristics of our society. Moreover, I would suggest that the bishops ought to be uniquely qualified to make this case—just as they are generally unqualified to endorse any particular method
of embodying such principles of justice in public policy.

After all, there are grave problems with any specific implementation of these principles in health care. Costs, quality of care, and personal liberty in determining the nature and scope of one’s medical treatment are among the more obvious. But the very involvement of the public order in medical care raises problems of its own, just as it has in education. It is no secret that a very large number of bishops were reared in the social traditions of modern liberalism. Perhaps as a result, many bishops assume that if a social problem exists, the Federal government must be put in charge of solving it. But he who lives by the Federal government may well die by it, for the Federal government is deeply involved in and supportive of quite a few grave moral evils in the realm of standard health care.

Bishop Murphy recognizes this difficulty, sort of. He warns that “no health care legislation that compels Americans to pay for or participate in abortion will find sufficient votes to pass.” But this is only another political judgment that no bishop is qualified to make. The smart money, I think, suggests that a universal medical system, if it were to pass all the other objections, would not be long subverted by such “petty” concerns as contraception, abortion and the use of aborted embryos in medical treatments—or even by assisted suicide, should that become the secular norm. One needs only to consider how we have fared in keeping such things out of insurance coverage. In any case, the main point is that Bishop Murphy, who only “sort of” sees the problem, does not see it as something that would deter him from demanding that the Federal government institute comprehensive health care now. The same ideological problems that undermine the values of the American citizenry in public education will be at work in the actual giving and taking of life in public medicine.

It probably isn’t necessary to raise the question of costs; the public is very sensitive to cost issues at the moment anyway. But Bishop Murphy’s letter does endorse the provision of “comprehensive and affordable health care for every person living in the United States.” This hides a hornet’s nest of questions, many of which revolve around the question of how much health care we can afford for how many. Alas, Revelation does not touch upon this issue. Questions of efficiency and quality are equally complex. For example, would it be unjust to allow persons of means to seek additional or better health care than the universal system provides? This would, after all, give them a social advantage. And would doctors and hospitals be permitted to provide such health care outside the system? Another huge consideration is the impact on illegal immigration of ever-greater public benefits for every man, woman and child residing on American soil.
Willy Nilly Doesn’t Cut It

Again, my point is not to argue against a better solution to health care in our society. As I have indicated, my personal assessment is that, although the best course is far from clear, our society does possess the combination of characteristics which make it morally necessary to think hard about this question, and to consider what might be done. As societies grow and change, along with their resources and their methods of using resources, different questions come to the fore, and sometimes circumstances do change enough to require the application of principles of justice to new areas of life, areas in which the question of justice was quite rightly inapplicable in another place and another time.

But it goes way beyond what we can know in our current context to assume willy nilly that these questions of justice are clear and easily applicable, or that one particular solution is obviously the best course. By all means, the bishops should lead a penetrating discussion of how and when certain social realities push new questions into the sphere of what we might call relative justice (typically these are considerations of justice arising from the principle—and indeed the problem—of equity). The bishops should apply this discussion very particularly to health care. And they should also point out clearly any absolute moral imperatives they see as critical to the discussion, such as not being forced to participate in murder. Then, based on an ever-deepening understanding of moral issues provided by cogent episcopal teaching, the bishops need to back away and allow the laity to do their own proper job: The formulation and implementation of specific public policies.
A Simple Guide to Faith, Culture and Public Life

August 28, 2009

Recently I’ve taken up the role of religion in the formation of culture, and in particular the ways in which our own personal faith is supposed to shape the larger culture around us (see, for example, two recent blog entries, The Split between the Gospel and Culture and The Beginning of a Catholic Culture). How religion and faith influence culture is, of course, a vast subject, and it will vary according to an immensely wide variety of circumstances. For today, then, let us narrow the field to how religion and faith ought to influence public life. And let us examine not so much the particular manifestations of that influence as the broad principles on which it ought to rest.

The Essentially Public Character of Religion

The first principle must be established with considerable force, because it is the opposite of what is commonly accepted in our contemporary Western culture. It is assumed nowadays that religion is a personal affair that must be kept private. But a moment’s reflection reveals this assumption to be not only false but self-evidently false. For the virtue of religion, taken in its most generic sense, consists precisely in the practice of those duties man owes to his Creator, duties which are owed no less in a man’s public capacity than in the privacy of his own heart and home. These duties always include piety, common worship, and moral behavior in every aspect of life—whether this behavior be the prescribed libations, sacrifices and oracles of some pagan religion or the highly developed moral norms characteristic of the Judeo-Christian tradition.

There can be no conceivable God to whom one could discharge his duty of religion through mere interior sentiment. Yet sentiment is exactly the status to which our modern culture tends to reduce religion through the bizarre stricture that we may believe whatever we wish as long as it does not affect anyone else. But just as such a mere interior sentiment will be utterly insufficient for the purpose of satisfying the obligations of our relationships with any other person—whether governor, employer, friend, spouse, or child—so too is it utterly insufficient, laughable and even insulting in our relationship with God. Instead, religion is a matter of enacting our deepest beliefs, in the company of
our fellows, in order to satisfy our obligations to God and to ensure God’s blessings on all undertakings, whether we classify them as public or private.

An interesting historical anomaly may help make the point. During the period of the Protestant Revolt in sixteenth century Europe, there was a strange Christian sect (whose name I can no longer remember) that not only recognized the tendency Christians had to dissemble in the face of potential persecution by rival groups, but also pronounced dissembling a virtue and adopted it as a doctrinal cornerstone. The theory was that under no circumstances should one cast pearls before swine, “swine” being defined as anyone who did not yet hold this sect’s peculiar views. Therefore, the faithful were to reveal their religious beliefs to absolutely nobody, including their own children. The result was a religion as purely private as one could make it. Needless to say, this sect died out in a single generation. Religion, for a wide variety of reasons, is essentially public.

**Christianity and Public Life**

The public character of religion applies to all religions (and therefore, necessarily, to all ideologies which oppose religion), but here I cannot explore the various ways in which the different religions of the world effect their public imprint. What concerns me instead is the public imprint of the one religion I believe to be true, Christianity, and more specifically Catholicism. For with respect to the unfortunate diversity of religions in the world, an important public question arises immediately. Once we grant that religion has an essentially public character, we must ask how the demands of conflicting religions are to be met in what we call our public life. By “public life” we mean a certain kind of public activity, more or less loosely defined, in which all those in a particular geographical region are bound in various ways to participate.

This classification of public life can be, and often is under militant secularism, pushed to an extreme. Thus, ordinarily, we would understand that a gathering of co-religionists in a church to offer worship, while certainly a public event, is not thereby part of what we call our “public life”, by which we mean essentially our civic life—such as the activities of a court of law, the operations of the local zoning commission, or elections of civil officials. Based on a false extension of civic life to include everything that is public, an ardent secularist may argue that the very existence of a Christian church or the very utterance of a Christian prayer imposes unfair *public* pressure and distress on an unbelieving citizen who chances to see the church or hear the prayer, and so both Christian prayer and Christian church buildings may be rightfully suppressed for the common good. Most people would recognize this as an extreme and foolish argument, but it does conceal within it a legitimate and often difficult question: To what degree
ought the devotions and moral duties of a particular religion to be permitted to shape and inform public life?

To this question Christianity provides a particularly practical and sensitive answer, proposing a truth which rightly deserves to be elevated into a second key principle. Thus in discussing the great many things that are public in various ways, Christian social theory distinguishes between the activity of the Church, which has supernatural love as its end, and the activity of the State, whose end is natural justice. Now those things having primarily to do with charity or love are necessarily voluntary, for that which is not voluntary cannot be done out of love. For this reason, the particular aspects of Christianity which are known only through Revelation and which must be apprehended through faith and embraced through love are not to be forced upon anyone, and so can rightly be incorporated into the public order only insofar as they are the natural expression of those who participate in public life, and never as a requirement under pain of civil punishment. The degree to which any culture publicly expresses such things will vary, within the limits of this principle, according to all the attendant circumstances.

But justice has to do with all those things about right conduct and proper human relations which we can know from the natural law (which Christianity also embraces and illuminates). Thus the work of justice is a work deriving from human nature itself. This work is the province of civil government or the State, and so adherence to rules and laws growing out of this work of justice may be properly enjoined upon all, even under threat of civil punishment. For this reason, a properly ordered public life will be governed neither by antagonism toward the voluntary expression of religious beliefs (such that voluntary public religious practices must be suppressed) nor by adherence to a specific set of religious rules, requirements and ceremonials (such that all citizens must attend Mass or that a profession of faith will be required to hold public office or that the failure to contribute to the Church will be prosecuted as a crime). Rather, a properly ordered public life will always be governed primarily by rules derived from the disposition of reason to secure justice. This disposition is not in essence Catholic or Christian, though it is compatible with the Christian Faith and even demanded by it. It is instead natural, accessible to all, and so demanded of all.

The Culture Wars

It has been one of the goals of the pontificate of Pope Benedict XVI to clearly enunciate a proper understanding of the relationship between reason and faith, a relationship which the Pope regards as vital for true dialogue, mutual respect and even friendship among peoples with widely varying religions and cultures. The challenge the Pope offered to
Islam in his famous and controversial Regensburg address in 2006 was centered on this very point: Can Islam show itself to be compatible with reason and so open up within itself a proper understanding of public space characterized by the disposition of reason to seek justice?

Christians in non-Islamic countries, however, may well have a different preoccupation. They may agree that what I have outlined here is true in theory but wonder how it can be lived in practice; for in fact our current culture wars are fought over the most pressing life issues, issues which can be correctly resolved by recourse to the natural law, yet issues which remain battlegrounds because the natural law is summarily rejected by the culture of death. In the same Regensburg address, which indicted the West far more forcefully than it challenged the Islamic world, Pope Benedict observed that our contemporary false restriction of the idea of reason to empirical operations has not only made fruitful dialogue with other cultures difficult but rendered it impossible for reason to analyze the principles which govern nature, hence impossible for reason to pursue justice.

There is a darkening of the intellect through sin or, to put it more generally, through our failure to control our passions, which then obscure our intellectual vision. It is precisely here that modern culture runs afoul of justice, and here that Christians feel compelled to teach modern culture the natural law, which they then find rejected contemptuously as an imposition of private religious belief. It is true, of course, that Revelation does illuminate and reinforce our perception of the natural law. After all, both come from the same source (it is important to understand how this is so; see Revelation Sheds Light on Natural Law). But the natural law is nonetheless accessible to reason alone, and Christians may not desist from both expressing its tenets and demanding its observance in the face of a culture which tries repeatedly to privatize the natural law, reducing it—like religion—to an irrelevant sentiment.

On the contrary, naturam expellas furca, tamen usque recurreit: “Though you may drive out nature with a pitchfork, she will always come back.” Thus did Horace, writing shortly before the birth of Christ, express the self-evident truth that all of nature possesses an innate character that is ineradicable. The obligation of the Christian to insist on the application of the natural law to public life is the third and final principle, and the one that moves this discussion from theory to practice.

The Richness of Culture

Such a brief discussion of how religion ought to shape public life in a healthy culture can only scratch the surface, setting forth a few principles under which a tremendous variety
of specific laws, customs, priorities and attitudes can flourish, depending on the whole multitude of divergent circumstances characteristic of various peoples. It is these specific customs and laws, priorities and attitudes which will in fact constitute the detailed civic culture of a particular people at a particular time in a particular place. Moreover, civic culture is itself only one component of a far broader public culture in which religion will play a larger role through its mission of love and through the devotion engendered by love.

Indeed, as there is no such thing as private religion, there is also no such thing as private culture. Man, impelled by his social nature and enjoined by God’s command to “fill the earth and subdue it” (Gn 1:28), generates culture in everything he says and does, from his home even to the halls of government. There is both richness and wisdom in human culture, which demands both respectful conservation and continual correction through Revelation and reason, truth and grace. The principles outlined here will not in themselves generate the richness and beauty of a complete and fruitful culture, but as far as the basic cultural framework of our public life, let us hold all three principles as essential to the common good. First, religion is essentially public in character. Second, the proper province of the State is natural justice, in which realm alone it may properly exercise coercive power. Third, Christians must never cease to insist on a public life which fully respects the natural law.
Splitting social and life issues? Can’t do it.

September 18, 2009

Have you noticed that those who are pro-abortion always attempt to seize the moral high ground when it comes to social issues? They may favor widespread contraception, abortion, embryonic stem cell research, and euthanasia, but that doesn’t prevent them from presenting themselves as more compassionate than others, because they really care about the poor and about economic disparity in general. The proof is that they favor Federal programs that attempt to implement distributive justice by redistributing wealth.

Now I have no quarrel with distributive justice. I’m a Catholic, not a libertarian. Truly, there is a large, long-standing and debilitating quarrel between left and right about the role of distributive justice, but I want to reserve a Catholic analysis of that issue for another time. Today I’m interested in that other false dichotomy between left and right, the one that says you can support the culture of death while still being right on social issues. This dichotomy presents life issues and social issues as disconnected.

Catholics of dubious commitment make a living off of this dichotomy, claiming the moral high ground by asserting their exemplary support of Catholic social teaching. But in his social encyclical Caritas in Veritate, Pope Benedict very deliberately turns the tables. He states point blank that this dichotomy is false. He teaches that if you do not get the life issues right, it is impossible to get the social issues right.

The Roots of the Socio-Economic Order

Caritas in Veritate was written partly to commemorate Pope Paul VI’s social encyclical, Populorum Progressio, which marked a critical development in Catholic social teaching through its articulation of the requirements for authentic human development. Never mind for the moment that we Americans always read social encyclicals for the purpose of figuring out which “side” the pope is on (again, left or right); that’s a sure recipe for blindness which I’ll take up in that future examination of distributive justice. Though Benedict does address that issue in his encyclical, he first does something even more important. In reviewing the entire body of Paul VI’s social teaching, Benedict includes Humanae Vitae.
This is a decisive inclusion toward which the Church has been building steadily for the last forty years. Benedict notes immediately that in *Humanae Vitae* Paul VI identified the foundation of society as *a married couple open to life*. This is not a matter of private morality, he says; rather, it creates an unbreakable link between life ethics and social ethics. The link is so important that *Humanae Vitae* ushered in a new area of magisterial teaching, leading, for example, to John Paul II’s landmark document *Evangelium Vitae*: the Gospel of Life.

Here’s how Benedict describes the link:

Openness to life is at the center of true development. When a society moves towards the denial or suppression of life, it ends up no longer finding the necessary motivation and energy to strive for man’s true good. If personal and social sensitivity towards the acceptance of new life is lost, then other forms of acceptance that are valuable for society also wither away. The acceptance of life strengthens moral fiber and makes people capable of mutual help. By cultivating openness to life, wealthy peoples can better understand the needs of poor ones, they can avoid employing huge economic and intellectual resources to satisfy the selfish desires of their own citizens, and instead, they can promote virtuous action within the perspective of production that is morally sound and marked by solidarity, respecting the fundamental right to life of every people and every individual. (28)

In the face of this fundamental reality about openness to life, Benedict finds it pathetic that some governments enforce contraception, sterilization and abortion, and that other governments and NGOs encourage these practices and even attempt to export them to other parts of the world as if they represent some sort of social progress. They represent exactly the opposite.

**Population Growth and Development**

The encyclical devotes considerable space to stressing that “to consider population increase as the primary cause of underdevelopment is mistaken, even from an economic point of view” (44). As everyone ought to know by now, declining birth rates in most societies constitute a huge problem, especially obvious in Europe. The reasons are fairly simple: Declining birth rates strain social welfare systems, increase their cost to those who are working, reduce the availability of savings which should be a resource for investment, reduce the availability of qualified laborers, and narrow the brain pool. And these are just the economic consequences.

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Moreover, although Benedict himself does not specifically make this point, his argument presupposes a critical economic reality, demonstrated once again by the current recession: Significant economic development—that is, development with substance and staying power—is not possible without a vigorous new generation. By the nature of things, investment is always for the future, and the future can only bear a return insofar as there are large numbers of active persons in the next generation to invest in. Thus the graying of any society is a prelude to its inevitable financial collapse. In Benedict’s own words, “responsible procreation…has a positive contribution to make to integral human development” and, in fact, “openness to life represents a rich social and economic resource” (44).

Therefore, societies and cultures which reduce sex to recreation and regard procreation as a form of risk are gripped by a materialism which limits freedom, undermines the family and, in every conceivable respect, mortgages the future. This argument is both economic and more than economic. Benedict is not afraid to state clearly that “smaller and at times miniscule families run the risk of impoverishing social relations, and failing to ensure effective forms of solidarity” (44), the lack of which significantly impedes integral human development, including economic development. The feminization of poverty is another excellent example of the “anti-development” that is caused by the breakdown of the marriage bond and the family, a breakdown rooted largely in a false attitude toward sex and procreation. This has had a devastating impact on women, giving poverty a distinctly feminine face.

All of these situations, writes Benedict, “are symptomatic of scant confidence in the future and moral weariness” (44). Authentic development, including any sort of consistent economic development, simply cannot occur in this corrosive atmosphere. The best that a few people can hope for is a temporary superdevelopment in which they take advantage of their largely accidental personal wealth to grasp at an ever-growing array of material things and material comforts. Too often, the Pope points out, “superdevelopment” signifies “moral underdevelopment” (29), which causes massive damage throughout the social order. Such moral underdevelopment eventually reduces other persons to instruments without regard for their essential finality, their necessary openness to the absolute, and their own need for integral development.

Can’t Do It
Quoting John Paul II’s *Evangelium Vitae*, Benedict drives his point home: “A society lacks solid foundations when, on the one hand, it asserts values such as the dignity of the person, justice and peace, but then, on the other hand, radically acts to the contrary by
allowing or tolerating a variety of ways in which human life is devalued and violated, especially where it is weak or marginalized” (15). In other words, the clear message of *Caritas in Veritate* is that no one can claim to be right on the social issues when he is wrong on the life issues. When we are wrong on the life issues we make social development impossible from its very foundation. This does not mean, of course, that every pro-lifer fully embraces Catholic social teaching as it relates to solidarity and economic policy. But it does mean that embracing the culture of life is the *sine qua non* of human development.

So, in a nutshell, what is Benedict’s message to all those—including many secularized Catholics—who claim we ought to support politicians who embrace the culture of death because they advocate a superior socio-economic policy? Sorry, says *Charity in Truth*, that pony won’t run. Social development is impossible when its very foundation is rotten. It’ll never happen. Can’t do it.
Eliminating Left and Right: An Economic First Step

September 25, 2009

In my last commentary on *Caritas in Veritate* (*Splitting social and life issues? Can’t do it*.), I promised to critique the “sure recipe for blindness” typically followed by the Western mind in reading Catholic social encyclicals. At the same time, I said I’d address the “large, long-standing and debilitating quarrel between left and right about the role of distributive justice”. The two problems are largely the same.

The Capitalist / Socialist West

When conservatives read social encyclicals, they often throw up their hands in disgust: “What does the Pope want us to do? Become socialists?” And when liberals read social encyclicals they tend to ignore everything that is said about ownership and subsidiarity. Both groups reflexively see socio-economic theory in terms of either or, either capitalist or socialist, either right or left. Both instinctively believe that the full range of possibilities is represented by these two concepts, that each of these economic concepts depends on immutable laws and impersonal forces, and that the viewpoint which opposes their own is defined either by selfishness (for the right) or by ideology (for the left).

For this reason, we read the social encyclicals with tunnel vision, and end up blind in the process. Most often we simply want to find out “whose side the Pope is on this time”, and to get ammunition for lobbing at the other side. Unfortunately, we fail to realize that both capitalism and socialism represent fundamentally materialist theories of how the economy ought to work. They are the result of an ongoing debate within a society which was already largely secularized when the debate began, and which has simply ignored large aspects of reality ever since. Neither side pays significant attention to the moral dimension of personal economic action.

One of the most important contributions of Catholic social teaching to economic thought is the Church’s insistence that the economy is not the result of implacable laws or impersonal forces, but of specific moral decisions. The capitalist notion that the purpose of economic activity is profit, and that the greatest good for the greatest number follows automatically from this principle, is in the first place morally false and in the
second profoundly arbitrary. The socialist notion that economic activity is not rooted in personal ownership, and that the state alone can bring about equity and peace in the social order is, in the first place false as to its understanding of human nature and in the second inevitably totalitarian. Neither system is based on the full truth about man, and so neither is capable of fostering authentic development or, as the Church puts it, “development of the whole man and of all men.”

Unfortunately, each side recognizes the falsehoods contained in the other, but neither recognizes the full range of reality. Because of this tunnel vision, the solution adopted in the West has been shaped by an incessant socio-political conflict in which one group creates wealth and another comes along later to redistribute it. Thus even limited social benefits are accompanied by the evils characteristic of both systems (i.e., irresponsible business and coercive bureaucracy), and all goes forward (when it goes at all) in an atmosphere of mistrust.

In effect, commutative justice—the law of exchange, in which the parties seldom have equal bargaining power—has become the province of the right, operating through business; and distributive justice—through which all are called to share in the goods of this world by virtue of their very humanity—has become the province of the left, operating through the State. I have, of course, over-simplified somewhat for clarity. In fact we are often our own worst enemies, taking one side when doing business and the other when doing politics. But most readers will recognize the split. This split is largely defined by the long-standing conflict between liberal and conservative over the role of distributive justice, to which I alluded in my introduction. For the conservative, distributive justice is very frequently ignored or denied. For the liberal, distributive justice is sought more or less exclusively through political power, at the expense of human freedom.

**Transcending the Dialectic**

In *Caritas in Veritate*, Pope Benedict XVI in effect condemns both sides. To the right, he says:

> The market is subject to the principles of so-called commutative justice, which regulates the relations of giving and receiving between parties to a transaction. But the social doctrine of the Church has unceasingly highlighted the importance of distributive justice and social justice for the market economy, not only because it belongs within a broader social and political context, but also because of the wider network of relations within which it operates. In fact, if the market is governed
solely by the principle of the equivalence in value of exchanged goods, it cannot produce the social cohesion that it requires in order to function well. Without internal forms of solidarity and mutual trust, the market cannot completely fulfill its proper economic function. (35)

Anyone who is even remotely aware of the causes of the current recession ought to recognize by now how much of our current economic failure has been occasioned by betrayal of trust and pervasive lack of trust. In contrast, observing that God’s relationship with us is characterized by the “law of the gift”, in that everything that surrounds us and that we take for granted is in some deep sense a gift, Benedict argues that this spirit of “gratuitousness” must also characterize all human activity, including economic activity. This gratuitousness takes the form of a definite generosity and friendship in all relationships, which the Church’s social teaching calls “solidarity”.

But if the right often fails in solidarity, so too does the left. And so, to the left, Benedict says:

Solidarity is first and foremost a sense of responsibility on the part of everyone with regard to everyone, and it cannot therefore be merely delegated to the State. While in the past it was possible to argue that justice had to come first and gratuitousness could follow afterwards, as a complement, today it is clear that without gratuitousness, there can be no justice in the first place…. The exclusively binary model of market-plus-State is corrosive of society, while economic forms based on solidarity, which find their natural home in civil society without being restricted to it, build up society. (38-39)

Solidarity, says Pope Benedict, must be found within economic activity, not only “outside” it or “after” it. Solidarity is to be distinguished sharply from “giving in order to acquire” (the logic of exchange, the logic of the right) and “giving through duty” (the logic of public obligation imposed by the State, the logic of the left). To understand this dual indictment, it is necessary to observe that speaking of solidarity by government policy is the same as describing forcible theft on the part of one man as charity on the part of his victim. Whatever gains may be made, the State compounds the initial problem by reducing freedom and breeding distrust.

The Vision of Solidarity
By recognizing first and foremost that the economy is profoundly shaped by moral
decisions, the Church insists categorically that economic activity, including market activity, must be marked and impenetrated from the first by solidarity, the concern of “everyone for everyone”. This means that business management must be concerned in every enterprise with the good of all the stakeholders: workers, clients, suppliers, investors and what Benedict calls the “community of reference”, the community within which the economic activity takes place, which provides the resources upon which the economic activity depends, and which is affected in countless ways by that activity and its results.

“Both the market and politics need individuals who are open to reciprocal gift,” says Benedict, and indeed this is the only way to overcome the false economic dichotomy that dominates Western thought, to bridge the economic gap between conservatives and liberals, and even to help transcend the ultimate dialectic between left and right, in which economic attitudes play a major role, and which makes it so hard for Western man to think clearly about reality. This is so important that Benedict ultimately issues a challenge and a hope that we must all make our own:

The great challenge before us, accentuated by the problems of development in this global era and made even more urgent by the economic and financial crisis, is to demonstrate, in thinking and behavior, not only that traditional principles of social ethics like transparency, honesty and responsibility cannot be ignored or attenuated, but also that in commercial relationships the principle of gratuitousness and the logic of gift as an expression of fraternity can and must find their place within normal economic activity. This is a human demand at the present time, but it is also demanded by economic logic. It is a demand both of charity and of truth. (36)
Family Size, Social Development, Selfishness and Love

October 02, 2009

My wife teaches English to seniors at Seton School in Manassas, Virginia, and all the seniors are required to write regularly in a journal so that, by sheer frequency, they become more comfortable with writing. Recently, one budding literary talent wrote humorously of the reactions she gets from different people when they learn that she has nine brothers and sisters. These reactions typically run from disbelief through ill-disguised horror. They raise interesting questions about both our culture and ourselves.

_Caritas in Veritate_ on Family Size

Interestingly, Pope Benedict addresses family size in his most recent encyclical, _Caritas in Veritate_. In fact, he identifies exceedingly small families as an obstacle to authentic human development. The relevant passage is worth quoting at length:

Morally responsible openness to life represents a rich social and economic resource. Populous nations have been able to emerge from poverty thanks not least to the size of their population and the talents of their people. On the other hand, formerly prosperous nations are presently passing through a phase of uncertainty and in some cases decline, precisely because of their falling birth rates; this has become a crucial problem for highly affluent societies. The decline in births, falling at times beneath the so-called “replacement level”, also puts a strain on social welfare systems, increases their cost, eats into savings and hence the financial resources needed for investment, reduces the availability of qualified labourers, and narrows the “brain pool” upon which nations can draw for their needs. Furthermore, smaller and at times miniscule families run the risk of impoverishing social relations, and failing to ensure effective forms of solidarity. These situations are symptomatic of scant confidence in the future and moral weariness. It is thus becoming a social and even economic necessity once more to hold up to future generations the beauty of marriage and the family, and the fact that these institutions correspond to the deepest needs and dignity of the person. In view of this, States are called to enact policies promoting the centrality and the integrity of

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the family founded on marriage between a man and a woman, the primary vital cell of society, and to assume responsibility for its economic and fiscal needs, while respecting its essentially relational character. (#44)

I think most readers will “get” the demographic argument, the argument that a wide-ranging dearth of births causes grave problems to the survival of not only a nation’s economy but of its culture as a whole. But at the center of the Pope’s clear articulation of this argument lies an especially valuable nugget: “Furthermore, smaller and at times miniscule families run the risk of impoverishing social relations, and failing to ensure effective forms of solidarity.” In our culture and in our particular time, this is a show-stopper.

**Smaller and at Times Miniscule**

One of the key principles in Catholic social thought is “solidarity”, which Benedict defines as the “concern of everyone for everyone.” Solidarity means the injection into all of our activities—including economic and market activities—of a spirit of gratuitousness and fraternity which immeasurably strengthens social bonds and fosters the kind of pervasive trust on which all successful social activity—again, including market activity—ultimately depends. The Pope is saying here that “smaller and at times miniscule families” frequently fail to engender the patterns of habitual solidarity which form the foundation of a successful social order.

Small and even miniscule families are not always lacking in this way, of course, because although larger families provide greater opportunities and impose greater demands for habitual solidarity, it is not ultimately these pressures which engender solidarity but rather the spiritual attitudes of the family members. The danger—the “risk”—to which the Pope refers primarily arises from the reason families are so often now “smaller and at times miniscule”: An emphasis on material rewards and personal desires which, by dominating the attitudes of the couples at the heart of potential family life, causes them to avoid the “burden” of children. We are, in a word, talking about selfishness, which necessarily prevents the development of effective forms of solidarity.

Looked at in another way, this is hardly surprising. Although large families can sometimes be dysfunctional, and some parents can decide to have children for selfish reasons (a few have even done so for the purpose of harvesting biologically similar organs), most people who have larger families do so for the same reason that God has a large family: They are animated by love and they wish to share this love more widely. In such cases solidarity flows naturally within the family as from a fountain, and it is very
close to a truism that a society characterized by large families is going to be far more socially cohesive, formed as it is through established familial patterns of mutual help and support, than a society characterized by “smaller and at times miniscule families”.

**What Constitutes a “Larger” Family?**

This impetus of love is especially notable in a contraceptive society. Whatever may have been the case during periods in which children were an acceptable result of sexual activity, reproductive control is so pervasive in our culture that family size is now almost always the result of a series of decisions. Our social reality, then, is that the percentage of large families which are occasioned directly by a decision to share love is extremely high, very probably an all-time high. But this raises an inevitable question. Since we’re making decisions about family size, we need to understand what qualifies as a family that is not “smaller and at times miniscule”. Or, to use a parallel expression, how many children does it take to form larger and at times enormous families?

In *Humanae Vitae*, the encyclical that so beautifully outlined the procreative and unitive ends of marriage so that we could understand the immorality of artificial birth control, Paul VI also taught about responsible parenthood. The Pope began with the Second Vatican Council’s summation of earlier Catholic doctrine: “Marriage and conjugal love are by their nature ordained toward the procreation and education of children” (*Pastoral Constitution on the Church in the Modern World*, #50). “Education” in this sense should not be narrowly construed; it refers generally to the formation of children for their proper spiritual and natural ends. Thus the Church has always taught that parents are morally obliged to provide both material necessities and Christian education to their children.

It is this teaching, in fact, which describes the theoretical upper limit for family size, for it follows that it is morally irresponsible for any couple to have more children than they believe they can provide for both naturally and supernaturally. That is, parents are not to have a child if they cannot provide for its material needs and Christian education. This does indeed set an outer limit for responsible family size, but it is essential to observe three related points from the outset: First, there must be no false values at work, as if “material needs” includes a McMansion and all the latest possessions, or as if “Christian education” requires the most expensive schools and the cultural opportunities of extensive foreign travel. Second, the popular notion that the problems of the world are caused by there being too many people, with its corresponding pressure to reduce family size, must be recognized and rejected as both bogus and unworthy of man. Third, it should be obvious that the theoretical upper limit will vary widely from couple to couple,
depending on a wide variety of factors, as we shall see.

**Responsible Parenthood**

Note, then, that responsible parenthood involves responsible decisions. Or as Paul VI put it: “Married love, therefore, requires of husband and wife the full awareness of their obligations in the matter of responsible parenthood” (#10). Nowhere has the Church ever taught that parents must have as many children as nature’s biological processes will allow. The Church has always stressed the moral responsibility involved in the decision to conceive a child, and *Humanae Vitae* outlines the following areas of parental responsibility (#10):

- **Biological**: “With regard to the biological processes, responsible parenthood means an awareness of, and respect for, their proper functions. In the procreative faculty the human mind discerns biological laws that apply to the human person.”

- **Emotional**: “With regard to man’s innate drives and emotions, responsible parenthood means that man’s reason and will must exert control over them.”

- **Attendant Conditions**: “With regard to physical, economic, psychological and social conditions, responsible parenthood is exercised by those who prudently and generously decide to have more children, and by those who, for serious reasons and with due respect to moral precepts, decide not to have additional children for either a certain or an indefinite period of time.”

- **Objective Moral Order**: “Responsible parenthood, as we use the term here, has one further essential aspect of paramount importance. It concerns the objective moral order which was established by God, and of which a right conscience is the true interpreter. In a word, the exercise of responsible parenthood requires that husband and wife, keeping a right order of priorities, recognize their own duties toward God, themselves, their families and human society.”

The Pope concludes:

From this it follows that they are not free to act as they choose in the service of transmitting life, as if it were wholly up to them to decide what is the right course to follow. On the contrary, they are bound to ensure that what they do corresponds to the will of God the Creator. The very nature of marriage and its use makes His will clear, while the constant teaching of the Church spells it out. (#10)
I have quoted Paul VI at length not so much to make an argument from authority, although that is not unimportant, but to demonstrate how much the Pope’s words correspond with exactly what we should conclude through any serious dispassionate consideration of the matter. Each couple must make responsible moral decisions concerning its ability to welcome a new child at any given time, and these decisions will be properly made in light of physical (e.g., medical), economic, psychological and social conditions. Not everyone has the same health, the same finances, the same mental and emotional strength, or the same social circumstances (relating to such things as family support, other responsibilities and demands on one’s time, and even larger questions of social stability and war).

**Generosity**

The correct disposition, to be sure, is always the disposition of generosity, the disposition of deeply desiring to share one’s love with another child, and to raise up new life to serve God and be happy with Him forever. We must never fail to recognize, in the first instance, what a great gift procreation is, through which we give glory to the Creator and cooperate with Him in conferring His goodness and joy on an ever-widening circle of beloved persons. There can be no question in our own time that, were this gift properly recognized, the average family size would be substantially larger than it is now. Yet when all is said and done, there is no magic number. No one can make these decisions for another, and there are countless other ways to serve as occasions of grace.

While selfishness is quite obviously a very great failing in our contemporary culture with respect to family size—and while this selfishness certainly puts the social order at risk through the deficiencies of “small and at times miniscule families”—it remains true that small and even childless families can be imposed upon parents either without choice or from responsible decisions under difficult conditions. Such families, insofar as they are not rooted in selfishness, can also make an immense contribution to the lives of their members and to the larger social order. In the end, neither God nor a healthy social order requires a family headcount. What both require is married couples who make conscientious moral decisions, each according to its own circumstances, to share their gift of love.
Society and Marriage: Quid pro Quo
November 02, 2009

The proposed law in the District of Columbia that would require institutions to provide the same treatment to same-sex couples as to married couples is just the latest in an apparently endless series of initiatives to enable same-sex individuals to claim the civil benefits of marriage. At the risk of restating the obvious, let me explain again the two simplest reasons why this makes no sense—though much more can be said about the interrelationship between marriage and society than I intend to convey here.

The first reason is not likely to gain traction in a society which understands neither the purpose of sex nor the nature of man, but it is the more important of the two, and we shouldn’t lose sight of it. The reason is simply that marriage is impossible between people of the same sex. Or, to put it another way, the concept of marriage is totally evacuated of its meaning whenever marital status is ascribed to two persons of the same sex. When reduced to its bare minimum in the order of nature, marriage is the permanent union of a man and a woman for the procreation and rearing of children. Since two men, or two women, are by their nature incapable of joining together to generate children, they cannot be the proper subjects of marriage.

Now from this essential natural fact there flows a second reason why it makes no sense to provide the benefits of marriage to same-sex couples, a very simple and pragmatic reason: Society will gain no benefit from doing so. Heterosexual marriage generates families which constitute the fundamental unit of the social order. This is a great benefit to society as a whole. Indeed, it is the sine qua non of society, and it is a benefit provided at considerable sacrifice on the part of the married couple. In return for this benefit, all societies foster, encourage and protect marriage in various ways, including laws which make it financially easier for married couples to maintain their families. This arrangement is based on a quid pro quo which cannot be duplicated by same-sex couples.

One could argue that this or that same-sex couple might adopt children and so contribute something to the proper rearing of future members of society. We could argue, in response, that parenting by a same-sex couple is unlikely to produce stable, well-balanced adults. But in fact this is unnecessary, because the laws governing the social order are not framed for individual cases but for classes. Any two persons, of
whatever ages and relationship, might provide a service for which, as a matter of business, a third party (including a government) would wish to pay. Social laws, however, are not concerned with individual contractual decisions but with the duties and benefits of social groups.

It so happens that the class of couples composed of men and women have both the potential and the common inclination to generate offspring, maintain enduring families, and thereby produce productive members of society. Historically, a substantial majority of such couples have in fact done so. This socially beneficial male-female familial relationship is called marriage. Because it is so socially beneficial, society gains a great deal when it provides for the stability and prosperity of marriage. Therefore, laws and benefits regarding marriage are applied properly to the relevant class of persons, even though some of these persons may prove to be less useful to society than others—less fertile, less stable, less enduring, less capable of training up well-balanced and productive adults. In contrast, same-sex couples, taken as a class, have no potential to generate children, and no statistical tendency to provide for children, to raise them, or to turn them into productive adults.

There is no reason whatsoever, then, for any government or social institution to consider providing the benefits of marriage to the class of same-sex couples. There is no reason that any citizen should want his tax monies wasted in such a fruitless exercise. There is no potential benefit for society. There is no quid pro quo.
The First Principle of Catholic Social Concern

January 11, 2010

In attempting to figure out how the problem of poverty should be addressed in a healthy culture, the first thing we come up against is the impossibility of solving any social problem by reducing it to its statistical parameters and then establishing bureaucracies to address the statistics. This is because such problems always have causes that go beyond what mere numbers show. Especially if unjustly restrictive laws have been eliminated—that is, the government itself is not the direct cause of the poverty in question, as it may be under a corrupt regime—these causes are always in some measure personal. As such, they can ultimately be addressed effectively only through personal intervention.

At least in a generally prosperous society, poverty has deep roots in such problems as the absence of family support, abandonment, abusive relationships, problems posed by dependents, lack of self-respect, destructive habits, addiction, low expectations, poorly developed character, poor diet, inadequate health patterns, a dearth of education or training, community prejudice, and many similar things which are often fundamentally spiritual in nature. For this reason, the first rule of Catholic concern for the poor is that this concern must be motivated by love for the whole person in his fundamental spiritual identity as a child of God. St. Augustine made this point in the early 5th century:

What is perfection in love? Loving our enemies and loving them so that they may be converted into brothers. Our love should not be a material one. Wishing someone temporal well-being is good; but, even if he does not have that, his soul should be secured…. It is uncertain whether this life is useful or useless to someone; whereas life in God is always useful. Therefore, love your enemies in such a way that they become your brothers; love them in such a way that you attract them to fellowship with yourself in the Church. (Treatise on the Epistle of St. John to the Parthians, 1, 9)

Some sixteen hundred years later, in his 2006 encyclical Deus est Caritas, Benedict XVI found himself making the same point:

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Charitable activity…is always concerned with the whole man. Often the deepest cause of suffering is the very absence of God…. A Christian knows when it is time to speak of God and when it is better to say nothing and to let love alone speak. He knows that God is love (cf. 1 Jn 4:8) and that God’s presence is felt at the very time when the only thing we do is to love…. It is the responsibility of the Church’s charitable organizations to reinforce this awareness in their members, so that by their activity—as well as their words, their silence, their example—they may be credible witnesses to Christ. (31)

This fundamental orientation to the whole man, in both his temporal and his spiritual need, is the hallmark of the Christian response to the poor whom, as Christ so tellingly observed, “you will always have with you, and whenever you will, you can do good to them” (Mk 14:7). I do not mean to suggest by this that Christians are bound to oppose government programs of assistance to the poor because they are inevitably bureaucratic rather than personal. I simply mean to establish the perspective from which all efforts to help the poor must be judged. Understanding both the deeply personal nature of poverty and the kind of engagement it takes to overcome it enables us to avoid political utopianism, whether ideological or statistical, and forces us to critically examine the various possibilities on offer.

It should also go far toward eliminating the use of poverty programs as either political weapons or political sinecures, for we will find that even when we have exhausted all the possibilities of public policy, we will still have a very long way to go. This is because the ultimate plight of the poor will seldom depend on the accessibility of government agencies, yet in each individual case it will depend on love, and love is generally unrecognizable after it has passed through political hands. Therefore, since we ought not to feel so very satisfied if all we have done is pass a bill, perhaps we can now take a step back, survey the landscape, and begin again.
The Importance of Community

January 12, 2010

On reading the previous entry in this series, one might argue that I have “reduced” concern for the poor to charity, which would be unfortunate on two grounds. First, charity is often construed to be essentially private, and surely poverty and other forms of social marginalization are legitimate matters of public concern. Second, it seems clear that many problems of social marginalization involve important matters of social justice.

