

# Catholic Politicians and the Social Doctrine of the Church

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The contribution of Catholic politicians to political and civil life is deeply affected not only by the emphasis on autonomy in contemporary cultural and political life, but also by the liberal insistence that religion is a private affair. In many instances the principle of autonomy supports the kind of moral relativism that undermines common moral principles in a liberal democracy. The Congregation for the Doctrine of the Faith notes that “citizens claim complete autonomy with regard to their moral choices, and lawmakers maintain that they are respecting this freedom of choice by enacting laws which ignore the principles of natural ethics and yield to ephemeral cultural and moral trends, as if every possible outlook on life were of equal value.”<sup>(1)</sup> This is an obvious trend, observed by many citizens, that has been growing since the mid-to-late 1960s, receiving an enormous boost from *Roe v. Wade* in 1973.

The argument by political and legal theorists to exclude religion from the public square, also influenced by cultural relativism, is not as obvious to the average citizen. Some people have noticed that the law often does not allow the display of nativity scenes or the Ten Commandments, but only a very few are aware of the theoretical arguments advanced to keep religion in the sacristy. In its *Doctrinal Note* the Congregation alerts Catholics that arguments are being made to persuade them *not* to address public issues on the basis of their understanding of the person and the common good. The Vatican Congregation does not mention the names of the individuals or groups espousing this intolerant secularism, or go into any details about the nature of their reasoning, but it is well known in scholarly circles that the many advocates of the liberalism inspired by the writings of John Rawls and others are among the most influential representatives of this position. From the point of view of Catholic social teaching and natural law, Rawls and his followers accept only a truncated understanding of the human person, justice, and the common good, and they therefore err in insisting that discussion of public issues should be based only on that understanding. Many Catholics, nevertheless, would have some sympathy for the Rawlsian position if they became aware of it, because they have the tendency to separate faith from life. This tendency is so strong at times that Cardinal Avery Dulles was able to write the following in 1998:

Any effort by a church to say what is morally permitted, required or prohibited by the law of God in the spheres of politics, medicine, business or family life is resented as an intrusion into alien territory.... Anyone who sees religion as determinative for secular activities is likely to be regarded as a fanatic. Teachers, businessmen, politicians or judges who let religion impinge in a major way on their professional activities are considered eccentric.<sup>(2)</sup>

The theoretical argument for excluding religion and natural law from public life is more likely to have a deep influence on Americans and their institutions if citizens are already prone to separate faith from everyday life in the home, at work, and in political life. Let us briefly take a look at that theoretical argument.

Following in the footsteps of John Locke, contemporary political theorists have provided a theoretical justification for excluding religion and natural law from the public square. Michael Sandel offers a nice summary of the liberal project to set up a government that “should be neutral among competing conceptions of the good life. Despite their various accounts of what rights we have, rights-oriented liberals agree that the principles of justice that specify our rights should not depend for their justification on any particular conception of the good life.”<sup>(3)</sup> In other words, liberals believe that “rights can be identified and justified in a way that does not presuppose any particular conception of the good.”<sup>(4)</sup> It is, of course, an extraordinary claim that we can adequately understand justice without appealing to some notion of the good or to our ends as human beings. Sandel’s questions about this project reveal its far-reaching implications. “[In reflecting on justice] why must we ‘bracket,’ or set aside, our moral and religious convictions, our conceptions of the good life? Why should we not base the principles of justice that govern the basic structure of society on our best understanding of the highest human ends?”<sup>(5)</sup>

For example, in *Political Liberalism* John Rawls argues that there are neutral principles of justice on which everyone can and should agree. These indisputable principles of justice, he argues, can be determined without relying on any theological and philosophical views of the good, about which there is and always will be reasonable pluralism. Once accepted, these so-called neutral principles of justice establish the parameters within which citizens are to make moral arguments about public matters. Just as there is an absolute separation between the affairs of the church and the commonwealth for Locke, so for Rawls there is an absolute separation between justice and conceptions of the good, whether theological or philosophical. Sandel’s most serious objection to this political arrangement is cogent. “According to the ideal of public reason advanced by political liberalism,” writes Sandel, “citizens may not legitimately discuss fundamental political and constitutional questions with reference to their moral and religious ideals. But this is an unduly severe restriction that would impoverish political discourse and rule out important dimensions of public deliberation.”<sup>(6)</sup>

Rawls and his defenders would reply that neutral principles of justice would prevent people of different religious and philosophical conviction from disrupting the constitutional and political order with their interminable arguments and would enable them to cooperate for the common good. Rawls is assuming that “the exercise of human reason under conditions of freedom will *not* produce disagreements about justice.” Even a cursory glance at political reality indicates that Rawls’s position can not be true. As Sandel says,

