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Keeping God in the Closet: Some thoughts on the Exorcism of Religious Values from Public Life

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Someone has remarked that this must be an election year: everyone is talking about theology. Suddenly we are hotly debating an issue we thought had been settled at the founding of this nation.

For Catholics the debate has a special interest. We engage in it not only as participants, but, in the minds of some people at least, defendants. Our citizenship is on trial. We are accused of "imposing our views" and "forcing our beliefs" on the community. Our Bishops are accused of "violating the constitutional separation of church and state."

These charges have a triple purpose. First, they are designed to create the assumption that the whole question of legal abortion is a "religious" issue. Second, they are designed to create suspicion against Catholics who oppose abortion. Third, and worst of all, they are designed to make Catholics themselves afraid and ashamed to speak out in defense of the unborn. I am sorry to say that these tactics have been succeeding all too well. Millions of people now take for granted that opposition to abortion can only be grounded in religious dogma; millions assume that Catholics are trying to import an alien doctrine on abortion; and many Catholics are timorously eager to placate potential hostility and bigotry by pleading that although they are "personally opposed" to abortion, they would never "impose their views" on anyone else. At the extreme we have the sort of Catholic politician of whom it has been said that "his religion is so private he won't even impose it on himself."

I would like to begin by discussing some of the major questions that have arisen lately touching the relations between politics and religion. I will conclude with a few words about their meaning for you and me as Catholics.

† This text was delivered as a speech to the Notre Dame Law School, September 24, 1984, as part of the 1984-1985 Distinguished Speaker Program of the Thomas J. White Center on Law & Government.

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I believe that we are now in a time of great testing, a
time of arguments down to first principles. Whether the mass
media's interest in the church/state debate withers over the
coming weeks and months, the debate itself will not go away.
The questions it raises are too fundamental, and the choices
among possible answers too important to the future of the
American experiment, for this discussion to be resolved easily
or quickly.

Since we are in for a long haul of it, I think it is impor-
tant at the outset to decide just what it is we are arguing
about. That has not been made entirely clear, by antagonists
in the arguments or by reporters and commentators, over the
past months. At times the discussion has become so obscure
that it reminds us of Orwell's observation that "... the re-
statement of the obvious is the first duty of intelligent men."
And, I would add without partisan or ideological intent, of
intelligent women. Please, then, permit me to begin by clear-
ing out what seems to me to be some of the underbrush that
has grown so luxuriantly around the religion and politics de-
bate since the Republican National Convention.

In the first, and hopefully most obvious, place, we are
not arguing about the creation of a theocracy, or anything
remotely approaching it. While there may be those on one
end of the debate who would like to see the United States
formally declare itself a "Christian nation," just as there are
those at the other end of the spectrum who would like to see
the assumptions and judgments contained in the Humanist
Manifestos achieve a constitutional, foundational status in our
society, the vast majority of those arguing about the role of
religious values in public policy do not want a theocracy in
America, do not want one expression of the Judeo-Christian
tradition (or any other religious tradition) raised by govern-
ment in preference to others, do not want to see religious
institutions have a formal role in our political process. Any
efforts along these lines would not only threaten the integrity
of our political process; they would threaten the integrity of
the Church.

This last point is worth dwelling on a moment, for it has
been largely neglected in the recent debates. They have fo-
cused on the integrity of the political process, and not with-
out reason: there have been several occasions where political
leaders of both our major parties, in concert with some reli-
gious leaders, have given the impression that certain candi-
dates were uniquely favored by God. This is, I think we all
would agree, a step over a delicate line. But it is also a prob-
lem for the integrity of the Church. When the Church becomes too immediately identified with any particular partisan organization or agenda, it has lost a measure of its crucial capacity to be a sign of unity in a broken world; to be, as Richard John Neuhaus has put it, a "zone of truth in a world of mendacity." Preserving the integrity of the Church should be, conversely, not only a matter of concern for believers, but for all who care about democracy. The Church has played an extremely important role as bridge-builder in our diverse society, and we have every bit as much need of that bridge-building today as in previous generations. A church that becomes identified as the "Democratic Party at prayer," a charge laid against some liberal Protestant denominations, or as "the Republican Party at prayer," a charge laid against some evangelical Protestant denominations, is a church that is risking one of its essential societal roles: that of being ground on which we can gather, not as partisans but as men and women of goodwill, to consider our differences in the context of our common humanity.

So, then, for the sake of our democracy but also for the sake of the Church, let us have no hint or trace of theocratic temptations. We are, as our coinage and our Pledge of Allegiance asserts, a nation "under God," that means a nation under God's judgment, constantly reminded by our smallest coin that the true measure of ourselves comes from beyond ourselves. Again, for the church as well as for democracy, let us preserve the integrity of both the political process and the Church.