But such concerns arise only if the point of the previous essay is misconstrued. The point was that social concern “must be motivated by love for the whole person in his fundamental spiritual identity as a child of God.” This assertion is not meant to be restrictive to “private” acts of charity. Catholics do not live by choice in such an artificially bifurcated world! Charity always includes justice and is, therefore, by its nature both private and public. As Pope Benedict XVI put it in his recent social encyclical, Caritas in Veritate:

Charity goes beyond justice, because to love is to give, to offer what is “mine” to the other; but it never lacks justice, which prompts us to give the other what is “his”, what is due to him by reason of his being or his acting…. Not only is justice not extraneous to charity, not only is it not an alternative or parallel path to charity: justice is inseparable from charity, and intrinsic to it. Justice is the primary way of charity or, in Paul VI’s words, “the minimum measure” of it. (#6)

When we sort this out we gain a new and richer understanding of authentic human development. In recognizing that love both includes and goes beyond justice, we suddenly understand the fundamental message of Catholic social teaching over the past forty years, which Benedict has so recently attempted once again to make clear. It is but a restatement of my earlier point: “Authentic human development concerns the whole of the person in every single dimension” (#11). Consider:

In the course of history, it was often maintained that the creation of institutions was sufficient to guarantee the fulfilment of humanity’s right to development. Unfortunately, too much confidence was placed in those institutions, as if they were able to deliver the desired objective automatically. In reality, institutions by
themselves are not enough, because integral human development is primarily a vocation, and therefore it involves a free assumption of responsibility in solidarity on the part of everyone. (#11)

As I suggested in the previous essay, it is exactly this task of authentic human development that massive bureaucratic programs are by their very nature incapable of fulfilling. Rather, such development is most effectively pursued within the context of a community, among people who know and feel responsible for each other. Within a true community, the needs of individual persons and families can be recognized and addressed with a deeper understanding of each problem and a more human commitment to effective, long term solutions. Similarly, within the context of (properly-motivated) smaller community businesses, the needs of weaker members of the community can be addressed creatively and in a context of solidarity.

I don’t say that this will always happen. I simply point out that when social problems are addressed at the community level, the proper conditions are present for it to be able to happen, and that wherever cultures and economies are conceived as bureaucratically-managed mass realities, with no proper local community embodiment, these favorable conditions disappear. It is precisely this concern with the conditions necessary for authentic human development that led such famous thinkers as G. K. Chesterton and Hilaire Belloc, not to mention modern economic theorists such as John Médaille, to favor what is commonly called distributism, which emphasizes widespread local ownership of both property and business in a richly interconnected context of community life.

But what of our real world? Big government, big business, a commuting culture which divorces work from home, mass media, extreme mobility, the absence of geographical roots, an overwhelming stress on pluralism and diversity—all these have led to the formation of a culture in which authentic community is nearly impossible. What then?

Well, it is early days yet in this discussion. But now, perhaps, we have stepped far enough back to get a clear picture of what authentic human development requires. It requires true community, an interconnected group of persons and families who genuinely care about the development of the community as an extension of themselves. This exists, most obviously, in the family and in natural groupings of families into something like old-fashioned parishes or villages or even city neighborhoods—people who take care of their own. If this is so, then our ideas about how to foster human development begin to shift. As we proceed, I hope to show how this shift in
perspective—essentially a shift from bureaucratized individuals to authentic communities—changes everything.
Surprised by Subsidiarity

January 16, 2010

The argument I have developed in the preceding two entries may be summarized as follows: First, our concern for the poor and marginalized must be motivated by love for the whole person as a child of God. Second, it follows that authentic human development must be directed toward the whole person in every dimension. Consequently, the potential for such development is greatest when it is planned and directed in a local community setting, among those who know the nature and causes of the problems in question and can act most effectively to craft personalized solutions that will actually work.

I had deliberately contrasted this approach with that of a bureaucratized process of massive “programs”, which must frequently be implemented with little knowledge of conditions “on the ground”, little awareness of the distinctive needs of the real persons involved, little appreciation for the spiritual dimension of man (what we might otherwise refer to as his heart or his dignity), and little concern for long-term success—not to mention problems occasioned by constant politicization, partisan struggles, and the quest for legislative or bureaucratic power and influence. Of the twin pillars of Catholic social teaching, the first pillar of solidarity is so frequently cited in connection with such programs that one might almost imagine that major social problems can be solved with no more solidarity than it takes to support a program which empowers politicians to force others to pay a bill.

This is what I have meant, in other commentaries, when I’ve complained that very few—including few bishops—are capable of thinking outside the Federal box. But Pope Benedict’s flat statement that “integral human development is primarily a vocation, and therefore it involves a free assumption of responsibility in solidarity on the part of everyone” (Caritas in Veritate, #11) strongly implies that problems of development can be effectively addressed only in the context of mutual interdependence among those who know and care for each other more intimately than does the law; and this requires active participation in realistic solutions worked out at the local level. And so at the end of what is always a long and weary road in our contemporary culture, we come face to face with the forgotten twin, that other pillar of Catholic social teaching: the principle of subsidiarity.

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The principle of subsidiarity may be summarized as follows: In the social order, everything should be done at the lowest possible level. Higher levels of social organization are certainly required to achieve some goals, but insofar as higher levels are brought into any issue, their first priority must be to determine whether that issue can be handled more locally and, if so, to provide whatever assistance may be reasonable to effect that result. Thus each level of social organization retains its own proper sphere of action, each level can be assisted by higher levels to maximize effectiveness, but each level will yield authority to a higher level only in those areas which, by their nature, cannot be effectively addressed more locally.

As a matter of authentic human development, subsidiarity is vital because, first, it ensures that each person becomes involved in making decisions about what affects him most and, second, it ensures that development is carried on in an interrelated community, based on real knowledge and concern. Or, to quote Benedict:

[I]t is very important to move ahead with projects based on subsidiarity, suitably planned and managed, aimed at affirming rights yet also providing for the assumption of corresponding responsibilities. In development programs, the principle of the centrality of the human person, as the subject primarily responsible for development, must be preserved. The principal concern must be to improve the actual living conditions of the people in a given region, thus enabling them to carry out those duties which their poverty does not presently allow them to fulfill. Social concern must never be an abstract attitude.

In these last three entries, I have said that we must step back in order to gain a perspective that will make all the difference. This perspective is provided by the principle of subsidiarity, and we may profitably express it as an aphorism: Successful human development proceeds not from the top down but from the bottom up. It is important for everyone to grasp this point. Without subsidiarity, it is impossible to consider specific cases and concrete proposals for authentic development with any hope of success.
Immigration Reform

January 21, 2010

Once you accept the principle of subsidiarity in government (see Surprised by Subsidiarity), you are actually embarking on a new philosophy of life. This philosophy holds that the normal role of higher human authority is to facilitate and coordinate the natural talents and energies which are or ought to be operative at lower levels. This view has a profound impact on how we think government should work, and how to think outside the Federal box.

Take, for example, the problem of immigration in the United States. There tend to be too simplistic schools of thought on immigration. The first school usually argues that it is the role of government to provide for the needs of everybody who enters the country through massive social programs. The second school typically argues that it is the role of government to stem and even reverse the migratory tide through massive policing programs. But what might things look like if government instead tried to influence or harness migratory patterns in order to facilitate the development of a constructive migratory dynamism?

If “migratory dynamism” becomes a persuasive political slogan, remember that you heard it here first! More seriously, we do need to recognize that immigration is a very complex topic that cannot be effectively addressed through any single policy. Still, it is possible to attempt to combine a sound Catholic sense of solidarity with a sound Catholic sense of subsidiarity in order to discern the positive features and energies available in mass migration which might possibly be used to turn the entire process into a socially constructive movement. In other words, we ought to look at the ways in which immigrants themselves can contribute substantially to solving the problems that immigration invariably creates.

In an article in the January issue of First Things, management professor Reuven Brenner of McGill University suggests revising immigration policy to maximize the influx of “the vital few whose contributions to economic growth is disproportionately high” (see Our Muddled Masses). Having taken a close look at such remarkably productive twentieth century social settings as Israel, Hong Kong, Singapore, and Taiwan, and even the United States until the 1990s, Brenner notes that in each case these societies actually benefitted from “immigration shock” because they were extremely
open to the arrival of well-educated, creative, hard-working people who grew up in less opportune environments and were looking for a place to live which would reward the kind of creative initiative that can build wealth. The resulting immigration included a high proportion of scientists, engineers, architects, physicians, managers, technicians and other professionals who were able to make an immediate economic impact, often even starting new businesses which in turn employed immigrants who were not so well-educated or well-trained. In every case, despite the massive immigration in these places, their economies prospered, with immigrants providing an important part of the solution to the very problems which inevitably accompanied their arrival. The same thing happened, Brenner points out, in 17th century Holland.

Brenner argues that there are now several places around the world where such persons, raised mainly in the global south, can migrate to better their socio-economic lot, so that the United States finds itself in competition for the very talent pool which can mitigate or solve its immigration problems. He recommends policy revisions which encourage the arrival of such people in large numbers, which would in turn provide a way to harness the energies of many more immigrants who are not yet in a position to contribute substantially to the economy.

If Americans, along with many others around the world, are torn between hospitality and xenophobia when it comes to immigration, then this approach might well facilitate the former while reducing the latter. It envisions using government to bring out the best in what the community itself has to offer, rather than seeking to control everything through bureaucratic regulation, massive programs, or impossible police responsibilities. It recognizes the value of human liberty and the benefits which flow from each person’s active participation in the shaping of his own future. This sort of thinking puts subsidiarity at the service of solidarity. Because immigration is necessarily a national issue, this proposal rightly looks to the Federal government for part of the solution. But it still represents the kind of thinking we need—thinking outside the Federal box.
Modern man seems to live in a perpetual tug of war between the struggle to make money and the demand to redistribute it. In the United States, this tug of war is more or less accurately represented by two opposing political parties, the Republicans who are more focused on creating wealth, and the Democrats who are more focused on reallocating the wealth we already have. There are many other differences, of course, some more important than money, but I suspect this general dichotomy is similar elsewhere. The tug of war has become a way of life, and we seem to continually shift our weight from one side to the other to tweak the existing system.

I’ve been thinking a good deal about this lately, and whenever I do, I keep hearing a voice in my head, as if from the Son of Man, saying: “The exclusively binary model of market-plus-State is corrosive of society.” Perhaps that doesn’t sound like Jesus Christ’s speaking style, but in a very real sense it is, because Benedict XVI said it in his recent great social encyclical, Caritas in Veritate (#39). And if the Son of Man speaking through Benedict is right, as we know He is, then all of us need to radically rethink the social order.

Benedict made this particular remark is the context of solidarity. He argued in Caritas in Veritate that if we construe the social order as controlled by impersonal forces—economic laws and government regulations—we inevitably produce a corrosive culture in which the inequities created by involuntary market dynamics depend for their resolution on involuntary government controls after the fact. This rarely works very well, and it is both impersonal and coercive to boot. But when we view the social order as shaped primarily by personal moral decisions, then we have a chance to shape it according to the principle of solidarity—the concern of all for all.

Solidarity Demands Subsidiarity

This leads us once again to the forgotten principle of subsidiarity, because solidarity and subsidiarity are really opposite signs of the same coin. I have said in earlier writings that those in our culture who seem most concerned about social inequities appear to be committed to solidarity without paying the least attention to subsidiarity. On deeper reflection, I would argue a stronger case. The very fact that many people can express
deep concern about unfortunate social situations without thinking in terms of subsidiarity is clear evidence that they really don’t understand solidarity at all. Their solutions to social problems almost always involve the expansion of state power to do things for (or perhaps to) those of us, rich and poor, who are not living according to their prescribed vision. To be sure, the careful application of the force of law in such matters is sometime both necessary and salutary, but more often the resort to government power actually represents a failure or even a deliberate bypassing of solidarity, an unwillingness to work shoulder to shoulder with those people who ought to be actively incorporated into proposed solutions to their problems.

When we’re really concerned about persons, and not just about “situations”, we always want to get them involved in the process of making their lives better. We want to explore their concerns, weaknesses and strengths, and find ways for them to participate in the solutions. We want to stimulate effective and voluntary action on the part of all concerned so as to create as many stakeholders as possible in the process of improvement. This simply isn’t possible without subsidiarity, without attempting to create effective mechanisms at the most appropriate levels to address core issues. If we are really moved by the principle of solidarity to be significantly concerned about others, we will always look for ways to build productive, multi-level relationships among the real people who must collaborate to make things better.

**Intermediary Institutions**

Subsidiarity is closely connected to the role of what we call intermediary institutions. In a medieval monarchy, for example, there was generally far more personal and group freedom with respect to central government than we experience in today’s democracies. This statement may be incomprehensible to the modern mind, but its truth is proved by the existence and operation of the intermediary institutions through which so many divergent aspects of the social order were organized. The most important of these intermediary institutions was the Church, of course, though the Church is only incidentally an intermediary institution between the citizen and the State. In her own sphere the Church is not intermediary but sovereign. But in addition to the Church, the nobility had their traditional rights, privileges and deliberative bodies, as did the free towns, as did the guilds which represented skilled laborers of every kind.

Intermediary institutions contribute greatly to the vibrancy of human culture because they involve human persons in the activities and decisions which affect their destinies precisely at the level at which each solution ought to be decided and implemented. Strong intermediary institutions also serve as a necessary hedge against the tendency of
those higher up to grab increasing amounts of power so that they might order the world to suit themselves.

Another and even more remarkable instance of the role of intermediary institutions was evident in the difference between slavery in the United States and in the New World colonies of Spain. While it is obvious that slavery should never have gotten started among Christians in the first place, it was difficult to root out in a New World dominated by large landowners with a strong sense of commercial self-interest. But the Catholic Church was a very strong intermediary institution in both Spain and her colonies. Slaves were recognized as persons and protected from many forms of abuse. They had time off, they could earn money, and they were permitted to purchase their freedom. In addition, the laws of the Spanish Crown, formed over the centuries under the influence of the Church, mitigated slavery in the colonies, and in the end the practice was abandoned under the combined pressures of institutions operating from within the social order.

In the United States, however, the Catholic Church was weak, and the voice of religion was divided among hundreds of differing sects, which were often quite willing to serve the moral convenience of their congregations; nor had the laws of the United States been shaped under the influence of the Church. Therefore, in the United States slavery became what historians can only describe as a Peculiar Institution. Slaves were treated not just as slaves in a traditional sense—human persons in servitude—but as animals, as non-persons. No intermediary institution of any significance was capable of mitigating the horrors of American slavery, still less of converting or pressuring the wealthy landowners who kept the Peculiar Institution in place. In the United States, slavery was a problem that would ultimately be solved through the cataclysm of civil war.

Where We Are Today

Over the past several hundred years, with the rise of the modern nation state, intermediary institutions have become largely non-existent or weak, and the living reality of subsidiarity (with or without formal instruction in the principle) has declined along with them. This goes a long way toward explaining how totalitarianism has become possible. It is true that Western commentators have frequently noticed a far stronger tradition of voluntarism in the United States than in Europe; we do have here a strong tradition of ad hoc organizations, typically non-profits, formed to address a wide variety of social problems and also to influence government policy. The United States also has a stronger tradition of State government than do the provinces of most other Western nations. But even in America, there can be no question both that non-governmental organizations have relatively shallow roots in the social order, and that intermediate
levels of government, which theoretically represent a significant level of subsidiarity, have gradually lost more and more of their power and authority. In the West generally, it seems, there is little between the isolated individual and the highest level of government.

Yet it is precisely to the principle of subsidiarity that the West will have to look if it hopes to once again stimulate a strong and creative social order—a social order in which people actively cooperate in solving their own problems, rather than passively looking to take care of everything by funding monstrous top-level bureaucracies through monstrous bottom-level taxes. As I said at the outset, we seem to rely on the market to create wealth and the State to come along later and redistribute it, and the one great political fear on the part of the State is that it might act so aggressively in the redistribution as to kill the market’s Golden Goose. Meanwhile, regardless of how much money is earned and spent, large numbers of social problems continue to worsen.

Perhaps this is because “the exclusively binary model of market-plus-State is corrosive of society.”

“Articulation” in Business and Government

We unwittingly permit this social corrosion to occur because of our unfortunate cultural blinders. As Benedict puts it, “The continuing hegemony of the binary model of market-plus-State has accustomed us to think only in terms of the private business leader of a capitalistic bent on the one hand, and the State director on the other” (#41)—leaving nearly everyone else out of the picture. In attempting to address this corrosion, the Pope frequently refers to the need for articulation or stratification in the way in which social problems are addressed. Here is a representative passage on the business side of the divide:

In reality, business has to be understood in an articulated way…. It is in response to the needs and the dignity of the worker, as well as the needs of society, that there exist various types of business enterprise, over and above the simple distinction between “private” and “public”. Each of them requires and expresses a specific business capacity. In order to construct an economy that will soon be in a position to serve the national and global common good, it is appropriate to take account of this broader significance of business activity. It favors cross-fertilization between different types of business activity, with shifting of competences from the “non-profit” world to the “profit” world and vice versa, from the public world to that of civil society, from advanced economies to developing countries. (#41)
A little later he uses the same terminology in his discussion of the need for world-wide regulation of international trade and finance:

In order not to produce a dangerous universal power of a tyrannical nature, the governance of globalization must be marked by subsidiarity, articulated into several layers and involving different levels that can work together. Globalization certainly requires authority, insofar as it poses the problem of a global common good that needs to be pursued. This authority, however, must be organized in a subsidiary and stratified way, if it is not to infringe upon freedom and if it is to yield effective results in practice. (#57)

In this passage, it becomes clear that the terms “articulated” and “stratified” refer to a sensible, targeted and effective organization, in different ways and at different levels, of all the roles, purposes, persons and authority necessary to address social problems—in a word, the implementation of subsidiarity through intermediary institutions. In the following passage, Benedict leaves no doubt as to his meaning:

Subsidiarity is first and foremost a form of assistance to the human person via the autonomy of intermediate bodies. Such assistance is offered when individuals or groups are unable to accomplish something on their own, and it is always designed to achieve their emancipation, because it fosters freedom and participation through assumption of responsibility. Subsidiarity respects personal dignity by recognizing in the person a subject who is always capable of giving something to others. By considering reciprocity as the heart of what it is to be a human being, subsidiarity is the most effective antidote against any form of all-encompassing welfare state. It is able to take account both of the manifold articulation of plans — and therefore of the plurality of subjects — as well as the coordination of those plans. Hence the principle of subsidiarity is particularly well-suited to managing globalization and directing it towards authentic human development. (#57)

The Problem Implies a Solution

It is probably an oversimplification, but not by much, to say of the two main political parties in the United States that the Republicans talk subsidiarity without solidarity and the Democrats talk solidarity without subsidiarity. I suspect the dichotomy holds true for conservatives and liberals in much of the Western world. In the conservative mind, which is usually market-oriented, the human person is too often reduced to the status of a
commodity to be used by those who allegedly understand how to manage market forces. In the liberal mind, which is usually State-oriented, the human person becomes an object of social engineering by those who allegedly understand how to properly regulate all of life.

There are many reasons why it is difficult for significant numbers from both sides to come together through an understanding of the true reciprocity of solidarity and subsidiarity. The most important of these reasons is almost certainly the great division over critical issues involving human life, and I do not for a moment mean to put that in second place. But the need to get solidarity and subsidiarity working together is extremely grave, because neither can exist without the other. Anyone who embraces subsidiarity without solidarity necessarily commits himself to selfishness, while anyone who embraces solidarity without subsidiarity necessarily lies to himself. But at least now we can begin to understand why our social order has so many severe deficiencies; that is, we can begin to understand what is wrong. And what is wrong, at least in this context, is that “the exclusively binary model of market-plus-State is corrosive of society.”
A Catholic Attitude toward Government

March 31, 2010

From time to time we receive emails from those who, having no reservations about big government whatsoever, accuse us of being knee-jerk conservatives and state things like: “Much of the world has nationalized health care and it works just fine.” But we receive just as many emails from those who, apparently shocked by the very idea of government, accuse Benedict XVI of drinking “the social justice Kool Aid” and argue essentially that the only good government is a dead government. Amid many conflicting opinions, what should a good Catholic’s attitude toward government be?

Notice that I don’t ask what form government ought to take or exactly what duties it ought to perform. The answer to these questions will differ in many particulars based on the nature of the society in question, the prevailing understanding of the common good, and the availability of various kinds of resources and infrastructures. Instead, what interests me here is our general attitude toward government. I would argue that this attitude should derive from three basic principles and encompass three conclusions drawn from those principles.

**Principle 1: Man is a moral actor.** Being created in the image of God, man possesses intellect and will, which are to be directed toward the objects and ends proper to his condition. As both John Paul II and Benedict XVI have taught particularly richly in modern times, man is therefore fundamentally a moral actor, and every human decision is in some respect a moral decision. Because of the second principle, below, a great many of these moral decisions necessarily revolve around the common good.

**Principle 2: Man is a social being.** This is embedded in the very act of his creation (“male and female He created them”) and lies at the core of human completion, child-bearing and family life. It is also embedded in the innate desire of the human person for love of every kind, including friendship. And it is embedded in the tremendous variety of aptitudes, talents, interests and abilities which we find in human persons, such that a life more in keeping with human aspirations and human dignity is always potentially to be had by living and working in groups, in which each one contributes something distinctive to the good of all.
Principle 3: Man is fallen. Because man is fallen, his intellect and will are weak, and he is prone to misunderstand the good and fail to pursue it even when he understands it. As a result, human persons often behave in ways which are injurious to themselves and to the larger communities of which they are a part. Sometimes they simply fail to properly perceive what the common good requires them to plan or to do; sometimes they act directly against it. This is so both individually and socially. Although the pooling of human resources always has great promise, the establishment of voluntary or involuntary associations, businesses and/or governments cannot guarantee superior perception or superior decisions. All systems of human organization derive their efficacy from Principle 1, but because of Principle 3, no system of human organization will ever tend automatically toward perfection.

Conclusion 1: Government is necessary. The first relevant conclusion to be drawn from man’s moral responsibility, social character, and fallen state is that government is necessary to all societies, to help organize those things needed for the common good and to protect the good of both individuals and society as a whole from those who subvert that good through evil or ill-considered actions. Thus every human society has created and submitted to some form of government in order to manage those concerns which lie beyond the scope of individuals or private associations, to protect the weak against the strong, and to defend against both external and internal threats to the common good. No society has ever succeeded in dispensing with government.

Conclusion 2: Government is dangerous. It would be incorrect to class government as a necessary evil. Like everything that is part of human nature or grows from it, it is in potential great, in practice weak, and in truth perfectible only by grace. But even though government is in theory a human good, as each man is in his nature good, it is also true that government is always dangerous, as each man is dangerous because he is fallen. Inevitably staffed by fallen men, government may seek some goods and not others, combat this evil but not that, mistakenly identify evil as good or good as evil, fail to assess actual situations properly, and act either venally or incompetently. It is therefore exceedingly dangerous, and must at all times be designed and shaped with these dangers in mind.

Conclusion 3: Government is inadequate. Society needs multiple substantial social institutions. One may well argue with the American founding fathers over the possibility of designing a paper government which can stand against a real government once it has grasped power. Fortunately, a healthy society does not require a constitution, but it does require a strong church on the one hand and strong intermediate social institutions on the other. It is precisely a sense that government is inadequate to meet the requirements of a
healthy society which provides a context in which a government’s dangers will not typically outweigh its necessity. This conclusion may be less obvious than the others, so I’ll expand upon it.

First, a healthy society must understand that truth (in the sense of spiritual and moral certainty) has one source while the pragmatic mechanisms of government (constitutions, laws, judgments and executive decisions) have another. If this is so, it then becomes self-evident that a healthy society requires a strong institution to represent spiritual and moral truth in a way that can inform and influence the pragmatic mechanisms of government through which we manage our socio-political concerns. A healthy society needs, in other words, both the doctrine of the two swords, and both swords.

Second, a healthy society requires the substantial presence of intermediary institutions, each of which represents various social groups and social goods, and each of which has the corporate influence to play a role in the establishment of a reasonably balanced social order—a social order in which government is one social mechanism among many through which both the common good and the good of individuals is secured. In other words, a healthy society requires a healthy corporate sense, a sense of being organized in different ways and at different levels into significant bodies, as opposed to conceiving of itself as a collection of atomized individuals, bereft of socially and politically influential identities.

Application

When the West was healthy, it was characterized by both of these requirements, but it is now scarcely characterized by either. Increasingly, we have the isolated individual on the one hand and the totalitarian regime on the other—a story which unfortunately failed to end with the twentieth century. This has led inexorably to the widening gulf between liberals and conservatives: The former see government power as the answer to errant individuals; the latter see individual freedom as the answer to errant government. Both sides tend to forget that individuals and government alike are inescapably marked by the Fall.

But what ought to follow is not a war between these two sides. The way out is neither to give all to government nor to eliminate government, but gradually to strengthen both the Church and as many intermediary institutions as possible. It is symptomatic of our dilemma that most of us cannot even begin to think what a powerful and independent Church or a significant intermediary institution would look like. Success, then, demands that we begin by reimagining the social order. But we will never think outside our social box unless we can transcend the box, and there is only one way I know to do that. We
must reimagine the social order not as socio-political animals forced to choose from existing sides but as men and women in tune with a higher source of moral vision. At long, long last, we must reimagine the social order not as liberals or conservatives but as Catholics.
Virtue: A Democratic Problem

July 16, 2010

Those who have ever taken a political science course which was not merely an exercise in advocacy may remember considering the strengths and weaknesses of various forms of government. Monarchy had its corruption in tyranny, oligarchy in plutocracy, and democracy in mob rule. For many centuries, most Catholic political theorists suggested that monarchy was the best form of government, because it mirrored the way God runs the universe. More recently, Catholic thinkers have suggested that democracy is most in keeping with human dignity, as it tends to foster the participation of each person in the political process.

I suspect that a great many thinkers simply find it easier to see the virtues of the form of government their cultures take for granted. For example, monarchists have often pointed to the fact that kings are trained from youth in the art of ruling (including, ideally, an emphasis on duty and responsibility), whereas democratic politicians receive virtually no preparation at all. More neutral observers have suggested that monarchical governments have a tendency to oscillate between the extremes of good and bad (or even evil) rulers, whereas democracy is by nature doomed to mediocrity.

Thinking about the advantages and disadvantages of the many governmental variations is a useful exercise, but perhaps only because it teaches us not to put our trust in forms. Whatever your preferences, I can drive home this point by identifying two obvious features of how modern democracies tend to function which are right now creating significant obstacles to solving contemporary problems. One of these features is vaguely ideological in nature; the other is distressingly pragmatic.

The ideological issue is that democratic theory carries with it an enormous assumption, the assumption that if you have the vote, then you have significant political control. Moreover, there tends to be a democratic mythology that wherever people have the right to vote, they must necessarily enjoy something the Western tradition prizes very highly, namely liberty. But the reality of the operations of democracy among massive populations in modern bureaucratic states (which tend to lack effective intermediary institutions) is that the governing classes gain greater and greater power while the significant choices available to citizens—choices that really make a difference—tend to become fewer and fewer. The illusion of liberty tends to retard the
realization of this trend. We are carefully taught that we are free; yet in many areas we remain almost powerless.

The more pragmatic issue is that as virtue declines in any given culture, it becomes increasingly difficult to direct government toward the common good. I will not argue here about the horrible impact the decline of sexual morality has had on national laws, judicial decisions and executive policies in the West. Instead, let’s look at a problem far easier for everyone to spot: The immense difficulty of mounting effective economic leadership in a period of declining wealth. A single question is sufficient to make the point: Can any politician be reelected if he tells the truth about the need to live within our means at every level, personal and governmental, and if he proposes policies which match the available resources?

The specific case of France at present would be wonderfully amusing if it did not strike so close to home. The French government announced a few weeks ago that mounting deficits and an aging population required that citizens will have to keep working until they are 62. The retirement age had been 60. The French already get enormous paid vacations and are prohibited by law from working more than 35 hours per week. Nonetheless, Jean-Luc Mélanchon, head of the Left Party, reacted by saying “today is a day of sadness and anger”, and France’s labor unions immediately began planning for general strikes.

We may be tempted to laugh, but a similar unwillingness to face reality currently afflicts all Western democracies, and is especially obvious in a sluggish economy. In the United States, for example, those in power try to convince us they can save the economy by running up larger and larger deficits and putting the country’s international fiscal credibility at risk. But then politicians who tell the truth almost always lose. And given the mob-like tendency of millions of voters to approve whatever does not immediately threaten their own selfish benefits (whether economic or sexual!), the number of viable choices placed before the electorate generally falls just short of one.

The bottom line is that a form of government which enfranchises all citizens and remains ostensibly open to debate does little to guarantee constructive politics. It takes virtue in those who wield power at every level to do that, including the virtue necessary to understand and pursue the common good. What we are beginning to learn now, I think, is that, despite all the rhetoric, the mythology of democracy is no substitute for virtue. It remains to be seen whether we all need to go broke before enough people will recognize this truth.
When Bishops Look Too Often to the State

July 22, 2010

I was somewhat surprised by the bitterness of most of the Sound Off! comments on the U.S. bishops’ recent request to extend unemployment benefits. It’s clear that many Catholics are out of patience with the continuous lobbying of the American bishops for their preferred socio-economic objectives. This lobbying is particularly annoying to conservatives, because the American bishops tend to be politically liberal. Still, before we look carefully at the principles which ought to be brought into play here, I believe some cautions are in order.

Some Necessary Perspective

First, I notice that there has been a tendency for some to denounce the bishops as socialists, and it is necessary to insist that Catholics be very careful of their use of this term. In the interests of truth they ought not to accuse the bishops of advocating socialism whenever they advocate greater government benefits for those in need. True socialism is the ownership of the means of production by the State in the name of the people, which destroys both freedom and productivity in a single step, and although there have been government takeovers of some companies under extreme circumstances in the United States, as a general rule the means of production are privately owned. The bishops have never advocated the contrary.

No, the real debate is over which economic policies will best meet the twin goals of stimulating the production of wealth and preventing the marginalization of those who fall behind in the basic economic culture we currently have. Some people favor more government regulation, higher taxes, and greater benefits to those who are disadvantaged; some favor less. On any particular issue, this is a legitimate debate, and it is not at all necessary to resort to inaccurate name-calling to engage in this debate, as if the bishops are not at least attempting to give voice to Catholic principles. As always, we need to approach this discussion as Catholics and not as “conservatives” or “liberals”. Of course this goes for the bishops as well as their critics.

Second, conservative Catholics need to recognize that it is not wrong in Catholic
social theory to engage government in fostering the economic common good. It is true that certain values tend to be lost when the government’s role as personal caretaker increases; I’ll return to those values in a moment. But there are certainly situations in which the best way to provide relief for large numbers of people experiencing significant problems is through government action. Moreover, a government which cannot provide relief to groups of citizens adversely affected by some crisis would be rightly regarded as an ineffective government, a government which is relatively useless when the chips are down. If we take a natural disaster as an example, every Catholic ought to be able to see that there are cases in which a government’s unwillingness or inability to respond to the pressing needs of those affected is to be faulted, not praised.

Third, Catholics who generally oppose the provision of government benefits to those in need, at least beyond a certain very basic point, must clearly understand that this principled opposition does not absolve them from their responsibility as Christians to come to the aid of the needy themselves, and indeed to work for other kinds of constructive and charitable programs among the churches and in the private sector as alternatives to government largesse. It is simply not possible to be a Catholic while embracing a morally-deficient conservatism, a conservatism which provides vigorously for private enterprise without also providing vigorously for solidarity in business and for private charity as well. I do not suggest that our Sound Off! contributors are guilty of this; in fact, I think it unlikely. Nonetheless, it is a critical point.

In summary, then, the human person ought to make a sincere effort to direct all social institutions toward the common good. This means that he will use individual effort, private associations, businesses, schools, the arts, churches and, yes, government to pursue a broad range of aims, according to the needs of the people in question and the opportunities and special genius of each institution. Discussion and debate about the best way to orchestrate these diverse instruments of human culture are as inevitable as they are normal and healthy. Even within the broad principles of Catholic social teaching, significant differences in approach, emphasis and policy are to be expected. Moreover, perfection is not possible in this world, so we are always dealing with the art of the possible, which is itself subject to legitimate disagreement.

Two Sources of Frustration

Now, having said this much, it is necessary also to admit a certain legitimate frustration with the American bishops which (unfortunately) sometimes expresses itself in overheated language. This frustration stems, I think, from two fundamental problems. The first and simpler problem is that the bishops have made such a mess of their primary
responsibilities over the past fifty years (which responsibilities are internal to the Church herself, and not to the larger social order) that good Catholic laymen are understandably put off when their shepherds persist in trying to orchestrate affairs which are not only best left to the laity, but which belong to the laity according to Catholic social teaching itself. There is a fine line between the bishops speaking for the Catholic community on critical moral issues and the bishops usurping the proper role of the laity in crafting policy, lobbying and governing. Tolerance for the crossing of this line is waning rapidly.

The second problem is that in recent history the American bishops have tended to represent only one side of a many-sided political debate and, worse, it is a side which frequently, and perhaps even consistently, appears to misunderstand at least two key principles of Catholic social teaching, as we shall see. In fact, the American bishops—like their counterparts throughout the West—have more often than not appeared to take for granted a world in which the only strong institution is the State. Consequently, they seem almost reflexively to look to government for the solution to just about everything. This is a great marvel, for such a stance is actually contrary to their own best interests as leaders of the Church. Not only does it tend to weaken the Church (it strengthens bishops only insofar as they succeed in becoming political “players”), but it tends to concentrate ever more power in those institutions which are currently the most anti-religious and, specifically, anti-Christian in our society—namely the branches and agencies of the Federal government.

Thankfully, in just the last few years we have begun to hear from bishops who have a more robust understanding of all the elements of Catholic social teaching. But too often the majority of our bishops have focused on one single Catholic social principle—the universal destination of goods—while forgetting other key social principles which are equally important. In particular, as I mentioned above, they seem not to realize that two of these principles, solidarity and subsidiarity, are generally incompatible with a primary reliance on government. This brings me back to the values I said tended to be lost in the vision of government as caretaker.

For as sure as the sun rises in the morning, both solidarity and subsidiarity tend to be undermined when we turn too much to government, yet the combination of solidarity and subsidiarity is absolutely critical to a healthy society. Pope Benedict tried to make this point in the brilliant third chapter (“Fraternity, Economic Development, and Civil Society”) of his great social encyclical Caritas in Veritate when he argued:

The exclusively binary model of market-plus-State is corrosive of society, while economic forms based on solidarity, which find their natural home in civil society
without being restricted to it, build up society. (39)

**Solidarity: A Two-Fold Indictment**

This is a two-fold indictment. On the one hand, Americans (among others) can certainly be prone to regard charity as a sufficient corrective to what we might call business-as-usual. But instead, as Benedict teaches, “Space also needs to be created within the market for economic activity carried out by subjects who freely choose to act according to principles other than those of pure profit, without sacrificing the production of economic value in the process” (37). In other words, the market itself is to be informed by solidarity. The American bishops, for their part, have given repeated evidence that they are aware of this side of the problem.

But on the other hand, our bishops have too often fallen into the trap of confusing the action of government to correct the market—especially sweeping action by the federal government—with the operation of solidarity itself. This is an extremely destructive confusion, for government action is always an involuntary imposition on even those citizens who welcome it, and the higher the level of government, the more likely such action is to be an involuntary imposition on enormous numbers of citizens who do not welcome it. Therefore, routinely turning to the State to solve problems tends precisely to undermine solidarity. Or, as Benedict puts it:

> [E]conomic activity cannot prescind from gratuitousness, which fosters and disseminates solidarity and responsibility for justice and the common good among the different economic players. It is clearly a specific and profound form of economic democracy. Solidarity is first and foremost a sense of responsibility on the part of everyone with regard to everyone, and it cannot therefore be merely delegated to the State. (38)

Moreover:

> When both the logic of the market and the logic of the State come to an agreement that each will continue to exercise a monopoly over its respective area of influence, in the long term much is lost: solidarity in relations between citizens, participation and adherence, actions of gratuitousness, all of which stand in contrast with giving in order to acquire (the logic of exchange) and giving through duty (the logic of public obligation, imposed by State law). (39)
Again, solidarity is always a free concern on the part of everyone for everyone, a common effort to seek the common good on the part of all and for the sake of all. As such it is by its very nature undermined by habitual recourse to the State, which is neither voluntary nor gratuitous. Such recourse is also, as every culture known to man has learned by bitter experience, inefficient, wasteful, and destructive of personal initiative. Moreover, the growing presumption that the State will take care of things naturally erodes our sense of responsibility for personal charity. This commitment to charity does not replace other aspects of solidarity, but it remains critical both to solidarity and, indeed, to personal salvation.

Subsidiarity and Intermediary Institutions

If habitual recourse to government tends to undermine the principle of solidarity, it undermines the principle of subsidiarity just as quickly. The principle of subsidiarity holds that human problems should be addressed at the lowest possible level because this is most consistent with both success and human dignity, for it ensures that those most affected are engaged as much as possible in the solutions. It follows that higher levels of organization and authority are to assist the lower levels as needed, rather than supplanting them. But there is an unfailing tendency, at least in modern culture, for government action to be pushed to higher and higher levels: from private associations and the Church to the town or the county, then to the State, then to the Federal government. Increasing emphasis on relatively new constructions such as the European Union, the United Nations and world courts simply confirm the trend.

Thus does habitual recourse to government invariably undermine the principle of subsidiarity, a principle which is not only essential to personal dignity but critical to the development of those robust intermediary institutions which are alone capable of effectively diversifying society and resisting the steady accumulation of power in the State. A mass of isolated individual and undifferentiated voters, bereft of intermediary institutions, is incapable of this diversification and resilience. Effective intermediary institutions are essential to human flourishing, and so it is not surprising that they are also essential ingredients in Catholic social theory.

This is another reason why I expressed astonishment that bishops should so reflexively and habitually turn to the State for every benefit. The Church, while not precisely an intermediary institution in her very identity (for there is no higher institution when it comes to the things of God), is in fact the pre-eminent intermediary institution when it comes to naturally limiting the power of the State, for she provides a healthy citizenry with a different and higher set of loyalties. She is a vital source of principles and
instruction which transcend the raw power of civil government.

**More than Frustration is Needed**

All this is to say that the frustration is eminently understandable on the part of those who argue against the constant lobbying of Catholic bishops for greater and greater government involvement in solving social problems. I have already said that the discussion will go better if we understand the principles at stake while still allowing for legitimate differences in each given case, and this is no small point. But I’m afraid that much more is needed than intellectual care and civility.

Catholics who are firmly enough rooted in Catholic social teaching to see this deleterious trend for what it is need also to understand that there is only one way out. Practically speaking, it will prove impossible to eliminate excessive government while the social order is otherwise so weak. Moreover, the idea of waiting to pick up the pieces after a collapse should be more frightening than tempting. The hard reality is that we must be willing to sacrifice more, not less, in order to build up alternative structures of solidarity which gradually induce our fellow-citizens to turn first to something other than government for their solace and support.

While the Church still plays a major role in such areas as service to the poor, education and health care, it is a steadily declining role in favor of State solutions, and it will continue to decline as long as it remains simply a matter of perpetuating older Catholic institutions now run by those no longer deeply committed to the Faith. Instead, lay people—the same lay people who resent the enormous taxes they have to pay—need to dig deeper and begin to form the kind of intermediary Catholic associations, networks and institutions which once led the ancient Romans to realize that there were more tangible benefits to being Christian than to being Roman (not to mention, of course, the intangibles).