Consider, for example, contemporary debates about affirmative action, income distribution and tax fairness, health care, immigration, gay rights, free speech versus hate speech, and capital punishment, to name a few. Or consider the divided votes and conflicting opinions of Supreme Court justices in cases involving religious liberty, freedom of speech, privacy rights, voting rights, the rights of the accused, and so on. Do not these debates display a “fact of reasonable pluralism” about justice?<sup>(7)</sup>

Consider how Rawls’s principles of justice work in practice with respect to abortion. Government neutrality on abortion would mean that the political values of toleration and women’s equality would prevail and that any moral and religious convictions about the origin of life and the status of the embryo would be bracketed. That is to say, it would not be appropriate or permissible to argue against the legality of abortion on the basis of some comprehensive moral or religious viewpoint.

Thus, a neutral principle of justice would require the toleration of a woman's right to choose abortion and would not allow Catholic doctrine on abortion to be debated in the public arena. "In the debate about abortion rights," explains Sandel, "those who believe that the fetus is a person from the moment of conception and that abortion is therefore murder could not seek to persuade their fellow citizens of this view in open political debate. Nor could they vote for a law that would restrict abortion on the basis of this moral or religious conviction."<sup>(8)</sup> The bracketing or exclusion of these comprehensive views in the public arena would extend to all matters pertaining to justice and rights.

### **Catholic Social Doctrine on Law in a Liberal Democracy**

Catholic social doctrine does not bracket its comprehensive views but tries to show how they can apply in a liberal democracy. For example, toward the end of chapter three in his encyclical *Evangelium Vitae*, Pope John Paul II reflects on the role of law in a democracy. He begins by taking issue with the argument that "the legal system of any society should limit itself to taking account of and accepting the convictions of the majority."<sup>(9)</sup> This means that the moral beliefs and practices of the majority should be the norm, whatever they might be. This way of looking at things requires the legislature to acknowledge the autonomy of individual consciences. In other words, individuals may claim for themselves "the most complete freedom of choice," and they may "demand that the state should not adopt or impose any ethical position but limit itself to guaranteeing maximum space for the freedom of each individual with the sole limitation of not infringing on the freedom and rights of any other citizen."<sup>(10)</sup> Some go so far as to say that public officials and professionals should set aside their own conscientious beliefs in order to accommodate the demands of citizens, which are "recognized and guaranteed by the law." For example, if euthanasia were legal, the argument runs, physicians should help people end their lives, no matter what their personal convictions are.

Pope John Paul II thinks that "ethical relativism which characterizes much of present-day culture" lies at the basis of the argument just presented. The pope rightly holds that people "consider such relativism an essential condition of democracy, inasmuch as it alone is held to guarantee tolerance, mutual respect between people and acceptance of the decisions of the majority, whereas moral norms considered to be objective and binding are held to lead to authoritarianism and intolerance."<sup>(11)</sup> The pope grants that crimes have been committed in the name of "truth," but they also have been authorized in the name of ethical relativism by individual tyrants and popular consensus. The legal permission to kill the unborn is really a tyrannical decision by the strong against the weakest among us.

John Paul II argues that the democratic process is a means and not an end in itself. Every democracy must be evaluated by its goods and moral principles. A good democracy is not neutral with respect to values or principles. "The basis of these values (or principles) cannot be provisional and changeable 'majority' opinions, but only the acknowledgment of an objective moral law which, as the 'natural law' written in the human heart, is the obligatory reference for civil law itself."<sup>(12)</sup> The pope is not arguing that the moral law and civil law should correspond in every respect. The purpose of the latter is more limited. Following Vatican II's *Dignitatis Humanae*,<sup>(13)</sup> the pope says that the purpose of the civil law is to ensure "the common good of the people through the recognition and defense of their fundamental rights and the promotion of peace and public morality. The real purpose of civil law is to guarantee an ordered social existence in true justice, so that all may 'lead a

quiet and peaceable life, godly and respectful in every way' (1 Tm 2:2).”(14) The civil law, however, must never take the place of conscience or attempt to govern outside its competence.