There is a real challenge here. We cannot discharge our responsibilities merely by damning the bishops for habitually turning to government, while we argue for less government, lower taxes and nothing more. That’s easy and, government being what it is today, one can certainly make the case that it is also morally upright. But there are good reasons why such a stance is open to the charge of selfishness. No, we must do far more than that. Slowly, inexorably, we must revolutionize social life now in solidarity and subsidiarity. We must build a veritable host of associations, institutions and structures, all operating far closer to home, which are actually more effective than government at doing the things that government should not be habitually doing.

We must do this without complaining that such initiatives are made more difficult by
current tax structures. And we must do it without either wishing or waiting for everything else to crash and burn before we are willing to act.
Politics 101: Principles First

October 25, 2010

With some people already voting through advance mechanisms, and with election day in the United States coming up in just a week, it is a good time to remind ourselves of a few basic Catholic political principles. These principles can be applied to nearly any political setting and situation, though I will make some particular observations on the situation we face in America and in the West generally.

I wish to identify seven key Catholic social principles which we are all supposed to apply in making decisions affecting the larger social order, including political decisions:

1. **Socio-political life arises from the very dignity of man as a social being precious to his Creator.** The social order is a direct result of the nature of the human person, and is a product of the dignity of this social being who lives far more fully in community than in isolation. For this reason, all initiatives which devalue the life of the human person are contrary to the very purpose of socio-political activity. Any abuse, exploitation or killing of any group or class of human persons is always, under every regime, a grave crime.

2. **The moral framework for the social order is provided by the Natural Law.** Since acceptance of Revelation and the gift of Faith must always be free and voluntary, and since the natural law is accessible to all regardless of religious affiliation, the moral framework for the public order is to be derived from the natural law. While Revelation and grace make it far easier to rightly perceive natural law, it is the natural law alone which all citizens can rightly be expected to understand and to obey. Natural Law therefore provides the moral glue which can bind together diverse groups of citizens, as well as diverse nations, and can enable significant collaboration across regional, ethnic and religious lines.

3. **Social action must always be oriented to the common good.** There are many goods, both private and public, which people may pursue in their diverse circumstances. But the pursuit of any good ought never to detract from the common good of society as a whole. Indeed, the primary purpose of political action is always to secure the common good. The first duty of government,
therefore, is to protect society against clear dangers to the common good, and the second is to refrain from restricting or burdening those free activities of citizens that are conducive to the common good. Finally, when any person, or even government itself, aims to secure a benefit for some particular social group, care must be taken that this particular benefit is congruent with the common good.

4. **A healthy society promotes private property in the context of the universal destination of goods.** This principle has two sides. On the one side, the Church recognizes that ownership is both an indispensable means and an indispensable incentive through which persons participate in God’s plan, provide for their own needs, exercise their abilities, express themselves more fully, and participate fruitfully in social, cultural and political life. On the other side, the Church understands that God created the world and all that is in it for the sustenance and enjoyment of all persons, not just some. Consequently, the ownership of private property must always be ordered both to the legitimate needs of the owner and the participation of all in created goods, as is consistent with the common good.

5. **Social action must be guided by the principle of solidarity.** Solidarity is the concern by all for all. Every social, economic and political plan or program is to be motivated by genuine concern for others in society, and especially for all those who have a stake in, or will be affected by, the plan or program in question. Thus plans guided by solidarity will take the needs of all into account and be developed and implemented in such a way that the good of some is not enhanced at the expense of others.

6. **Social action must be rooted in the principle of subsidiarity.** Subsidiarity is the principle that social activity of every kind should be undertaken at the lowest possible level, and that higher levels of government should, wherever possible, foster success by providing only such assistance as is needed rather than by inappropriately taking over that activity. Subsidiarity ensures that people take an active role in their own affairs, and remain in control of their own affairs—in keeping with their human dignity—and it also ensures maximum personalization of social action and social services within a community. Thus real problems can be properly assessed and effective solutions can be implemented as individually as possible. A corollary to this principle is that citizens should not seek excessive and self-interested benefits from government, which would diminish self-reliance and erode the strength of the community.
7. **Intermediary institutions are vital to a strong social order.** In modern nation states this principle is easier to understand negatively. When, for example, we have the atomized individual on one side and the modern state on the other, social life tends to be flattened and impoverished until, in the end, some sort of totalitarianism is nearly inevitable. Persons naturally express themselves and their interests through various kinds of groups—companies, unions, associations for civic, recreational and charitable purposes, a variety of levels of administration and governance, and above all churches. Where such organizations are strong and influential, culture is enriched, opposing interests are balanced, heritage is preserved and strengthened, and personal liberty is protected. Intermediary institutions grow naturally in a culture which practices the principle of subsidiarity.

**Practical Observations**

Several basic applications of these principles spring immediately to mind:

First, there is a vicious culture war going on between those who accept the natural law as a moral framework for social affairs and those who favor legal positivism (the theory that the law is whatever we say it is). It is clear that Catholics (and all who recognize the natural law) should perceive a tremendous gulf of separation here, which they would be fools to cross by supporting a candidate who seriously misunderstands the natural law or does not even believe it exists.

Second, Western politics continually wrestles with the claims of private property and the universal destination of goods. Unfortunately, the West also tends to address these concerns through a false understanding of solidarity on the one hand and virtually no inclination toward subsidiarity on the other.

Government action is the proposed solution for just about everything, even though government action is by its very nature involuntary and, therefore, cannot represent genuine solidarity of any kind. Moreover, the West seems to have forgotten how to develop solutions which take advantage of the natural stake and effective abilities of those most directly involved on the lowest possible level; instead, Western politics seeks almost reflexively to solve problems through bureaucratic programs implemented at the highest level. The result is loss of liberty, disintegration of the social fabric, reduction of self-reliance, and the decline of all those intermediary institutions which enrich human culture. Not at all incidentally, these are the same institutions which stand (when they are healthy) between the weakness of the individual person and the power of the State.
A false understanding of solidarity, when coupled with a complete disregard for subsidiarity and the importance of intermediary institutions, is a recipe for social disaster. Therefore, it stands to reason that Catholics (and others who recognize these principles) ought to perceive another vast gulf here, which once again they would be fools to cross by voting for a candidate who shows no recognition of at least half of the most important principles which ought to govern our common life together.

The third point ought really to go without saying. The tendency in the West to devalue human life, to abort the unborn, to euthanize the aged and the handicapped, to use human embryos for scientific experiments, to view men and women as sexual objects, and to use human persons for harvesting of tissue and organs—all of these evils strike at the very heart and purpose of human socio-political activity. The gulf here is sufficiently wide that crossing it politically is not only foolish but gravely evil and even criminal.

Conclusion

Unfortunately, we live in an era in which the reigning political forces tend to justify anything and everything in terms of “liberation”, “benefits” and “change”. The terms “liberty” and “liberation” are used as masks to establish personal rights without corresponding duties, even alleged rights which have no basis in natural law, while denying authentic rights which are firmly rooted in reality. The terms “benefits” and “concern for the poor” are used to increase government power at the expense of the very communities which alone can develop effective solutions to their own problems. And the terms “change” and “new” are used to justify just about anything that undermines or denies the moral wisdom and effective customs we inherit from our own cultural heritage and traditions, not infrequently denying even what used to be regarded as common sense.

This should not be the case. There are very real principles which must be implemented in all successful societies, principles which are necessary to social health and to the common good, which alone can provide a fit environment for persons to thrive, in keeping with their natural and supernatural destinies.

Therefore, in acting politically, Catholics should not be blinded by personal attractiveness, slogans or self-interest; they should first examine matters of principle. Indeed, to avoid socio-political disaster, we must first restrict our choices to the persons and policies which reflect the correct principles. If the governing principles are wrong, the end result cannot come out right. Operating under false principles, things inevitably deteriorate in the ways that matter most. Catholics (and all men and women of good will)
must recognize this and stand absolutely firm in insisting on the priority of principle. Only when this is done can we afford the luxury of pragmatism. Only within what we might call the range of principled options can we consider which of several purposes ought to claim our attention as most important for the common good, or which candidate or policy is most likely to succeed in achieving the purpose in question. It is always a mistake to support policies and programs which promise a desirable result without being rooted in the right principles. I say “always” advisedly: Those policies and programs will always fail; and in the process at least some existing human goods will always be further eroded or completely lost.
Subsidiarity and Solidarity are Inseparable

February 11, 2011

Over the past generation or so, there has been a serious flaw in the implementation of Catholic social thought in the United States. Most bishops and other Catholic leaders have promoted big government solutions to social problems with little thought to the negative consequences of subordinating every aspect of the social order to the power of the State. Although this is slowly beginning to change as our Bishops find themselves in an increasingly adversarial relationship with government on strict moral grounds, it is important to observe that this long-time default position has been derived from a false understanding of the Catholic principle of solidarity.

Many have confused solidarity with the adoption of governmental social programs. But in his social encyclical Caritas in Veritate, Pope Benedict identified this as an error when he wrote: “Solidarity is first and foremost a sense of responsibility on the part of everyone with regard to everyone, and it cannot therefore be merely delegated to the State” (38). He also discussed the propensity to rely on large, impersonal institutions, which can never be a substitute for solidarity:

Unfortunately, too much confidence was placed in those institutions, as if they were able to deliver the desired objective automatically. In reality, institutions by themselves are not enough, because integral human development is primarily a vocation, and therefore it involves a free assumption of responsibility in solidarity on the part of everyone. (11)

It is necessary to emphasize this point: Human development involves a free assumption of responsibility in solidarity. Yet this free assumption of responsibility in solidarity is precisely what is lacking when we turn to government to implement broad social solutions.

In fact, a free assumption of responsibility in solidarity requires engagement with another key Catholic social principle, namely subsidiarity. The meaning of subsidiarity is that things should be done on the lowest level possible, and that if assistance is needed from higher levels of organization, the higher levels should, whenever possible, assist
the lower levels rather than replace them. Subsidiarity is essential to human dignity because it ensures that people are directly involved in the solutions to their problems, and that these solutions are implemented and controlled at the levels “closest to home”, where they can be influenced or even managed by those most affected.

As should be obvious, subsidiarity encourages both personal responsibility and the creative development of community-level organizations to assist individuals in the resolution of particular problems. These could be neighborhood associations, churches, businesses organized to provide needed services, fraternal organizations, unions, professional associations, and charitable groups, with the involvement of formal government bodies when the power of law and law enforcement needs to be invoked, or in those rare instances when universal tax-supported services will provide a distinct advantage in terms of feasibility or efficiency.

Societies characterized by subsidiarity are necessarily characterized by a rich and varied social organization, rather than by the common modern organization of the atomized individual on the one hand and the enormous power of the state on the other. In other words, the principle of subsidiarity necessarily results in the development of intermediary institutions which enrich the social order and, through their own corporate (i.e., consolidated group) influence, provide a bulwark against the abuse of State power.

Manifestly, then, the principle of subsidiarity is essential to the assumption of widespread responsibility, just as an instinctive, ill-considered turn to the State implies precisely the opposite. The reflexive turn to the State actually involves an abdication of true responsibility, generally hidden beneath the claim that we have acted responsibly (in fact, we have seized the moral high ground!) merely by voting for “the right program”. Thus, in most cases, the invocation of the power of the State diminishes personal responsibility. We like this only if we mistakenly think it gets us off the hook.

In other words, the invocation of State power typically means: “The State will make things right; therefore, I don’t have to worry about this any longer.” But, of course, in most cases, the State cannot make things right at all. As the Pope said, institutions are not enough, for human development “involves a free assumption of responsibility in solidarity on the part of everyone.”
There is a certain paralysis that can afflict socio-economic discussions even among committed Catholics. For example, the other day I thought of adding my two cents to the discussion list for the Society of Catholic Social Scientists, where every member must sign a statement of fidelity to the Magisterium of the Church. But at the last minute, I deleted rather than sent my message, because I guessed my two cents would be just more noise in the wind tunnel. Then yesterday I found myself staring at Paul Collier’s 2010 book *The Plundered Planet*, which I’ve had on my shelf for a long time but have yet to read. Once again, I failed to begin reading it, because I doubt I really know how to assess the book.

There were two kinds of paralysis at work here. The SCSS is an outstanding academic fraternity. I’m a member though I am no longer an active scholar. Of late the discussion forum has been preoccupied with a debate over how it should be used. This is essentially a three-sided conflict but with a hundred variations. On one side are those who yearn to restrict the list to reasoned academic exchanges personally written by each scholar; on the second side are those who cannot resist constantly returning to their pet (and sometimes peculiar) ideas in each post, no matter what the topic; and on the third side are those who apparently live in the fear that if they fail to pass along to the entire list all the spam-like alerts they receive from other sources, then their poor colleagues will remain forever in the darkest ignorance.

As I indicated, I almost jumped into this, drafting a message which was pure sweetness and light (and with which, by the way, only a moron could have failed to agree). But in the end I decided against it. In some discussions, there are simply too many competing voices (and varying personalities) for progress to be made. Under these circumstances, the cream does not always rise to the top. In fact, given the range and power of the media through which people everywhere can express their ideas to the world at large, there are now a great many important discussions which suffer from too many conflicting voices, making progress extremely difficult. We have not quite learned how to deal with this yet in the modern world, and the result is not infrequently a kind of paralysis. A thousand conflicting ideas, and never a consensus in sight. Call this the paralysis of cacophony.
The second type is closely related. It is the paralysis of ignorance. Socio-economic discussions encompass a vast territory. There are so many variables that go into a smoothly functioning socio-economic order that not even the alleged experts can master all the relevant data or predict outcomes accurately. Every economic system (however defined) operates (however defined) within some socio-cultural setting (however defined) under the guidance (however defined) of real persons (however defined!) who must balance diverse priorities in a changing world. While the application of sound theoretical principles is important and even salutary, there are always too many variables, each of them skewed by the unpredictable responses of the persons they impact. Very commonly, expert opinions are contradictory. We simply do not, and in most cases cannot, know enough to be certain of the best course. The one constant is that we shall be required to revisit each solution later to make adjustments.

The Provisional and the Prudent

The Church herself does not specify the precise nature of the perfect socio-economic solution to each problem. She has no charism to do so because specific solutions are not derived from either Revelation or the natural law. But this reticence (which ought to, but does not, encompass all Churchmen) is actually somewhat instructive. For the plain fact is that all socio-economic solutions must by their nature be provisional. While they certainly ought to be selected or devised based on sound principles, every one of them will fall short of the ideal in actual practice, which means tinkering must continue ever after. As the sage said, that’s life. Socio-economic solutions are always provisional, and therefore always prudential.

Paradoxically, it is precisely this inescapable fact that can serve to overcome paralysis, at least among those who share the same Faith and the same perception of the natural law (as happily elucidated by the Catholic Church). I am referring here again to the highly ironic dual paralysis of too many highly opinionated voices on the one hand and too much ignorance on the other, a typical human situation about which, if we are sufficiently detached in our own views, we ought to be able to laugh. We can genuinely listen to others and explore various possibilities only if we acknowledge the essential “provisionality” of our own socio-economic commitments. In a sense, as soon as we have a definite horse in the race, we are prone to get ourselves into ideological trouble. A healthy sense of the provisional and prudential character of each solution is a critical first step.

But this provisionality does not operate in a vacuum. Specific socio-economic solutions are provisional. The nature and ends of man are not. This or that policy is a
matter of prudence, but the basic principles within which such policies and solutions must operate are not. This is why I said that the paralysis of socio-economic thought ought to be able to be overcome by recognizing its provisionality among those who share the same Faith and the same perception of the natural law. For what the natural law and, indeed, the Magisterium of the Catholic Church can provide is a set of minimal parameters, a set of principles not to guarantee success but to define inevitable failure. A society cannot succeed if it ignores or denies these principles, but within the framework of the principles, everything else is provisional, prudential, inevitably flawed, and constantly changing.

Note, please, that I do not say it makes no difference what specific systems and solutions we devise to handle various human problems, including the generation and distribution of wealth. Human study and experience can and often do lead to a clearer understanding of how economics works, how various systems function, what sort of impact certain kinds of policies can have under various circumstances, and so on. I deeply respect such studies, but I have never had a great interest in them myself (I lean toward non-provisional studies, so to speak). For this reason, I typically rely heavily on the work of others in deciding which specific solutions and policies to support. This fact defines the title of the essay.

Fortunately, I do not need to know very much about them to make the argument this essay requires. Here I must simply assert that no matter how good these specific systems and solutions are, they will be neither perfectly predictable in their outcomes nor perfectly comprehensive in their results. No one idea will be suited to all peoples, all conditions, all situations. The whole process must inevitably be an ongoing and never-ending experiment, and we are wise to cling only provisionally (that is, loosely) to our own ideas. We must not consider our very identities to be at stake if we should be forced to admit that something we favor is flawed, unsuitable to the present situation, or incapable for the moment of gaining sufficient support.

Another way of looking at the provisional character of socio-economic solutions is to acknowledge our perennial instinct in debate that everybody else is an idiot. I believe we may take this as a given. It certainly explains why we constantly face the ironically twofold paralysis of cacophony and ignorance. Unfortunately, this broad assertion of the idiocy of everybody else says nothing about ourselves except that our own odds are not favorable.

**Principles**

I believe this principle of provisionality is self-evident, and I intend to waste no time in
proving it. Our policy discussions will shed far more light and far less heat wherever this principle is recognized. On the other hand, as I indicated, there are boundaries to provisionality when it comes to the nature, ends and duties of man. When these boundaries are ignored or violated, failure is inevitable. Therefore, what I am prepared to do is to articulate the broad principles apart from which all specific efforts to improve the socio-economic order are doomed. These I draw from Catholic social teaching, though without references, for the need to research everything is sometimes another form of paralysis. In any case, Catholic social teaching is, in the end, largely a matter of human common sense, if only most of us could be relied upon to possess common sense in a systematic and clearly articulated form.

There are a variety of ways to express and enumerate these boundary principles. Late last year, I suggested seven similar points from a more purely political point of view in Politics 101: Principles First. But today I’ll resort to the rule of tens. Here are my ten principles, except that they are not really mine. As the great Augustine said, “He who speaks what is solely his own, speaks a lie.”

1. The Reality of Creation
The earth and all that is in it is created, including ourselves. This simple fact places all socio-economic questions into the correct context, which is the only context in which they can be effectively answered. For now, it is sufficient that this principle means the fundamental purposes of everything in our experience have been and are determined by Another, that we are not free to submit ourselves or the rest of creation to our own arbitrary wills, and that the humility to seek the fundamental meaning and purpose of things is a prerequisite for the success of every response to every human need.

2. The Law of the Gift
This is a direct corollary of the first principle. Everything we know has, in the last analysis, come to us as a gift. Our life, our health, our intelligence, our abilities, other persons, the resources of the entire known universe—all is gift. Gifts imply a Giver and they demand the response of gratitude. This principle is absolutely vital as a separate point primarily because it conditions our attitudes toward everything else. The law of the gift, when properly cherished in the heart, makes it impossible to be churlish in our handling of created things. It leads us to be generous with others just as we have been showered with constant generosity ourselves.

3. The Universal Destination of Goods
It is or ought to be obvious from a moment’s reflection that the resources of the entire known universe were not given just for ourselves. The Giver, quite clearly, intended them for the benefit of all. This is perhaps the first of these principles which is always articulated in Catholic social teaching even when some of the others are taken for granted. It is not hard to see why, for every human persons feels a temptation at times to have more than his fair share, and we all need to be prodded to watch out for those who, for whatever combination of reasons, may not be able to enjoy the gifts the Giver so obviously intended them to have. The Universal Destination of Goods is the principle that both accentuates and limits every person’s socio-economic rights.

4. The Centrality of Man

Among created beings not of a purely spiritual order, man is the only one which possesses intellect and will, like God. Put another way, in the visible world, only men and women are persons. And only persons are capable of analysis, judgment, and planned interaction to address needs and solve problems. It follows that every system and solution that must be devised takes its character from human decisions and human guidance. There is no such thing as a solution to a need or problem which runs on perfectly or inevitably without human actors to develop, shape and guide it. It is not possible to conceive of an economic or socio-economic system which, if only it is once begun, will operate inevitably to some desired end, according to its own internal and self-contained laws. All ideology is a dead end. But human wisdom is not. Ongoing human input is the mainspring of every system.

5. The Foundation of the Family

Arising from the very nature of man, we find that the family is the fundamental unit of the social order. There is no other consistent way to ensure either the propagation of the race or the formation of contented, stable and high-functioning adults—a truth our culture is currently being forced to learn the hard way. The family is also a defense against what we might call generational selfishness, as it is by nature oriented toward future generations, with their rights and needs balancing our own. As such it also serves as an effective school of stewardship. Finally, the family fosters the kind of commitment, sacrifice and interdependence which leads to both personal security and prosperity. Any culture which denigrates the family, tends to break it down or subvert its natural authority, or weakens the fruitful fidelity between a man and woman which brings the family into being and holds it together, will in fact deeply undermine its other efforts at social progress.
6. The Morality of Socio-Economic Life

Socio-economic life is moral at its root, that is, it is driven by a constant stream of decisions which are moral in character. Each socio-economic proposal, policy or solution must address and balance a variety of human goods. The technical competence and feasibility of the solution is matched by the range of values which must be considered and incorporated. Therefore, all socio-economic life is inescapably moral. Once again, to assume that some theoretical technical system, or some inevitable (and therefore non-moral) laws of operation, will necessarily shape the socio-economic order toward optimal outcomes is a grave fallacy. Individual moral decisions on the part of all participants, especially moral decisions within the parameters established by the other principles enunciated here, are both essential and constant.

7. The Right to Private Property

Within the context of prior principles, it is also true that in general human persons have a right to the fruit of their labor, including ownership of goods they have legitimately acquired through their imitation of God’s work in perfecting the created order. Ownership is a fundamental expression of the individual personality. As such, it is also a fundamental incentive for diligence and productivity. In addition, human dignity is enhanced through ownership—through property that may be considered private—because ownership in effect makes the person a stakeholder in the socio-economic order, to which he must contribute and from which he receives benefits, and concerning which he must consider policies and implement prudent decisions. All persons, then, possess the right to own, which also means that wealthy and powerful persons may not unfairly restrict this right in others.

8. The Obligation of Solidarity

All rights exist in relationship to corresponding duties which reflect the fundamentally moral character of the social order. This truth is strongly exemplified in the obligation of solidarity, or the active and voluntary concern of all for all. Apart from the fallacy that this or that system will automatically produce positive results, it is self-evident that a successful socio-economic order cannot be achieved without the active concern of each person for the well-being of others, as well as a keen sense of the common good. The socially corrosive Western tendency to fall into a dichotomy of market versus state, as if it were enough for an uncaring market to generate wealth and a “forced-caring” state to redistribute it, is condemned by sound social theory. To the contrary, all socio-economic
activities must be carried on from the first in solidarity, with the interests of all stakeholders actively taken into account.

9. The Necessity of Subsidiarity
The Achilles heel of the modern West has been the rise of increasingly powerful and monolithic nation states which wield heretofore unimagined power over their citizens. This distortion is addressed by subsidiarity, the principle that whatever needs to be done ought to be done at the lowest possible organizational level, and that the first purpose of higher levels of organization is to assist lower levels rather than supplant them. Subsidiarity is essential to human dignity because it enables the persons most affected to be agents of their own social improvement rather than mere dependents or, worse, helpless subjects in the experiments of others. Subsidiarity also results in the development of intermediary institutions, which are essential to a rich and vibrant society, and which prevent the atomized individual from being isolated against the consolidated power of the State.

10. Public and Private Recognition
In the recent past we have become acquainted with the fallacy of socialism (and its resultant failure), the fallacy by which it denies the private order, and in particular private property, and so makes everything public. But now a younger generation is rising with such a negative impression of the problems created by the overweening power of the modern State that some are ready to suggest the complete elimination of public authority in favor of an extreme libertarianism or various flavors of anarchism. Suffice it to say that man is a social animal and always seeks a public space in which the common good can be pursued while private interests are minimized, however imperfectly. Hence both the public and the private orders are natural to man, both must be recognized as valid, and we must resort to what I have called provisionality and prudence to balance their respective demands.

Conclusion
It is important to recognize that these principles do not constitute specific absolute moral values which can unquestionably invalidate a particular solution or policy. Every exercise of private property potentially removes available goods from someone else’s use; every implementation of the universal destination of goods potentially limits private property; every enforced activity of the State potentially violates the principles of solidarity and subsidiarity; every protection of individual rights potentially limits the
authority of the family or of intermediary institutions; *every* system or solution is implemented in the hope that it will reduce the amount of continuous tinkering necessary—and so reduce the number of ongoing moral decisions; and so on. The application of these principles is always subject to prudential judgments about the precise situation in question and the possible methods available for addressing it effectively.

The absolute morality of any given proposal must generally be determined on other grounds. For example, funding of abortion by the Federal government in the United States is intrinsically immoral because it facilitates the taking of innocent life, not because it violates the principles of subsidiarity and solidarity, which are always judgment calls. But these ten principles—however they may be combined, re-ordered or expanded in other presentations—provide a sort of framework within which socio-economic planning and activity has the chance to be effective, and outside of which it is doomed to failure. The consistent betrayal of any of these principles will so undermine the social order that other potential gains will be nullified and the net effect will be to slide backwards.

Moreover, to return to my starting point, within this framework, all programs, policies and solutions ought to be proposed provisionally, based on careful study and thorough examination and discussion, for the simple reason that the ultimate fitness of any solution can only be determined by experience over time. Indeed, no solution can be offered that will not require later adjustments due to both changing conditions and its own innate shortcomings. A combination of the ten principles enumerated here and a healthy provisionality in studying and recommending what are essentially prudential solutions to complex problems will make it far easier, at least for those of us who share the same basic Faith and understanding of human nature, to make peaceful progress in the continuing arrangement of our socio-economic affairs.
Get Ready to Pay Twice if You Want Change

April 18, 2011

Archbishop Vincent Nichols of Westminster has criticized British Prime Minister David Cameron’s “Big Society” program, which is designed to promote the development of local and volunteer initiatives. As Cameron has stated, “We know instinctively that the state is often too inhuman, monolithic, and clumsy to tackle our deepest social problems.”

But Archbishop Nichols, who supports some aspects of the program, is becoming concerned about the slashing of benefits to the poor: “It is not sufficient for the government, in its localism program, simply to step back from social need and say this is a local issue,” he said. “A government cannot simply cut expenditure, wash its hands of expenditure and expect that the slack will be taken up by greater voluntary activity,” he added. “The poorest are taking the biggest hit while at the same time you see huge bank bonuses and profits, and this is not right.”

I don’t know how sincere Cameron’s program is, whether it is a genuine turn toward subsidiarity or simply a way to cut spending. But Archbishop Nichols seems to overlook the fact that a certain amount of dislocation will have to be tolerated if Western societies are ever to escape from the extremely negative pattern of state-dependency which has developed over the past century. This is not an easy issue to resolve, but clearly it cannot be resolved by insisting that the government deal with everything until all problems are solved some other way.

I’d be far more comfortable with Archbishop Nichols’ comments had he identified a specific need that is no longer being filled by big government (as opposed to big society) and called upon Catholics to step in and fill the gap. Actually, “that the slack will be taken up by greater voluntary activity” is exactly what ought to happen, and Christians, at least, ought to be willing to sacrifice something to make it happen. There can be little question that poverty and unemployment can best be addressed on the local level, where those providing assistance can get to know those in need and engage them in creative personal solutions to their own problems.

Archbishop Nichols also alludes to something Pope Benedict XVI talked about in his
great social encyclical *Caritas in Veritate*, namely the characteristic Western social
dichotomy between market and state. The Archbishop is right to point out that there is
fundamental injustice at work in a society which accords huge profits and bonuses to
those in the financial sector without taking due account of the needs of those who are
seriously disadvantaged. But Benedict pointed out that it is corrosive of society that the
market, acting without solidarity, should amass great wealth and that the State, acting
without solidarity, should seize that wealth and force its redistribution. The pattern is
destructive to its very core.

Rather, the Pope said that all social operations—particularly business
operations—must from the first be characterized by solidarity, in which the legitimate
needs of all stakeholders are taken into account. Therefore, it would seem that instead of
demanding State action here, Archbishop Nichols should be doing two things: First, he
should gather Church leaders together to spearhead a varied effort to preach and teach
solidarity, and to encourage it in practice in businesses throughout all dioceses; Second,
he should personally make contact with those who are getting the huge profits and huge
bonuses and work on establishing an appropriate charitable fund devoted to short-term
help and long-term local economic initiatives.

Sooner or later, somebody has to start thinking—and flexing the muscles of his
manhood—outside the Statist box, if we are ever again to have a rich, varied and healthy
society composed of strong subsidiary communities. It ought to be obvious by now that
the last thing we need is more whining about how the highest level of government isn’t
solving all of our problems. In reality, the highest level of government never solved them
anyway. I doubt there has ever been a Statist program which has resulted in long-term
decreasing poverty and dependency. To the contrary, such programs mostly tend to salve
our consciences by creating the illusion that something has been “taken care of” when it
really hasn’t.

We need to think hard about these issues sooner rather than later. The United
Kingdom, apparently, has an opportunity just now, an opportunity that the Catholic
Church should be in the forefront of seizing. The Church is never at her best which she is
claiming to help people by making their case to government. She is at her best when she
is claiming to help people by helping them.

I’ve said before that Catholics need to be ready to pay double for social improvement
just like they do for education in the United States. There may be a time when we have
to pay taxes we’ve grown unfortunately accustomed to paying while at the same time
once again stepping up the activity of our own social organizations with our own
resources. At least we ought to hope for such a time and we need to get used to such
sacrifices.

Fair? Perhaps not. But that’s how Christian societies—which are by nature caring societies—get built.
Budgetary Reform: Opportunity Knocks

August 01, 2011

The heads of the USCCB’s Committee on International Justice and Peace and of Catholic Relief Services have criticized the new budget proposed by the U. S. House of Representatives because it cuts international assistance by over 13%, while reducing expenditures in other areas considerably less. The two Catholic leaders objected to “disproportionate” cuts in international aid in the following areas as morally “unjust”:

- Agricultural assistance for subsistence farmers
- Medicines for those afflicted by HIV/AIDS
- Vaccines for preventable diseases
- Assistance to orphans and vulnerable children
- Disaster assistance in places like Haiti
- Peacekeeping to protect innocent civilians in troubled areas such as Sudan and the Congo
- Support to migrants and refugees fleeing conflict or persecution in nations such as Iraq

What goes unaddressed in these criticisms is the question of whether all of these concerns are really the responsibility of government in general, or of the United States government in particular. The same question could be asked about far more—and more expensive—government programs which are purely domestic in character, but which have not yet been seriously threatened because they affect voters. Economic trends suggest their time is coming.

If a government has great wealth and great power, it is only natural to ask how this power and wealth can best be used. But nowadays it seems less natural to ask whether the government should really be so powerful or so rich. Catholic leaders, who ought to have charity (which is in most ways the opposite of government-mandated programs) as their first concern, have in my lifetime been characterized by an almost wholesale...
inability to think outside the Statist box when it comes solving human problems.

One typical result is a bloated government which encroaches ever more upon the rights and liberties of both citizens and other institutions, such as the Church (and which, by the simple fact that it pays millions of employees through tax revenue, significantly reduces the pool of those who can be engaged in wealth-producing activities). Another result is tremendous programmatic inefficiency, a hallmark of government bureaucracy. A third is the development of programs with little “on the ground” input, programs which seldom accomplish what they intend, and which may actually prevent more salutary adjustments to real circumstances by seeking to maintain a status quo which is unworkable in the long term.

Those issues which require military power are more properly placed in the hands of government, of course, but even here any government must seriously question how much responsibility it has for those who are outside its jurisdiction. As economic power shifts in the world, and military power shifts with it, the United States will clearly play a smaller role outside its own borders. It would not be inconsistent for Catholics to argue that this shift might well bring as much good as harm, or even more.

This, of course, is an open question. But what ought not any longer to be an open question is whether, in general, we should reduce the size and scope of those governments which are among the more powerful throughout the world. The history of the last several hundred years is a history of ever-increasing growth in the power of the secular state at the expense of all other institutions. This has led to both an impoverishment of culture and a reduction of human initiative, and above all a progressive ceding by the Church to the State of precisely the kinds of activities which are most likely to make the Church an integral and even foundational part of the larger social order.

Another result of the unremitting focus on the State, then, is that the Church herself has become emasculated. Too often she looks to Big Brother to solve problems that are best solved by the direct generosity of Catholics and other Christians, organized with few sinecures and little waste through their own local and regional structures. And in the process of giving up her immense direct social influence through works of charity, she is perceived increasingly as a social outsider, not the font and teacher of a viable way of life but merely a proponent of an irrelevant point of view.

Put another way, St. Paul never relied on the Empire to provide for those communities which were in need among the churches he founded and served.

Don’t get me wrong. I am not among those who think budgetary decisions are easy to make, or that relatively stable and wealthy societies should not seek effective ways to
help societies which are suffering either political instability or poverty or both. There is immense room for healthy debate and discussion on how to accomplish this very worthy end. What troubles me is simply the reflexive assumption that government—that is, the State—bears supreme responsibility for all things and so must be brought into play to solve every problem. I regard this reflexive assumption as extremely dangerous. I have trouble figuring out how anyone with eyes cannot see these dangers. In other words, I am insisting that we must introduce into our considerations the one essential concern that our Catholic leaders never seem to address.

Without minimizing the potential pain and temporary dislocation, the tightening of the belt for governments everywhere is an exceedingly important opportunity for those, especially in the Church, who seek—or ought to seek—a more balanced social order. In such a social order, a great many things would be left to the creativity of both individual members of society and the various intermediary institutions which—absent an all-encompassing State—they naturally seek to form. In particular, anyone who would welcome an increase in respect and authority for the Church ought to be advocating that the Church learn once again to take care of her own members better than the State cares for its own citizens. This is a care that, from the heart of the Church, will also flow out into the larger community as the Church grows in strength, a strength which will come in part through practice.

Ultimately, if the moral high ground consists in demanding that the State do what we all ought to be doing ourselves, or that the State do what another institution or the Church herself could do better, then the moral high ground is exceedingly low indeed. Very likely it consists of quicksand. Part of that quicksand is an endless funding of an inept, incompetent and exceedingly wasteful political order.

For many reasons—all of them good—the Church needs to learn to lead again. There is more to charity than politics, more to service than seeking to control the pointing of the wayward pinky finger at the end of the secular arm. In our present circumstances, I might be happier if we Catholics ignored the secular power as much as possible. And I would certainly be happier if, whenever the secular power shrinks and leaves a vacuum, the Church and her members would simply step in and fill it with deeds born of love—rather than insisting as loudly as possible that the State should neither shrink nor retreat in any way.

In modern States, which almost without exception tend toward totalitarianism, very few opportunities arise to reverse the baneful impact of unbridled secular power. But one of the opportunities most to be expected arises precisely from the fact that the State must always live off of wealth that it cannot itself produce. Thus did opportunity knock in the
Soviet Union when Communism collapsed under its own weight in the late 20th century. And thus, for every secularist Western state with a budget crisis, opportunity is knocking now.
The Question of Government Size and Scope

August 04, 2011

In *Budgetary Reform: Opportunity Knocks*, I made the point that budgetary problems should be perceived as an opportunity scale back the size of government. My premise was that, at least in the modern first world, government tends to be very big, deeply committed to social engineering, militantly secular and opposed to the purposes of religion, ignorant of both the value and the need of subsidiarity, possessed of a tendency toward totalitarianism, and—in the long run—economically unworkable.

To me, this premise is unassailable and, based on correspondence received, it would seem that most active users of CatholicCulture.org agree. However, I did receive some comments from those who disagree with all or most of this characterization of government in the modern world, including one prolific correspondent who believes that my premise is irrationally “right wing”, and that what is needed is more government, not less.

One important point made by this correspondent was that many contemporary problems are not amenable to local control. One thinks of the problems raised by multinational corporations and international commerce, environmental depredation, human and drug trafficking, military conflicts in various regions, and so on. There can be little doubt that some problems are better dealt with on the national or even international level. This reflects the highly complex and highly organized nature of contemporary first world societies, along with the massive infrastructures required even for ordinary life in modern societies. Therefore, to be sure, each problem facing the public requires careful analysis to determine: (a) Whether government should be involved in its solution; and, (b) If so, which levels of government can best be involved.

Having said this, I think four other things need to be said, and these things lie at the heart of an authentic Catholic position regarding government, a position born of a thorough immersion in Catholic social teaching. These four factors are commonly ignored in contemporary first world countries.

The Premise of Government Involvement
The first two factors arise from the simple fact that points (a) and (b) above are rarely considered. How often do proponents of big government (called liberals in the United States) really ask themselves whether government should be involved in the solution to a problem? Truly asking this question presupposes that the answer could be “No”. But a negative answer to this question is almost unthinkable in mainstream contemporary culture. We have gotten in the habit, I think, of calling for government involvement as soon as we even remotely suspect the existence of some problem or difficulty. This tendency has grown as we have lost our sense of personal responsibility in favor of a pervasive personal, social and especially moral laziness.

Considering the tremendous costs of government intervention and its repeatedly proven likelihood of failure, a person would be more likely to answer “No” if he were not a victim of one or more modern ideologies of social control. I’ll return to this question of social control later. For now, however, it is enough to remember that government intervention carries enormous economic and social costs which not infrequently offset whatever good a government program may achieve. The economic costs arise from the need to remove potential employees from wealth-producing activities and put them to work in agencies supported by taxes. This in itself is a double economic hit. In addition, governmental inefficiency and waste are legendary, have always been so, and hardly need to be documented here.

There are also costs in effectiveness, as so many government programs have proven incapable of achieving their purpose. In the United States we could point to the ill-advised welfare system of the 1970’s and all other programs which undermine the family, the health of which is the chief indicator of economic well-being; the Medicaid system which is widely avoided and frequently bankrupt; the demographic misconceptions and deplorable mismanagement behind the social security system; the systemic reliance on debt to facilitate spending beyond the nation’s means; and many other comprehensive programs.

Finally, there are costs in terms of human dignity and liberty, as decisions are made for people who have little involvement in the process, applying one-size-fits-all solutions to particular problems which need local knowledge and a personal touch to resolve, if they can be resolved at all. Throughout history, there have been many ways to address various human needs that did not involve government. Those which involve local organizations and especially the Church tend to maximize self-determination, collaborative effort, tailored solutions, ongoing concern and even sustained love. That we have forgotten most or all of these alternative forms of social organization is a further proof of the blinders we wear.
Harnessing Local Resources

Similarly, how often do our leaders and their big government supporters really ask themselves whether some problem can be handled more effectively on the local level? Even observing the political and lobbying statements of the USCCB suggests a remarkable tendency to turn first and most often to the top level of government for comprehensive solutions to every human concern. Is someone poor? The Federal government must provide support. Is someone sick? The Federal government must establish a baseline for medical care. Has some sort of prejudice been at work? Bring in the Feds. Are gas prices too high? Get help from Washington. And so on.

This is reflexive in modern society, and it is a direct violation of the principle of subsidiarity. That principle, as you will recall, is based on the dignity of the human person, which demands that each person be as much involved in the solution to his own problems as possible. Therefore, solutions to problems are to be address locally first, using mechanisms and resources which can be marshaled in the natural communities which surround those in need. These may, of course, include non-governmental initiatives and resources. In any case, higher levels are to be brought into play to support, rather than supplant, these local efforts. The exercise of power in the implementation of human solutions is always to be kept at the lowest possible level.

As I indicated at the outset, this does not mean that problems should not be addressed at higher levels as needed, though it may call into question the wisdom of a way of life which requires a great many things to be orchestrated at a very high level, as we will see in the next section. But here my point is that there is a reflexive tendency nowadays to ignore local possibilities and go straight to those who can impose their will unilaterally on entire nations. Funds to support these efforts travel very far from home, where they are entangled in various kinds of political corruption even as they support inefficient bureaucracies. Relatively few dollars ever return.

Human Reorganization

The third point to be made is that a culture characterized by massive, highly-technical infrastructures—all those things which permit and foster nationalization and globalization—is by no means the only acceptable form of human culture, and may not even be its most desirable form. Surely there are at least many benefits to smaller forms of organization, more local economies, and less concentration of resources in major world hubs. Among many other authors, E. F. Schumacher has made this point in his attractive little book, Small is Beautiful.
The rise of international competition (not to mention terrorism) has arguably brought at least as many negative consequences as positive ones. Infrastructure problems are becoming increasingly evident. A recent trip to Dallas for a wedding reminded me that air travel is becoming more difficult and less comfortable, with many people avoiding it whenever possible. Most governments are having difficulty maintaining the infrastructures that were developed during the peak years of growing prosperity including, for example, many U.S. road, bridge, water and sewage systems. It is not foolish at least to reflect on whether things are really best organized on such large scales. Population plays some role in this, of course, but it is hardly the only factor.

In other words, it is not necessarily a compelling argument for big government that our current modes of human organization require it. In any case, it may soon become necessary to reconsider the whole proposition. If there is a prolonged inability to sustain the massive infrastructures of modern life, which in turn create a huge argument for constant government involvement in daily life, then our economic, political and social mechanisms and relationships will shift—much as the rise of air conditioning in the second half of the twentieth century caused innumerable U.S. companies to move from the expensive Northeast to the inexpensive South.

Life will reorganize around what works, what can be sustained. Even if this does not happen quickly from sheer necessity, we do well to consider whether it should happen because of its inherent desirability. Again, we should not be afraid to think outside the box. Human modes of organization are not inevitable. They are the result of decisions made in response to various pressures, pressures which are frequently conflicting in nature, and pressures which usually admit of more than one reasonable response.

**Banishing Utopia**

Finally, my fourth point is that the prevailing dogma of secularism skews all considerations of governmental size and scope. Having inherited, mostly from Christianity, the idea that one day every tear should be wiped away, secularists tend to become utopian. Lacking faith in God, refusing to acknowledge Original Sin, and victimized by an unwarranted faith in Progress, secularists tend to insist that every problem be solved *now*, and that less enlightened persons (read “non-secularists”) must be forced to go along.

While this effort is usually couched in quasi-moral terms (a natural human tendency), the reality was well expressed recently by an unsuspecting student: “For me, it is not really about morality. If you have power in government, you need to decide which direction you want society to go in, and half-measures don’t work. You need to force
everyone to go in the direction you choose.” Indeed.

When this is not the selfish mantra of a tyrant, as it usually is not in our modern states, it is a sure sign of utopianism. Dominant people have a vision of the perfect society and they believe they can significantly improve or even perfect the social order if they simply force everyone to go along. Again, this is in part a strange extraction from what used to be Christian beliefs which sharply distinguished this world from the next. The resulting secularist distortion goes far to explain the strong tendency toward totalitarianism which has been characteristic of modern States, beginning with the French Revolution, continuing through Marxism and the resulting Communist states, arising again in Nazi Germany and to some degree in Fascist Italy and Spain, and now gradually overtaking the rest of the first world, including the United States, despite its past history of resistance.

Typically, utopians turn to government to realize their dreams, and typically they feel that by advocating government intervention they have fulfilled their moral duty to the “less fortunate”—which is in itself a vestige of Christianity that they have not yet quite learned to do without. Thus big government in the modern period is typically born of utopianism. Perhaps the best way to characterize, and hopefully skewer, this widespread attitude is to quote from Joseph Cardinal Ratzinger’s speech to the German Bundestag (national parliament) in 1981:

> It is of course always difficult to adopt a sober approach that does what is possible and does not cry enthusiastically after the impossible…. [T]he voice of reason is not as loud as the voice of unreason. The cry for the large-scale has the whiff of morality; in contrast limiting oneself to what is possible seems to be renouncing the passions of morality and adopting the pragmatism of the faint-hearted. But, in truth, political morality consists precisely in resisting the seductive temptation of the big words by which humanity and its opportunities are gambled away.

**Conclusion**

I am not one to present quotes from Cardinal Ratzinger as if they are the magisterial pronouncements of Pope Benedict XVI. But it seems to me that in his 1981 address, the future Pope captured in his inimitable way the very essence of the problem we face concerning the size and scope of government. The cry for the large-scale appeals to the moral conscience of those who are, at heart, almost purely secular, those who do not really (in most cases) share a fully Christian vision of man—those who, in fact, possess
very little if any grounds whatsoever for authentic moral judgment. If they claim to be
Christian, they also tend to read Catholic social teaching very selectively, confusing
solidarity with government fiat and ignoring subsidiarity completely—two errors Pope
Benedict tried to correct in his recent social encyclical, Caritas in Veritate (see also my
brief commentary, Subsidiarity and Solidarity are Inseparable).

But in truth their political morality is driven, as Ratzinger said, by high-sounding
slogans, the very slogans under which “humanity and its opportunities are gambled
away.” In the name of Catholic social teaching, the Church, and Jesus Christ, it is time to
insist on the transformation and even the devolution of the modern State.
What is the Purpose of Government?

August 05, 2011

In my latest *In Depth Analysis* (*The Question of Government Size and Scope*), I discussed four issues that should be kept very much in mind before we reflexively turn to government, especially the highest level of government, to solve our problems. But one thing I deliberately avoided in that essay was a consideration of the *purpose* of government in the first place. I’d like to address that briefly here.

A libertarian view would accord government a very small role, and the more extreme would argue that government is, in fact, completely unnecessary. A liberal view of government— it is interesting how these terms *libertarian* and *liberal* have developed—a liberal view would accord government a very large role, and the more extreme would argue for state control of just about everything, as in socialism. In the one view, government is barely to be tolerated, at best a necessary evil; in the other, it is a great good which prevents people from doing all kinds of bad things to themselves.

There are a range of less doctrinaire positions in between, but sometimes I think that libertarians and liberals both view those who are in government and those who are not as different sorts of beings, not sharing the same human nature, as if government will consistently do good when the populace is evil, or government will consistently do evil when the populace is good. Paradoxically, even the extremes can shift over time. For example, in the United States until the twentieth century, there tended to be a strong predisposition to keep government under close control, complete with checks and balances, so that the liberty of citizens would be preserved wherever possible. Since then, almost the opposite idea has taken hold, with an emphasis on government as the chief means of improving the condition of the populace, and perhaps even improving human nature itself.

But in the midst of all these attitudes, predispositions, and mood swings, we really ought to stop to ask ourselves: What, in the abstract, is the actual purpose of government? In both classical political theory and Catholic social teaching, government is not seen as a necessary evil, but neither is it seen as any sort of panacea. Both traditional sources of political theory recognize that man is a social being, that there is necessarily a public order through which we organize our common life together, and that the purpose of government is to secure the common good—not the individual good of

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each citizen, but the good common to all.

Thus it falls to government first and foremost to secure the peace of those within its jurisdiction. I don’t mean extended concepts of peace which hold that there is no peace when one person has problems that another doesn’t have, or when any person suffers. I mean freedom from physical attack, both external and internal—that is, the protective functions of the army and the police force.

Second, it falls to government to secure justice, that is, to be a public power which protects the basic personal and property rights of its citizens. This is typically needed to protect those who are weaker against those who are strong enough to trample on their rights, perhaps by excluding some citizens from the necessities of life, by stealing what rightfully belongs to another, or by forcing some to—in effect—operate under a different set of rules which places them at a distinct disadvantage.

The very basics of peace and justice, then, are typically required of any government which wishes to retain its claim to legitimacy. Beyond this, we get into questions of whether government involvement is necessary, or at least the best way, to secure certain advantages to the common good, such as the development of infrastructures conducive to the convenience and prosperity of all, or the establishment of regulations (traffic lights, speed limits, housing codes, whatever) which enhance public safety.

Now it is self-evident from even such a short list of the purposes of government that there is ample room for disagreement concerning whether government should be involved in this or that. Such questions must be settled through the use of prudence, fitting the best response to specific needs. Different societies will answer these questions in different ways.

But at the same time, all classical and Catholic theorists have recognized that the public sphere, over which government presides, is or ought to be a limited sphere. This is not only because significant power is inevitably concentrated in government, and such power is always potentially very dangerous, but because there are entities outside of government which are prior to it, and therefore have a claim to be respected by it. Among these entities are, first, the human person; second, marriage and the family; third, the Church; and fourth, such free associations of men and women for moral purposes which do not undermine the common good of the larger societies of which they are a part.

This is, in effect, a proper view of society, in all its natural richness. It recognizes at once that when government tends to supervene or replace the person, the family, the Church or the many associations (intermediary institutions) which arise naturally from groups of persons pursuing legitimate ends, then government oversteps its bounds. It usurps that to which it has no right. (Clearly some sort of moral code is necessary make
these judgments properly, but that is well beyond the scope of this brief sketch.

Moreover, when this rich view of the social order is accompanied by a proper understanding of the weakness of human nature, which is actually one of the most potent justifications for government, it also recognizes that what government can achieve is necessarily limited by these same weaknesses. That is, government is limited by the fact that imperfection is a natural and irremediable feature of human life. Thus when government seeks to systematically “engineer” reality according to some particular vision of the governors, it falls into utopianism, and again vastly oversteps its bounds.

Moreover, because government is a human enterprise, its ability to do whatever it undertakes is also inevitably compromised. The vaster its plans, the greater the chance of failure and even significant harm. These recognitions are, or ought to be, humbling to those who govern, and cautionary to those who turn to government for help. They ought to be first principles of political prudence.

In classical political theory, the critical emphasis on entities prior to government—and prior to the State—is frequently discussed in terms of personal liberty, and sometimes in terms of marriage and the family (the building blocks of the social order). In Catholic political theory, rights are emphasized in connection with duties, and marriage itself is raised to a supernatural dignity. But this emphasis on prior entities is also extended more richly in the principle of subsidiarity, which states one of the key socio-political demands imposed by human dignity: That each human need should be addressed with the maximum participation of those affected and, therefore, at the lowest level possible for success; and that higher levels of organization (including government) should, when necessary, support and assist lower levels, rather than supplanting them.

There is much more in Catholic social teaching about what is necessary for a rich and reasonably successful social order. But my focus here is on government, and it seems to me that we cannot address concerns about government unless we begin to think more clearly about where government fits in the larger social spectrum, and about the particular, defined and limited role government is supposed to play. In other words, we must think carefully and clearly about the distinct purposes of government.
Government, Natural Law, and the Modern State

August 08, 2011

The governmental horse still has life enough, I think, for one more beating. Several of our readers have commented on the importance of governmental adherence to a law higher than itself. One of the grave problems in America and many other modern states is that the reigning philosophies of jurisprudence are rooted in positivism, or the idea that right and wrong, particularly in the realm of law, are simply what we say they are. Thus human law does not appear to be accountable to anything beyond itself.

This is a grave error in theory, though it is rarely carried to its logical extreme in every area of life. The natural law is inescapable (we can’t not know it at least in its broad outlines), and so every effort to develop appropriate laws reflects to some degree the lawmaker’s grasp of the natural law, which conditions in at least some respects his own notions of right and wrong. Thus, for example, it would be a rare government which did not provide some protection against murder and theft, even if it did not implement a complete understanding of either.

This is so true that it is precisely the failure to observe what the community of citizens understands to be the broad outlines of the natural law that will invariably invalidate a government and, when an opportunity presents itself, cause it to be replaced. A government which fails to protect the lives and property of its citizens will never have a claim on their affections, and they will feel every right to replace it with one that does. They may not have the opportunity to replace it; or the situation may be such that no government can provide such protection at the moment; but the citizens will have no sense of allegiance to such a government—no sense that their government is illegitimate.

The Pervasiveness of Natural Law

In reality, of course, it is the natural law that provides the legal framework within which all legitimate government must operate. The Divine Law as known precisely through Revelation strengthens and sharpens our appreciation of the Divine Law as known generally through nature, but it is the natural and not all the supernatural portion of this law which governments must obey. To take but one example, even the best of
Catholic rulers need not (and in fact must not) force his subjects to attend Mass, but he must do his best to force them to refrain from murder. Thus there used to be a traditional axiom in law, before the advent of positivism, to the effect that any civil or criminal law which is contrary to the law of God (as enshrined in nature) is by that very fact null and void.

I asserted above that every society still reflects this axiom in some ways, even where the theory of legal positivism reigns, because every legislator derives his notions of good and evil largely from the natural law, even when he or she is wrong about some aspects of the natural law. Every culture perceives large portions of the natural law correctly, but every culture also has its own particular blind spots and prejudices which make it difficult or impossible for those living in that culture to see certain aspects of the natural law correctly at all.

For example, in the modern West we tend to see very clearly that various forms of physical violence are contrary to the natural law, a problem which even the more Christian cultures of the Middle Ages did not always instinctively perceive. Similarly, as late as the early twentieth century, the largely Christian cultures of the West perceived almost spontaneously that contraception was unnatural, with many people feeling a genuine revulsion at the very thought of it (just as most people even now feel in thinking of homosexuality, though they may be carefully trained to conceal the fact). Yet our contemporaries now do not, and perhaps cannot, any longer feel any revulsion against contraception. In fact, our culture is almost incapable of figuring out what the natural law says about sex at all. We simply cannot see it.

**Positivism and Cultural Death**

The crutch of legal positivism comes into play most often when an incorrect perception of what is right or wrong clouds the judgment of a governor, and so he finds himself supporting a position which was formerly regarded as contrary to the Divine Law (either as known through nature or through religion). At this point positivist theory is introduced so that the lawgiver can enjoy a sort of exemption from being brought to judgment in the very making of the laws. Thus even a government with good intentions demands a free pass. Obvious tyrants do the same, but without any need for a theory.

This attitude is a sign of a very debased culture, a culture on the point of death. The attitude may be acquired honestly, for it is a natural conclusion for anyone who believes life is without meaning. In an existentialist system, with no meaning built into reality by a Creator, *everything* is whatever we want it to be. That’s not really true, of course, but that’s what it seems like to those for whom the world makes no sense. But even if the
positivist attitude is a logical result of such immense confusion (and so perhaps free of personal guilt), it represents a bankrupt culture which, professing to know nothing of reality, cannot long survive.

My own experience teaches me that few people are totally bereft of meaning in their lives. Many simply want things to be a certain way because of their own passions, and so they adopt positivist theories of law and governance as one more way to escape the meaning of nature and the reality of God. But if this is frequently the case, whether conscious or unconscious, then we have a culture in open rebellion against reality itself. Such a culture, and any government which seeks to establish and preserve it, is likewise doomed. Here we have more than mistakes about the natural law, mistakes which every culture shares in one way or another. Here we have a deliberate refusal to accept the very existence of the natural law.

The Problem of the Modern State
As I’ve already indicated, this does not mean that our laws will not reflect natural law principles in many respects. It would be impossible to create a culture which did not reflect such principles to some significant degree. But it is possible for a government deliberately to foster a culture which denies the force of the natural law so that it can more easily justify its choices against it. I am quite sure that anyone reading these words has direct experience of that sort of culture, and that sort of government. It is the culture of the modern State.

This, of course, is immensely convenient to those who wish to reshape society in their own image. As with Humpty Dumpty’s use of words, the law “means just what I choose it to mean—neither more nor less,” and certainly not less. It is bad enough when human law fails to reflect the law of nature; but it is far worse—a fearsome thing indeed—when human law fails to reflect the law of nature deliberately. The modern State has gradually evolved into a direct opponent of the natural law, conceiving itself as an all-encompassing sovereign entity, its own ultimate justification for everything it does.

This problem is so endemic to the modern State that, were modern culture to be converted, I am convinced that something very different from the modern State would have to evolve in its place. That is why I see the financial troubles of modern states as opportunities; that’s the idea with which I began a week ago. The State now tends to represent modern opposition to reality, with huge resources to expend on both indoctrination and direct social engineering. Thus, the weakening of the hold of the modern State, for any reason, would make it significantly easier to recover meaning in the post-modern world.

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And guess what? Before you ask what your bishops have often rightly told you to ask, consider this: Even the poorest of the poor, so often used as an excuse for Statism in our time, cannot be helped significantly until we recover the real meaning of life. It is a complex issue, but the modern State now stands almost uniformly as a major obstacle to this critical task.
Toward a Realistic View of Society

December 15, 2011

In the “While We’re at It” section of First Things last month, I found this: “Critics of neoconservatism don’t seem to grasp that support for a market economy and limited government doesn’t express a romantic or idealistic view of business but a realistic view of government.” Many First Things writers have a reputation for neoconservatism, which is probably unfortunate. But I think this statement is generally true, and it is an important corrective to many left-right debates, at least in the United States.

More to the point here, Catholic social teaching also requires a realistic view, for the Church’s insights will almost invariably be implemented very badly by those who do not have a realistic grasp of the typical strengths and weaknesses of various players in the social order, including their present tendencies. Moreover, if we are not realistic enough to recognize that even business and government together are not sufficient to produce a healthy social order, then the few things we do see clearly are unlikely to matter.

The Bifurcation of Our Society

Let us start with the dangerous bifurcation of the social order into market and state, a tendency which Pope Benedict sharply warned against in Caritas in Veritate. For example, I am continually amazed by conservatives who argue that if only market conditions were perfectly free of state interference, everything would work out for the best. Their economic theory holds that a true and proper self-interest produces business practices oriented toward satisfying customers through sound goods and services at a fair price over a very long period. Therefore, free business activity always results in the best possible social good.

But any realist sees two major flaws in this premise. The first is that none of us ever knows his true self-interest perfectly, and so we frequently chase false visions or short-term gains, often at the expense of more lasting relationships or more important goods. The second is that the market is never altogether free, at least not in the sense required by this theory. There are always players with vastly unequal power in the market, and those players with more are all too prone to restrict the freedom of the market in order to gain still greater power and wealth, without corresponding merit, and at the expense of others.
On the other hand, I am also amazed by liberals who seem to think that if only the government will take charge of something, it will make that thing much better. They might not say that the government should take charge of everything. It is just that no problem ever arises that they don’t think can be best solved by government. But a more realistic observation would include, among many other factors, the mental littleness, endemic inefficiency and lack of personal concern characteristic of all bureaucracies, as well as the astonishing ability of politicians to craft government programs to favor not only the needs of their particular constituents but their own paths to power and wealth.

It ought to tell us something that the only people with worse reputations than business leaders are politicians.

**Market and State Not Enough**

It behooves us not to fall into a dichotomy of market vs. state for two reasons. The first is that, when we do, we tend to have a horse in the race, deciding questions based on prejudice or ideology instead of practical deliberations about what each entity typically does best. And the second is even more important: It is that market and state, or business and government, are simply not enough. The failure to grasp this goes far toward explaining the Western tendency to see the solution to all problems in either the one or the other—including many problems neither can effectively address.

While there is no escaping the need to deliberate over how we might use existing institutions to solve existing problems and avoid past errors, a true realist understands that the premises of both sides in this debate are false. In the first place, it is impossible for a sound social order to emerge from absolutely unbridled economic liberty (or any other kind of unbridled liberty). There are as many reasons for this truth as there are persons with their own agendas, some of which must be restrained or modified for the common good.

And in the second place, it is equally impossible to craft a system of controls which will prevent businessmen and politicians alike from doing things that are either stupid or evil or both. There are four reasons for this impossibility: First, the system itself will be flawed; second, the system will always be exploited (as will the freedom of having no system); third, even the best system cannot exhaust the sheer range of human stupidity and perversity; and fourth, as systems add rules to deal with one stupidity or evil after another, they become increasingly burdensome and counter-productive.

One might argue that the key to success is to strike the right balance between freedom and control, and this is not an unimportant consideration. But what we will find is that there is no balance of any kind that works well if we fall into the trap of believing
that the only factors to be studied are the market and the state.

**Tradition and Moral Formation**

It may be a paradox, but the best way to minimize stupidity is to maximize what we can learn from tradition. The more a society exposes its members to what it has learned by hard experience, the less likely its members are to make the worst kinds of mistakes. Put another way, various kinds of tutelage and apprenticeship—from strong families on up—are often to be preferred to what passes in the modern world for education, with its unbridled abstraction and its emphasis on constantly transforming society *de novo*. A respect for the patterns of the past, and a reluctance to change them without good reason, raises significant obstacles to stupidity, which invariably appears in its most severe forms when we attempt to create out of whole cloth.

Similarly, the best way to eliminate evil in government, business and everywhere else is not through ever-growing rulebooks and every-increasing regulation but actually to form people spiritually and morally from the beginning. It goes without saying that stupidity and evil will always be with us. But both of these realities, and especially evil, show us immediately why government and business—the market and the state—are not enough. This is so true that the very first step in any realistic assessment of our current situation is to recognize that we are lacking some of the most important ingredients for success.

Both government and business depend on morality without being able to create it. The infusion into the social order of ultimate ends, legitimate means, and the strength to adhere to them must come from other sources. This is one (but not the only) reason why a vibrant and deeply moral social order requires institutions which go well beyond the dangerous bifurcation of market and state. More than anything else, a successful social order absolutely requires both personal and public embodiments of the moral seriousness on which nearly everything else depends.

A social order comprised of essentially amoral citizens—citizens, in our own case, who are actually formed to be morally stupid (which fosters other forms of stupidity as well)—has no chance at either effective business or effective government. Nor will it possess any other kind of effectiveness. Many early American political writings assert the necessity of virtuous citizens for a successful republic, but it is an idea which goes back to both Christian and classical political theory. Unfortunately, neither the Greeks, the Romans, nor the American founders (as a rule) understood what is necessary to keep people virtuous; and those who were once seriously Christian have largely forgotten what is necessary.

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What is required is a commitment to the natural law supported by grace. Those who claim realism when considering the social order but do not see this most fundamental point actually have no claim to realism at all.

The Need for Other Institutions
Once again, a healthy realism demands that the strengths of a community be expressed in a variety of institutions which represent different forms of excellence, each in its own sphere, and each capable of influencing its participants toward the good, as well as sheltering them, through some measure of solidarity, against the slings and arrows which will otherwise prove unnecessarily injurious in so many ways. But above all else, realism demands that the moral fiber of a commonwealth be both formed and represented by an institution which can teach clearly and provide grace, independent of the economic and political powers between which we so often wish to divide our broken world.

This includes, but goes far beyond, teaching and strengthening people to pursue the legitimate ends, purposes and moral parameters of both sound business and sound government. Speaking in terms of the social order only, the goal is to form a strong community which is already internally committed to moral integrity and the common good. Such a community will certainly continue to be affected by stupidity and evil, as well as by problems and inequities for which there is no fault, but it will most often be stupidity that the community itself is capable of correcting, and evil which the community itself is not ashamed to denounce and expel, and problems which the community itself can go far to ameliorating—all without formal rules or bureaucrats.

It is in this context and this context alone—the context of a community which is genuinely concerned to provide for its members spiritually, morally and materially—that other challenges of personal and social life begin to fall into place, including those very important challenges of good business and good government. After all, within a strong moral context, government and business problems ought to be primarily logistical. Outside of this context, business will be only selectively effective and invariably often nasty, and government will be both corrupt and ineffective, no matter how much freedom, or how little.

The One Thing Needful in the Social Order
Again, we cannot avoid attempting to solve problems as best we can with the tools at hand, but only a short-sighted person refuses to develop better tools when the ones he has are unsuited to the task. If we ever hope to succeed in building a healthy social order, complete with both effective government and effective business (relatively speaking, of...
course), our first priority is to reverse the trend of weakening other institutions in general and Christian churches in particular.

Like it or not, the West continues to define itself in the light of Christianity, either by its deliberate adherence or its deliberate rejection. You will look a long time to see a statement of secular values which is not rooted in the rejection of Christian principles. So it is that once the light of Christ has shone in a given culture, it becomes all but impossible for that culture, and the social orders which embrace it, to stand in the absence of Christian principles and Christian grace—principles and grace which guarantee also that the natural law will be read aright.

For all the reasons I have touched on here, the most important program that any of us can adopt for the improvement of both government and business is the strengthening of an institution which looks very much like the Catholic Church. Just as focusing on Christ is the one thing needful for the person (Lk 10:42), so too in the social order is focusing on the Church. When the Church is right, everything else becomes much, much easier. In today’s world, that’s what being realistic means.
The Immigration Paradox: Blindness is Forbidden

March 13, 2012

The migration of large numbers of people is a worldwide problem, as even a casual look at recent news demonstrates. Today we learned that hundreds of thousands of Christians have been ordered to leave Sudan. Last week it was reported that Syrian Christians were fleeing to Lebanon. In February, the bishops of Korea strongly urged acceptance of the children of illegal immigrants. And stories about Muslim immigrants in Europe and Hispanic immigrants in the United States often dominate the news.

Here in the United States, the Catholic bishops tend to be sympathetic to the plight of immigrants while many in the pews express grave concern. It is fair to say that Catholic Americans are conflicted on the issue of immigration, but there is a tendency in some quarters to over-emphasize the rights of a pre-existing community to exclude newcomers. My main point in this essay is that being conflicted is perfectly understandable; but the tendency to emphasize the power of the State to control immigration is both irrational and dangerous. Let me briefly explain these two adjectives.

I am not thinking primarily of the impossibility of completely controlling those massive human migrations which conditions tend to make inevitable. I’m more concerned here with the erroneous idea that the State ought somehow to have total authority in the matter. Let us cast our minds back in time a little, back beyond our current cultural myopia. The origins of the claim of a government to authority over those in a particular region is extremely murky, to say the least. There is no rule by which governments arise, no power which those who claim to govern possess by the very nature of things. Somehow certain communities coalesce and—through a wide variety of traditions, constitutions, and ad hoc solutions—they accept a certain structure which represents the public order. Insofar as the resulting government tends to promote the common good, there is a broad tendency to regard it as “legitimate.” And insofar as it undermines the common good, its legitimacy will be questioned.

Now certainly man is a social animal who lives, develops and prospers best in community. And communities do have the natural right to establish a public order to protect and promote the common good in ways which purely private interests fail to do.
But can a community and its government within a particular territory really regard itself as possessing an unrestricted authority over that territory by which it can exclude others? Given how communities arise and how governments are established, this is far too grand a claim. There is no natural right of any person, or group of persons, to be in possession of a certain territory, as sole owners and arbiters of its permanent destiny. This would suggest that the State somehow springs fully-grown from the head of Zeus, and that there are no prior or even more foundational communities, including the community of all mankind, which it is the purpose of government (and the public order in general) to serve.

As I said, this Statist fallacy is not only irrational but dangerous. If we argue that modern States have or ought to have absolute control over who comes and who goes in a particular region—as if immigrants themselves have no basic right to freedom of movement, to share in community life, to find ways for themselves and their families to prosper—then we succumb once again to the modern myth that the power of the State is absolute. This further empowers the State to usurp authority in every sphere, whether political, economic, cultural or religious. It fuels its self-conception as the sole arbiter of human destiny, at least within its borders. Thus many anti-immigration attitudes have the result of fostering the very totalitarianism toward which modern States seem almost inevitably to tend.

Nonetheless, as I mentioned at the outset, this does not mean that we can avoid being somewhat conflicted about immigration. We see in many circumstances that people around the world are left with little choice, for political or religious or economic reasons, but to emigrate; and we acknowledge that at some level they must have a right to do so. But then as members of our own communities, we see the problems and pressures that can result from the rapid influx of new groups of immigrants and we are uneasy about the changes to our own culture—and sometimes to our own position or even our own security—that such demographic shifts often portend. And so we also understand that the public order in our own community has some role to play in regulating immigration to protect and promote the common good.

Human rights are never absolute, and they are always related to duties. As a result, even in her formal teaching on this subject, the Church is similarly “conflicted.” She recognizes that a proper balance is essential through genuine solidarity, or the concern of all for all. Thus she has commented on both sides of the issue. In the encyclical *Pacem in Terris*, Pope John XXIII set down the parameters:

Every human being has the right to freedom of movement and of residence within
the confines of his own country; and, when there are just reasons for it, the right to emigrate to other countries and take up residence there. The fact that one is a citizen of a particular State does not detract in any way from his membership in the human family as a whole, nor from his citizenship in the world community. (#25)

Similarly, in The Pastoral Constitution on the Church in the Modern World (Gaudium et Spes), the Second Vatican Council briefly touched on both the “personal right to migration” (#65) and the “rights and duties” of governments “within their proper competency” regarding population issues and migration (#87). Though not yet highly-developed, these nascent concepts were repeated more systematically in Erga Migrantes Caritas Christi, issued with the approval of Pope John Paul II by the Pontifical Council for the Pastoral Care of Migrants and Itinerant Peoples in 2004, which also refers to the long line of annual papal messages for World Migration Day.

The issues surrounding immigration are far from simple. But we must be careful here to see the problem primarily in terms of members of the human family, and not primarily in terms of xenophobia and the power of the State. As Pope John Paul II put it in his 1996 message, “the Church…asks what the right to emigrate is without the corresponding right to immigrate.” He then clearly asserted that the Church seeks to address the problem “of how to involve in this work of solidarity those Christian communities frequently infected by a public opinion that is often hostile to immigrants.” Wouldn’t you say that this refers to us? As Catholics we may certainly see the complexities involved. But with respect to what it means to be a State and what it means to be a person, blindness is not an option.
The Sovereignty Myth: On the Limits of Political Authority

March 15, 2012

Let me try again to make the limited and uncertain character of human government clear enough so that everyone can see the point. My first effort was in yesterday’s commentary, The Immigration Paradox: Blindness is Forbidden. There I attempted to explain, though perhaps confusedly, that no concept of national sovereignty can trump the rights and duties that inhere in the human person. I believe that this point, so obvious to many of us when it comes to intrinsic evils, is lost almost entirely in more complex areas, such as immigration. I offer the following reflections to help close that gap.

All of us grow up in a particular culture and most of us take for granted the conventions of that culture, ascribing to them a certain rightness and necessity that they really do not have. This is particularly true of the arrangements in place for political governance, which control so many aspects of both private and public life. We take for granted that our political arrangements simply are what they are, and we tend to assume that “the way things are” is inevitable and exists by a sort of transcendent right. Catholics are absolutely correct to see the Church in this light, but it is not true of the State. And while they may see this clearly when there is an intrinsic moral conflict, they may be slow to change patterns of thought which are less obviously inadequate.

In truth, however, the very nature of all political authority is provisional and limited. This includes the authority of the modern nation states in which most of us reside. Unfortunately, the precise limitations of this authority are often difficult to articulate. Hence these extended reflections.

The Origins of Political Authority

As I indicated yesterday, there is no specific law or necessity by which different kinds of political authority arise in different times and places. Some societies may inherit a king or a queen, with traditional attitudes about who possesses the right and obligation to rule and who does not, the origins of which are lost in the mist of time. Other societies may have a tribal organization. Still others may enjoy traditions of law which have been worked out slowly through a strong sense of equity. And others may revere specific
constitutions, written documents which set forth the precise manner in which political authority will be erected and will function. In some cases, a particular generation may find itself not with a revered constitutional inheritance but with the need to create a new constitution which, for better or worse, will come to be both accepted and revered by future generations.

There is certainly something inevitable, necessary, natural and even right about the evolution of a public authority in general. Public authority arises from the social nature of man, who thrives only in community, and who therefore understands that in addition to individual and private goods there is also something called the common good of the community as a whole. To be stable, peaceful, free, multi-faceted and prosperous, every community needs to attend to such things as defense against external enemies, protection from abusive behavior within, equitable settlement of disputes, fair dealings between the powerful and the weak, the definition and protection of private property, the provision of infrastructures which might otherwise be unattainable, and other similar things which are central to either the protection or the enhancement of the common good.

But the point here is that no particular set of political structures and procedures is inevitable, nor is any political structure (or even an entire nation) morally self-contained. That a particular political order should hold sway over some specific expanse of territory is not inevitable. That the members of a governed community should hold a particular conception of political authority is not inevitable. Nor are these things necessary. Nor are they, in their particulars, ordained by God. Nor do they require unconditional obedience. They are all, every one, provisional. They exist because, by some complex set of events and ideas, they “happened”. I grant that they are widely accepted as legitimate because some form of public order is both natural and beneficial to man. But insofar as they fail significantly in their purpose of securing the common good, legitimacy will be increasingly questioned until such time as, under a new set of pressures and conditions and values, things change.

The two broad and universal principles that emerge from this first reflection are: (1) A public order is natural and normal to the human person because, according to his social nature, the human person can reach his God-given potential only in community; and (2) By whatever means the public order is established and comes to exist, its sole purpose and justification is to serve the common good. Everything else about any particular form of the public order is merely provisional.

Thus even when a particular public order appears in a certain culture as “inevitable”, it remains inescapably provisional. It is subject to continuous evaluation with respect to its justifying purpose. Its decrees, in and of themselves, lack ultimate moral force. The

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particular shape and scope of its present existence is devoid of ultimate necessity.

**An Illustrative Case: Property**

We can, I believe, learn something more about the political order from a consideration of how intertwined its affairs are with the basic rights which inhere in the human person. Let us take just one example, the right to property.

Private property is an indispensable means for the human person to root himself in a community, to gain a true stake in community affairs, to secure his future, to express his particular interests and genius, to make a living for himself and his family, to contribute to the well-being of the community and, indeed, to collaborate with God in the finishing and perfection of all Creation. Property is a natural extension of personal identity and human industry. In its varied forms it is also a signal means by which a community as a whole enhances its common good. The Church wisely specifies that ownership of property is a natural human right.

But we should see at once how interconnected this right of property is with the public order. If a man claims to own X, how does he establish his claim to X, such that other members of the community rightly recognize his ownership? If there are competing claims to X, how are they adjudicated? For land in particular, which is initially used in common, how is ownership to be regulated and recorded such that disputes are minimized? When might a claim to ownership be denied because it would infringe on the rights of another or negatively impact the common good?

These questions are both inevitable and necessary, and so the public order is always involved in some way in questions of property—despite the fact that it is the person and not the public order that has the right to own property. At one level this is because of the universally recognized advantage of ownership *procedures*, entrusted to a public authority to ensure fairness, in order to minimize disputes, avoid violence, ward off chaos and, in short, to protect and enhance the common good. This is a universal pragmatic response to a constant human need. But at a deeper and more theoretical level, public involvement is justified because ownership signifies the personal possession of some portion of what, by Divine decree and the natural law, is destined for the use of all. In Catholic social teaching, this principle is called the universal destination of goods.

Every human right is limited. (This is true even of the right to life; otherwise killing in self-defense, including warfare and capital punishment, would be always and everywhere immoral.) Moreover, rights are closely related to duties, so closely that some theorists argue that they inescapably arise from duties. We can see, for example, that the duty of parents to form and educate their children necessitates the right of parents to
choose and control the education their children receive. But again, every right is limited by potentially opposing duties and corresponding rights. Thus I have a duty to protect my neighbor’s child, if I can, from an abusive parent. This right will usually be exercised in the name of the community, with theoretical impartiality by the appropriate political authority; but however exercised, the duty gives rise to a right. For example, we may constrain a parent whose idea of a proper formation and education is to lock his child in a closet for extended periods of time. In addition, of course, the child also has a right to the care a parent has a duty to give.

Now the right to private property is closely linked to my own duty to contribute to my personal well-being, the well-being of my family, and the well-being of the community as a whole. The right to private property may be limited by a failure in these duties, and particularly by a habit of selfish acquisition which significantly undermines the universal destination of goods. Thus according to Catholic moral teaching, a person does not have a right to more property than he can use productively, especially when this competes with the claims of others to possess property, which they also have the right to do, or when a person’s ownership and use of property negatively impacts the common good properly conceived.

Exactly what role the public authority will play in resolving such questions, and how it will arrive at its judgments, will vary widely. How aggressive the public authority should be in looking for “actionable inequities” is certainly questionable. What we will find in all such discussions is that the broad principles involved are difficult to apply with clarity and precision. Especially in what we might call the middle range of cases, the issues at stake are often murky, but they become considerably more obvious and actionable at the extremes.

Thus we learn two new principles about the public order here, while reinforcing an earlier point. First, the public order is inextricably involved in the adjudication of claims about rights which actually inhere only in the human person (and not in the public order itself). Second, the authority of the public order derives directly from the actual rights which inhere in the human person, of which both the protection and the proper limitation are essential to the common good. Third the approaches, mechanisms and solutions adopted by the public order with respect to the issues thus raised are, again, inescapably provisional. As such, they are always and continuously evaluated against the very human rights it is the burden of the public order to adjudicate.

Moreover, as with the possible abuses the public order is called upon to redress, so too with the abuses perpetrated by the public order itself. There can be great disagreement and confusion in the middle range, but the injustice of the political
authority becomes obvious as its handling of human rights progresses toward the extremes—or, of course, when it enacts or enforces any rule which is actually intrinsically immoral.

The Limitations of Political Authority

I hope it is well-established now that political authority is essentially linked to the common good, that it is inescapably rooted in the human rights of the community in which it evolves, and that it is subject to moral scrutiny. Another way of saying this is that political authority, to be legitimate, must be docile to the natural law. Government does not in itself generate or possess the principles of morality by which its policies must be shaped. These moral principles come from nature, which is prior to government, and they are native to the persons over which the government, by whatever accident of history, presides. Again, government is ordered to the common good of persons who have, in their very nature, both duties and rights.

The case of punishment may be taken to demonstrate the implications of this moral claim. In most societies, there is near universal agreement that a person acting in his “private” capacity may not apprehend, judge and punish someone who appears to have stolen something. But acting in his “public” capacity, a person may so apprehend, judge and punish. Now note: This is not because the public order has its own special source of morality. It is because societies recognize that, to minimize the evil of injustice and reduce the possibility of social chaos, it is wise to leave alleged criminals to the public authority, an authority instituted (among other reasons) precisely to fairly balance the competing justice claims of the private persons who make up the community.

This wisdom should not obscure the fact that the fundamental morality involved, so far from being ignored or transcended by political authority, is the very ground of its proper service and scope. In the absence of such an authority, it would be both necessary and acceptable for a private person to apprehend a thief, recover his (or his neighbor’s) property, punish the offender, and seek to prevent him from stealing in the future. But anyone who did this consistently and effectively would soon be recognized as possessing public authority. For the prospects for justice and peace are enhanced when such things are removed from the vagaries of human emotion and the cloudiness of personal judgment and reserved by general consent to a more neutral authority representing the “public”. Thus it can become an offense against the common good “to take the law into your own hands.” Nonetheless, the moral claim of the public authority does not derive from its own peculiar vision of the good; the moral claim derives from the natural law, especially as discerned through the corresponding rights and duties of the persons who
make up the community in question.

The same is true, to take one final example, of government funding. Taxation is simply the means—however it evolves into its specific form—by which the community funds the public order’s proper role of protecting and enhancing the common good. Neither the purposes for which taxes are used nor the taxing power in itself derives from some invented Reason of State. No, both are conditioned by the matrix of duties and rights of the human persons who are members of the community in question. Taxation itself arises from the inescapable duty of each person, as a social being, to make a positive contribution to the common good of the community of which he is a part and from which he benefits. This is why taxation, properly conceived and implemented within just limits, is not theft.

**Immigration Revisited**

If I might return to the subject of immigration briefly (the subject of my previous essay), we can now see at once that immigration is one more of those vexing issues which must be morally addressed with the assistance of a public order devoted to the common good. It must not be addressed on mere whim or self-interest, but in accordance with a proper understanding of the rights and duties which inhere in all the human persons involved, among whom there may be competing claims.

Now the Church has formally taught in several places (as I cited yesterday) that the human person has the right to move and/or to migrate. She has also taught that this right to migration must be “for just reasons.” That is, one does not have the right to move somewhere in order to commit immoral acts. And she has alluded to the “rights and duties” of governments to take appropriate steps regarding problems arising from demographic change. All of this is to say that there is a personal right to migrate but, like other personal rights, it is not absolute. Whether this right takes precedence amid competing claims will depend partly on other factors relating to the common good, and will potentially involve legitimate government intervention.