The pontiff then quotes Pope John XXIII and Thomas Aquinas in order to affirm that civil laws in opposition to the moral order or right reason are unjust laws (for example, laws permitting and promoting abortion and euthanasia). These practices are not only opposed to the good of individuals but also to the common good. “Disregard for the right to life, precisely because it leads to the killing of the person whom society exists to serve, is what most directly conflicts with the possibility of achieving the common good.”(15) It is most important to note that, according to John Paul II, the common good is a standard and goal of the civil law (not that individuals and mediating institutions do not also have a role in promoting the common good). Some Catholic scholars say that the scope of the civil law is limited to the promotion of the public order, as described in *Dignitatis Humanae*. They further dispute the authority of the government to limit freedom through law on the basis of the common good. The pope rightly disagrees with this position. *Gaudium et Spes* affirms that the political community exists for the common good, which “embraces the sum of those conditions of social life by which individuals, families, and groups can achieve their own perfection in a relatively thorough and ready way.”(16) The political community, of course, must rely on the law in various ways to achieve its end, the common good. It also relies on other instruments as well, such as mediating institutions and the mores promoted by the culture.

### **The Participation of Catholics in Political Life**

The Catholic Church, a good example of a mediating institution, can play a significant role in helping the political community to seek the common good. Just by teaching the faith, worshiping God, and administering the sacraments, the church does a lot to prepare Catholics to be good citizens. Participating fully in the life of the church will help Catholics overcome the immoderate pursuit of gain, pleasure, autonomy, and power, which poses all sorts of obstacles to the realization of the common good.

If the church and its educational institutions effectively teach Catholic social doctrine, Catholics will then have a good idea of what civil society and the political order should look like. The main themes of Catholic social doctrine are as follows: the dignity of the human person; the various meanings of justice; the common good; subsidiarity; solidarity; the culture of life; the universal destination of material goods; religious liberty; rights and their limitations; the role of marriage and the family in civil society; the just war theory; the duties of developed nations to help the developing countries overcome hunger, disease, poverty, and the like; natural law principles; the role of law in promoting a public morality; the teaching of the church on stem cell research and cloning, and so forth. Mastering Catholic social doctrine is not an easy task, since the discipline is inherently interdisciplinary, requiring some knowledge of theology, political philosophy, politics, and history.

In its *Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*, the Congregation for the Doctrine of the Faith insists on the importance of Catholic social doctrine for contemporary society. “The presentation of the fruits of the spiritual, intellectual and moral heritage of Catholicism in terms understandable to modern culture is a task of urgency today, in order to avoid also a kind of Catholic cultural diaspora.”(17) Catholicism has already been successful in getting many nations to take seriously the just war principles, which trace their origin to the thought of Augustine and Aquinas. Just war theory is now taught and discussed in the military academies of

the United States, and it exercises an influence on the nation's political leaders. Catholic teaching on *ius in bello* (justice in [the conduct of] war) discourages government and non-government leaders from targeting innocent civilians as a military strategy. In some circumstances it will take significant self-control on the part of political and military leaders not to be careless about killing civilians. Most other dimensions of Catholic social doctrine, however, are not so well-known or accepted. For example, the foundational principle of that doctrine, the dignity of the human person, is not fully appreciated or known in contemporary society. Still other aspects of Catholic social teaching that get more or less of a hearing in contemporary society are the teachings on subsidiarity, the culture of life (especially abortion and euthanasia), marriage as a union between a man and a woman, the just wage, the importance of religion for public life, solidarity and the common good, character formation in schools, and duties to complement rights.

Right after mentioning the importance of Catholicism and Catholic social teaching for contemporary society, the CDF makes four important observations about the nature of that teaching. First, the Congregation addresses the relation of structural change in society to the mores of individual citizens. "It is insufficient and reductive to think that the commitment of Catholics in society can be limited to a simple transformation of structures, because if at the basic level there is no culture capable of receiving, justifying and putting into practice positions deriving from faith and morals, the changes will always rest on a weak foundation."<sup>(18)</sup> This is an oft-repeated theme in the teachings of St. Augustine, St. Thomas Aquinas, and the papal social encyclicals since Leo XIII, but one not integrated into most American presentations of Catholic social doctrine. The pragmatic American approach is usually to come up with a policy proposal to address societal problems. Think of the various initiatives in the area of environmental policy. Some proposals will, no doubt, have some good effects, but if the souls of the polluters were ever transformed, the environmental laws would be more effective. Otherwise stated, Catholic leaders, including social activists, should have an interest in promoting virtue in the lives of Catholics and other citizens in whatever measure possible.