But it would be unjust here to uphold the “rights and duties” of government as if they derive from some special source, as if they do not derive, in part, from the very right of persons to migrate. As usual, the government must adjudicate competing claims in the light of its duty to protect and promote the common good, but this now must be seen to include the good of possible newcomers—who are not, as Pope John XXIII noted, deprived by their foreign birth of their membership in the human family. Again, the policies of government in this matter, as in all others, will be as provisional as government itself. And again, there will be legitimate disagreement and no little
obscurity concerning the best course in the broad mid-range of solutions. But moral clarity will more easily emerge at the extremes.

I ask the reader to consider one final clarifying thought before we move on, the question of whether a government may morally erect a barrier around the country it governs so that no person may enter (or perhaps leave) without the approval of the State (I almost wanted to write “the Commisar”). Most would immediately see the evil of this barrier when applied to those who wish to leave a country. Older readers recall the era of the Iron Curtain. But I would like to raise the distinct possibility that a barrier to keep everyone out is also profoundly immoral, though it is a common topic of discussion in the United States.

I make no definitive statement here, but in light of all that I’ve said about the provisional and limited nature of human government (and therefore about the alleged indisputable authority of the modern State), perhaps we can all rethink any knee-jerk reactions to ensure they are not based on a faulty premise. I recall again John Paul II’s comment: “the Church…asks what the right to emigrate is without the corresponding right to immigrate.”

The Church and Sovereignty

Some commented on my earlier essay with remarks which, to me at least, appear clearly to rely on the dangerous oversimplification of national rights and national sovereignty which frequently afflicts those who grow up assuming that the system in which they live is a system both necessary and good. A key purpose of these reflections is to raise questions about the territories presided over by modern States, and to suggest that the nature of State authority is not nearly as clear as we tend to think.

Moreover, that authority is always morally limited by the complex of rights and duties which inhere in the members of the communities in question, which in an age of globalism increasingly include to some degree stakeholders in that larger human community which spans the whole earth. This point has been made repeatedly by all the social encyclicals of the past fifty years. (It is a point that has too often been denounced as “leftist” by, among others, American conservatives. I am trying to deepen the conversation here.) In any case, all of these factors which condition what I have called the provisional and limited nature of the political order serve to mitigate any reflexive and exalted claims of “national sovereignty”, as if it is sufficient for the purpose of acting morally to have unanswerable physical power over a particular territory. We are not to do things “because we can.”

In conclusion, it may be helpful to reflect on the difference, in these key respects,
between the Church and the State. The provisional and indeed morally constrained character of the public order in all its specific political, governmental and territorial forms means that only a very limited notion of sovereignty really applies to nations or to any other political unit. This is in stark contrast to the Church.

Consider that the specific form of the Church did not arise haphazardly out of peculiar circumstances, opportunities and values which vary from time to time and from place to place. Unlike the political order, the Church cannot take a thousand different forms. She has her essential constitution, her structure and her mission directly from God Himself. She is the exclusive custodian of spiritual and moral information which has been revealed not only in some measure to all in the natural law but in greater detail through a special Revelation. She alone possesses the Magisterial authority to define, explain and encapsulate infallible moral principles.

This constitutes a sort of absolute sovereignty under God, and this alone. Sometimes we forget, blinded as we are by the habitual patterns of thought in the culture in which we were raised, that the State has no comparable claim in its own sphere. The Church is neither accidental nor provisional nor capable of being other than she is. The State is all of these things. We do well to keep this in mind when we discuss the alleged authority of the State to do as she pleases, whether within her borders or not. The State has no absolute rights. Nor can she teach the human community any principles of her own. The State is derivative, not primary, even when we have no answer to her power. To think otherwise, even if only when certain challenges make us personally uncomfortable, is to embrace the Sovereignty Myth.
Immigration: The Contested Principle
March 19, 2012

Recently I’ve tried to articulate an authentically Catholic approach to immigration, an approach which takes full account of what the Church has taught on the subject. I have found this difficult for two reasons. First, as with many controversial issues, people tend to respond based on their own emotional pressure points. Second—and to be perfectly frank—I have been trying to articulate the Catholic principles on this issue for the first time, and I have mixed some things into the discussion which have obscured the main point.

I stand by my In Depth Analysis The Sovereignty Myth: On the Limits of Political Authority as a sound theoretical foundation for any discussion of immigration. Unfortunately, my introduction of “the immigration fence” into that discussion proved to be a huge distraction. I do have a profound unease concerning both the wisdom and morality of any country attempting to fence itself in. For me, this sounds a number of warning bells. But the concerns it raises are much better discussed after the fundamental principles governing immigration policy are well-understood. Today, therefore, I am going to attempt clearly and forcefully to articulate only the single most critical point.

As I indicated in “The Sovereignty Myth”, every human right is limited, and it is the legitimate task of the public order to adjudicate and balance the competing claims which arise from the rights and duties of the persons represented by that public order. In this task of adjudicating and balancing, the public order is bound by the requirements of the common good. But the common good derives from the rights and duties of the persons in the community; it does not derive from any rights or revelations peculiar to the public order itself. Obviously, the Church has over the centuries contributed a great deal to the understanding of the temporal order, the nature and limits of public authority, personal rights and duties, and the nature of the common good.

But the contribution most often ignored by modern states, and even by many Catholics within these states, is that one of the limited rights possessed by the human person is the right to migrate. I do not mean “limited” here in the sense that this is a lesser right in comparison with other rights; I mean “limited” in the sense that all human rights are necessarily limited in their application and implementation. This right to migrate has been formally enunciated in both a major encyclical (John XXIII’s Pacem in
Terris) and a conciliar document (Vatican II’s Gaudium et Spes), both of which I quoted in my introductory essay, The Immigration Paradox: Blindness is Forbidden.

It is one of the failings of our current “rights discourse” that as soon as something is proclaimed a “right”, people assume that it is absolute, unlimited and unrelated to any corresponding duty (at least whenever it suits their purposes). As a result, many have accused the Church of favoring unlimited migration, and some readers have accused me (as one particularly colorful comment put it) of wanting “open borders between heaven and hell.” But in the context of the common good, rights never work themselves out in an unlimited way. Every human right is limited—that is, every human right is operative only within certain parameters imposed by the natural law and the common good of the community in which those rights are exercised. This is true not only in political theory, but in the Church’s own teaching. She has formally taught this essential limitation with respect to such rights as the right to life, the right to property, the right to religious liberty, and, indeed, the right to migrate—which, I might add, is linked closely to the duty to contribute something to the community in which one lives.

Those who have read my arguments carefully have realized—and very rightly—that I have not advocated unlimited immigration. I have in fact argued that the right to migrate, along with other rights and duties, must necessarily be adjudicated and balanced by the public order for the common good. What is so special about the Church’s teaching is not that she believes the right to migrate is somehow absolute, but that there is, in fact, a personal right to migrate. Therefore, potential and real immigrants have a claim that must be taken into account in framing immigration policy.

What this means is really quite simple, but only at the level of principle and attitude: It means that insofar as anyone, or any public authority, considers immigration as if only those in current possession have any claim in the matter, then to that precise degree the resulting immigration policy will be unjust. This, and only this, is the message which the Church has been attempting to hammer into our heads through this portion of her social teaching.

Note that nothing the Church teaches makes the best policy easy to figure out. The Church does not prescribe specific social solutions. But her teaching explodes what I have called the “sovereignty myth”. By this I refer to the myth—contrary to both the Catholic faith and the natural law—that because our national government is, through some accident of history, currently in possession of a particular territory, it follows that our immigration policy may be based exclusively on the desires of current citizens (or, still worse, the desires of current government officials). This is a myth because ours are not the only claims.
What the Church teaches has two aspects: First, it is not only our peace of mind, our prosperity, our needs, and our comfort zones that matter; the potential immigrants’ peace of mind, prosperity, needs and comfort zones matter, too. Second, this truth is not a matter of charity but of justice; the potential immigrant has a legitimate claim, a claim based on the universal personal right to migrate, which all the existing citizens in the receiving community also possess.

A just immigration policy, however difficult it is to craft, must take this claim into account. This claim is one of the things that must be balanced and adjudicated in a true appraisal of the common good. We are not the only ones with rights. This is what the Church’s Magisterium teaches. And since this is a matter of natural law, all members of the community may be rightly expected to take it into account. I have no fundamental quarrel with those who accept the Church’s teaching in this regard. My fear is only that too many Catholics are not yet willing to admit this truth, or to consider what sacrifices this truth may legitimately entail.
Catholic Action for Social Change

March 16, 2012

It is the proper right and duty of lay Catholics to take the lead in transforming the social order according to Christian values. As a general rule, it is the role of bishops to nourish and form the laity spiritually and to teach the moral principles which ought to guide the laity in their broader political, social and economic tasks. There are many different ways to orchestrate our temporal affairs, including many different ways to arrange them in keeping with Catholic principles such as solidarity, subsidiarity and the universal destination of goods.

This is why Phil Lawler and myself have repeatedly criticized bishops when they concentrate on developing, opposing, and supporting specific policies—about which good Catholics can easily disagree—instead of emphasizing the principles which must guide policy-making in general—which good Catholics are bound to acknowledge. As I pointed out recently (see Shooting the Messenger: What the Church teaches about her own authority), the Magisterium of the Church has repeatedly taught that the Church cannot provide specific, concrete solutions to social problems; therefore one wonders why episcopal conferences around the world spend so much time studying and issuing statements on precisely these sorts of problems and solutions.

Things are different, of course, when a particular course of action is intrinsically immoral (such as the facilitation of abortion, contraception, sterilization, embryonic research, in vitro fertilization, gay “marriage”, and so on). Here the condemnation of a particular policy is tantamount to restating the moral principle. Moreover, there are some political and economic policies which directly impact ecclesiastical institutions, and the Bishops obviously are well-qualified to protest or endorse specific proposals which have significant impact on the institutions and organizations they themselves control.

This is why there has been no reason to criticize the American bishops for taking the lead in opposing the Obama Administration’s HHS mandate. Nonetheless, an important opportunity will be missed if such leadership is exclusively ecclesiastical. Insofar as only bishops are seen to oppose the Mandate, on behalf of both the moral law and their own institutional interests, it becomes easier to dismiss episcopal concerns as irrelevant to the vast majority of Catholics, or indeed other citizens who care about the natural law, religious liberty or equitable public policy.

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The truth is that the HHS mandate is an attack on the moral integrity of every employer who objects to any of the following: (a) Abortion, sterilization and contraception; (b) Government imposition of morality (which includes the attack on religious liberty and freedom of conscience); or (c) forcing everyone to pay for procedures which are neither necessary nor conducive to good health. Therefore, there ought to be scores—even hundreds—of companies led by owners who find the HHS mandate repugnant and are willing to protest or file suit against it.

This is why it is such good news that Frank O’Brien, a business owner in Missouri, is challenging the Mandate in court (see Catholic layman, business owner files suit against HHS mandate). O’Brien’s action ought to spark innumerable imitators, and not just among Catholics. Nothing would be more effective in fighting this battle than for the actions of the laity to dwarf those of the episcopate when it comes to strategic efforts to roll back this assault on authentic morality, liberty, health care, and religion.

Though this is not an area in which the bishops have encroached on the prerogatives of the laity in working out the details of social policy, it is still a social fight in which lay persons should, by virtue of their own special vocation, play a leading role. But while we are considering the possibility of episcopal encroachment, it may be worth noting that in some cases the encroachment can operate in the other direction. Thus the laity themselves can encroach on the prerogatives of the bishops when they advocate intrinsically evil policies which clearly violate the Church’s teachings. In doing so they undermine or deny the role of the episcopate in providing certain guidance on moral principles.

The laity could also encroach on the prerogatives of the episcopate, and of the institutional Church herself, by attempting to use the Church for political purposes, however noble those purposes might be. A recent case in Cuba serves as a demonstration of an abuse that we in the West seldom have the unhappy opportunity to witness. A group of protestors occupied a parish Church in Havana, intending to “force” Pope Benedict to present their grievances to the Cuban government when he visits Cuba later this month. (See Cuba: police remove protesters who occupied parish.)

It is difficult to conceive of a more noble political objective than for Catholic lay persons to present their grievances to a Cuban regime which is only slowly becoming less hateful than it was under Fidel. And yet it is clearly wrong for the laity to attempt to wrest control of ecclesiastical property for political purposes and, in fact, this is actually an attack on the integrity and mission of the Church herself—no matter how right the intended purpose is, or how otherwise compatible it may be with Catholic social principles.
Catholic lay persons occupy a special territory in human affairs. They are sons and daughters of the Church but also fully immersed in the temporal affairs of the regions in which they live. This provides the key to the correct way to effect an authentically Catholic social transformation: It is for bishops to teach as Churchmen and for the laity to act, not as Churchmen, but as Catholic members of the larger community, as the leaven which makes the whole loaf rise.
Democracies: What They Don’t Do Well

April 30, 2012

In recent years, many interpreters of Catholic social teaching have argued that democratic forms of government are most in keeping with the dignity of the human person. The assumption is that democracies enable people to play a greater role in managing their political, social and economic affairs, as it is appropriate that they should. If this assumption is typically true, it provides a powerful argument. But your mileage will vary with place and time.

There are, after all, many ways to be actively engaged in the social order besides voting, and it is not clear that the right to vote always fosters either intelligent participation or personal influence. In modern states, the atomized individual voter often stands alone against the incredible power of contemporary government. Having no direct involvement with governing, millions of individual voters know nothing about polity in general or their own government in particular. Too often, whoever can manipulate an essentially ignorant public opinion can gain power. Between elections, the watchword may simply be “business as usual”. And not infrequently, ruling elites are exchanged every few years in a never-ending cycle of hope and disappointment, so that very little is ever accomplished.

Picking the best form of government is very difficult. Clearly it depends on cultural experience and attitudes, the distribution of virtue, and the needs of the day. Aristotle, who provided a basic foundation for Western political thought, recognized that each type of government can operate well or badly, depending on the quality of the rulers and the circumstances in which they rule. Monarchy can become tyranny; aristocracy can become oligarchy; and polity can become—you guessed it—democracy. Essentially, Aristotle argued that government was handled properly when the governing party, whoever it was, looked out for the interests of the community as a whole, rather than for its own interests.

In countries, constitutions and political systems with many rulers—termed “polity”—Aristotle recognized political power to be exercised for the common good by a moderately wealthy group of citizens, a large group between the very rich and the very
poor. But just as the monarch who pursues his own interests becomes a tyrant, and just as aristocrats (the “best” men) who pursue their own interests become oligarchs, so too do lesser citizens who pursue their own interests become, well, democrats. Democracy, for Aristotle, is rule by “the needy”, with all the problems that entails. Fear of this result was enough for earlier Americans to make voting rights depend on the possession of property.

The first principle of Catholic social teaching concerning government is that those who govern must govern for the common good. Political forms are secondary. In the Christian era, before the rise of democratic forms of government, Catholic social theorists often argued that the best form of government was monarchy, because it most mirrored the Divine governance of the universe. There can, obviously, be all kinds of reasons for preferring one constitutional type over another. For example, when monarchy and aristocracy work well, it is partly because kings and nobles are raised with a deep sense of public responsibility and extensive training in governance. When this formation succeeds (which requires virtue in the kings and nobles), it can work very well; unfortunately, when responsibility is abandoned and training ignored, a small group of people can do tremendous damage very quickly.

But in exactly the same way, polity carries within it the seeds of its own destruction. We generally do not use these constitutional terms as Aristotle did. We seldom mean by “democracy” the perversion of “polity”. But we can still see what Aristotle meant when he taught that if large numbers of people rule (or in our case, vote) based on their own “neediness” (or self-interest), then polity breaks down. We might call the result mob rule through voting. No matter what the governmental form, strong virtue is essential in those who govern. And whatever else this tells us, it tells us very clearly that democracies are ill-suited to deal with problems which require material sacrifice.

In the news this past week, we learned of the collapse of the Dutch government owing to discontent with the austerity measures which Germany has been urging throughout the European Union. (Germany has the strongest EU economy largely because it voluntarily undertook a slimming down (austerity) process some years ago, and Germany does not want to foot the bill for the failure of other countries to get their own houses in order.) At the same time, we learned that President Nicolas Sarkozy of France is in deep political trouble—perhaps about to lose his position—for essentially the same reason, a weak economy which begs for an austerity which Sarkozy is attempting to implement but for which the French have little stomach.

The same reality is faced by nearly every Western nation. As economies falter, government cannot afford to keep spending at the same rate, yet citizens in these countries have become accustomed to the government taking care of them through
everything from laws governing vacation time and maximum hours (as in France), to minimum income programs, to long-term support of people who may not be working at all, to innumerable social programs for various special purposes, and also including subsidies for a wide variety of interest groups (such as extensive farm subsidies in the United States).

Meanwhile, government itself has mushroomed exponentially over the past few generations as a felt need to protect people from themselves has led to ever-increasing regulation in most areas of life, giving rise to extensive bureaucracies. The percentage of people working for some level of government in the West—provided for by taxes and government spending—is staggering. All of them can vote on whether government should be down-sized. This is not the fault of government employees. But it is the situation in which we find ourselves today.

Every political leader knows that something has to be done to get what is essentially a runaway train under control. Failing that, every country will end up like Greece. But every politician also knows that applying the brakes—pushing through any form of austerity—is a perfect recipe for political suicide. Most likely this can be accomplished only by politicians who are willing to serve a single term and then get out of office. These are few and far between and, in any case, principled candidates who preach austerity may not be electable in the first place.

Democracies, in Aristotle’s use of the term, are characterized by many people governing with their own self-interest principally in mind. Especially as habits of virtue and self-control decline in a culture, these tendencies may afflict both the upper class and the modestly propertied middle class as well as the poor, who may never have developed even basic habits of industriousness, frugality and savings in the first place. But however we describe the problem, I think we can see what Aristotle meant. And we can see even more easily that democracies simply cannot do some things well.

A few leaders, in the right constitutional framework, can impose austerity on the vast majority. But democracy is not built for this. It is not something that most people will impose on themselves. Unfortunately, there is no obvious solution in sight.
US Defense Spending and Cultural Imperialism

May 02, 2012

Each time I have written about the horrendous tendency of Western states to spend beyond their means, I have emphasized the need to pull back from the creeping totalitarianism which characterizes first world nations. This would reduce or eliminate the nearly incredible costs associated with entitlement programs and the immense bureaucracies which must be maintained to support the scope of national regulatory power. And each time I have made this point, some readers have criticized me for ignoring the problem of defense spending in the United States. It is time to address this concern.

Before I address it, however, I would like to explain the reasons this has not been in the forefront of my other commentaries on budget problems. Part of this doubtless has to do with my own prejudices. Just as “liberals” are instinctively troubled by military spending but not by spending on domestic regulation and entitlements, so too are “conservatives” instinctively troubled by domestic regulation and entitlements but generally untroubled by defense spending. Why this should be so is hard to explain. But insofar as I may be guilty of instincts and attitudes that have not yet yielded entirely to a fully Catholic worldview, then my instincts would tend to be conservative.

There are reasons for believing that Catholicism is far more compatible with conservatism, which typically recognizes religion as an important source of values that ought to shape one’s cultural philosophy. After all, liberalism typically holds the reverse, that religion itself must be shaped by one’s cultural philosophy. But that is a subject for a deeper and longer essay, and in any case the default positions of conservatives are seldom fully informed by Catholic social teaching. So let me touch on some other factors.

Defending an Emphasis on Domestic Concerns

The first is that CatholicCulture.org has a worldwide audience. My discussions of budgets, regulatory power, entitlements, debt, and the economy are designed to apply equally to most Western nations. Among these, only the United States is conspicuous for
its enormous defense budget. The expenditures of other nations are far more modest, yet most of these nations are in deeper economic trouble than the United States, precisely because they have gone even further down the road to the creeping totalitarianism of the classic secular nanny state (not to mention widespread demographic problems throughout the West, a problem traceable to the same selfish root). This in itself suggests strongly that military, defense and security issues are not the primary problem.

The second factor is that, very frequently, those who raise the question of military spending in America do so with wild exaggeration. It is frequently stated, for example, that the United States spends a majority of its Federal budget on war, defense and security. But in fact this is not true. The U.S. budget is actually dominated by three fairly equal behemoths: Defense (which has only in the last year or so become by a small margin the largest of the three), Welfare entitlements (with Social Security leading the way), and Health entitlements (with Medicare way out in front). In 2012, total U.S. expenditures are estimated at $3.7 trillion dollars. Of that total, the broadly-defined defense category accounts for almost exactly one-quarter. That is huge, but it is nowhere near a majority.

The third factor rests upon a proper understanding of the purpose of government, which is to promote the common good in ways that individuals and other organizations cannot do for themselves. No matter whose account of the purposes of government one may read, defense will always be included in the short list of things any legitimate government must take care of. But whether government ought to take charge of medical care or of economically sustaining all those in need is a much-debated question; the same debate surrounds constant regulation of human activity for fairness and safety. Many theorists would argue that once government has made its territory safe from malefactors and has done what is necessary to facilitate the development of important universal infrastructures—thereby creating a national zone in which citizens may flourish through their own proper activities—the best thing government can do is step aside and intervene as little as possible.

The degree to which this is true is eminently debatable. The devil is always in the details. But there can at least be no question that such a stance encourages citizens at every level of personal and organizational activity to work out solutions to the problems of their own communities, whereas excessive government interference discourages personal and local initiative while making the social order dependent on government, rather than—as it should be—the other way around. Typically, initiative and freedom are destroyed by one and the same blow.

This too is part of a larger debate. My point here is that national defense is without
question proper to government in ways that constant domestic regulation and citizen entitlements are not. But now let me return, in broad terms, to the question of American military, defense and security spending.

**American Foreign Policy**

Whatever may be said about national defense against direct attack and the defense of American citizens against terrorist acts (two subjects which I will not address), I believe that American foreign policy tends to consistently violate both Catholic social teaching and prudence in three important ways:

1. **Hedonistic Cultural Imperialism**: The United States, along with the secular West in general, labors under a profound illusion that the proper—indeed the only—way to secure the common good is to eliminate the influence of tradition, religion and family so as to encourage a secular individualism which enables everybody to do exactly as he pleases. There are enormous flaws in our culture deriving from our blindness in these matters, all of which tend to break down many positive beliefs, habits and institutions which hold society together, foster strong intermediary organizations, strengthen the family, and promote virtue. Yet we export our own brand of individualistic hedonism everywhere we have cultural, economic or political influence. This is not only damaging; it also creates bitter enemies.

2. **A World Safe for Democracy**: The United States also believes that the only solution to the question of polity in any nation or region is the implementation of Western-style secular democracy as it has evolved in our own culture over the past thousand years. As a result, whenever we do enter a particular country militarily, we are reluctant to depart until we have remade that country in our own political and cultural image, short-circuiting modes of expression and organization common to the surrounding culture, and leaving people with a form of government they are unprepared to understand, let alone implement and sustain. Our idea of “stabilization”, therefore, necessarily involves massive transformations and long commitments to seeing that things are done our way—projects which extend far beyond whatever threat induced us to take military action in the first place.

3. **Enforcing Our Own Self-Interest**: While the United States seeks to portray itself as altruistic in its foreign policy (and may at times actually be altruistic),
the justifications we offer for particular policies and interventions abroad are generally selectively implemented. For example, we may claim to act to eliminate some tyranny, but in fact we generally do not attempt to eliminate all tyranny but select as our targets those countries where some particular self-interest is at stake. Not only do these special interests often give the lie to any motives which might justify an intervention, but the overall impact is to display a remarkable hubris—an assurance that we are always sacrificing ourselves for the good of the rest of the world—which most people in most places find laughable, even on the occasions when it is at least partially true.

These three problems contradict Catholic social teaching in that they misconstrue the nature and ultimate good of the human person, they fail to respect both deeply ingrained human customs and religion itself, and they make of American power an excuse to police the world in ways which demean the equal rights of other peoples. Moreover, sometimes these failures result in a tortured use of just war theory to justify foreign adventures of an extremely dubious and imprudent nature. Finally, our hubris in these matters often causes our nation to overreach what it is really capable of achieving—to overreach, indeed, what any nation is ever capable of achieving.

Please note this important point. We are not wonderfully sensible, noble and good abroad and just the opposite at home, nor vice versa. The same tendencies which result in ill-considered utopian schemes at home lead to ill-considered utopian schemes abroad. The result is that we frequently increase enmity abroad in the name of friendship and support, while overburdening ourselves at home by investing far too much in situations which seem, to a more prudent intelligence, to be beyond our legitimate scope. I am very sad to note, as a Catholic, that too many conservatives in the United States have never met a war they did not like. I often wonder what friends we might have abroad if our foreign policy could be altered to have just the opposite effects!

I have painted these matters with a broad brush. I do not mean to oversimplify any question that arises out of the complexities of peace and security, any more than I mean in my discussion of domestic policies to oversimplify any question that arises out of legitimate human need here at home. Each issue must be examined on its merits. But in the United States, the economics of our perpetual spending on defense makes its own significant contribution to draining us dry. And to a large extent, I think the same argument applies that I have made about domestic concerns. Just as I am convinced we have arrived at a point when it will be almost universally wiser to cut back government
intrusion here at home, so too am I convinced that the same is true of our foreign policy.

The world is not our oyster. And even if it were, an overweening, secular, hedonist America would only lose the pearl.
War of the Drones

May 07, 2012

I haven’t studied the situation thoroughly, but the ever-increasing use of drones by the United States to “take out” small targets throughout the world is very troubling. President Obama has escalated the use of drones throughout his administration, using them in Pakistan for the past several years, and now authorizing them for use in Yemen. Of course, the drones tend to force terrorists out of one territory and move them to another. That process may never end.

Drone strikes have the advantage of being quite precise, and their limited firepower tends to cause less collateral damage than clumsier options. The technology enables the United States to target specific individual persons at known locations and send in a drone to “eliminate” them. Such surgical strikes have one other great advantage to the United States: They are completely robotic; they do not put our own personnel at risk. At least not directly, as part of each specific mission: the overall results may be very different.

But there are dangers, I think, in the separation of warfare from risk. Bomber pilots have long commented on the oddness of dropping their payloads on the nameless and faceless, which is so different from hand-to-hand combat. And now sending robots against living persons raises a new set of questions about what it means to be dehumanized.

And do drones make presidents trigger happy? It seems that some “terrorists” have been targeted who have not been guilty of anything but advocacy, and today’s policy of “intelligence signature strikes” permits drones to be sent out when a combination of sources indicates the presence of a member of al Quaida. One wonders how often the requirement for a “clear indication” is stretched. One wonders how often innocent persons are inadvertently targeted. It is not so long since we’ve fought an entire war based on faulty intelligence reports.

Another problem with this and other very precise military operations is that they blur the distinction between war and police work, between fighting a battle and executing a criminal. Of course, terrorism itself blurs this distinction. But the whole situation is too easily used to morally justify actions which lie outside of the just war tradition, such as preemptive strikes, whether against individual persons or nations as a whole.

Moral dangers exist on every side, including the danger of redefining enemies as

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criminals. One may attempt to establish friendships and alliances with enemies; one would not ordinarily do so with criminals. And when it comes to combatting terrorism, it would seem obvious that establishing friendships is at least as important as military efficiency. Which nation, I wonder, appreciates having America’s robotic drones zipping in and out whenever America wants to take out a target?

The war against terrorism is complex and many-sided. None of this is simple. But even if some drone attacks are justified, as they almost certainly are, this is a very dangerous path. Once we’ve gone down it, will we be able to return?
Governing Politics

June 29, 2012

How are we to keep politics under any kind of legitimate control? The question is not simply a matter of political legitimacy, for the legitimacy of any specific political authority is fairly murky. It is easy enough to see why political authority in general is always part of the human experience. But the step from a general understanding of the legitimate role of public authority to the legitimacy of any particular government is most often shrouded in mystery. Moreover, the legitimacy of any particular law or government action may be shrouded in something very much worse.

Although we can trace the history of each political regime, we can give only provisional reasons why this or that particular regime should be accepted and obeyed. For example, we may believe in monarchy, but we will be hard-pressed to say why this belief should trump that of our neighbors who believe in democracy. Or we may accept one claimant to the throne while rejecting another, but when we look at the reasons for these preferences we will look in vain for anything other than a human tradition that we cannot fully explain. Similarly, we may believe that only democratic rule is legitimate but we will find it very difficult to answer those who argue that the regime we accept is actually not sufficiently democratic. Or again, we will find it difficult to brand every non-democratic regime in history as illegitimate.

And what reason will we give for accepting laws passed by a particular existing legislature instead of establishing another and different sort of legislature? What absolute reason can an Englishman give for accepting the decisions of the current Parliament or an American for accepting the decisions of the current Congress? We might argue that these bodies are in place, and that they were somehow put in place legitimately by our ancestors, perhaps even in the form of a written constitution. But why should the decisions of our ancestors bind ourselves? Why should we not start government all over again, designing another sort of structure and a different range of constraints to better suit our own needs?

Political authority is the means by which the human community—inescapably composed of interdependent social beings—secures the public good. By “public” here, I really mean the common good, the establishment of those conditions which are necessary for community life to flourish, conditions which benefit all. We recognize in
general, then, that the common good demands some sort of community governance. But despite this general understanding, the plain fact is that we accept current modes of governance as legitimate primarily as a matter of political convenience.

Except in rare instances, our particular modes, structures and procedures are in place by default. They are “what we have”, and there is no reasonable prospect of having something else. There is broad agreement, for better or worse, that our present institutions are semi-workable and that obedience to their decrees is better than the anarchy which would result in the absence of such obedience. And so we argue, often vehemently, that our government is legitimate and that everyone has a moral obligation to obey its edicts. But what lines shall we draw, and where shall we draw them? As a matter of philosophical consistency, all this is very weak.

The Question of Legitimacy is Instructive

In both theory and practical experience, the argument for legitimacy falters as government becomes ineffective on the one hand, or tyrannical on the other. The reason is that we all understand that political authority exists for the common good. Therefore, when a government becomes incapable of serving the common good, or refuses to do so, it may legitimately be replaced. People will disagree, of course, over how bad the present government has to be before it is strictly legitimate to ignore it or replace it with something else. They may also be reluctant to draw even the most obvious conclusions if there is no alternative on offer, or if there are punitive consequences for speaking against a tyrannical regime. But as more and more citizens see in their own regime either a systemic breakdown or a systematic abuse of government, the conviction grows that the establishment of a new government would be not only desirable but right.

More often than not, major shifts in governance depend on a combination of cultural expectations and political opportunity. A culture that has little or no experience with competent government will tolerate a higher degree of incompetence, just as a culture with little or no experience with freedom will tolerate a greater abuse of power. A culture with a strong sense of the moral principles which define the common good will have a framework against which to judge the record of its own government, and will find it easier to impose appropriate constraints on those who govern. The constraints desired by a culture which is philosophically and morally at sea will be very different, inviting the abuse of power.

But we must also remember the problem of alternatives. It is only when powerful social leaders are prepared to offer an alternative that a complete change of government is possible. When people want to change the government owing to its incompetence or its
abuses, there still has to be an alternative with which the current government can be replaced. There has to be a viable force to contend with the present government if it is tyrannical, or an effective influence that can propose and establish a new form of government in the face of an incompetent regime.

When a sense of lost legitimacy reaches critical mass and combines with a viable alternative, the very nature and mechanisms of government will change in a way that is ordinarily regarded as legitimate. Such changes may be hotly contested among both politicians and citizens as differing judgments are brought to bear on the situation. But the basic rule is this: A government which can secure the common good (i.e., effectively and properly) will gain legitimacy, and the vast majority of citizens will argue that it should be obeyed. From this we see, once again, that our understanding of government is inescapably rooted in our perception of the common good.

**Political Power and Political Restraint**

The fundamental murkiness of political legitimacy dooms all efforts to place an absolute value on past ways of doing things. Arguments based on a written constitution, for example, work only insofar as there remains widespread support for the provisions of the constitution in the culture of the moment, and especially among those who wield power and influence in that culture. Many cultures have gotten on quite well without written constitutions, and the only significant argument in favor of adhering to a constitution is the general utility it provides for securing the common good in any given culture. These arguments may be strong or weak in themselves, and they may be perceived as strong or weak by the majority of citizens, or the majority of those who matter most. But in fact there is no absolute argument in favor of strict adherence to a constitution. It is simply the way some cultures and governments do things. And both cultures and governments can change.

In other words, legitimacy does not consist in how things have been done in the past, nor in what is written down in a document adopted by other people in another time. The touchstone of legitimacy is whether the existing government secures the common good. The question is whether the government can effectively create, foster or secure the conditions necessary to the flourishing of the community over which it presides politically. Given the nature of both government and the common good, these conditions inescapably involve striking a proper balance between personal liberty and public order. When personal liberty is excessively restricted, government tends toward tyranny, which always undermines the common good. And when public order is lacking, government reveals an incompetence which renders it incapable of securing the common good.
Now it is critical to recognize that in fostering the common good, there is no such thing as a perfect and widely reproducible balance between personal liberty and public order. Within broad limits, the desired balance will vary with the conditions of the culture within which a government operates. The balance will be different in times of crisis, such as war or famine or natural disaster; it will be different in a culture with strong intermediary institutions or a culture in which, for whatever reason, citizens are formed with a keen desire to contribute to the common good; it will be different in a culture characterized by widespread lawlessness or by the threat of external attack; it will be different according to whether a culture is simple or complex, rural or urban, agrarian or commercial; it will be different according to the operative values of the dominant culture, including the cultural sense of what problems should be dealt with in common and what should not.

There is room for significant differences of opinion about the balance between liberty and order in every culture. Indeed, there are few absolute rules about this balance. It is very difficult to argue, at the level of the absolute, that the government must or must not, under any circumstances, involve itself in this, that or the other; or not restrict liberty in this way or that way or some other way. Different cultures are disposed to organize their affairs in very different ways, and with rare exceptions prudence is essential to estimating the overall impact of each decision on the common good, within the operative context of the present culture at the present moment.

Everybody agrees that both too much government and too little government ultimately undermine the common good, pointing again to the Scylla and Charybdis of tyranny and incompetence. But between the two lies a vast field of action. As we have seen, neither constitutions nor past arrangements can provide any sort of absolute guide, for these too were in their time political conveniences, rooted in a specific cultural context. Such conveniences may be regarded as normative in the current situation, or they may not. Where, then, can we look for guidance?

**Natural Law**

In the American context, I will part company with many conservative friends by stating that I hope never again to hear anyone argue anything from the United States Constitution as a matter of absolute necessity. Please do not misunderstand me. Our Constitution is valuable on two counts. First, it still provides many of the basic rules of government upon which we rely for securing the common good. Insofar as these basic rules are widely accepted and ordinarily used in conducting our political affairs, they have the advantage of providing a framework for acceptable political maneuvering. It is
enormously advantageous to the common good that all parties should play by the same political rules. Insofar as constitutionality is still respected within our system of government generally, it should still be used. But it is also clear that a careful reading of the Constitution is not at all a reliable predictor of future law.

Second, for historical reasons, the provisions of the American Constitution enshrine a far greater understanding of and respect for the natural law than most political theorists possess today. Insofar as the Constitution can be used effectively as a shortcut for governance according to the natural law, it should be used in exactly that way wherever it is respected. But this second point highlights the fact that the Constitution is in no sense an absolute source of guidance for law and politics. Rather it depends for both its validity and its ultimate helpfulness on the prudence of its practical provisions within the limits set by the natural law itself. The natural law, in fact, is the sole absolute moral arbiter of what government should or should not do. Good governance is really very easy to define: It is simply political prudence exercised within the confines of the natural law in order to secure the common good.

It is true that our cultural context no longer permits easy advertence to the natural law. The idea is either foreign to or rejected by many Westerners. But the natural law, unlike past ways of doing things and unlike written constitutions, transcends cultural contexts and remains valid for all times. It is both the first and the universal means the Creator uses to instruct us in our nature, limitations, purposes and ends. In fact, the few absolute restrictions there are on government come solely from the natural law, as do the fundamental principles of the common good which government is morally bound to take as its guide.

Consider: It is contrary to the natural law to take an innocent human life. Therefore, under no circumstances may government intend to do this in any of its rules or actions. The natural law recognizes the family—a mother, a father, and their potential and actual children—as the fundamental unit of the social order, an institution which is prior to government itself. Therefore, under no circumstances may government seek to displace or weaken the family as the bedrock of a healthy society. And so it goes: Every absolute restriction on government derives from the natural law, and only from the natural law.

But the natural law also specifies, in a sort of broad outline, the principles which must be operative if the common good is to be secured and enhanced. For example, the principle of the universal destination of goods holds that God created the goods of this world for the benefit of all, not just for some. We know this principle from the natural law. The principle of solidarity holds that, as man is a social being who best achieves every kind of success through interdependence, therefore the common good can be fully
secured only through the active concern of all for all. We know this principle from the natural law. The principle of subsidiarity holds that, as both human dignity and human development depend on the person’s participation in the decisions which are taken to solve the multitude of problems with which he must struggle, so therefore it is immoral for government to invest control over such solutions at any level other than the lowest possible. We know this principle from the natural law.

Catholic Social Teaching

Obviously there has been a great deal of thought about the natural law throughout history, and many different cultures have expressed these fundamental principles in various forms. But we Catholics also know that God has invested the Magisterium of His Church with an unerring ability to properly articulate all the principles He has communicated to mankind to assist us in living properly and achieving the ends for which we were made. Thus the Catholic Magisterium has the ability to elucidate not only formal Revelation but that law which God has built into nature itself.

This is why the Catholic Church does not insist that there is only one right form of government or that each government in every time and place must enact a certain set of specific laws or arrange all of its affairs in exactly the same way. On the contrary, through her social teaching—all of which is based squarely on the natural law—the Church simply articulates the truth about man, and the fundamental principles which must be followed if the person is to achieve his full potential in community, including the fundamental principles which ensure the common good.

A grasp of these principles is absolutely essential to sound government, yet these principles typically no longer animate the institutions, laws, mores, politicians and citizens of contemporary culture. In the West in particular, the old order is passing away, if it is not already gone. Moreover, it is impossible to appeal to the past in a culture which has no respect for tradition. For this reason, arguments from constitutionality, judicial precedent, and the habits of our forefathers are increasingly ineffective. But though many may dismiss the natural law as part of some old tradition, the natural law is not really in or of the past. It is always present and in our very bones.

Consequently it behooves all of us to shift the terms of every debate, at least as much as we can. We need to seek guidance in the natural law concerning what is right and good for man and the human community, and we need to undertake prudent analysis of the various solutions which present themselves within that framework. The sooner we can rid ourselves of extraneous and ultimately meaningless arguments the better. The natural law and prudence are the only true limits on government, and almost every lesser
argument is now perceived as manipulative, self-serving and partisan. When it comes to governing politics itself, only the natural law, implemented prudently, is capable of rising to a broader—and indeed a higher—level of assent.
Conflating Politics and Charity: A Mistake We All Make?

July 17, 2012

It is evident in nature that men and women are social beings, but it is sometimes a shame that we are also political animals. This leads us, very often, into the neglect of the supernatural virtues which have been infused into Christian souls by God. Let me explain.

This neglect is often seen in the confusion of political action with charity. There are a variety of reasons for political action, but most of them derive from our desire for a well-ordered society in which disruptive extremes are kept to a minimum. Through politics, we generally seek to ameliorate some inequity suffered by the marginalized in more or less the same way as we attempt to remedy some inequity occasioned by the powerful. These are requirements of the common good which arise from justice.

Liberals and conservatives tend to differ over what problems are best solved by governmental action, and also over how far various solutions ought to be pushed. Surely our apprehension of human goods and values enter into such decisions, but only infrequently will these decisions be determined by a consideration of supernatural virtues. Most often, in fact, such virtues would be ruled out of political bounds. Again, through politics we are not generally aiming to respond in the deepest way to the demands which God places on each one of us as Christians; rather, we wish simply to ensure a certain stability, peace and prosperity in the natural order.