The second observation of the Congregation is an attempt to dissuade Christians from having utopian expectations about politics. "Christians must reject political positions and activities inspired by a utopian perspective which, turning the tradition of Biblical faith into a kind of prophetic vision without God, makes ill use of religion by directing consciences towards a hope which is merely earthly and which empties or reinterprets the Christian striving towards eternal life."<sup>(19)</sup> This seems to be a reference to those interpretations of the Old Testament that find a blueprint for modern social justice in the prophets, along with the conviction that social justice can be implemented by reliance on political means alone. This kind of perspective tends to take people's hearts and minds away from the realization of the kingdom of God in the souls of individuals. Another kind of misplaced idealism would be to conflate religious and civil law. While the Congregation is adamant about the importance of not separating politics from morality, it is very sensitive to the dangers resulting from identifying religious law with civil law. This kind of identification "can stifle religious freedom, even going so far as to restrict or deny other inalienable human rights."<sup>(20)</sup>

The third observation is a reiteration of church teaching that freedom must take its bearing from truth. When freedom is divorced from truth, a destructive individualism results, and the good of the person and society is undermined. This point was a constant theme of Pope John Paul II's papacy. Finally, the last point made by the Congregation is that people tend to misunderstand the rationale behind the Church's acceptance of religious freedom at Vatican Council II. As Pope Paul VI taught,

“in no way does the Council base this right to religious freedom on the fact that all religions and all teachings, including those that are erroneous, would have more or less equal value; it is based rather on the dignity of the human person, which demands that he be not subjected to external limitations which tend to constrain the conscience in its search for the true religion or in adhering to it.”<sup>(21)</sup> The Church thus upholds the right to religious freedom and condemns religious relativism.

Evangelized, practicing Catholics and Catholics educated in Catholic social doctrine are more likely to support initiatives that uphold public morality and the common good. If citizens are not prepared to recognize and embrace the good proposals of Catholic and non-Catholic politicians, then statesmanship on behalf of the common good cannot expect to be successful. In democratic regimes, political wisdom must always be reconciled with consent. In other words, effective leadership depends on persuading a sufficient number of citizens, especially in a democracy.

In order to complement its general observations on Catholic social doctrine, the Congregation also provides specific guidance to the laity on their efforts to address matters of public concern and public policy. The Vatican Congregation reaffirms the longstanding Catholic teaching that the lay faithful are to be a leaven in society, to infuse the temporal order with a Christian spirit in various ways, including political activity. Faithful citizenship does not allow Catholics to rest content with the opposition to clear evils such as abortion and euthanasia. The common good demands more than opposition to clear evils, though such opposition must never be omitted in the name of the so-called consistent ethic of life or Cardinal Bernardin’s “seamless garment” metaphor. In the words of the Congregation, “the Christian faith is an integral unity, and thus it is incoherent to isolate some particular element to the detriment of the whole of Catholic doctrine. A political commitment to a single aspect of the Church’s social doctrine does not exhaust one’s responsibility towards the common good.”<sup>(22)</sup> For example, Catholics cannot legitimately argue that their pro-life stance exhausts the Catholic contribution to the common good. The young must be adequately educated, jobs created, terrorism thwarted, the poor cared for, and so forth.

It is the role of the Church’s magisterium, argues the Congregation, to teach the faith and explain the principles of Catholic social doctrine in order “to instruct and illuminate the consciences of the faithful, particularly those involved in political life, so that their actions may always serve the integral promotion of the human person and the common good.”<sup>(23)</sup> This teaching activity of the magisterium is not an improper intrusion into the government of a nation, but a logical implication of the Church’s proper mission to evangelize the laity. The Church has an obligation to help the lay faithful to integrate their faith into every aspect of their life, “life in the family, at work, in social responsibilities, the responsibilities of public life and in culture.”<sup>(24)</sup> Once the conscience is formed, the laity freely decide how to promote the common good without waiting for directions from the hierarchy in those areas where there are necessarily several or many policy options compatible with faith and the moral law.

This means that while Catholics are not free to promote relativistic positions in the public square, they do have the freedom “to choose among the various political opinions that are compatible with faith and the moral law.”<sup>(25)</sup> Thus, Catholics may reasonably disagree with one another on the proper application of moral principles in the realm of policy. Vatican Council II explained this same point in *Gaudium et Spes*: “Often enough the Christian view of things will itself suggest some specific solution in certain circumstances. Yet it happens rather frequently, and legitimately so, that with equal sincerity some of the faithful will disagree with others on a given matter.”<sup>(26)</sup> When this

happens, the Council adds, individuals should not argue that the Church authority supports their opinion.

There are several reasons why there are inevitably different legitimate approaches on the level of concrete political action. The Congregation mentions “the contingent nature of certain choices regarding the ordering of society, the variety of strategies available for accomplishing or guaranteeing the same fundamental value, the possibility of different interpretations of the basic principles of political theory, and the technical complexity of many political problems.”(27) Thus, for example, Catholics could and will disagree about the efficacy of the tax cuts proposed by George W. Bush in stimulating the economy. In most areas that fall under the rubric of social justice, there usually will not be one political solution required by Catholic teaching, unless it is the prohibition of a clear evil.