What is dangerous is our tendency to allow what is clearly only one component of human well-being to be mistaken for the whole. Conservatives frequently make this complaint against liberals. It is characteristic of the liberal mind (as it is of philosophical liberalism) to see the social order as something which man can perfect through the rational action of governing elites, shaping the social order according to their superior expertise. Liberalism, then, inescapably contains a certain element of secular utopianism, in consequence of which the liberal too often sees himself as quit of his social obligations if he has gone through the motions of influencing government to take care of things.

This may explain why liberals in the United States give forty percent less to charity
than do their conservative counterparts, who generally see a stricter separation between the proper scope and duties of government on the one hand, and all the other problems that need to be addressed on the other. Even so, and at the risk of denigrating this forty percent gap, this is hardly an adequate measure of charity. After all, the conservative may simply prefer to work toward his ideal social order through non-governmental organizations. In any case, it is common for conservatives to fight mightily in the political order against the notion that the demands of charity can be met through political programs and in favor of a wider scope for private action. But when the political battle is done, they may content themselves with a certain self-satisfaction in defending the right and necessity of personal charity, without any commitment to put a significant portion of their efforts into any sort of charity at all.

Of course insofar as no liberals and no conservatives have been animated by the supernatural virtues, particularly the virtue of charity, we may be content to let the devil take the hindmost. What more, after all, can we expect of pagans? But insofar as there are real Christians in these two broad groups, then the lure of political battles can become a kind of trap. Political action can make us think we have done our part in the work of charity, just as it can occupy far too much of our energies for far too little return. Indeed, given the typical choices available in most political campaigns, it is probably an understatement to suggest that we ought to be giving serious consideration to putting our energies someplace else.

In any case, charity demands a deeper and more direct engagement with real persons in real circumstances, an interaction with the whole person whenever possible, in order to raise both the recipient of our charity and ourselves to a higher level, both natural and supernatural. Charity must change all of our relationships, deeply touching the lives of our family members, friends, co-workers and the other members of our community with whom we interact. In addition to our vocational duties—our special treatment of and love for those who share with us the burdens of our particular path in life—the potential scope of our charity is perhaps best summarized by the spiritual and corporal works of mercy:

**Spiritual:**

- To instruct the ignorant;
- To counsel the doubtful;
- To admonish sinners
- To bear wrongs patiently;

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• To forgive offences willingly;
• To comfort the afflicted;
• To pray for the living and the dead.

_Corporal:_

• To feed the hungry;
• To give drink to the thirsty;
• To clothe the naked;
• To shelter the homeless;
• To visit the sick;
• To ransom the captive;
• To bury the dead.

Now we may not all have frequent opportunities to directly engage in all or even most of the corporal works of mercy, though we will certainly find real opportunities for some of them, even among our family or our ordinary circle of acquaintances; and we have the opportunities to engage in all of them through truly sacrificial support of appropriate organizations. As for the spiritual works, well, it is a rare soul who will not have ample opportunities for all of those. Suffice it to say that there are more ways to instruct the ignorant, counsel the doubtful, and admonish sinners than even politics provides!

Why do I bring up the obvious? Because we constantly forget it, and we tend to forget it even more colossally than usual when we get involved in politics. For example, this will pose a special challenge to Americans between now and November, resulting in an almost certain decline in charitable activity during our Presidential campaign. This problem has many related aspects, and I’d like to call your attention to another one in _Words I Wish Had Been Mine: On Charity_. But here my point is very simple: For the Christian, politics is never enough. Our political involvement does not even begin to discharge our divinely-appointed duties. And oh by the way, politics cannot save.
Intermediary Institutions Represent, Preserve and Shape a Robust Culture

August 10, 2012

Those who read After Liberalism, the Deluge? will see that once again I call for the formation and strengthening of culture through “intermediary institutions”. Some might say: “This sounds grand and noble, but what does it really mean? What can we concretely do to form and strengthen culture through intermediary institutions?”

As a social being, the human person flourishes to the highest degree in a cultural environment in which a wide range of legitimate human interests and ends are pursued cooperatively to achieve a higher level of perfection than the individual can typically achieve on his own, and to influence and enrich the larger culture as a whole. Typically, such cooperative efforts give rise to what we call intermediary institutions, cooperative agencies of human organization which—through their own particular excellence, effectiveness and earned respect in a particular field of human endeavor—exercise a powerful influence on how individual persons pursue certain goals, the boundaries and standards applicable to those pursuits, and the responsibilities inherent in them.

It is often said that this cooperative spirit, and the number of intermediary institutions it generates, is substantially greater in the United States than in other Western nations. Nonetheless, it grows more difficult with every passing year to undertake cooperative activities even in the United States because of the increasing burden of laws and regulations which demand that such activities adhere to a particular blueprint for approval by the State. It is far harder now than fifty years ago, for example, to do everything from establishing a social service organization to constructing a playground for local youngsters.

Moreover, throughout the West, many “blueprinted” organizations are actually no longer cooperative, but operate with State funding derived from enforced taxes. Those who wish to establish alternative organizations (whether to recover the heightened personalism of truly voluntary service or to escape the prevailing ideology) must make extreme sacrifices. They must double both their financial burden (paying taxes plus funding their own independent establishments) and their burden of effort (meeting regulations while focusing on their own central purposes). Lacking State subsidies, they
must also charge more for any services they provide (either direct charges or donations). This creates an unfairly competitive conflict between robust cultural institutions and the coercive ideological power of the State.

Under what we call “hard” totalitarianism, the establishment of authentic independent intermediary institutions is all but impossible, except insofar as they are kept secret. In the more typical “soft” totalitarianism of the West, however, there is still some room for the creation of robust institutions which, though they may be small and beleaguered now, are likely to be the foundation for positive human development and social organization as more and more people seek a life apart from the State, or as the State grows less effective, or as the State collapses, in the end, under its own weight.

What, then, are some of these actual and potential intermediary institutions?

• **Churches**: Whatever may be said of other religious associations, it must be clear from the outset that the Catholic Church is not an intermediary institution in the same sense as the other institutions on this list. The Church is the ultimate spiritual authority, without peer in her own sphere, and operating in an important sense from the top down. But with respect to the social order as a whole, the Catholic Church—along with all other churches which authentically interpret the ways of God to men—is the most important intermediary institution of all. Churches are voluntary associations in which men and women learn about human ends and values, find great encouragement to live responsibly, enjoy mutual assistance, and receive the grace that enables them to purify and elevate all of their interests and endeavors. Every effort to strengthen an individual parish, local church or religious community—including all outreach programs designed to bring more people within the orbit of a church’s beneficent influence—is a signal contribution to human culture at the deepest and most pervasive level, and one which also forms a substantial bulwark against the usurpations of the modern State.

• **Schools**: Next to churches, independent schools are probably the most important intermediary institutions in modern society. After the family and the church, schools do more to form, educate and provide a basis for further development and achievement than any other institution. For exactly this reason, the need for both independence from the State and commitment to religious values is critical in schools. Education should be motivated by love and guided by our understanding of the nature and ends of man, as learned from both natural law

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and Divine Revelation. Ideally, schools serve as a legitimate extension of the parental role in forming children, drawing standards and goals from the values and commitment of well-formed and well-educated parents, and providing this same richness to children of parents who, perceiving that they lack some elements of this formation and education, desire it for their children. In developing schools, provision of financial aid to poorer families is a signal service.

- **Hospitals and Clinics**: As the long history of Catholic hospital care demonstrates, there is tremendous value in medical care provided in a spirit of loving service according to the full range of moral and spiritual values which ought to serve the whole person. This is an area now much-threatened by government regulations, including regulations arising from ideology, and threatened as well by the overwhelming costs of medical care in an age of rapid technological advancement. As the threats increase, however, the need only grows.

- **Social Service Organizations**: There is scarcely a human need that does not call to mind the immense benefit of having some voluntary, cooperative agency to address it. Problems may arise from disability, unemployment, sickness, poor or non-existent housing, unfair business practices, opportunity limitations, extreme poverty, crime, abuse, divorce, other family problems, and more. There is still a tremendous range of options available for cooperative efforts in these areas, which will again be most often inspired by the self-sacrificing love and essential values demanded of Christians by the gospel.

- **Professional Associations**: Animated by a proper understanding of the nature and ends of man, a profound respect for morality, and a desire for the highest excellence of a particular field of endeavor, such associations not only address common problems and improve the work and achievement of their members but also more widely extend the benefits of their field of work to society as a whole, thereby further enriching the culture at large.

- **Cultural Organizations**: Using the term in its narrower sense, cultural organizations are oriented to the exploration and dissemination of the works of man’s higher faculties with respect to the transcendentals: truth, goodness and beauty. One thinks here of organizations devoted to music and the arts, lectures and discussions, literature, readings and performances, which both foster
attention to these transcendental goods and enrich culture through exposure to achievement in these areas. Once again, when infused with a deeper vision of reality, often with a specifically religious inspiration, these endeavors frequently rise to greater heights.

- **Recreational Initiatives**: The promotion of wholesome forms of recreation, again often formed or inspired in part by the desire to glorify the God from whom we receive every good gift, also performs an important cultural role, both negatively and positively. On the one hand, these initiatives reduce the temptation for people to use their spare time destructively; on the other, they provide refreshment, entertainment and a sense of camaraderie which leads to cooperative success.

There are other types of intermediary institutions as well. Also notably absent from this discussion are three important topics: (1) The way in which a variety of such institutions, all inspired in part by a common Christian vision, combine to shape a larger culture; (2) A consideration of various forms of local government, in which citizens genuinely participate, as intermediary institutions which can counter-balance the usurpations of higher levels of government; and (3) The importance of the family which, as the fundamental cell of a healthy society, is critical to the success of all other endeavors and which, when injured or broken, virtually guarantees the collapse of culture.

But for now I have provided some background and the beginning of a specific list of the kinds of possible intermediary institutions, knowing that in each category, the specific purposes and forms of these institutions can be many and varied. If readers will comment on specific intermediate institutions with which they have experience, I would be glad to flesh out this discussion with case studies.
Practical Economics: How Things Work, Why There is Room for Morality, Where to Go from Here

August 31, 2012

There is a great deal of debate over the economy in the current Presidential election. Indeed, the Republican ticket has focused the election on economic issues, and particularly on government spending, by adding Paul Ryan as its Vice Presidential candidate. This enables the Democratic Party to take shots at Republican economic ideas, in the hope that most voters will be wary of losing “entitlements” if the Democrats fail to win the election.

Unfortunately, ignorance concerning economic issues is widespread in the United States, and judging by the current political-economic problems elsewhere in the Western world, the problem is by no means restricted to America. When I say “political-economic” problems, I am referring to the fact that voters everywhere seem to expect their political choices to determine what happens to the economy, as if governments can produce wealth by fiat.

In America, at least, there are two good reasons for this confusion, which I can illustrate here only with very broad strokes. First, the Federal Reserve banking system seeks to manipulate the economy by controlling the money supply, and ever since the early 20th century, American policy has tended to simulate increased wealth by “easing” the supply of money. The problem is that this is inherently inflationary, reducing the value of money. Moreover, Federal Reserve banking tends to mortgage each dollar more than once, making multiple financial commitments against the same real money, to stimulate growth. The problem with this is that it dramatically increases risk for everyone invested in the system. Such a system works only when there is no more than one default for each sum of money being promised as security for debt, yet typically loans outpace real money by a factor of ten.

Second, since the time of the Great Depression, the American government has used a combination of taxation and debt (borrowing) to solve (or attempt to solve) economic problems for American citizens. There is a kind of “rob Peter to pay Paul” aspect to doing this, but the result is that voters frequently think that government can simply
decide to make things better or worse, without any fundamental accountability to the way the economy really works—that is, to the real wealth available, and how it is produced (which is not by government). In this sea of confusion, much of politics consists of promising the maximum prosperity to swing voting blocks. So I repeat that the confusion about political-economic questions is understandable. But that doesn’t make it good.

The Left-Right Debate
Conflicts over political-economic issues are significantly exacerbated by the left-right dialectic which plagues the West generally, and which Pope Benedict XVI addressed in his recent social encyclical *Caritas in Veritate*. There are quite a few significant insights in this encyclical, but surely one of the most important is Benedict’s insistence that a binary view of society—the view that pits the business tycoon as a producer of wealth against the State manager as a distributor of wealth, conceiving nearly everything in these terms—is “corrosive of society” (#39). Yet much of the left-right dialectic is built on a simplistic myth involving “selfish and evil” capitalists, tolerated only grudgingly because they produce wealth, and “good and caring” State authorities who must spend much of their time crafting regulations to make sure the majority of citizens do not get the fuzzy end of the proverbial lollipop.

In our precise moment in history, there are several factors which are stimulating a greater effort to make sense out of the prevailing confusion, and to back away from our mythical dialectic. The most important factor is the massive and debilitating debt amassed by most governments, and especially by our Federal government. The problem is so severe, that bankruptcy has already occurred at some lower governmental levels, and bankruptcy—with its resulting crashing and burning—seems just around the corner even at the Federal level. Unfortunately, a materialistic citizenry used to turning to the government for its economic well-being often falls into one of three traps in dealing with the fundamental economic realities, including the reality that not even government can continue indefinitely to live beyond its means. Citizens (a) do not really understand why government cannot simply keep giving out money; or (b) are content to insist on so-called entitlements here and now no matter what the consequences in a few years, or the consequences for future generations; and/or (c) fail to recognize the connections between declining prosperity and the general failure to produce a numerous and hard-working next generation.

The recent meltdowns of the financial sector have also, I think, contributed something to the erosion of the dialectical myth, at least among students of what has
actually happened. It is not that the image of the selfish businessman has been improved—far from it—but only the most mythical interpreters of reality have refused to admit that government regulation played a significant role in this meltdown, that regulation alone cannot dictate financial probity, and—most jarring of all—that there is a very curious and unhealthy relationship between government regulation and big business. Specifically, the regulators come into government from business, make rules, and then move back out into business knowing how to work the system; moreover, this creates and perpetuates a “good old boy” network among politicians, regulators and business leaders. In other words, while the evil capitalist hasn’t come close to getting his halo back, many people are beginning to wonder why politics and business so often appear to be different names for the same thing.

Still, the ideological wars continue, based on a combination of myths and shameless pandering to self-interest. On the one side we have the interests of businessmen who would like to become richer; on the other we have the interests of voters who think certain kinds of politicians will give them a bigger piece of the American pie.

The Realities of Economics

There can be no longer any question, I think, that when it comes to understanding economics and how wealth is created, advocates of the free market have the greater grasp on reality by a country mile. They know several things which it is scarcely possible any longer for a sane person to deny. I would group this knowledge into three categories:

- There are clear relationships among the money supply, wages and prices which are part of the nature of reality, and which enable us to understand the consequences of artificially manipulating any one factor. Thus, if government mandates higher wages, there must in theory be a decline in the number of people who can be employed. If government mandates lower prices for certain goods and services, there must in theory be a decline in the availability of those goods and services. If government increases the money supply, the value of each unit of money must decline. If government shifts money from a high-entrepreneurial group to a low-entrepreneurial group, there are two inevitable results: First, the costs of the transfer are siphoned from the investment pool; second, the transferred wealth will have a smaller impact on long-term economic growth than what otherwise would have been the case. And so on.
• **No centralized plan can organize the economy as well as the free market does.** This was recognized at least as early as the Catholic scholastic writers of the early modern period, and its truth has been driven home by two critical factors. The first factor is the abject, consistent and inevitable economic failure of all societies based on socialism (that is, any system which relies extensively on government ownership of the means of production and/or government planning of the economy in general). This is not only because socialism eliminates the kind of incentives which naturally drive human creativity and work, but because government has no means apart from the market itself to determine the necessary economic indicators on the basis of which proper decisions can be made. The second factor is the increasingly obvious sheer impossibility of centrally managing a process which (a) has too many variables for effective tracking, analysis and coordination, and (b) depends for its very vitality on the decisions of a great many creative persons who respond, each in his own field of endeavor, to the opportunities and risks they encounter “on the ground.”.

• **The standard of living is driven by labor efficiency:** Unless one has a source of wealth drawn from outside the economic system in question—bringing ships of bullion in from the New World, for example—which can temporarily skew this economic law, improvements in a society’s living standard always (and only) come through increased efficiencies in the use of labor. When the labor required to produce certain goods and services is reduced, those goods and services become more readily available at a lower cost; as a society gains the ability to work more efficiently to produce the things people desire, there is a corresponding rise in the ability of members of that society to possess the things they desire more easily. For this reason, entrepreneurial activity—the creativity and financial investments of those who can conceive and implement new and more efficient ways of producing things—is the primary and by far most potent driver of increases in the standard of living in society as a whole.

Unfortunately, conservative champions of the free market have not done our collective understanding of economic reality any favors by insisting, in their zeal to stave off government intrusion, that economic theory plays itself out in practice as if there is no leeway for decision-making whatsoever. Wages and prices, they tend to imply, are always *exactly* what the impersonal market determines; there can be no variable range;
and any effort by anybody to tinker, be it ever so small a tinkering, must inexorably lead to disaster. Moreover, driven by an enlightened self-interest (they argue), the businessman will at least generally do things in a way that favors success with both customers and employees over the long term and, if he does not, the market will weed him out quickly enough. In other words, though they deny it vehemently when pressed, free market apologists have an annoying habit of falling into the trap of arguing (against government intervention) that whatever is, is best.

**Still Plenty of Room for Judgment: Within the Economy**

Now there is a great deal to be said for this view that the market will, at least as a general rule, sort things out far better for our economic well-being across the board than will significant intrusions into the economy by the State. But this general expression, which should certainly give us great pause when considering government intervention in the economy, still leaves a large space for human decisions and in particular for moral decisions. Without a realistic understanding of how economies function, the best moral sentiments are likely to prove economically fruitless. But within a realistic understanding, the most important decisions we can make will often be moral decisions.

There are two main areas in which human judgment, and in particular human moral judgment, can and should be exercised economically. The first is in the space for human creativity that always exists within the operations of broad economic laws, and which these laws actually demand as a condition of success. For example, just because an employer knows that market conditions make it impossible to raise salaries across the board from $20,000 to $100,000 per year in a particular business, this does not mean that market conditions have no room for creatively planning the business to maximize employee welfare within the broader trends, or even to introduce new ways of doing business which creatively improve employee well-being. Free market advocates may argue that eventually, if larger conditions warrant, the condition of labor in a particular industry will improve. If work is becoming more efficient, I have no doubt that this is true, generally and in the long run, all other things being equal. But it is not necessarily true specifically and in the short run and, in any case, all other things are never equal. Thus, a businessman who makes the well-being of his employees a priority may be able to do substantial good.

In fact, observation, personal experience, and our own self-awareness (of how we act when certain possibilities present themselves) leads us to understand that not all businessmen are motivated by a truly enlightened self-interest, that those who are lacking it are not always weeded out, and that whole sectors of the economy sometimes
take on a character that is dominated by the very unenlightened self-interest of key players. Economic cultures can form around decidedly unenlightened practices just as easily as human culture as a whole can do so. While competition is a great means of economic improvement, effective competition must think outside the box. Part of thinking outside the box is moral reflection. Within the same old box, there is never any guarantee that competition and other market forces will always, inevitably and quickly shake key economic participants out of their bad habits, including bad moral habits.

Markets are ultimately human creations, which inevitably reflect the multi-dimensionality of the human person. For example, as we are learning in the twenty-first century, through both financial commentators and popes, markets work far better when they are infused with a solidarity which builds trust, than when suspicion dominates. For this and many other reasons, real markets as they develop in real cultural situations are far more than the sum-total of economic laws. And again, those very laws both demand and provide significant room for human creativity, and therefore for the exercise of human prudence and morality.

**Still Plenty of Room for Judgment: Transcending Economics**

The other area in which human judgment can and must operate with respect to the market is in determining what set of goods we wish to secure with the prosperity we have. There are several aspects of this, of which I’ll simply illustrate two. The market for pornography is very strong, and it generates wealth, but there is no iron law of economics that says we must invest in, or even permit, pornography. This is a relatively straightforward “moral calculation” based on the natural law—that we will, either personally or as a society through government, eliminate the economic advantages of a pornographic culture because the sum total of benefits of a non-pornographic culture outweigh them.

Secondly, let me take a more controversial and far less easily-decided example, in the form of a symbol. Just because there are economic benefits to the ubiquity of Wal-Mart, it does not follow that personally or socially we need to become a Wal-Mart culture. I am referring here to our current tendency toward huge mega-stores and mega-services exemplified by such business as Wal-Mart, Costco, Amazon, eBay and many others. The argument in favor would be that these operations, which require immense initial capital, increase product availability and lower prices, solving a very real problem for those with lower incomes, and generally increasing everyone’s purchasing power. The argument against would be what many see as the cultural banality of the Wal-Mart model of life, in which the world is built out of massive enterprises within
which very few people are permitted to play a creative, satisfying or even knowledgeable role; and in which we lack substantial human contact in our financial transactions.

My point is that there is no iron law of economics that says we must subordinate all other values to the values of price and availability of an ever-increasing array of largely incidental goods. In fact, when we do that, it says something profound about our culture. Thus America is frequently described primarily as a “commercial culture”. Yet a culture which prizes other values might organize its affairs differently, even if some economic values are better served by Wal-Mart (again, here used as a symbol). Of course the Wal-Mart concept depends on many other cultural realities, such as high concentrations of people in a given shopping district and an immense and effective transportation infrastructure. Online equivalents rely on a high concentration of online connections around the world, and a truly astonishing shipping infrastructure. But perhaps in an alternative universe, people would be more often spread across small towns, less digitally-connected, and more prone to patronize small shops which are a direct part of their local community life. Or perhaps people would not even consume the sheer volume of eminently discardable things on which the large-store model depends for its low margins. Different cultures and different cultural values (not necessarily moral values) give rise to different models of business.

Moreover, these examples also show that economic realities are never simple. In every case, an economic change will benefit some and hurt others, certainly in the short term, and often in the long term. Seen in a multi-generational perspective, the long-term trend of greater efficiency is likely to help nearly everyone materially, though there may be less obvious social and cultural costs. We humans are not particularly good at assessing the full implications of long-term trends, and in any case a long-term trend does not ease human suffering now, suffering which demands a moral response, including the suffering of families put out of business by big box stores and major online businesses, which only those with access to substantial wealth are capable of establishing. All of these considerations simply suggest that we ought to be wary not only of government intrusion but also of the assumption that whatever is happening “freely” is both inevitable and good.

There is, then, plenty of room for human judgment, and particularly for moral judgment, which at times operates within the confines of the economy and at times transcends the economy altogether. But to give the science of economics, and the market, its due, we would be fools if we attempted to make decisions without some perception of how the economy works and of what the theoretical impact of various changes must be, if all other things are equal—even though, in human affairs, they rarely are. We must
not be naïve: We cannot produce either a robust economy or a robust culture by
government fiat. Indeed, there is strong evidence that government ought to be a last
resort for most things because it tends to weaken culture, which ultimately must be strong
and healthy for every kind of human flourishing. There is no substitute for prudent and
moral judgment in the effort to secure both our private and our common goods.

A Cautionary Tale

Pope Benedict reiterated in *Caritas in Veritate* that solidarity must be present in our
economic relations as in everything else—the concern of all for all. In one place, he put it
this way:

> Even if the ethical considerations that currently inform debate on the social
> responsibility of the corporate world are not all acceptable from the perspective of
> the Church’s social doctrine, there is nevertheless a growing conviction that business
> management cannot concern itself only with the interests of the
> proprietors, but must also assume responsibility for all the other stakeholders who
> contribute to the life of the business: the workers, the clients, the suppliers of
> various elements of production, the community of reference. (#40)

The Pope, perhaps, is expressing optimism about the impact of sensible business theory
in the hope of making a point. But we can agree, I am sure, that business leaders who
possess a truly enlightened awareness of their self-interest ought to find plenty of
motivation for operating in this way.

But not all do, and I’ll illustrate this truth with an experience of my own from just last
week. I had a blockage in the drain line which runs from our house to the city sewer, and
sink water was backing up in several places. My usual plumber was out of town (on
vacation with his family, he said when I called, of all the nerve), so I called one of the
big outfits which could send someone quickly. They did, both to fix the problem on the
first day, and then to put a camera down our drain lines on the second day. Altogether,
they spent between five and six hours occupying my attention to do about fifteen minutes
of work, they charged a high flat rate (in the end, I understood why they couldn’t charge
by the hour), and they spent at least five of the six hours going over things with me in a
manner calculated to sell me a total of $20,000 worth of plumbing work, some of it with
considerable urgency. These plumber employees spent most of their time being
salesmen.

Once the immediate problem was fixed, fortunately, I went back to my trusty local

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man (he calls himself “Eddie the Plumber”), who staved off any remaining issues for at least another five years—and perhaps far longer—by doing about a half-hour’s work for $175. I won’t go into all the details, but trust me to have done the necessary research. Eddie had his customers’ best interests at heart; and, as he said of the other approach: “All the big companies now are operating on a model of selling the homeowner services and repairs he does not really need.” If you thought that was only a problem for women negotiating with car mechanics, you can think again. Much of modern commerce is manifestly based on this model.

Now, you could argue that the “market” will quickly put an end to this (apparently) industry-wide technique, but I think you’d be wrong. And the reason you’d be wrong is that you would not be taking into account three things: (1) Our constant confusion and indecision about what we really need and what we don’t; (2) Cultural habits of trust and interdependence which can take a long time to break down when abused; and (3) The constant manipulation of our perceptions, by people who do not have our best interest at heart, through advertising and all the other techniques we use in sophisticated cultures to both create economic demand and sway votes (that is, in both private and public venues).

The big plumbing company did not have the well-being of its customers in mind. The business model was built on something else, something widely practiced in this and many other industries, and something quite successful, even over long periods of time, which is sustained by our superb modern ability to manipulate perception through advertising. This plumbing firm may or may not score high marks on treatment of employees, suppliers, shareholders, or its “community of reference”. For all I know, half of all its profits are donated to the poor. But the decisions on which this company prospers, in its own way, are only partly economic. The more important decisions are moral, and the capital and human creativity follow these moral decisions.

Other companies may be very concerned about their customers, while treating their employees as badly as they can get away with; or they may fleece the local government for all kinds of phony support under various stimulus or grant programs; or they may lie about their minority ownership to gain political advantages; or they may pollute the environment incessantly. There is more than one model for business, just as there is more than one way to make a profit. And again, many of the key decisions are moral. Though there is a tendency for any market to punish in its businesses the moral failures which people both recognize and care about, there is nothing in the market which infallibly identifies or corrects moral failures, or effectively ensures that only moral decisions will be made.
Poverty vs. Inequity

Taken as a whole, this is really pretty simple. The dynamics of the market are a lot like the dynamics of religion. There are enormous bodies of evidence regarding human behavior which, if we truly understood and followed an enlightened self-interest, would lead whole societies to God. But there are also an enormous number of wildly-interacting variables in play. Moreover, people are often terribly myopic. They seldom see the whole picture, and they often act for short-term benefits, or for the wrong kinds of benefits. No matter how many are stopped in their tracks by disaster, there will always be many who do not recognize disaster for what it is, and many new people who blithely ignore the evidence. Moreover, the most highly influential cultural leaders will always attempt to condition public perception to favor their own worldview.

Make no mistake: There are certain broad religious and cultural laws which, all other things being equal, will produce predictable results. And in just this way, there are also certain broad economic laws which, all other things being equal, will produce predictable results. It is important to understand these laws and make intelligent decisions in light of them. But all other things are never equal; accurate recognition is in short supply; complex human systems are never reliably self-correcting; and the will to improve is frequently either spotty or non-existent.

So where does that leave us?

Before answering that question, I want to clear up one other small area of confusion. There is an argument that is frequently used by advocates of the free market that the millionaire’s millions, if used instead to raise the incomes of his workers, really won’t solve the problem of worker poverty. After all, one million dollars divided by, say, 10,000 employees will raise pay by only about eight dollars a month. I think everybody gets that, but it is misleading. And it is misleading because it is not poverty itself which occasions moral outrage. It is inequity.

Even if some people expect politicians to be able to guarantee unlimited prosperity, nobody really expects businessmen to do so. But when people see workers or customers or communities suffering while managers and owners enjoy multi-million dollar salaries (and perhaps even bonuses in the tens of millions of dollars for creating profits built on fraud), it is the sheer inequity among the various stakeholders which rankles. We can understand perfectly the relationship of wages to the pool of labor, and to prices, and to standards of living, but this understanding does not eliminate the moral responsibility of pointing out the injustice, not of poverty itself, but of owners who show no disposition to share the common burden, or to use their capital and creativity to do what they can for
those who participate in or are affected by their businesses, especially if they are in serious need.

It is precisely a lack of solidarity which prompts outrage. Wherever solidarity is lacking, inequity spreads like a cancer. Moral outrage is the correct response.

**Conclusion**

The point of this essay is twofold:

First, a legitimate moral concern lies at the heart of the economy as a whole, and in the end the economy cannot function nearly as well without it, though this will often go unrecognized. Even with a necessary understanding of how the economy works—an understanding which is surely essential in making prudent judgments—there is enormous room and enormous need both within and outside the economy for moral judgments. It is not possible to embrace the myth that impersonal market forces leave no room for morality (or concern for all stakeholders), or that a mythical reliance on impersonal market forces always works out for the best. Rather the very human creativity and capital which drive the market must be directed morally if business is to contribute to a flourishing human culture.

This is why Pope Benedict has taught that mere commutative justice, especially between parties of unequal power, is never enough. Distributive justice must be taken into account as well:

The market is subject to the principles of so-called *commutative justice*, which regulates the relations of giving and receiving between parties to a transaction. But the social doctrine of the Church has unceasingly highlighted the importance of *distributive justice* and *social justice* for the market economy, not only because it belongs within a broader social and political context, but also because of the wider network of relations within which it operates. (*Caritas in Veritate*, #35)

It is here that too many advocates of the free market, in their understandable zeal to avoid government intrusion whenever possible, obscure the moral heart of human economic activity, even though they so frequently understand better than their critics how economies actually function. On close questioning, many free market proponents actually believe strongly in the moral dimension of business while failing to articulate or emphasize it, either from a desire to focus more effectively on their abstract economic points, or from a reluctance to let the camel’s moral nose under the tent—that is, the nose of those who so sadly equate morality with State control. Nonetheless, the moral
dimension must be inserted fully into discussions of the free market if the promise of the market as a component of positive culture is to be properly grasped.

Second, and precisely because of how economies function (not to mention how a truly vibrant moral culture must be built), looking to the State to adjust the economy is extremely dangerous and very likely to bring about the direct opposite of its intended effects. There is plenty of room for government in the punishing of immoral economic activities—theft, fraud, coercion, or even the abuse of the legal system to gain unfair advantages at the expense of others. We must ask ourselves here how often, between cronyism and the “too big to fail” argument, wealthy market leaders who behave immorally actually get severely punished no matter how many “smaller” people they harm.

These activities of government, like the punishment of all crimes, must derive from the prudent application in positive law of the larger natural law, to which all of us are ultimately accountable on principles of natural justice. Improvement of the governmental record of punishing crimes should be both possible and desirable. But it is quite another thing for government to make sweeping decisions in an effort to increase wealth or “make the economy work better”. Very often this will be attempted through manipulation of the money supply, increased debt, or direct and indirect wage and price controls—all of which tend, by well-known economic laws, to benefit some at the expense of others, and (all other things being equal) to have severe negative consequences for economic growth.

While one cannot rule out government action in extreme cases, especially in tax breaks which tend to free the economy in certain directions, or unusual temporary measures in times of significant peril (wars, natural disasters, and the like), nonetheless an authentic understanding of economics suggests a fundamental principle regarding central planning: In economics even more than many other areas, it is unwise to put our trust in princes.

Indeed, the fundamental problems which plague our economy—stagnation, a failure to reproduce, intense moral erosion and the consequent erosion of trust, and growing inequity—are likely to be solved only through the strengthening of the human culture which gives rise to the economic culture, and in particularly the strengthening of the Catholic Church as a voluntary instrument of spiritual growth and moral conversion. This is because human culture thrives only if its spiritual core is sound. In any case, our best hope, even if it is a long-term hope, is to look to the stronger intermediary institutions and more robust morality of a more wholesome culture—and not to the State which constantly erodes culture—for the reduction of inequity and an increase in prosperity of
every kind.

I have made this cultural argument more extensively in *Intermediary Institutions Represent, Preserve, and Shape a Robust Culture*. With respect to the economy in particular, I make it again here. We must understand economics, clearly grasp its moral dimension, avoid the illusory promise of State solutions, and work hard to build a culture that is capable of handling prosperity well.
In the Face of the State: The Church Too Is a Res Publica, a Public Thing

September 10, 2012

Remember when questions about religious “displays” were raised primarily with respect to public property? In the United States, at least, the question has typically revolved around whether a particular manifestation of religious faith on public (that is, government) property constituted a forbidden “establishment of religion” in Constitutional law. There have been similar concerns in Europe, such as questions about the presence of crucifixes in Italian classrooms.

The history of this issue in many countries is quite interesting, especially as these countries have become more secular. One remembers, for example, the impact of the famous Bundy legislation in New York State, which encouraged the elimination of religious symbols in Catholic schools so that they could receive various forms of state aid. But now, in the United Kingdom, this question is being extended to clothing. At the European Court of Human Rights, attorneys for the UK have argued that Christians do not have a right to wear a crucifix to work.

To work! Now the classic “public space” argument is shifting to the work environment. “There is a difference between the professional sphere where your religious beliefs conflict with other interests and the private sphere,” argued the attorneys. It used to be that we discussed the difference between “public and private”, but now we are discussing the difference between “professional and private”. What does this mean?

Pope Benedict is afraid that it means religious liberty will soon be confined to freedom of worship in church. Not long ago, Phil Lawler made a similar argument, when he noticed that according to the Obama administration, only churches—not individuals—can claim religious freedom.

There is a certain logic here. For a modern secularist, religion is essentially reduced to a private sentiment that ought not to be intruded upon others, unless they happen to share the same sentiment in a specifically religious space. The idea that religious faith could be anything but private is essentially incomprehensible to those who regard religion as irrational, as a disconnected series of ad hoc ideas that happen to make some
people feel more comfortable, but which has no relevance outside of personal emotional balance (or imbalance). This equating of religion with mere sentiment was already very advanced in the 19th century. Blessed John Henry Newman argued against it constantly in England. As the twentieth century progressed, even most Christians began to lose a sense of the public aspects of their faith. In view of the immense diversity of religion, they began to reason, it must be the case that religion is essentially a private and even a peculiar thing, almost an idiosyncrasy.

And now, given the rise of the comprehensive modern State, the idea of “private” is slowly being redefined to whatever space the State considers to be essentially irrelevant. Things are private when they are isolated to individuals and small collections of individuals, so that they have no chance of exerting any influence wider than that. If unwanted ideas acquire a broader influence, then they must be prohibited in the space where their influence reaches, because by this new definition private things should not be influential things. With respect to religion, this restriction, as opposed to forthright prohibition, defuses opposition because so many are able to make the excuse that, on balance, it is only fair to limit the manifestation of private sentiments and peculiarities.

In response to all this there is some merit in the usual argument that the separation of Church and State does not require the separation of religion from our public life together, and this is true as far as it goes. But the real antidote is to insist on the fundamentally public nature of religion. It is not only the political order that is “public”. The spiritual and moral order is “public” as well, in the sense that it affects all of us, it deals with the whole spectrum of life and action on which the common good depends, and through the natural law it must actually be sovereign in human affairs. Indeed, it is precisely because of this public character of religion that religious divisions are so devastating to the health of culture and society, and that the decline and disappearance of religious influence is even more devastating.

The Catholic Church in particular is a public institution, with authority to guide the entire human race in its understanding not only of Divine Revelation, assent to which cannot be required, but also of the natural law which again, by virtue of its general accessibility to all through innate human perception, provides the moral framework for the development of society and culture as a matter of basic justice.

For this reason, the first response that Catholics must make when the State tries to privatize religion is to insist, against the State, that the Church also has a public claim, a claim which actually transcends and circumscribes the claims of the State. It is not the State which determines the ends of the Church or the means by which the Church may operate, but the Church which alone can determine the proper ends of the State and the
legitimate means by which the State may govern. If the State (or government in a more
general sense) has a public character because it is entrusted with the common good in the
practical affairs of this world, the Church (or religious authority in a more general sense)
has a public character because it is entrusted with the common spiritual and moral
destiny of all.

By its very nature, then, authentic religion is not and cannot be a merely private thing.
And regardless of how this applies to religious beliefs which lack a firm foundation in
reality, we must maintain that Catholicism is not a private Faith, and that the Catholic
Church is not a private institution. We need to change our attitude, and we must
manifest this changed attitude publicly. It is ludicrous for the State to claim that religion
is private and that the Catholic faith must be confined to the space the State assigns to it.
This is like claiming that water may run only when pumped, that reality may be
discussed only when nobody is present to respond, or that citizens may think for
themselves only in storm cellars on the third Tuesday of each month.

No. Religion is a public thing, and in particular the claims of the Catholic Church are
irrevocably public, especially when she explains the natural law, outlines the
requirements of justice, or articulates the limits of the State. Anything less than this
cedes essential territory. I will develop this argument in the future, but for now please
make a note: The Church is a public institution in possession of a public authority. The
Catholic faith has serious implications for life as a whole, and for the civil authority
itself. The State may persecute the Church, but the State cannot alter reality by defining
the Church to be something she is not. In other words, the State cannot make the Church
a private thing. Moreover, Catholics commit a serious sin when they lie to themselves
and others in acquiescence to this myth.
Why Religion and the Church Are the Ultimate Public Things

September 11, 2012

Yesterday I made the assertion that religion in general and the Catholic Church in particular are inescapably public realities (see In the Face of the State: The Church Too Is a Res Publica, a Public Thing). This assertion contrasts sharply with the prevailing attitude in the modern West that religion is a purely private affair and that churches are institutions which by nature cater to essentially private interests. But how do we know that what I have asserted is correct and the prevailing attitude is wrong?

Assumptions Concerning the Privacy of Religion

Before developing a strict argument, it should be helpful to consider the assumptions on which the current privatization of religion is based. From both an historical and a psychological point of view, I believe our contemporaries tend to view religion as private because of three unwarranted assumptions, assumptions which are born of a mistaken accommodation with religious pluralism. The first assumption is that since people have many different religious beliefs, and since genuine religious beliefs by their nature must be voluntary, then religious beliefs must be based on personal choice, and therefore religion must be private. This self-evidently confuses personal with private. Thus, for example, patriotism is certainly a highly personal quality, but by its very nature it is ordered to public ends. So too, I will argue, is religious conviction.

The second assumption is that because religious differences can generate conflicts, which in turn are liable to undermine the common good, therefore the only practical way to order religious affairs is to emphasize their private satisfactions while prohibiting their public consequences. But this response privatizes religion as a matter of political expediency, which is hardly an adequate response to the issue, and which may, in many instances, be a disingenuous response—as may be seen in the next assumption.

The third assumption is that the normative public cultural atmosphere ought to be religiously neutral, which is taken as a mandate for the absence of religious influence. But this erroneously equates neutrality with irreligion, as if what is left in the wake of irreligion is what we all have in common—the proper basis for our common
life. Unfortunately, in fact, what is left is the result of a specifically religious decision, which favors the values of some against the values of others, and which is every bit as devoid of neutrality as a confessional—no, I mean a theocratic—state.

Largely under the assumptions enumerated above, this restriction of religion to home and church is a marked tendency of today’s “soft totalitarian” states. Some other forms of religious association are still permitted, including some religious schools, but the overall trajectory is clear, and there is even a vast State apparatus, both financial and political, to control the education of the majority of children with religious parents. Thus in recent history, while religion has not always been outlawed altogether, there has been a consistent legal effort to confine it ever more closely to those manifestations which are incapable of generating a wider influence.

Now of course religion does not gain a public character just because certain contemporary assumptions are dubious. The confusion of the personal with the private, the desire for political expediency, and the self-serving assertion that hostility to religion is the essence of neutrality ought to make us think twice about acquiescing in the naked public square, but these logical slips do not constitute an argument for the public character of religion. How, then, should we argue this case?

The Public Character of Religion Known from Nature
The argument operates at two levels, the natural and the supernatural, and this is important if we are to have any right to expect that all people will recognize its validity. Consider: I may know from some personal revelation that my religious beliefs have been given for the benefit of all, and this would certainly give them a public character which I would be bound by that same revelation to observe. But I could not expect those who had not experienced this revelation to agree with me. On the other hand, if there is a natural way to know that religiosity is incumbent on all men and is essential to human well-being, then I have every right to fault others if they try to dismiss religion as a mere personal and private choice, which ought to be excluded from culture and public life.

Fortunately, we do know naturally that religiosity is incumbent on all men. This is evident from the natural law. Indeed, our innate understanding of this must be carefully undermined (usually in the interest of satisfying our pride or our passions) if this innate understanding is to be temporarily effaced. Thus in every human culture there has been an instinctive recognition that nature is a created reality, which is inexplicable without a Creator, and that we live under judgment (as reflected in the operations of our conscience), which is inexplicable without a Lawgiver. The natural human person, unhindered by later self-justifying arguments, directly intuits that there is a Creator and
that there is a Judge.

From this derives the fundamental and altogether natural virtue of religion, which every culture on earth has recognized—the obligation to worship God, to seek to understand His will, and to do it. With the virtue of religion comes the conviction that this obligation is the fundamental duty of life, a duty which applies to all persons, and which must color and characterize all human endeavors, associations and institutions. It is possible to deny this natural intuition through clever rationalizations, but it is not possible to escape its force. Because this virtue of religion is something accessible to and required of all, as touching every aspect of the good of the human person, religion itself has an inescapably public dimension.

Please note that the fact that some men and women in some times and places argue against this natural perception is not sufficient to invalidate it. Our own experience, natural reason, and the testimony of every human culture speak in favor of it, and we can see all too clearly what leads some to rail against it, for we too have felt at times the desire to exalt ourselves in pride or exonerate ourselves in selfishness. Moreover, even a moment’s reflection reveals that this basic apprehension of the natural law is always the basis for any morality we possess, and even when we argue against one part of this law, we instinctively do so on the basis of another part. Finally, we perceive instantly that this sense of natural law is the only possible just foundation for our social relations and our political order—and that any other proclaimed source must be a false human ideology which enslaves some for the benefit of others.

In all of these ways, our innate religious sense, based firmly in the law of nature, is an inescapably public reality. Religion is a public thing.

The Public Character of Religion Known from Revelation

We now turn to the argument from Revelation. The natural perception of the existence of a Creator and a Judge leads us to something more—the conviction that if God cares enough to create and to judge, then He must also wish to reveal His will. Therefore, it is part and parcel of our natural apprehension of the virtue of religion to be on the lookout for Divine revelation. It is worth noting that no claimed revelation has ever suggested that religion is a private thing, designed purely to satisfy our own psychological idiosyncrasies, with no implications for our social life, our culture, and our public affairs. This in itself is significant. But I will confine myself here to the one Revelation which I believe can be objectively established as authentic.

The virtue of religion, as conceived in the Revelation of Jesus Christ, is thoroughly public. Progressively through the Old Testament and the New, God reveals that His love
extends to all people, not just those who share in the first covenant. Revelation is intended for the good of all, and this even has political implications. As St. Paul says in his first letter to Timothy:

First of all, then, I urge that supplications, prayers, intercessions, and thanksgivings be made for all men, for kings and all who are in high positions, that we may lead a quiet and peaceable life, godly and respectful in every way. This is good, and it is acceptable in the sight of God our Savior, who desires all men to be saved and to come to the knowledge of the truth. (1 Tim 2:1-4)

Indeed, Our Lord Himself recognized the public and even specifically political implications of the Gospel when He commanded us not to render unto Caesar the things that are God’s (Mk 12:17; Lk 20:25). Readers will recall too His final command before His Ascension, and the reason for it:

All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age. (Mt 28:18-20)

Christians possess a Divine mandate to exercise their Faith as a public faith, a salvific gift to all men. Our Lord specifically warns against the leaven of the Pharisees, of the Sadducees, and of Herod (Mt 16, Mk 8), whose sins pollute everything; instead, He insists that Christians become a new leaven of truth and life. The Kingdom of God, He says, is like good leaven which permeates and raises the whole loaf (Mt 13:33). Let’s face it: Those who argue that Christianity is a purely private affair have no idea what they are talking about.

I recognize that, for many reasons, not all will accept Christian Revelation, many will be seduced away from its true meaning, and among those who fail in these ways, not all will be at fault. For this reason, Christians insist on the natural law as a governing principle for all men without insisting on the acceptance of Revelation. But it turns out that Christian morality is based on the natural law. God has built into our very nature a basic understanding of right and wrong, but because we find it so easy to deny portions of the natural law or overlook some aspects of it—whether through inattention, selfishness or cultural conditioning—He provides a means of clarifying the natural law in our minds and wills through His own specific revealed teachings, such as the Decalogue. Thus the Christian is (or ought to be) in an especially good position to assist
in the harmonious and just development of human culture and law. At least from the point of view of basic beliefs, nobody is better suited to this task.

**Church Authority**

The preceding two sections cover both the natural and the supernatural arguments for the inescapably public character of religion, which is so essential to both the individual and the common good. The natural argument enables us to insist that all people, as a matter of fundamental justice, are obliged to recognize this public character. The supernatural argument further clarifies this responsibility for Christians and in any case compels them by Divine command to maintain the public character of religion for everyone’s greater good, and to trust that Our Lord is with them, no matter what their public insistence may entail.

We can easily see, at this point, that just as politics includes within it the beliefs and practices which enable people to attend to their common life and their common good in the pragmatic affairs of this world, so does religion include the beliefs and practices which enable people to infuse their common life with truth and virtue, for both their natural and supernatural ends. And just as governments preside over politics with the responsibility of fostering and protecting the common life and the common good, so too do churches preside over religion with the responsibility of fostering and protecting truth and virtue in the human family. Thus does religion itself teach us about our ends both personally and politically, and about the means which we may morally use in pursuit of these legitimate ends.

Moreover, just as there are all kinds of governments, and all kinds of people vying for control of governments, so too are there all kinds of churches and all kinds of people vying for control of churches. Some get their job done better than others, even though in the matter of morality, all are subject to the same natural law. But there is this difference, which we know only from Christian revelation, that just as God has established the temporal authority as “the servant of God to execute his wrath on the wrongdoer” (Rm 13), so too has God established an authority over virtue and truth, as known through both the nature He has created and the Revelation He has bestowed.

The Catholic Church alone has been given the authority to safeguard all that God has revealed for our salvation in both nature and Revelation, through the successors of Peter, for whom Christ prayed, that his faith might not fail, so that he could confirm his brothers (Lk 22:32). This is not the place to write an extensive defense of this truth. I introduce it here for believers simply to demonstrate its implications for the public character of not only religion but of the Church herself. The Church is the
ultimate conduit and protector of all that the virtue of religion has to give to man, in every aspect of his life and culture, and not least in every aspect of the public order.

For this reason, not only is religion an inescapably public thing, but the Catholic Church is an inescapably public authority, whom the nations ignore at the great peril of sinking into injustice, vice, social bankruptcy and ultimate collapse. Through her moral principles, governing both personal life and the disposition of the social order as a whole, the Church prunes, shapes and guides human culture in every dimension. Not one of her teachings is a private teaching. Not one is irrelevant to any aspect of personal, associational or public life.

Human governments may preside over the political life of nations, but the Church presides higher still. By her mastery of the virtue of religion, she is the ultimate public authority, constituted by God to tell the truth about man, which should be heeded in every plan and enterprise. She is also the authority, despite her lack of worldly power, that endures from age to age even while the greatest human empires—ignoring her gifts and betraying her sacred trust—rise up under the sun, only to sin, to fail and to fall again.
The Dangers of Voting Your Heart: An Intrinsically Moral Guide

September 26, 2012

Every four years around this time I feel compelled to say something about voting, because American presidential elections tend to bring the moral questions which surround voting to the fore. This year our choices are somewhat worse than usual, but not so much as to be atypical. Neither is the response of American Catholic voters atypical. Once again most of them are preparing to vote how their hearts tell them to vote—that is, according to personal attitudes that are by now embedded deep in their psyches, attitudes they believe make their decisions easy. My contention is that this merely makes their decisions dangerous.

There is never any guarantee that “personal attitudes embedded deep in our psyches” match up well with our moral obligation to make our voting decisions in accordance with the will of God. And for precisely this reason, there is no substitute for an exercise in formal moral analysis before finalizing our decisions about how to vote. This year I will try to highlight the key elements of this necessary moral analysis.

Discerning the Common Good

The first principle of our political responsibility as voters is to cast our votes in the way that is most beneficial to the common good. This follows from the purpose of the political order in general and government in particular, which is to secure, protect and enhance the common good. The common good, of course, is notoriously difficult to define, but it is not simply the sum of private goods. It refers to the conditions generally necessary for human flourishing, conditions which by their nature benefit the entire community.

Thus all community members benefit first and foremost from a widespread recognition of the natural law. The entire community also benefits from family stability; substantial personal liberty; religious liberty as a fundamental recognition of human dignity and the limitations of the State; opportunities for education, including moral and spiritual formation; protection against criminals and foreign attack; the just resolution of disputes; common access to basic human necessities, such as water; fair access to

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property ownership; basic infrastructures conducive to the efficiencies and other benefits of interdependence; fair mechanisms for participating in public decisions; and so on. In other words, it is the purpose of government to secure, protect and enhance the common good through a prudent disposition of public affairs within the confines of the natural law.

Most of us understand the prudential character of addressing the common good, and so we understand why people can legitimately disagree about which aspects of the common good are most pressing, the best ways to balance personal liberty with the common good, and in general the most effective policies to pursue. This recognition of the need for prudence leads voters to form an overall impression of which candidate will be best for their community, according to the aspects of the common good which they believe are most pressing at the current time.

But there are three problems with taking the analysis no farther than this “prudential overall impression”. First, of course, the impression can be formed on the basis of serious deficiencies in understanding. A true exercise of prudence depends on a clear recognition of the reality of the factors in play and requires a shrewd ability to match the right solution to a correctly understood problem. But voters everywhere tend to be profoundly influenced (“deep in their psyches”) by certain narratives of what is wrong with the world and how to fix it, narratives typically imbibed as cultural prejudices formed by cultural elites. These narratives may be (and frequently are) wildly inaccurate. Take for example the cultural narrative that social health improves, and social conflict declines, as the influence of religion is minimized, or the cultural narrative that true concern for the needs of the poor is best shown by the multiplication of government bureaucratic programs. Here we have two patently and demonstrably false narratives which are reflexively held by those whose attitudes are formed by what we might call the default cultural worldview.

Second, in forming such an undifferentiated overall impression, the voter is able to selectively weight any aspect of the common good as most important. This approach allows each person the convenience of regarding his vote as a matter of personal preference rather than moral analysis, despite the fact that different problems affecting the common good carry widely varying moral weight.

Third, and closely related to the second point, taking the analysis no farther than this “prudential overall impression” overlooks the most critical aspect of the common good. This is the very moral framework of society, which I included first in my list of aspects of the common good, but which is very often forgotten—and without which the common good is impossible to achieve. I am referring to the natural law. The natural law is the
foundational element of the common good. It is therefore the first and only indispensable factor in any effort to vote to maximize the common good.

Grounds for Moral Analysis

It is the importance of the natural law to the common good which puts serious moral analysis at the center of voting decisions. Again, natural justice is the first principle of the common good. To understand what this means, we must not confuse justice with egalitarianism. Inequality of condition is an inescapable part of being human, based both on our differences in abilities, talents and virtues and on many aspects of time, place and circumstances which are essentially beyond human control. As far as government is concerned, justice consists in equality before the law. If justice demands the protection of a rich man’s property, it also demands the protection of a poor man’s. If justice demands protection of the water rights of a white man, it also demands the same protections for a black man. If justice demands the protection of the life of a forty-year-old, it also demands the protection of the life of the elderly and the pre-born.

In any case, it is not the purpose of government to create Utopia, which nature also teaches us is beyond our capacity. Rather, the first responsibility of government is to secure justice in accordance with the natural law—that is, within a framework of justice which is prior to and higher than government itself, which is accessible to all men, and which all men instinctively use (at least in a general way) to argue about right, wrong and fairness. And if this is the first responsibility of government, it goes without saying that the first rule of government is to implement no policies which violate the natural law. As soon as a government institutes such a policy, it becomes the most pressing business of voters to do everything in their power to reverse it. This supersedes all considerations of prudence, all “overall impressions” of the common good. Similarly, if there are no violations of the natural law which need to be reversed, the next priority for voters is to examine those areas of community life in which the natural law is not being broadly observed, and to consider whether they can be addressed prudently by government as part of its responsibility to secure the common good.

Of course it is not always possible for government to take measures to eliminate even broad violations of the natural law. This will depend on the relative health of the culture, how much the violation touches the common good, and the expected impact on the common good of the proposed corrective measures. Prudence is essential, and disagreement is possible. But it is always possible for government to stop abusing the common good through its own violations of the natural law in its own policies, either directly or in the ways it encourages, facilitates or coerces citizens to violate the natural
law. Again, a responsible voter *must* perform this moral analysis and *must* put governmental violations of the natural law ahead of all prudential considerations in determining how best to cast a vote on behalf of the common good.

**Intrinsic Evils Undermine the Common Good**

The reason for this conclusion is twofold. First, we are morally obliged to oppose the intrinsically evil actions of our government. Second, all intrinsic evils seriously undermine the common good. The framework of the natural law is the *sine qua non* of human flourishing. When widespread violations of the natural law go unaddressed in the community, and especially when government perpetrates or encourages these violations, this operates like a cancer undermining the health of the entire society, and sapping the vitality from all other gains. One thinks immediately of the disregard of human liberty by totalitarian regimes, such as Communist regimes, which subordinate the human person and all natural human associations, including the family, to the State. Everything such governments accomplish is undermined by the fear, inefficiency, lack of human initiative, enforced lies, and even despair which constantly sap the strength of the people and the good they would otherwise achieve.

The exact same thing is true of cultures and states which ignore or offend against the culture of life as embodied in sexual responsibility, marriage, family and the protection and nurturing of dependent persons. In our own country, there has for the past generation or so been a false dichotomy drawn between “social issues” and “life issues”, as if the voter were required to make a purely prudential choice between the two, a choice which could go either way based on the personal assessment of each voter. What has been lost, as Pope Benedict pointed out so forcefully in his landmark social encyclical *Caritas in Veritate*, is the understanding that the intrinsic violations of the natural law on the life issues are not only gravely evil in themselves but utterly and inevitably subversive of social progress generally. It is necessary to quote all of Benedict’s admonition is section 28:

One of the most striking aspects of development in the present day is the important question of respect for life, which cannot in any way be detached from questions concerning the development of peoples. It is an aspect which has acquired increasing prominence in recent times, obliging us to broaden our concept of poverty and underdevelopment to include questions connected with the acceptance of life, especially in cases where it is impeded in a variety of ways.
Not only does the situation of poverty still provoke high rates of infant mortality in many regions, but some parts of the world still experience practices of demographic control, on the part of governments that often promote contraception and even go so far as to impose abortion. In economically developed countries, legislation contrary to life is very widespread, and it has already shaped moral attitudes and praxis, contributing to the spread of an anti-birth mentality; frequent attempts are made to export this mentality to other States as if it were a form of cultural progress.

Some non-governmental organizations work actively to spread abortion, at times promoting the practice of sterilization in poor countries, in some cases not even informing the women concerned. Moreover, there is reason to suspect that development aid is sometimes linked to specific health-care policies which de facto involve the imposition of strong birth control measures. Further grounds for concern are laws permitting euthanasia as well as pressure from lobby groups, nationally and internationally, in favour of its juridical recognition.

*Openness to life is at the center of true development.* When a society moves towards the denial or suppression of life, it ends up no longer finding the necessary motivation and energy to strive for man’s true good. If personal and social sensitivity towards the acceptance of a new life is lost, then other forms of acceptance that are valuable for society also wither away. The acceptance of life strengthens moral fibre and makes people capable of mutual help. By cultivating openness to life, wealthy peoples can better understand the needs of poor ones, they can avoid employing huge economic and intellectual resources to satisfy the selfish desires of their own citizens, and instead, they can promote virtuous action within the perspective of production that is morally sound and marked by solidarity, respecting the fundamental right to life of every people and every individual.

It might also be useful to observe that there are certain aspects of the Pope’s thesis which have been repeatedly verified not only by logic but by social and economic science. For example, to take only the relationship between the family and financial well-being, we really do know the following:

1. The most important correlate of basic financial well-being in modern societies (and probably any society) is family strength.

2. Divorce has led to an overwhelming feminization of poverty.
3. The demographic failure of the hedonistic West is one of the fundamental causes of the decline in Western prosperity.

Once again: Systemic violations of the natural law are always massively destructive of the common good. The natural law provides the essential framework for the achievement of the common good, and it is the indispensable guide for governmental action to secure, protect and enhance the common good. Any government which promotes violations of the natural law commits a fundamental crime against the common good which demands immediate correction. In voting, the first responsibility of citizens is to evaluate government policy against the natural law, and work to correct any violations. Only in the second place is it morally permissible to speak of an overall prudential impression of the best way to vote.

A Contemporary Narrative Debunked

I indicated earlier that one of the things that undermines voter intelligence is the dominant cultural narratives that seep deep into our psyches. One of our most common cultural narratives teaches us that inequality itself is morally objectionable and that its remedy can only come through social engineering at the hands of the modern State. I’ve already given some indications of why this narrative is wrong, and certainly there is no historical example in which economic dependence on the State has led to the general improvement in prosperity its adherents claim for it. For this reason, it is not irrelevant here to devote some small space to the purpose of undermining this narrative, in the hope of encouraging Catholic voters to examine the roots of social well-being and the role of government more deeply.

Let me refer interested readers to some of my earlier essays on related topics, such as: Intermediary Institutions Represent, Preserve and Shape a Robust Culture and Practical Economics: How Things Work, Why There is Room for Morality, Where to Go from Here. But please note that there is no need here to take my word for it. Not only did Pope Benedict declare in Caritas in Veritate that solidarity cannot be delegated to the State and that a binary view which pits the market against the State is “corrosive of society” (cf. #38-39), but Pope John Paul II, in Centesimus Annus, spelled out the fundamental contemporary problem, which I will quote at length:

In recent years the range of such [State] intervention has vastly expanded, to the point of creating a new type of state, the so-called “Welfare State.” This has happened in some countries in order to respond better to many needs and demands,
by remedying forms of poverty and deprivation unworthy of the human person. However, excesses and abuses, especially in recent years, have provoked very harsh criticisms of the Welfare State, dubbed the “Social Assistance State.” Malfunctions and defects in the Social Assistance State are the result of an inadequate understanding of the tasks proper to the State. Here again the principle of subsidiarity must be respected: a community of a higher order should not interfere in the internal life of a community of a lower order, depriving the latter of its functions, but rather should support it in case of need and help to coordinate its activity with the activities of the rest of society, always with a view to the common good.

By intervening directly and depriving society of its responsibility, the Social Assistance State leads to a loss of human energies and an inordinate increase of public agencies, which are dominated more by bureaucratic ways of thinking than by concern for serving their clients, and which are accompanied by an enormous increase in spending. In fact, it would appear that needs are best understood and satisfied by people who are closest to them and who act as neighbors to those in need. It should be added that certain kinds of demands often call for a response which is not simply material but which is capable of perceiving the deeper human need. One thinks of the condition of refugees, immigrants, the elderly, the sick, and all those in circumstances which call for assistance, such as drug abusers: all these people can be helped effectively only by those who offer them genuine fraternal support, in addition to the necessary care. (#48)

To complete the debunking of this dominant Western economic narrative, and to bring us back to the fundamental need for voters first and foremost to redress violations of the natural law, we might perform a thought experiment. Let us consider what it would have been like in the old South if a proposal had gained sway to free the slaves under a regime which would provide for their basic economic needs while encouraging promiscuity, discouraging the formation of stable marriages and families, and facilitating abortion. The result would be a dependent class which lacks the moral capital and family solidarity necessary for social progress—good for retaining votes, but bad for almost everything else. How does this compare with the narrative which dominates so much of fashionable Western thought today?

Conclusion
Over the past few days I have heard from several readers who have stated that I completely missed the point in my analysis of the recent Pew survey (The Pew Survey’s Most Sobering Result), which showed a marked reluctance among Catholics to vote against Barack Obama. They claimed that they would vote for Obama not because of his assault on religious liberty or his promotion of contraception, sterilization, abortion and gay marriage, but because “we must help the poor” or because “he is the best candidate to lead us out of our economic problems”. In light of this analysis, the mind boggles at the lack of moral reflection inherent in such remarks. First, there is an implicit acceptance here of a dominant cultural narrative which is extremely dubious. Second, even if the narrative were correct, these views represent an impermissible preference of a prudential judgment over a moral certainty. The moral bankruptcy boils down to this astonishing assertion: “I don’t care what a candidate does as long as I think he will make us more wealthy.”

There is, clearly, much to consider in deciding how to cast one’s vote. To summarize, there is first the absolute requirement for each voter to perform a careful moral analysis based on the natural law. The purpose is to determine whether there are intrinsic moral evils which require a specific civic response prior to and independently of one’s own prudential judgments about the best way to achieve various political aims in support of the common good. Only after this question is settled can one indulge in the relative luxury of debating the secondary prudential questions with the intention of basing one’s vote on an overall prudential impression.

In the current American case, Barack Obama has already implemented new laws which expand the abortion license, which force nearly all citizens to participate in the evils of contraception, sterilization and abortion, and which attack religious liberty. He also advocates gay marriage, and has worked hard to invalidate the Defense of Marriage Act. All of these things violate the natural law, portending an inevitable destruction of the common good, and marking a fundamental failure of government to perform its proper role. Without advocating any policies of his own which violate the natural law, Mitt Romney has promised to eliminate these fresh initiatives of Obama on his first day in office. On this basis, a morally responsible voter would oppose Obama’s attacks on the natural law by voting for Romney.

An important caveat here is that Mitt Romney has also shown by his past political actions, as well as his recent public statements, that he accepts the status quo of abortion under many circumstances. Although he has promised to eliminate Obama’s fresh violations of the natural law, Romney has also shown himself in the past willing to implement a health plan with some of the same moral problems as Obamacare. For this...
reason, it is perfectly possible for a moral voter to decide that an alliance with either candidate entails an unacceptable level of cooperation with evil. On this reading, a morally responsible voter would decide to vote for neither candidate.

As another important consideration affecting overall political strategy, I would like to mention briefly the importance of recognizing that the modern State, in all its Western incarnations, has become one of the chief social forces undermining the natural law. This is accomplished through an immoral and utopian legal positivism enforced by a sort of soft regulatory totalitarianism. As I have argued elsewhere, this means that one of the greatest signs of hope in our current situation is the paradoxical bright side of our current economic woes—namely, the inability of the State to sustain the high cost of maintaining a highly regulatory society inimical to both the natural law and the Catholic Church. This, for very good moral reasons, makes significant budget reduction proposals worthy of serious attention, including the one developed by Republican Vice Presidential candidate Paul Ryan. Ultimately we must enter the realm of the prudential here, but the strategy of resisting the anti-natural law capabilities of the modern State by taking advantage of the budget crunch does at least recommend itself on strictly moral grounds (see my earlier essay Budgetary Reform: Opportunity Knocks).

In all, however, the most important points are these: First, the moral voter must engage in a formal moral analysis which supersedes his own overall prudential impression. Second, the moral voter has a serious obligation to examine the “personal attitudes embedded deep in his psyche” to determine whether these attitudes have been formed by dominant cultural narratives which he has never examined. As I have often said, Catholics, above all others, should be able to think outside the box. Our hearts are not God’s hearts. Too frequently, our treasure is in the wrong place. And unless we observe these rules, we will be unable to use our right to vote to sustain any positive contribution to the common good.
How Much Does Politics Matter?

September 27, 2012

I’ve been writing a great deal about politics lately, because it is a presidential election year in America. But Catholics cannot afford to have faith in politics, especially in the current Western situation. The Psalmist was quite right when he advised Israel to “put not your trust in princes” (Ps 146:3).

In the United States, throughout my entire lifetime, there have been only the most modest of effective differences between the candidates fielded by the two dominant political parties. Despite differences in rhetoric, there never seems to be a great deal of difference in the long-term direction of their ultimate policies. Government continues to grow, regulations become continuously more burdensome, the waste of material and human resources increases apace, personal morality erodes, social stability declines. Policies denounced by the loyal opposition are typically endorsed and continued once the opposition gains power, only to be denounced in turn by the dispossessed original party.

There are, it seems to me, four reasons for this, which generally apply in all Western nations:

1. **Our deepest problems are social or cultural, and ultimately spiritual.** We no longer have among our people a significant commitment either to common purposes or to the virtues which produce social stability, prosperity and cultural achievement. In these broad areas, government and politics are dependent on culture. The necessary changes are not primarily political. What is needed is a better understanding of what it means to be human, and what it means to be happy—and the moral strength to pursue the right ends.

2. **As a general rule, politicians seek power not solutions:** Even in democracies—some would say especially in democracies—politicians, who almost always wish to obtain and retain power, will not typically address problems honestly or advocate the kinds of sacrifices necessary to effect significant change. It is the nature of the political animal to make deals, both moral and immoral, to ensure greater and more permanent power. Those who are sincerely trying to do substantial good will in most cases be voted out of office.
for telling the truth.

3. **In regimes which depend on votes, politics gravitates toward the cultural center (which is rarely healthy):** Whether in a two-party system or in coalition governments, variations in ultimate policy are limited. The policies proposed to win over the respective activists in party primaries, who may have very significant philosophical differences, are altered to appeal to the rank and file, and then altered again to secure the cross-partisan cooperation necessary to govern. The result is that significant change is rare *except in the direction in which the dominant culture is trending anyway.*

4. **The unworldly are generally a small and ineffective minority:** Those who are willing to embrace the self-denial necessary to form themselves in truth, obey the natural law, and respond to God in sacrificial love are generally a small minority. They are called to be an important and vital leaven, but they will seldom be more than that. Their political victories will most often occur only when what is right can be shown to correspond to a widely understood self-interest. Thus moral progress in the social order is actually most likely under the pressure of disasters which demonstrate the bankruptcy of old attitudes and habits.

This does not mean that politics is unimportant, or that elections are utterly useless. Clearly, political activity—like every human endeavor—makes its own contribution to the health or sickness of the social order and its overall culture. But elections are quite a spectacle, replete with overblown claims and counter-claims, breathtaking promises, and lies so numerous that they never get sorted out. There is a real danger of getting caught up in periodic political enthusiasms, a danger of convincing ourselves that if only we can win this election, everything will be different. We have a tendency to drop everything else to focus on the campaign, to contribute breathlessly to political causes, to exaggerate both the importance of victory and the dangers of defeat.

The issues before us are certainly significant enough, and I have done as much as anyone to attempt to persuade others to cast their votes morally, in a way that genuinely promotes the common good. But it does seem unlikely that a positive moral consensus will be formed in what is left of Western culture anytime soon. In our time, I suspect, we are most often called (politically speaking) to be voices crying in the wilderness.

The ultimate solution, of course, is conversion and cultural formation. While it may not be possible to shift the culture as a whole at the present time, it is still necessary to
form mini-cultures in individual persons, families, schools, businesses and even some local communities. This is necessary first and foremost for the salvation of souls, but also because culture is never static. If Western culture improves, it will improve because of efforts at conversion and Christian cultural formation. If, as is more likely, it continues to decline, then it will eventually collapse, and in the resulting misery those who have fallen will be far more likely to follow (or be cared for by) those who offer a truly alternative lifestyle—a lifestyle which, in the midst of shattered illusions, will once again appear personally, socially and culturally attractive.

Though I write about politics from time to time, I have always been wary of it. In our current cultural situation, it does not seem capable of bearing fruit in any reasonable proportion to the cultivating effort. I worry a little too about the disillusionment that inevitably follows our election cycles, especially among the young; and about the accommodations too often made by those who have been disillusioned so often that they equate it with wisdom. And I fear for the salvation of those who make morally insupportable political decisions in order to remain within their comfort zones.

Finally, I confess that it both annoys and concerns me when it becomes periodically more difficult to attract attention and support for—how shall I put it?—the deeper and more enduring mission of enriching faith, strengthening the Church, and forming Catholic culture. This is, of course, our mission. It is a mission not infrequently endangered by the forgetful preoccupations of political mania. It requires the attention, prayer, dedication and support of all who read these words. As the man says: Let’s be real.
Government and the Limits of Human Law

October 04, 2012

Earlier this week, a federal judge in Missouri ruled against Frank O’Brien’s claim that the HHS mandate violates his religious liberty by forcing him to act against the moral principles he must hold as a Catholic. Judge Carole Jackson stated instead that “this court rejects the proposition that requiring indirect financial support of a practice, from which the plaintiff himself abstains according to his religious principles, constitutes a substantial burden on plaintiff’s religious exercise.”

There are a number of issues raised by this decision that could be addressed profitably. It is also necessary to understand that this case is one of many cases being filed in a variety of federal jurisdictions in the hope that conflicting decisions by various judges will force the Supreme Court to settle the issue; therefore, this case cannot be regarded as definitive.

However, what I wish to examine here is the dilemma posed by the apparent need for government to determine what does and what does not constitute a religion, or a religious teaching, or the exercise of a religious responsibility. For it seems that government must determine such things when it weighs its own aims against its responsibility to protect religious liberty. For Americans, this need stems from the “free exercise” of religion guaranteed by the first amendment to the Constitution of the United States. This is part of the original Bill of Rights, without which the Constitution itself would never have been adopted. There are analogues in other Western nations, all of which have a theoretical commitment to religious liberty.

Dilemma of State, Dilemma of Church

It is not hard to see the dilemma faced by the modern State when it comes to the free exercise of religion. What makes it so very easy to see is the remarkably diverse and splintered character of religious belief in the contemporary world. Things were very different, for example, in the Medieval period, when Western society enjoyed the stability of one overwhelmingly dominant religion under a single ecclesiastical authority. In that culture, there was little confusion about what “religion” meant in terms of the
claims that secular governments had to respect. But in our own culture, beginning with the splintering of Christianity and the influx of religious ideas from other regions of the world, and now under the supreme influence of an astonishingly proud and vain individualism, religion has largely become whatever anybody wants to claim that it is. Surely the government cannot be expected to protect every last thing that one group or another may claim it is bound by its “religion” to do.

Should the government be required, for example, to make broad provision for the dietary rules of Judaism or the avoidance of motorized equipment by the Amish? Must it honor Quaker pacifism? Need it condone the use of various drugs in the religious ceremonies of certain cults? What about the polygamy of Mormons? The attitudes toward property of Transcendentalists? The sexual mores of the Playboy philosophy? Where, if anywhere, may a reasonable line be drawn? How does the social order escape the results of a theory of religious liberty which may include, in our crazy times, anything and everything?

But of course as soon as these questions are raised, one also sees the dilemma faced by those who take their religion seriously, by the various churches, and by the Church herself. For the State is manifestly incompetent to judge the truth or falsity of religious belief, to determine whether one set of beliefs constitutes an authentic religion while another does not, to determine which activities may be construed as significantly religious, or to decide whether any particular person is religious or not.

One can hardly restrict the designation “religious” to the official representatives of a religious body, which in any case would not solve the problem, or define freedom of religion as mere freedom to worship, at least without doing violence to the very nature of religion itself. The claim of nearly every religion is that it requires a particular way of life, and all major religious believe this way of life impenetrates everything a person does. And while pagan religions may have been largely devoid of moral content, the major religions of the world, and especially those influenced by the Judeo-Christian tradition, see God as supremely moral. Thus religion is something which guides not only particular rituals but every aspect of moral behavior. How is human government to determine what is and is not religious? How is it to decide which behaviors call for religious protection?

The Deficiencies and Perils of Legal Positivism
By itself, human law cannot effectively address these dilemmas. In fact, modern legal systems—including the American legal and judicial system—cripple themselves on religious issues precisely by their assumption that all they have to work with is human
law—that is, whatever constitution-writers choose to write, whatever legislators choose to enact, and whatever judges choose to decide. This self-imposed limitation goes by the name of legal positivism, and it reflects the mistaken modern belief—completely foreign to the larger Western tradition of law—that the rule of law consists exclusively of whatever human laws have been enacted, no more and no less. There is not, on this reading of reality, any external standard of justice by which human law itself may be judged.

Almost all Western law schools are now rooted in legal positivism, and yet it is already obvious from the first section of this essay that legal positivism is powerless to address at least one of the great questions of civil polity, namely the freedom and scope to be given to the religious exercise of citizens. And, in fact, a moment’s reflection reveals that legal positivism is powerless to address adequately any of the foundational issues of justice and liberty upon which thriving social orders necessarily depend.

For when we succumb to legal positivism, we lose any standard of justice and any basis for liberty which extends beyond the will of those who have the power to enact and enforce the law. Legal positivism is inherently despotic, which means it cannot fail to become tyrannical. For a time, through accidents of tradition or religious belief or rational insight, those in power may make sound laws and sound judgments, but in a system of legal positivism, there is no standard by which this soundness may be judged. Therefore, as various “coincidental” principles are abandoned in favor of error or desire or self-interest, the law must deteriorate.

Again, under legal positivism no larger principle is admitted by which the law can be judged. In a jurisprudential parody of Alexander Pope, whatever is is right. We can readily grant that the powerful will often have a disproportionate influence on the rules in every society, but under a system of legal positivism, the powerful are always and inevitably justified in making the rules, for the rules alone represent justice. Thus the law is judge, jury and executioner, and the law is nothing more than what those currently in power have made it to be here and now.

The Only Solution is the Natural Law

The fundamental problem in all this may be fairly represented by the following two statements: On the one hand, the law must be more than the mere will of the powerful; on the other hand, the law must not be determined by the conflicting claims of various religions, which (whatever the merits of these claims) human government has no competence to assess. The only solution to this problem is the one developed in the Western legal tradition from ancient Greece until quite recently, namely the recognition
of the moral sovereignty of a law that is built into nature and accessible to all. I am referring to that natural perception of justice which enlightens our consciences and demands our obedience even in the absence of religious belief, education, and the positive law itself—a higher and deeper law, therefore, against which the positive law may be judged. This law that is written in the heart of every man and woman is called the **natural law**.

This innate human perception of natural justice was taken for granted by the founders and framers of every legal system in the West. Indeed, until recently, it was an axiom of Western law that any human enactment contrary to the natural law was by that fact null and void. While the reasons for the decline of this understanding are legion, it is the pernicious theory of legal positivism which has swept the natural law out of our legislative, judicial and executive systems, leaving us only with the will to power.

This does not, of course, mean that the mere recognition of the existence of the natural law will end all disputes. For while all persons instinctively perceive the natural law, and indeed argue about good and evil almost exclusively in light of it, one part of the natural law is often erroneously used to argue against another, and the weaknesses of individuals and even whole cultures not infrequently cause certain aspects of the natural law—different aspects in each time and place—to be deeply obscured even as other aspects are more clearly perceived. Nonetheless, the very recognition of the natural law introduces an independent and rational standard of justice according to which all human enactments can be evaluated, even if they will not always be perfectly evaluated.

Though the natural law is a palpable reality recognizable by all, it is beyond the scope of this essay to lay out the many arguments which confirm this fundamental reality, this inherently human conception of justice which forms the moral core of life itself. Fortunately, I have pointed out these arguments elsewhere (see *Natural Law*). Suffice it to say here that in addition to providing a conceptual framework which overcomes the tyrannical deficiencies of legal positivism, the natural law also holds the solution to the dilemma I have outlined regarding the free exercise of religion within the confines of the common good, which it is the burden and the joy of human government to serve.

**Confirmed by Catholic Teaching**

This is why you will find that Catholic teachings on religious liberty, and on the duties of the State toward both religion in general and the true religion in particular, are always hedged about with restrictions which insist that these governmental responsibilities must be exercised within due limits. For her part, the Magisterium of the Church has never
called upon the State to replicate the whole Catholic system in law. Nor has she asked the State to guarantee unrestricted liberty for the exercise of every religious belief. The Catholic Church recognizes a limiting factor in the duties of government with respect to religion.

The teaching on religious liberty at the Second Vatican Council is a case in point. As the most recent and most comprehensive statement on the subject, it may be taken here to represent fairly the Church’s whole doctrine of “free exercise”:

This Vatican Council declares that the human person has a right to religious freedom. This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits.

The council further declares that the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and by reason itself. This right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right. (Declaration on Religious Liberty (Dignitatis Humanae), #2)

Here we see two important points of the Church’s teaching: First, the protection of religious liberty by all human powers (including government) is to be provided “within due limits”; and second, the grounds of this right of religious freedom is known not only through Revelation but “by reason itself”.

Both of these points refer to the natural law. The “due limits” within which the State is to protect and foster religious liberty are the limits of the natural law, with respect to both moral right and wrong and the need for civil order (in the sense of governmental protection of public safety). Thus the modern dilemma, in which we can so easily see (and are constantly reminded by secularists) that government can hardly be expected to protect every idea and activity of every madcap religionist, is really not a dilemma at all in a society which recognizes the natural law. For any religious mandate which insists that its adherents violate the natural law is, no matter how lofty its Divine claims, subject to legitimate restriction by the State.

Moreover, the dilemma of the churches that the government is incompetent to judge in matters of religion is also swept away under the tutelage of the natural law. For since the same God reveals Himself through both specific Revelation and the natural law, as
being the Author of both, it is impossible that the demands of authentic religion should violate anything the natural law establishes for the guidance of all men at all times. It is no surprise, therefore, that Catholic moral teaching, insofar as it imposes broad moral requirements for all of our actions as Catholics, actually imposes nothing more than the dictates of the natural law, of which the Ten Commandments are perhaps the most succinct and obvious summary.

The Catholic Church has the authority to clarify and confirm not only the Revelation which has been entrusted to her but the natural law that has been entrusted to all—the twin disclosures of Almighty God. But while the Church is essential to the transmission and proper understanding of Revelation, she is not essential to the transmission and understanding of the natural law. With respect to the natural law, Revelation and grace can improve our ability to see it whole and entire, but it remains written in the hearts of all, to be everywhere and at all times cherished and explored as the moral foundation of a genuinely good life.

The Concerns of Public Order are Moral

It is precisely on the basis of natural law morality that activities and ways of life undertaken in the name of religion intersect with the clear interests of the State. Government need not adjudicate religious questions (and has no competence to do so) except insofar as citizens claim religious inspiration for their moral actions. A just government will both welcome the salutary impact of authentic religion on the lives of citizens and at the same time find itself fully qualified to restrict the exercise of (necessarily inauthentic) religion should that exercise involve any violation of the natural law. For the natural law, also deriving from the ordinances of God, must in any case serve as the framework of justice within which government is obliged to secure, protect and enhance the common good.

Because government is necessarily concerned with the moral actions of its citizens, and has no competence to judge matters of religious faith and commitment, the chief failures of religious liberty occur not when government permits some evil in society to go unpunished but when government forces those under its rule to act in ways that support some evil. Thus it does not restrict our religious liberty, or even our more general liberty of conscience, to be surrounded by the evil others do, and indeed there are many evils which are beyond either the scope or the ability of government to correct, or to correct without doing more harm than good. But when government insists by its laws, regulations, judgments and enforcements that we participate in or support some particular action which our religion teaches us to be immoral, or that we refrain from
some particular action toward our neighbors which our religion morally requires, then the question of religious liberty arises.