Since there are various political opinions compatible with faith and the moral law, “it is not the Church’s task, “ argues the Congregation, “to set forth specific political solutions—and even less to propose a single solution as the acceptable one—to temporal questions that God has left to the free and responsible judgment of each single person.”(28) There is a good reason behind this position. If bishops endorse debatable policy solutions to specific problems, “they stir up opposition to themselves within the church,” says Cardinal Dulles, “and undermine their own authority to teach and govern.”(29) On the other hand, Catholic politicians must propose specific political solutions compatible with the moral law, keeping in mind that they may be off the mark.

The question naturally arises whether there is ever a time when it is proper and desirable for the bishops to make specific judgments on matters of public policy or on matters pertaining to the mores of civil society. The answer to that question also sheds light on the duties of Catholic politicians. “It is ... the Church’s right and duty to provide a moral judgment on temporal matters when this is required by faith or the moral law... When political activity comes up against moral principles that do not admit of exception, compromise or derogation, the Catholic commitment becomes more evident and laden with responsibility.”(30) Since the moral law requires the legal protection of life from conception until natural death, the bishops must oppose laws allowing abortion, euthanasia, and the destruction of the human embryo, and they must teach Catholic citizens and politicians to do the same, because there is no legitimate freedom to support the legalization of clear evils. In calling for a prohibition of these practices, the bishops rightly say they are being political but not partisan, because all Catholics should agree with their interpretation of the moral law. In the ordinary understanding of the word, however, the bishops’ opposition to abortion and the like will be judged partisan by your typical interest group.

What the CDF says about abortion and euthanasia applies analogously to certain other issues. With respect to marriage and the family, the laws and the mores of civil society should uphold monogamous marriage between a man and a woman, and safeguard the right of parents to educate their children. The laws, then, should not allow same-sex marriage. The Congregation does not call for an end to divorce laws or even their modification but argues that somehow the unity and stability of marriage needs to be safeguarded. Presumably, Catholics could choose from among a variety of ways to accomplish that goal.

In a subsequent statement on proposals to give legal recognition to unions between homosexual persons, the Vatican Congregation provides specific guidelines to Catholic politicians. They must

oppose any laws that give legal recognition to same-sex unions. If laws are passed giving such legal recognition, Catholic politicians must make their opposition known and work to have the laws repealed. The Congregation states its rationale for its position as follows: “Society owes its continued survival to the family, founded on marriage. The inevitable consequence of legal recognition of homosexual unions would be the redefinition of marriage which would become, in its legal status, an institution devoid of essential reference to factors linked to heterosexuality; for example procreation and raising children.”<sup>(31)</sup> In public schools, for example, teachers could no longer discuss marriage in terms of husbands and wives, parents and children.

Other areas singled out for special treatment in the Congregation’s *Doctrinal Note* are as follows: The Church’s commitment to peace requires the rejection of terrorism and violence. The statement, made without comment, surely is not calling for the prohibition of lethal force in a just war. Where evils cannot be completely eradicated by the law, the Congregation, following the lead of John Paul II’s *Evangelium Vitae*, encourages Catholics to work for legislation that would diminish the legal permission of evil. For example, the banning of partial-birth abortion does not stop much abortion, but it would prohibit a particularly grisly form of abortion. Other examples of initiatives required by the moral law are the protections of minors from drug abuse and prostitution, the safeguarding of the right to religious liberty, and “the development of an *economy* that is at the service of the human person and of the common good, with respect for social justice, [and] the principles of solidarity and subsidiarity.”<sup>(32)</sup> Of course, there would necessarily be more than one way to accomplish these goals.

In sum, the Catholic obligation to seek the common good will sometimes require all Catholics to oppose clear-cut evils. At other times the pursuit of the common good will require individual Catholics to choose from among various political options that are compatible with faith and the moral law. For the reasons already mentioned, there is necessarily a legitimate plurality of opinions about such matters as tax cuts, welfare policy, and the best way to insure the adequate education of the nation’s poor.

## **The Duties of Catholic Politicians**

The points made by the CDF are not breaking new ground but simply summarizing Catholic social teaching on the participation of Catholics in political and social life. The duties of Catholic politicians can be briefly summarized in the light of the Congregation’s document: They are to prepare themselves for participation in political life by knowing and practicing their faith. This includes observing Catholic morality in all areas of their lives. “*It is from the conversion of hearts,*” says the new *Compendium of the Social Doctrine of the Church*, “*that there arises concern for others loved as brothers and sisters.*”<sup>(33)</sup> Without that interior renewal, Catholic politicians will lack the highest motivation to benefit their fellow citizens in various ways. The *Compendium* summarizes what Catholics might do for their fellow citizens: “The laity must therefore *work at the same time for the conversion of hearts and the improvement of structures*, taking historical situations into account and using legitimate means so that the dignity of every man and woman will be truly respected and promoted within institutions.”<sup>(34)</sup> What Catholic politicians might do for the conversion of hearts may at first seem rather minimal, but consider for a moment the good effect of the Civil Rights Act on the hearts of citizens and the bad effect of *Roe v. Wade*. Because of the Congressional legislation, many citizens became less prejudiced to their own benefit, and as a result of the Supreme Court decision, many came to regard the choice of abortion as moral. In America citizens tend to regard what is legal as moral.

In addition, in order to make good judgments on appropriate “structures,” Catholic politicians need to understand the import of the key themes of Catholic social doctrine. Greater familiarity with Catholic social doctrine may convince Catholic politicians not only to oppose laws allowing the killing of the unborn, but also to take positive initiatives on behalf of life at all stages. Of course, many Catholic politicians already do this in various degrees. A more explicit knowledge of their faith, however, would enable them to make more and better contributions to good government and good civil life. Unfortunately, there has not been much talk about the positive initiatives that Catholic politicians could take, because so much of the discussion has been on their failure to oppose various public evils, such as abortion and the killing of embryos for the sake of research.

Furthermore, Catholic politicians need the kind of prudence that will enable them to make good use of their knowledge of Catholic social doctrine for the benefit of fellow citizens. Not every element of the Church’s social teaching will be applicable always and everywhere in a liberal democracy. Wisdom must always be reconciled with consent. Thus, Catholic politicians need the virtue of political prudence to guide their efforts. Simply being a good person does not necessarily give one the ability to make the kind of prudential decisions that will benefit one’s fellow citizens. Aquinas’s distinction between ordinary prudence and political prudence helps to clarify my point. He asserts that everyone in the state of grace has sufficient prudence to do what is required for his own salvation, but not everyone has the political prudence to discern the requirements of the common good. In Aquinas’s words, “There is also another diligence which is more than sufficient, whereby a man is able to make provision both for himself and for others, not only in matters necessary for salvation, but also in all things relating to human life; and such diligence as this is not in all who have grace.”(35) The acquisition of such diligence may be acquired over time with the right kind of experience and instruction. “In matters of prudence man stands in very great need of being taught by others, especially elders who have acquired a sane understanding of the ends in practical matters.”(36) In Thomas’s terminology, long experience of “singulars” is necessary to become a prudent person. Wise older people with much experience of the world are apt instructors of the young. It logically follows that learning from the politically wise by conversing with them or reading their books is an excellent way of seeking political prudence.

In addition to taking prudent, positive initiatives, Catholic politicians also have a clear duty to oppose the legalization of abortion and euthanasia, the destruction of embryos for research, cloning to produce children, cloning for biomedical research, and same-sex marriage. The Catholic clergy and other Catholic educators must explain to Catholic politicians why it is not sufficient to say that they are personally opposed to such evils but do not want to impose their opinions on others. Catholics have heard a steady drumbeat from Catholic politicians and others who say, “I am personally opposed to X, but I will not impose my opinion on others, especially my religious opinions.” This bad example of Catholic politicians in the limelight has reinforced the tendency of Catholics to separate faith from life. Mary Ann Glendon’s comment about this subterfuge is enlightening:

That slogan was the moral anesthesia that they offered to people who are troubled about moral decline, but do not know quite how to express their views, especially in public settings.... It is a sinister doctrine that would silence only those moral viewpoints that are religiously based. But the anesthesia was very effective in silencing the witness of countless good men and women. And of course the slogan was a bonanza for cowardly and unprincipled politicians.(37)

That many Catholics could not see the problems with the slogan is surely another sign that their theological and political education is deficient. Even Catholic leaders were not able to show right away the deficiencies of the slogan by means of a few persuasive clarifications. “Only in recent years,” Glendon argues, “have some Catholics, Protestants, and Jews stepped forward to point out that when citizens in a democratic republic advance religiously grounded moral viewpoints in the public square, they are not imposing anything on anyone. They are proposing. This is what is supposed to happen in our form of government—citizens propose, they give reasons, they deliberate, they vote.” The invocation of this slogan has unfortunately contributed further to the exclusion of religion from the public square. Many Catholic politicians are now comfortably pro-choice, believing that their personal opposition to abortion is all that their faith requires of them. In order to counter this common opinion, the bishops of the United States issued a statement in June 2004, entitled “Catholics in Political Life,” implicitly calling upon Catholic politicians to find ways to make abortion illegal.<sup>(38)</sup>

### **The Bishops and Catholic Politicians**

“Catholics in Political Life” makes the following points.