For this and many other excellent reasons, government must think long and carefully about *forcing* people to do anything, but when push comes to shove (so to speak) government must determine whether an action it wishes to enforce is or is not a violation of the natural law. If it is, on no account may a just government require it. If it is doubtful, the government should try very hard not to put itself in the position of requiring it. If it is certainly not a violation of the natural law, then government may, after prudent consideration, require it in accordance with the demands of the common good. A similar analysis is required for an action the government may wish to prohibit. If the action is contrary to the natural law, it may be prohibited justly to protect the common good, subject to prudence; if the matter is doubtful, government should strive to avoid direct prohibition; if the action is within the moral bounds of the natural law, government ought to permit it within the limits of public safety.

**Utility of the Natural Law**

Please note once again that I do not insist that an admission of the claims of the natural law will solve all problems, making all things simple. Sadly, there are many reasons—human passion, upbringing, prejudice, self-interest, cultural-conditioning, ignorance and even personal disorders of various kinds—which can make it difficult for citizens and even whole cultures to grasp the natural law with complete accuracy. Nonetheless, the fact of the existence of the natural law, and its natural accessibility to all persons, is sufficient for its precepts to be required in justice.

As the expression goes, ignorance of the law is no excuse. We cannot, for example, claim to be unrestricted in our desire to steal or murder simply because we do not recognize (owing to some personal or cultural deficiency) that stealing and murder are contrary to the natural law. This is, to take but one example, exactly what is at stake with abortion today. Rather, the moment we protest that, given our ignorance or rejection of the natural law, some restriction or punishment is necessarily *unfair*, well, then the game is up. For the appeal to fairness is precisely an appeal to the natural law, an appeal which proves its universal force and apprehension by all. Indeed, apart from the moral order built into nature and inscribed in our hearts, how should we think that anything ought to be fair, and how should we even understand the concept of fairness?

Therefore, yet again, I do not claim that the recognition of the natural law will make all things simple. I claim something prior to and more important than that. I claim that the natural law is the only set of universal principles we have for solving many problems
in human affairs, including the problem of what makes laws just, and including the dilemmas of both church and state with which I began this essay. The natural law is in fact the very solution God has built into nature to enable us to solve these problems, in order to pursue the Good.

Conclusion

Let me conclude by emphasizing that if we are to read and apply the natural law rightly, we must begin by describing things accurately. The right use of language, and in particular a refusal to fudge meanings or utilize ambivalent terms, is of paramount importance here. By now everyone should be familiar with the euphemisms that have been used, to take my previous example, for the purpose of obscuring that abortion is the taking of an innocent human life. Thus the child in the womb is referred to as “tissue” or “part of the woman’s body”, advocacy of abortion is called being “pro-choice”, abortion is described as “reproductive medicine”, and if specificity is required, we might hear the term “pregnancy termination”. None of this is new; those who wish to justify moral evil must always obfuscate the issue by using terms which appeal to the natural law itself. “Rights” terminology is another classic way of shifting the ground so that what is contrary to the natural law may be perceived as demanded by it.

The same thing is occurring with the term “marriage”. In this case, “marriage” is being summarily redefined so that this same term, so redolent of nature and the natural law by its hallowed use across thousands of years, may still be used to elicit a favorable response to “couplings” that are not marriage at all.

Therefore it is no surprise that we saw the same obfuscation creeping into Judge Carole Jackson’s opinion when she denied Frank O’Brien’s claim that his religious liberty was violated by the HHS mandate. Recall how she argued that “indirect financial support of a practice, from which the plaintiff himself abstains according to his religious principles,” cannot constitute “a substantial burden on plaintiff’s religious exercise.” But this is already a species of semantical gamesmanship. The requirements of the HHS mandate for support of contraception, sterilization and abortion are not simply “practices” that O’Brien chooses to avoid in accordance with the peculiarities of his religious observance. We might, for example, choose to avoid television if we wished to live a more ascetical life, or because we find the programming to be a temptation, without in the least objecting, on religious grounds, to the provision of television service in subsidized residences for the sick and elderly.

But this is very different. Contraception, sterilization and abortion are moral wrongs which O’Brien’s religion forbids him both to engage in personally and to support or
facilitate in others. He can, according to the principles of his religion, accept the fact that government does not punish these evils. He cannot, according to the principles of his religion, accept the fact that government requires him to support them. Unfortunately, the very need to frame the case solely in terms of religious liberty arises from the absence of the natural law in American jurisprudence, and this has the grave tendency of throwing the question into that vast dilemma which I outlined in the beginning—as if the government must decide how far it will go toward accommodating various peculiarities under the traditional rubric of religious belief.

But this whole approach is both flawed and dangerous. It has been the burden of this essay to explain why.
Coercion vs. Tolerance: The Real Crisis in Public Life

October 16, 2012

We’ve been fighting legal abortion with little or no success for a very long generation now, and we’ve rightly regarded it as a horrific scourge, a massive breakdown of the public order. Perhaps this is why we have been slow to recognize and oppose the sea change that is taking place in American politics right now—the enormous, incalculable shift in government from permitting evil to enforcing it.

To some degree, of course, this shift is not entirely new. It has not materialized, as it were, out of the blue. One can trace its genesis in several ways, two of which I will mention here. In the first place, we have long permitted public control over education. For most children in the United States, it devolves upon government to determine what they will learn. It is remarkable that an allegedly freedom-loving people has permitted this to be the norm from a relatively early date. In any case, looking back now, we can clearly see how the culture wars were lost in schools with the rise of government-mandated sex education programs and the enforcement of political correctness regarding various moral perversions, including the gay lifestyle, which is now culminating in same-sex marriage.

In the second place, we need to recall that abortion in the United States since 1973 has not merely been permitted, in the sense that for prudential reasons government has decided against prosecuting abortionists or women who seek abortions. Rather, our Supreme Court proclaimed that abortion is a right, falling under the right of privacy it discovered in the “penumbra” of the Constitution—a penumbra being a gray area illuminated only partially by Constitutional concepts explicitly expressed elsewhere. (Interestingly, in the history of “penumbral” law, the Supreme Court earlier found similar grounds to establish family rights which are not specifically stated in the Constitution. The outcome of penumbral reasoning is not always bad, but it does demonstrate the difficulties we face when we fall into the trap of believing that a Constitution is the source of our rights.) In any case, the point here is that when something immoral is defined as a right, then that immoral act is not just tolerated; rather, the law guarantees its moral legitimacy.
In such a situation, coercion is always just around the corner. If abortion is a right, then it becomes a violation of human rights to restrict it or even to speak against it. If abortion is a right, then any obstacle to getting an abortion serves as a grave impediment to the realization of a person’s full dignity. Sound Catholics would agree that we have a moral obligation to make sure that nobody is denied his rights (properly understood). So when something immoral is defined as a right, it follows that the State has decided we have a moral obligation to ensure that nothing prevents a person from exercising that right. In other words, we can be coerced into facilitating abortion for those who want it, even to the point of paying for it. On this reading, we should account ourselves lucky that we do not need to operate the machinery or hold the knife.

So, again, we can fairly easily trace a gradual shift from toleration of certain evils, where policing and punishing them is virtually impossible or might do more harm than good, to the coercion of citizens to engage in these same evils. Nonetheless, the current shift in American politics represents a major stage in this development. One would like to think it is such a major stage as to make the problem obvious. Here we have the emblematic issue of the culture wars, an issue on which Americans are deeply and evenly divided, moreover an issue of life and death. And what is happening is that the Democratic Party is insisting that citizens on all sides must accept not just the fact that abortion will go unrestricted by government but that all citizens will help to pay for whatever abortions other citizens may wish to have. (There is also forced participation in contraception and sterilization; forced participation in gay marriage is clearly on the political horizon, courtesy of the same Party.)

For many people, of course, only the problem posed by the next thing is bad enough to get worked up about. They subscribe to the sort of convenient morality which immediately accepts all current policies as either fully justified or at least so settled that nothing can be done—so we might as well attend to their pet concerns instead. According to this gospel of convenience, we must remain unruffled, wise, realistic, fashionable…and supine. In contrast, I assert that it ought now to be crystal clear that the American government under Barack Obama has crossed an important line, the line between tolerating violations of the natural law for prudential reasons and coercing the citizenry into violating the natural law.

Once again, let me emphasize that the natural law is not a specifically Catholic thing. Astonishingly, each time I have mentioned the natural law, some have insisted that it is unfair to expect others to conform to Catholic doctrine! Truly, the mind boggles, for the whole point of the natural law is that it is universal and, well, natural. The critic’s very appeal to lack of fairness is in fact an appeal to the natural law. All rational moral
argument appeals to the natural law, even when it erroneously uses one part of the natural law against another. Confusion, passion and self-interest may at times cause us to make mistakes in interpreting and applying the natural law, but the inescapable fact remains that the natural law is the only way we have of knowing when the positive law is immoral. Without it, there can be no concept of “right” apart from the concept of “power”.

The fact that the American government has now clearly crossed this line from permitting to coercing evil changes the political game immensely, even if we can trace the unfortunate antecedents of that crossing. Coercing citizens to do evil is much worse than permitting evil, so much worse that it takes precedence over all other political concerns. This issue is not something that can be weighed against other policies which we may consider more or less prudent, because it crosses a fundamental line which government must never cross, and which invalidates any law which crosses it (and any government which persists in crossing it).

At the level of politics, the bare fact of abortion in our culture is a tiny blemish compared with deliberate governmental coercion of citizens to participate in intrinsically immoral behavior. It is very sad that we have slipped to this new low. But this must now be the primary focus of our political energies: The repudiation of every policy, and if necessary of every government, which deliberately forces people to perform specific actions that are morally wrong.
New Rules of Engagement: Christ instead of the Modern State

November 08, 2012

The bishops of Pennsylvania cut right to the core of our fundamental political problem in their message to voters on November 1st, in preparation for Election Day in America. They identified this problem as the totalitarian war of the secular State not only against natural human rights but also against the authority of institutions which are prior to the State:

Today’s Catholics face a growing and deeply troubling effort that seeks to extend the reach of government into every aspect of social life. In turn, this generates a demand for exclusive allegiance of individuals and groups to the requirements of the State. This demand denies the primacy of associations that exist prior to the State, such as the family, church or synagogue, and even fraternal and charitable agencies.

It is getting more and more difficult for people to see such intermediary institutions as enjoying a legitimate scope and authority in their own right—more and more difficult to grasp the fact that the State ought not to be viewed as the summit and source of all authority in heaven and earth.

One reason for this difficulty is our growing practical atheism, aided and abetted by the conviction that everything that is not purely private must, for reasons of civility, be completely secular. In the United States, about 20% of the population now regards itself as without religious affiliation of any kind, a huge increase over the past generation. And many others who, for the moment, retain some desire to worship God publicly have swallowed the propaganda of the modern West that religion is necessarily a private affair, which must not be allowed to have any bearing on public life.

As the bishops put it:

Americans would do well to realize that many of our country’s leading thinkers in law, higher education, and the social sciences simply no longer believe in the idea of inalienable natural rights guaranteed by a Creator higher than the State—one of
the cornerstone principles of the American experiment.

Another reason for this difficulty is our increasing reliance on the State. We have over multiple generations slipped into habits which diminish self-reliance and concede more and more decisions to governmental bureaucracy. The bishops point out that democracy provides no special protection against State control, for it is all too easy for democracy “to lose its soul by little steps”. Citing Alexis de Tocqueville, who wrote about American democracy 150 years ago, Pennsylvania’s bishops explain that “it is especially dangerous to enslave men in the minor details of life”—because the more the state provides, the more it inevitably controls.”

We need to think seriously about these developments. As I argued in both Coercion vs. Tolerance: The Real Crisis of Public life and The Light Dawns: American Bishops and the State, the key problem in public life today is no longer abortion. It is no longer gay marriage. It is no longer education or economic policy or health care. It is the neo-totalitarianism of the modern State, which claims to subsume everything, define everything, and control everything in societies which now largely take for granted that this ought to be so.

**Past Failures and Catholic Renewal**

Too many Christians, including too many sectors in the Church herself, have welcomed the growth of bureaucratic government over the past century, blissfully unaware of the nature of the monster they were feeding. Looking back, we can see the massive and deleterious social shifts encouraged and protected by entitlement programs. Even something as seemingly innocuous as the American Social Security system has contributed to a lack of personal economic responsibility by citizens and to the breakdown of extended family ties, as the next generation concludes that it need not worry about the preceding generation—and vice versa—because they are taken care of by government.

Indeed, irrespective of the merits or demerits of each social program, we must admit that a healthy proactive self-reliance and the mutual interdependence of families and local communities have largely been replaced by a sense that government really will take care of us. The same tendencies are also fostered by Medicare (and now Obamacare) and by what are commonly called “welfare” programs, and let us not forget public education. We tend to take all these things so much for granted that we are reluctant even to ask how well they work! The result is that citizens expend much of their political capital fighting over entitlements, and the government increasingly controls our lives. As if this
were not clear enough before, the HHS Mandate shows how prone government can be to making up its own morality and imposing it on its dependents.

In the United States, deeply committed Catholics have long lamented the tendency of the American bishops to advocate one Federal program after another, insisting that government must take care of just about everything, which is a radical misreading of Catholic social teaching, and ignores the timely warnings issued by Pope John Paul II against the “social assistance State” in Centesimus Annus (see especially #48). Despite these warnings, there has been a grave tendency to praise government intervention in the name of “solidarity” which, as Pope Benedict made clear in Caritas in Veritate, cannot, by its very nature, be imposed by the State.

As recently as May of this year, Phil Lawler pointed out a continuing pattern at the USCCB of obscuring moral and spiritual imperatives by a reckless support of one Federal program after another, a trend we might now expect the bishops of Pennsylvania, at least, to resist (see USCCB statements on other political topics are harming the campaign for religious freedom). And immediately following the confirmation of President Obama’s anti-natural law Presidency in Tuesday’s election, the USCCB’s Department of Justice, Peace and Human Development (DJPHD) has reopened for business at the same old store, sponsoring a webcast to explain why no Federal program which claims “to help” should be diminished in any way.

On the other hand, there are other more encouraging signs. I have noted elsewhere that more bishops are now drawing attention to the principle of subsidiarity, and it was clear after the HHS Mandate was announced that many more became willing to speak of resistance to Federal power. A new and very different leader has already been appointed to head the USCCB’s DJPHD and will take office in December. These are early fruits not only of particular circumstantial pressures but of a long and agonizingly slow process of authentic Catholic renewal. We are fortunate that episcopal renewal is beginning to take root just as the anti-Christian nature of the modern State is becoming crystal clear. We may hope, and we must pray, that this renewal will be effective politically soon enough to prevent the inevitable martyrdoms, both dry and wet, which must otherwise ensue, as they did in France in the late 18th century and in both Germany and the Communist nations in the 20th. Is it now our turn?

New Terms of Engagement

To fight Leviathan successfully will require a significant shift in the allocation of our resources. No longer will it be sufficient to focus purely on abortion and related issues, as if it is possible to politically win battles that have already been culturally lost. The
political enemy must be identified not merely as sin but as State coercion to sin; not merely as Godlessness but as State coercion of Godlessness; not merely as a separation of the authority of the Church from that of the State, but as a war by the State on God, churches, believers, and the natural law.

This shift in our political focus must be swift and sure; the old categories of political resistance are passing rapidly away. Being pro-life within the system today hardly even strikes a nerve. Compare this with denying rights erroneously defined by the State or openly resisting the State’s monopoly on authority. Meanwhile, we no longer have the luxury of advocating this or that intrusion into the lives of citizens by central government just because that intrusion seems to be “for our own good”. The dangers are already demonstrably far too great.

Instead, our political emphasis must be on denying the involvement of the highest level of government wherever possible, simply as a matter of principle in the face of a hostile state. Here organizations like the USCCB department cited earlier are currently taking exactly the wrong approach. Insofar as they are politically oriented at all, they should be campaigning for the failure of every Federal bill which increases government involvement in an alleged desire to “take care” of people. They should be mounting a univocal resistance to all extensions and intrusions of central governmental power. In addition, all of us must begin to see the world’s current poor economy as an ally. When an argument is advanced that we cannot any longer afford to have government do X or Y, that argument should be raised high and carried forward as an oracle from God. The modern secular State is the enemy of the Church, the enemy of Christians, and the enemy of man. It must be resisted not just when it is clearly doing something bad, but even when we might presume it is trying to do something good.

But of course politics is not enough. The Church especially, and all men and women of good will, must also offer a broader social response. We all need to work hard to prove the whole point at issue here—that in all but a very few matters, we do not need the State to “take care of us”. At the most local level possible, all those who understand what human flourishing truly means need to establish strong intermediary organizations to assist those in need in a truly personal way, encouraging mutual collaboration in finding solutions to each particular problem, and refusing to turn anyone over to a government bureaucracy. This is what solidarity means. It is born of love.

In the United States, the Federal government has begun to exclude Catholic charitable efforts from State-controlled service to the community. Very well: It was a mistake to be thus engaged in the first place. So let the real work of Catholic charity now begin anew. The State will always attempt to marginalize or exclude Christians, but it is
also true that a healthy Christian society always marginalizes the State, rendering all but the most basic claims of government redundant and even laughable.

**Winning Hearts and Minds for Christ**

Even with a more radical approach, however, political and social activity alone will not suffice. Our elites and the governments they sponsor will be hard at work marginalizing their opponents through everything from education and the media to bread and circuses. What is heating up is not the battle for tolerance but the battle for hearts and minds, a battle in which the dictatorship of relativism is never neutral, and a battle in which our own neutrality is always a defeat. Such a battle cannot be won without evangelization—without conversion.

Our task is to form citizens who will no longer be willing to sell their birthright for a mess of pottage (Heb 12:16), citizens who will believe God instead of the World, who will trust God instead of the World, who will serve God instead of the World. We must create a culture in which lies, subterfuge and empty materialistic promises cannot move sufficient numbers to support worldly power without forcing the State to reveal itself in a blatant show of force. In the Church herself, we must create a culture in which the first recourse of all will be a recourse to Christians; in which collaboration with evil will be considered a betrayal of Christian responsibility; and in which persistent public collaboration with evil will result in exclusion from communion with Christ.

Never has it been more timely to have had a Synod on Evangelization, or to begin a Year of Faith!

The overall scope of this battle does not depend primarily on Republican or Democratic victories, just as the victories of one party over the other across the past fifty years and more have made no significant difference to the dominant trend. Any party war here is tangential to the war for souls. We need to reject the fashionable world’s rules of engagement. Again, the bishops of Pennsylvania have it right: “Ideas have consequences. Beliefs shape our culture…. We strive to fulfill the human vocation in our own day, just as all the saints have done in past ages.” We must, as they recommend and in absolutely everything, “bring our faith to bear.”
The End of Pro-Life Politics

November 19, 2012

Have we as pro-life Catholics been wrong to invest the lion’s share of our time, talent and energy in the political battle against abortion over the past forty years? Or even if we have not been wrong the whole time, are we wrong now? Perhaps it is obvious that I believe the answer is yes. It ought to be clear by now that Western culture is insufficiently healthy to sustain a political solution to abortion. Therefore, it is counter-productive to pour our resources into the effort to achieve such a solution. We must use our resources far more wisely than that.

This question is forced upon us by the dramatic change in our social, cultural and political landscape over the past ten years or so, which has pushed problems every bit as important as abortion to the fore, for example the problems posed by the widespread breakdown of marriage and the family, the regularization of same-sex attraction and same-sex marriage, the triumph of a legal positivism utterly divorced from the natural law, our social dependence on a pagan bureaucratic State, the growing antipathy to Christianity, and the rapid erosion of religious liberty. What we have learned in recent years is that we are not, as we have long thought, on the verge of winning the battle for human life. Rather, we must recognize that our culture as a whole has slipped into such darkness and error that addressing the problem of the sanctity of human life politically has become effectively impossible.

The Way We Were

The priority of fighting abortion politically in the West was created primarily by two factors: First, of course, there is the enormity of the problem, the untold millions of lives that are at stake each and every year. Second, however, there is the fact that widespread abortion is a relatively recent development, so recent that many of us can still remember when, in our own countries, the floodgates were opened by specifically political decisions and acts. This fact of “recentness” and this context of “politics” has rather naturally led us to believe that the political fight against abortion was winnable in our social order as it currently exists—that we are only a few percentage points and one or two strategic moves away from reversing the tide. So conceived, the fight against abortion—which is the very core and primary reason for the existence of what we call

www.catholicculture.org
the pro-life movement—has been shaped primarily in a political way, and there has long seemed to be a moral imperative among men and women of good will to devote their resources to fighting this particular battle first of all.

Yet as year after year has gone by with little or no appreciable change, clear signs of strategic uncertainty have emerged. For a long time, the pro-life movement has experienced frightful divisions between those who insist on all-or-nothing solutions and those who believe victory is possible only through little political steps. These and other tactical divisions have been so severe that each side has tended to demonize the other, which is a sure sign of both the frustration and what we might call the secret demoralization of the movement as a whole.

Moreover, those who have pursued pro-life objectives less politically have never succeeded in escaping the shadow of the larger ineffective political pro-life mainstream. Those who have emphasized educational efforts, for example, have often conceived of these efforts primarily as a means of changing votes. Meanwhile, those who have engaged in pregnancy center counseling—an area in which success is actually possible on a daily basis—have had to labor under a severe shortage of funds, because of the common insistence that the first pro-life responsibility is to fight abortion politically.

Meanwhile, those pro-lifers who have chosen to devote themselves primarily to other aspects of a larger mission—evangelization or cultural development, for example—have long complained privately that their initiatives were relegated to second-class status and tenth-class support. Yet they have also usually realized why this must be so, given the reigning perception of the importance of the political fight for life. But is it not clear by now that this reigning perception must change?

Full disclosure: In running CatholicCulture.org, which is of course thoroughly pro-life but devoted to a much deeper and broader task, I have had frequent occasions both to understand and to lament how much of the available resource pool is consistently absorbed by directly political pro-life initiatives, despite the remarkably small amount of good this enormous expenditure of resources has done.

When all is said and done, this political emphasis of the pro-life movement has built and sustained many pro-life organizations; it has provided quite a few jobs; it has created claims on the loyalties and purses of pro-life Christians; it has become a significant industry. And it has accomplished almost nothing.

Then and Now
The time has come to admit the obvious and, in consequence, to speak the unspeakable. Is it not clear now that the social order as we know it in the West is utterly incapable of
sustaining successful pro-life politics? The evidence is overwhelming. First, there is again the remarkable lack of success over the past forty years despite the staggering resources expended in the cause. Second, in the United States at least, this lack of success seems to conflict with polls that repeatedly show a majority of voters to prefer restrictions on abortion—which proves that such voters do not regard abortion as significant enough to influence their votes. Third, as indicated at the outset, the number of other serious social and political challenges which have so rapidly emerged in recent years are clear signs that our mainstream culture has problems far deeper than a disagreement about how to handle the question of legal abortion.

It is no longer satisfactory—in fact I would say it is disingenuous—to stress (for example, in response to the Obama juggernaut) that we simply need to go back to the trenches and mobilize more people and more resources in the same political effort next time around. Twenty-five years ago this seemed to make sense. Ten years ago people were reluctant to suggest that it did not. Today, anybody who thinks this is a reasonable response to the problems we face either has his head in the sand or possesses a vested interest in the economic viability of one or more of the many pro-life organizations which—almost certainly through no great fault of their own—simply cannot succeed.

Remember the humorous definition of insanity: doing the same thing over and over again and expecting a different result. If we are to make any progress at all, we must face the reality that the state of our culture makes effective political solutions impossible, except in a few tiny and inevitably temporary ways. Yes, we have a grave obligation to be pro-life in our thinking and to favor a culture of life in everything we do. But we have no grave obligation to make political change a high practical priority, not when a realistic assessment shows that the likelihood of positive political change ranges, at our current moment in history, somewhere between extraordinarily unlikely and impossible. Western culture cannot now sustain it.

**An Analogy from the Ancient World**

I think it very likely that had the circumstances in which we first experienced widespread abortion been different, we would have responded to it with a different sort of urgency, an urgency that was primarily non-political. Suppose, for example, that pro-life Christians were a small and relatively inconsequential part of a culture which had been essentially pagan for hundreds of years. Suppose further that abortion and infanticide were accepted aspects of this culture. In such a case, Christians would of course live differently. Unlike pagans, they would not murder their children. They would prize family life. They would try to grow spiritually and pass on their Faith. They would
evangelize their neighbors. They would excel in charitable works.

But the one thing they would not do is throw all their energies into politics in order to change the laws. They would know that, at their current moment in history, this was simply not possible. And they would not feel guilty about refraining from such frenetic and useless political activity. If someone in their community claimed that by their political apathy they made themselves morally guilty for the deaths of countless children, they would not be convinced, nor would they suddenly empty their pockets for whatever political initiative was being proposed. And they would never anoint “the lesser evil” as a political messiah. Rather, they would know that the time was not right, that the culture could not sustain such an initiative, and that the recognition of this reality did not constitute a case for their own complicity with evil.

This was actually the situation, of course, as Christianity developed in the Roman Empire. It took hundreds of years for the expansion of the Faith and the rise of a more Christian culture to make political change possible, and hundreds more years to develop a reasonably Christian political order. The case is even more obvious with slavery, the history of which is clearer to us, and which we know was endemic in those times. Christians quickly refused to own slaves, and the spread of Christianity gradually militated against slavery, but Christians waited a very long time to put their energies into a political movement to end slavery, which in many periods was clearly impossible. As important as it is to be ready for political action when it can bear fruit, and as difficult as it is to recognize an opportune moment when it arrives, our fathers in the Faith saw no reason to emphasize politics when politics could not serve God’s will. Nor did they regard themselves as guilty for “permitting” slavery within the culture as a whole.

Recognizing and Responding to Reality

I would suggest that the reality before us in the “Christian” West is far more like the reality of pagan Rome than we have heretofore thought. Christianity has long been in dramatic decline in the West, and a great many moral attitudes we took for granted publicly even fifty or a hundred years ago were no longer even then rooted in any sort of significant Christian belief or commitment. Instead, public and outward cultural morality were largely a shell—often a mere hypocrisy—a vestigial growth left over from a distant Christian past. These outward morals, often enshrined in law, no longer had any significant basis in the spiritual and moral understanding of the people as a whole.

Thus, when divorce, contraception, sterilization, abortion, pornography, homosexual behavior and other evils began to spread so rapidly during the twentieth century, it was not because we were losing by razor-thin margins the ability to restrain the political
trickery of a few, but because the shell of propriety had fallen under its own weight, with virtually nothing at all to sustain it from within. Suddenly, almost overnight, we were thrown into the public position of our more distant forefathers, a position exactly like the private position which we so often failed to recognize in those days: The position of a relatively insignificant group of deeply committed Christians in the midst of an overwhelmingly pagan culture. And even where statistics suggested we ought to have more influence, this was a culture in which the organs of power, influence and fashion were already controlled almost exclusively by the dominant pagan element.

It is primarily the consequence of a long history of Western secularization that there is still so much Christian talk mixed in with the paganism of our larger culture. After all, for the culture to go so far wrong, a great many Christians over long generations had to give up the substance of their religious commitment while retaining only its deceptive shadow. Christian ideals had to be reinterpreted in a non-spiritual way before they could be abandoned wholesale. But we are now seeing—or at least we ought to be able to see—the tremendous tide of paganism which has risen all around us, the monumental power of it in our political and social and cultural institutions (and often, alas, even in many religious institutions)—a power and control which reduces the possibility of effective political action to something so close to zero as makes no difference at all.

Personally, I do not see this as cause for alarm, just as I do not see it as anything new. I think, rather, that we are just beginning to see our situation as it really is, after a generation and more of intense confusion over the signs of the times. This misreading of the signs has unfortunately caused us to waste enormous amounts of energy fighting not so much for Christ as for political outcomes which cannot be sustained without Christ. This does not mean that we must despair, though we are very likely in for a rough time. Nor does it mean, obviously, that we are absolved from voting morally. But it does mean that we ought to expend our greatest energies elsewhere, in widespread efforts to strengthen the Church, to develop our own Christian subculture complete with vibrant intermediary institutions, to evangelize our neighbors, and to offer practical service to any and all who, increasingly ill-served by a bureaucratic pagan State, may turn to us in their need.

This is, in fact, exactly what Christians had to do in the early centuries of the Church (and what they must never fail to do at any time, even when things happen to be going better politically). In other words, the answer to the disturbing question with which I opened this essay is clear. This is not the time to place the emphasis on politics, any more than it was time for politics when Karol Wojtyla was growing up in Poland. This is the time for Faith and family, evangelization and the formation of Christian culture.
This is not the time to waste immense resources and energies on political efforts which our larger Western culture cannot possibly sustain. It is rather a time to grow in Faith, evangelize those around us, and form vibrant local cultures which draw our neighbors into the light of Christ.
To Emphasize Politics or Not: The Sequel

November 29, 2012

It is time for a follow-up on my controversial *In Depth Analysis, The End of Pro-Life Politics*. The piece has occasioned a good deal of comment—not only in *Sound Off!* and via email, but in blogs and social media. Indeed, that may well be the most important thing about it.

I argued that our culture cannot currently sustain a moral politics and therefore it is time to expend less energy and resources on political initiatives and more energy and resources on evangelization and other initiatives calculated to build culture. The thesis was met with affirmation and even relief by some, and by disagreement and even recrimination by others. I am very grateful for all comments. But in the give and take, three significant misunderstandings have emerged—perhaps through my own fault—and it is important to make sure everybody understands that these misunderstandings are not part of my thesis.

**The Problem of Despair**

Several of those who took exception to my argument dismissed it as born of *despair*. This concerns me because despair is unthinkable to the Christian. Its presence constitutes a serious spiritual flaw. So of course I hope that I have given no indication of even a temptation to despair in anything I have written on this subject. To clear up this misunderstanding, let me emphasize what despair is not:

- It is not despair to suggest that confidence in some particular kind of worldly success is not warranted. Christ’s kingdom is not of this world; in fact, he reminded his followers repeatedly that, with respect to the affairs of this world, they could expect rather generally to be on the outside looking in: “I have said this to you, that in me you may have peace. In the world you have tribulation; but be of good cheer, I have overcome the world” (Jn 16:33).

- It is not despair when, in the effort to do good, we evaluate our options and then choose to emphasize one strategy over another, so that we may work in ways
that are more likely to produce the highest result-to-effort ratio. We are, after all, speaking of prudential judgment here: “Behold, I send you out as sheep in the midst of wolves; so be wise as serpents and innocent as doves” (Mt 10:16). And “which of you, desiring to build a tower, does not first sit down and count the cost, whether he has enough to complete it” (Lk 14:28)?

The Need to Do Everything

A number of respondents have argued that it is unconscionable to lessen our political activity. We are called, they say, to work on every front, to press for every advantage. What are we to say to this?

The first thing that must be said is that nothing in any argument about general priorities can possibly deny this truth: Just as we are all given different gifts by God, so are we all called to different forms of service. Even if it does not make sense to devote the Christian community’s primary effort to politics—or, to put the matter more pointedly, even if it will be counter-productive to attempt to “guilt” the Christian community into giving political efforts pride of place—this does not mean that some people are not called to work in the political arena.

The second thing that must be said is that the ability to work with equal intensity on all fronts at all times is a characteristic of Divinity alone. This is not given to men and women, either individually or corporately. Rather, it is the human burden to evaluate and choose and act strategically. Thus the insistence that we must never relax our efforts in any area, coupled with the tendency to question the commitment of those who argue for an emphasis on one approach over another, betrays a misunderstanding of human nature. In fact, it demands something impossible.

And the third thing is this: The assertion that we must never under any circumstances lessen our political efforts in particular might be evidence of infection by a pervasive modern germ, a cast of mind that even good Christians too often fail to recognize; after all, it is something they have imbibed almost with their mother’s milk. I refer to the tendency to live and act as if everything must be reduced to politics. Far too many people think that if something does not translate into politics, it does not rise to the level of significant activity, and this is actually a noxious whiff of the atmosphere of modern Statism. Unfortunately, spiritual progress for a culture is no more possible in this mental atmosphere than is spiritual progress for an individual soul.

The Cultural Importance of Law
A number of my critics wrote as if I had failed to notice the importance of law to the formation of culture—the importance of law as a teacher. But nobody who has over the past century fought the dismantling of human laws which reflect the natural law could fail to recognize this reality. And it is even less likely that anyone with my background could fail to recognize it: trained as a cultural historian, teaching cultural and intellectual history for ten years, founding first a publishing house to examine such issues in the light of the Catholic faith, and finally developing a website called, of all things, catholicculture.org.

But, in fact, *everything* impacts culture, just as the general culture impacts *everything*. This tells us nothing about whether a goal is achievable. The culturally formative power of human law is one more important reason, besides the actual punitive/protective effects of human law, for the importance of politics, by which laws are made and, indeed, changed. But this does not alter the basic obligation to expend limited energies and resources in the best possible way. If in fact we judge that there is little or no chance right now to implement good, culturally-formative laws—if, in fact, I am right that our culture is incapable of supporting such laws—then this should trigger a consideration of what must be done to create the spiritual and moral social conditions in which such laws can succeed.

Of course, pursuing such alternative strategies ought not to be done only so we can have good laws. That would be the Statist error all over again. This is the error of those who, for example, gear all educational initiatives toward changing votes. It is not exactly bad, but it can be spiritually and morally hollow. We ought to evangelize and engage in culture-building activities (such as creating and strengthening intermediary institutions) primarily because these are important goods, recognizing that a byproduct will be the development of the kind of culture that, one day, can sustain a moral legal system.

I should add that those who argue for a continued dominant emphasis on politics because of the formative power of law often cite legal successes in their favor, but these are rarely if ever legal successes that produce laws with any formative power. Nearly all pro-life legal victories over the past fifty years have been won through what amounts to legal subterfuge, by which I mean framing a law which putatively addresses some more popular and “acceptable” concern (such as health standards or parental rights), but doing this because it will also result in a reduction of abortions which we could not otherwise achieve. There is little or no teaching value in such laws. They actually provide more evidence for my original thesis.

**A Needed Debate**

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Let me allude again to the point I made above, the point that even when a particular kind of activity may be judged unpromising for the community as a whole, this does not mean that some people are not called by God to devote themselves to this activity, or at least to the general field in which such activities have their scope and purpose. Surely we can deemphasize politics without arguing that nobody is called to work in politics. In fact, if we do deemphasize politics, we must deemphasize it in exactly this way, just as we would for any other legitimate field of human endeavor.

This necessity serves to highlight an even more important point. I remind everyone that what we are discussing here is a prudential question, which means it is a question about which good men and women can disagree—equally committed Catholic men and women, even brothers and sisters or husbands and wives. Those who believe there is far more scope for political success just now than I have allowed should not feel tempted to note deficiencies in my virtue any more than I should impugn theirs. In this realm, it remains fair only to ask whether any of us might be influenced in our assessments by some unrecognized error which, did we recognize it, we would repudiate. Such fears may turn out to be relevant.

But no authority, no doctrine, no revelation can settle this question. It is not a question of approving what we must in conscience approve or condemning what we must in conscience condemn. It is a question of how best to expend limited energies and resources in order to make the maximum contribution to the common good in a particular circumstance and at a particular time. There is room for debate, and discussion, and difference on this matter, just as there is room for different people working toward the same goal by different means.

And yet we must not forget that such a debate, discussion and difference must be developed by argument. Mere assertion will not do. Impassioned feelings are not enough. To begin with a different letter of the alphabet, we must explore, examine and evaluate in the service of our debates, discussions and differences. That is why, despite my desire to dispel the major misunderstandings of my thesis as they have been expressed by others, I believe that the thesis has been highly successful. It has begun—or if that is too bold, it has furthered—a discussion which has been too long postponed.

It is a discussion, in fact, that our own internal pro-life pressures have made very difficult to raise. Opening the discussion seems, by its very nature, to step on toes, to cast aspersions. That is not my intention. But in view of the continuing rapid dissolution of Western culture, it is a discussion we very badly need to have.
The Natural Law Is Not Enough

December 03, 2012

I have argued repeatedly for the importance of the natural law and particularly for an appeal to the natural law in public affairs. But today I wish to introduce a note of caution. As important as the natural law is, it can obscure things that are more important still.

Most creatures reflect the glory of God involuntarily, simply by being what they are designed to be, by doing what they are designed to do. But because human persons possess the faculties of intellect and will, we must both learn and choose the good in order to glorify our Creator. This “glorifying” flows naturally from what secures our deepest happiness. It consists in proceeding toward the end for which we have been created, and its fulfillment lies in reaching our true end.

Human life, then, is rooted in right action; it is inescapably moral. The natural law, as perceived and reflected in the conscience, stamps the person with a sense of right and wrong, and of existing under a judgment; an intuition therefore of the existence of a Judge, who must also care about us; and even an expectation that this Judge will look for an opportunity to reveal his will more fully. Because these intuitions are built into our very nature, doing what is good according to the law of nature is no mere matter for philosophical speculation; it is a serious personal obligation.

In other words, the natural law is the key to what may be required of every man and woman as a matter of justice, just as Revelation is the key to what may be required of all those who voluntarily accept it as a matter of charity.

The natural law thus provides a basic framework for moral discussions among men and women of differing cultures and differing religions. Pluralism itself, so far from being a defense against the requirements of the natural law, is always bound by it simply because it is human. And so the natural law governs moral argument even between believers and non-believers, and it also clarifies the kinds of laws which a society must accept (or reject)—laws which may be prudently enacted and enforced by government even against those of its citizens who may misunderstand or deny the natural law.

Now all of this is true; all of it may be rightly said in favor of emphasizing the importance of the natural law. But it is also true that when it comes to persuading others of the right way to live, natural law arguments are historically very thin. It is difficult to point to any non-religious society which has not strayed very far from the natural law in a
significant number of critical ways, despite the reality that the natural law is accessible to reason, and our very concepts of right, wrong and moral obligation are rooted in how we are made.

This leads to an essential caution. Culture after culture strays from the natural law. Those cultures which possess a strong, consistent and cohesive articulation of the natural law are extremely rare. In fact, the strongest awareness of the requirements of the natural law has always been found in Christian societies. It would seem necessary to conclude that people have a great deal of difficulty in putting the natural law ahead of their own pride and passion unless their perceptions are clarified, their resolve strengthened, and their attachments purified by Christ.

Must we not be wary, therefore, of embracing social strategies which attempt to rely on the natural law without introducing the spiritual and life-changing impact of Christ Himself?

Perhaps the quandary is best illustrated by its most obvious example. I refer to politics in what we call a secular public square. Insofar as we accept the premise that politics in a pluralist society ought to be stripped of its Christian context, we exclude an important area of life from Christian influence. As logical as this seems, surely we must suspect it to be one of the factors that actually reduces the chances of long-term political success. Contemporary political strategies almost always deliberately exclude Christ so as to be construed as reasonable and fair. Inescapably, then, the more we emphasize purely political strategies in our culture, the more we obscure Christ.

I am increasingly convinced that, at the level of politics, the natural law is more valuable as guidance for what Christians can legitimately demand from everyone through government, and less valuable as a means to bring non-Christians to a minimal moral standard for a successful social order. The former enlightens the Christian ruler about the nature of justice in the world; the latter, it would seem, requires something of the spirit of St. Paul:

When I came to you, brethren, I did not come proclaiming to you the testimony of God in lofty words or wisdom. For I decided to know nothing among you except Jesus Christ and him crucified. And I was with you in weakness and in much fear and trembling; and my speech and my message were not in plausible words of wisdom, but in demonstration of the Spirit and of power, that your faith might not rest in the wisdom of men but in the power of God. (1 Cor 2:1-5)

At the very least, this is something worth thinking about. The natural law is real, and it is
vitaly important. We all relate to it in some way, and we all need to reflect on it in order to more fully understand our being, our nature, our ends. Certainly there are occasions when a natural law argument is the best argument to make. But it would be a grave error in judgment to suppose that any appeal to the natural law is an adequate substitute for the grace and power of Jesus Christ Himself.

The natural law can appeal and it can guide. But it is grace that perfects nature. The natural law cannot convert. Neither can it save.
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