- 1) “If those who perform an abortion and those who cooperate willingly in the action are fully aware of the objective evil of what they do, they are guilty of grave sin and thereby separate themselves from God’s grace.”
- 2) “Those who formulate law ... have an obligation in conscience to work toward correcting morally defective laws, lest they be guilty of cooperating in evil and in sinning against the common good.” The bishops mention the legalization of abortion on demand as an example of a morally defective law.
- 3) The bishops “counsel Catholic public officials that their acting consistently to support abortion on demand risks making them cooperators in evil in a public manner.” Note that they do not say that pro-choice Catholic politicians are definitely cooperating in evil or are in an objective state of sin. Rather, the bishops imply that Catholic pro-choice politicians may not know that supporting the legalization of abortion is formal cooperation in evil. They then express the hope that the proper formation of their consciences will deter Catholic politicians from supporting the right to abortion.
- 4) All Catholics have an obligation to defend human life and human dignity in public life.
- 5) Catholic institutions should not honor Catholics who act against the fundamental moral teachings of the Catholic Church.
- 6) It is up to individual bishops to decide whether to deny communion to pro-choice Catholic politicians. (Of the seventy bishops who submitted an opinion to the Task Force, those opposing the denial of Holy Communion to pro-choice Catholic politicians prevailed by a margin of three to one.)
- 7) The bishops commit themselves “to continue to *teach* clearly and help other Catholic leaders to teach clearly on our unequivocal commitment to the legal protection of human life from the moment of conception until natural death” (my emphasis).

8) The bishops further recognize that they “need to do more to *persuade* all people that human life is precious and human dignity must be defended.” To accomplish this goal, the USCCB asserts that “more effective dialogue and engagement” with Catholic politicians is necessary (my emphasis).

9) “All must examine their conscience as to their worthiness to receive the Body and Blood of our Lord. This examination includes fidelity to the moral teaching of the Church in personal and public life.”

These points in “Catholics in Political Life” fill a big gap left by *Faithful Citizenship*,<sup>(39)</sup> which had nothing to say about or to pro-choice Catholic politicians. The strong point of this statement is the bishops’ commitment to persuading pro-choice Catholic politicians to recognize that they are not in communion with the Church and that they should refrain from communion out of a sense of integrity. One should not underestimate the importance of this point. The weakness of “Catholics in Political Life” is its failure to follow Cardinal Joseph Ratzinger’s leadership—when he was prefect of the CDF—on the best way to deal with Catholic politicians if they adamantly refuse to modify their pro-choice positions. In June 2004 the body of bishops, of course, did not know what Ratzinger thought when they approved their statement, because Cardinal Theodore McCarrick decided not to communicate the full contents of Ratzinger’s memorandum to his fellow bishops. Shortly after the USCCB’s summer meeting, the bishops and the general public learned the exact contents of the memorandum.

Ratzinger encouraged pastors of pro-choice Catholic politicians to meet with them and explain that they should not receive communion until they put an end to “the objective state of sin” in which they have placed themselves by campaigning and voting for permissive abortion and/or euthanasia laws. If Catholic politicians refuse to be persuaded and still seek to receive the eucharist, “the minister of holy Communion ... must refuse to distribute [it].”<sup>(40)</sup> Ratzinger adds that this is “not a sanction or penalty. Nor is the minister of Holy Communion passing judgment on the person’s subjective guilt, but rather is reacting to the person’s public unworthiness to receive Holy Communion due to an objective situation of sin.”<sup>(41)</sup> Ratzinger’s text clearly implies that the refusal to distribute communion to a pro-choice Catholic is not to be done for political reasons, such as to influence the outcome of an election, but only for religious reasons.

Ratzinger also addresses the pro-choice Catholic voter in an incisive paragraph appended to the end of his memorandum:

A Catholic would be guilty of formal cooperation in evil, and so unworthy to present himself for Holy Communion, if he were to deliberately vote for a candidate because of the candidate’s permissive stand on abortion and/or euthanasia. When a Catholic does not share a candidate’s stand in favor of abortion/euthanasia, but votes for that candidate for other reasons, it is considered remote material cooperation, which can be permitted in the presence of proportionate reasons.<sup>(42)</sup>

This clarification is very helpful and, if noted by their pastors, will aid Catholics to form their conscience.

While the USCCB statement does urge every bishop to meet with pro-choice Catholic politicians and work tirelessly to persuade them that their position contradicts church teaching, one cannot but

notice the reluctance of the American bishops to be more insistent with pro-choice Catholics by denying communion to them when the work of persuasion fails to achieve its end. By not following Ratzinger's teaching on the theology of denying communion, the USCCB, in my judgment, has not done enough to unsettle pro-choice Catholics and Catholic politicians in their vincible or invincible ignorance. The overwhelming majority will continue to be pro-choice and to maintain that they are in full communion with the Catholic Church because they are able to receive the eucharist.

At present, only a minority of bishops are likely to be lovingly insistent that pro-choice Catholic politicians may not receive communion if they refuse to be persuaded that their support for abortion is morally wrong. These bishops will greatly benefit the Church, as they bear courageous witness to the Catholic faith. One can hope that this minority will eventually persuade their fellow bishops to see the wisdom of withholding communion as a last resort in order to bring about the conversion of pro-choice Catholic politicians. •

## Notes

1. Congregation for the Doctrine of the Faith (CDF), *Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life* (January 16, 2003), no. 2.
2. Avery Dulles, "Orthodoxy and Social Change," *America* 178, no. 21 (1998): 10.
3. Michael Sandel, review of *Political Liberalism*, by John Rawls, *Harvard Law Review* 107 (1994): 1766.
4. *Ibid.*, 1767.
5. *Ibid.*, 1772–73.
6. *Ibid.*, 1776.
7. *Ibid.*, 1783.
8. *Ibid.*, 1790.
9. Pope John Paul II, *Evangelium Vitae* (The Gospel of Life, 1995), no. 69.
10. *Ibid.*
11. *Ibid.*, no. 70.
12. *Ibid.*
13. Declaration on Religious Liberty, 1965.
14. John Paul II, *Evangelium Vitae*, no. 71.

15. Ibid., no. 72.
16. Vatican Council II, *Gaudium et Spes* (The Church in the Modern World, 1965), no. 74.
17. CDF, *Doctrinal Note*, no. 7.
18. Ibid.
19. Ibid.
20. Ibid., no. 6.
21. Ibid., no. 8, quoting Pope Paul VI, *Address to the Sacred College and to the Roman Prelature*, in *Insegnamenti di Paolo VI* 14 (1976): 1088–1089.
22. Ibid., no. 4.
23. Ibid., no. 6.
24. Ibid.
25. Ibid., no. 3.
26. Vatican Council II, *Gaudium et Spes*, no. 43.
27. CDF, *Doctrinal Note*, no. 3.
28. Ibid.
29. Avery Dulles, “Religion and the Transformation of Politics,” *America* 167, no. 12 (1992): 297.
30. CDF, *Doctrinal Note*, nos. 3, 4.
31. CDF, *Considerations Regarding Proposals To Give Legal Recognition To Unions Between Homosexual Persons* (July 31, 2003), no. 8.
32. CDF, *Doctrinal Note*, no. 4.
33. Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Vatican City: Libreria Editrice Vaticana, 2004), no. 552.
34. Ibid.
35. Thomas Aquinas, *Summa Theologica* (New York: Benziger Brothers, 1947), II-II q.47 a.14 ad1m.
36. Ibid., q.49 a.3.

37. Mary Ann Glendon, "The Hour of the Laity," *First Things*, no. 127 (2002): 27.

38. United States Conference of Catholic Bishops, "Catholics in Political Life" (June 2004), available online at <[www.usccb.org/bishops/catholicsinpoliticallife.htm](http://www.usccb.org/bishops/catholicsinpoliticallife.htm)>, accessed May 11, 2005. This document was developed by the USCCB Task Force on Catholic Bishops and Catholic Politicians in collaboration with Francis Cardinal George, OMI, Archbishop Charles J. Chaput, OFMCap, and Bishop Donald W. Wuerl.

39. In the fall of 2003 the Administrative Committee of the United States Conference of Catholic Bishops (USCCB) issued and widely distributed in Catholic parishes, schools, and other organizations a kind of voters' guide for Catholics, entitled *Faithful Citizenship: A Catholic Call to Political Responsibility*. Although not a statement of the entire body of bishops, it is generally received as such.

40. Memorandum from Joseph Cardinal Ratzinger to Theodore Cardinal McCarrick, made public July 2004, no. 4, available online at <[www.priestsforlife.org/magisterium/bishops/04-07ratzingerommunion.htm](http://www.priestsforlife.org/magisterium/bishops/04-07ratzingerommunion.htm)>. Cf. Pontifical Council for Legislative Texts, "Holy Communion and Divorced, Civilly Remarried Catholics" (2002), nos. 3–4.

41. *Ibid.*, no. 6.

42. *Ibid.*, N.B. at end of memo.

\*Biographical information is true at time of publication.