In the second place, we are not arguing about whether "religion and politics should mix." This formula, so simple, is also deceptive and disorienting. Religion, the expression of what theologian Paul Tillich called our "ultimate concern," and politics have "mixed," intermingled, shaped and influenced each other centuries before the conversion of Constantine. And this has been true of our American experiment as well. The claim that American religion has always been "intensely private . . . between the individual and God" would surely have come as news to John Winthrop and the Pilgrims, to Jonathan Edwards, to the Abolitionists, to Lincoln, to fifteen generations of the black Church, and not least to American Catholics taught by the magisterial John Courtney Murray, architect of the Second Vatican Council's Declara-

tion on Religious Freedom, *Dignitatis Humanae.* Throughout our history, religious values have always been a part of the public policy debate. Religious values, particularly the Judeo-Christian tradition's insistence on the inherent dignity and inviolable worth of each individual human life, lie at the root of what Murray called the "American proposition." Yes, other influences shaped the Founders of our republic. Enlightenment modes of political philosophy played their important role, too. But, to borrow a phrase momentarily from the Marxists, "it is no accident" that Benjamin Franklin, one of the deistic Founders, proposed as a device on the Great Seal of the United States a picture of Moses lifting up his staff and dividing the Red Sea while Pharoah was overwhelmed in its waters, with the motto "rebellion to tyrants is obedience to God." Jefferson, often considered the most implacable foe of "mixing" religion and politics, countered with the suggestion that the Great Seal depict the children of Israel in the wilderness, led by a cloud by day and a pillar of fire by night. From the outset of the American experiment, it was to Biblical imagery that the nation most often turned as it sought to understand the full meaning of *novus ordo saeclorum* (the New Order of the Ages).

It is often objected that this resort to Biblical imagery has resulted in a false religiosity; a kind of hollow piety, symbolized by pre-Super Bowl prayers in the locker room. No doubt there have been Elmer Gantrys in our past, and there will be in our future. But who is more revealing of the essential character of the American proposition? Elmer Gantry? Or Lincoln in his desperate struggle to make sense out of the bloodletting of the Civil War: a struggle which, again turning to Biblical images and values, yielded the immortal words of the Second Inaugural Address, with both its stark recognition of the sin that had brought immense suffering and its ennobling call to charity among both victors and vanquished?

Religion and politics have thus always "mixed" in America, if what we are talking about is religious values and public policy. What the Founders wisely understood was that religious *institutions* should not become unnecessarily entangled with the political process. From this understanding arose the twin principles of the First Amendment: no established Church, and no state coercion over religious belief and prac-

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tice, within the limits of maintaining the public order. These principles, viewed skeptically for so long by a universal Church more accustomed to European usages, came to be enshrined in the Second Vatican Council's Declaration on Religious Freedom, which was, in no small measure, the gift of American Catholicism to the Church throughout the world.

The Constitutional separation of church and state is thus a question of institutional distinctiveness and integrity. It was never intended to rule religiously-based values out of order in the public arena. Yet that is precisely what some among us would do: disqualify an argument or a public policy from constitutional consideration if its roots are "religious."

This brings us to the third misconception of the church/state debate.

The great bulk of commentary in recent weeks has been to the effect that the new church/state debate was caused by the rise of the religious new right, and its allies in the Catholic hierarchy. This is too simple an analysis, and fails to take the measure of a longer-standing phenomenon in our national life: the rise of a militant secular-separationist perspective on the constitutional questions that seek to rule religiously-based values "out of order" in the public arena. Let us be precise about the agenda being pursued here. The issue was not tuition tax credits. The issue was much more fundamental: whether any values that were explicitly religious in origin would be admitted to public consideration in the conduct of the public's business. The "wall of separation," according to these activists sundered not only religious institutions and the institutions of the state; it stood fast between religiously-based values and the debate over the public business. Any appeal to a religiously-based value to buttress an argument for this or that public policy option was thus a "violation of the separation of church and state."

The application of this secular principle, however, has been schizophrenic to say the least. The clergy were revered when they marched at Selma, joined anti-war sit-ins and helped boycott lettuce; they are reviled when they speak out against abortion. Anyone who studies these subjects soon gets familiar with the double standard.

The secular-separationist wave had to crest eventually, though; since the overwhelming majority of the American people ground their public faith and lives in religiously-based values, a collision was inevitable. We are now living in the
noise and confusion of that collision. The religious new right, composed largely of evangelical Protestants pushed to the margins of our culture and our politics since the days of the Scopes trial, kicked a trip wire reminding us that there could not be a permanent chasm between the values allowed into the public arena, and the religiously-based values of the American people.

The coalition that has formed between these evangelicals (who represent, from some estimates, as many as 60 million Americans) and Roman Catholics is both unprecedented and somewhat surprising. The two religious communities have had little prior contact, and what there has been was cool if not outright hostile. There are, I think, at least two important reasons explaining some of this new coalitional activity. First, there have been significant changes within the evangelical community, both in terms of its own self-understanding and in its understanding of its relationship to Catholicism. It is no longer possible to equate the words “evangelical” and “fundamentalist,” for example. Many evangelicals are fundamentalists in their approach to Scripture, of course; others are not. Some evangelicals harbor anti-Catholic bias; most do not. Anti-Catholicism is perhaps more, and certainly no less, predictable in certain cultural quarters of the secular-separationist world than it is among evangelicals. Most importantly, evangelicals saw themselves as coming in from the cultural and political wilderness, a process not unlike that of Catholic ethnics. They looked and saw an America deeply troubled by drugs, pornography and abortion and determined to do something about it. From altered self-understanding came the possibility of altered ecumenical relations.

In addition to these momentous changes, Catholics began to react against the secular-separationist agenda. Catholics saw the confusion on the Supreme Court, which would allow state funds for books in parish schools but not for “instructional materials” such as maps. Catholics saw the crude caricatures involved in the use of stereotyped priests and nuns for advertisements, did not find much funny in “Saturday Night Live’s” Father Guido Sarducci, and wondered what was going on in the minds that could produce such images. But most importantly, Catholics experienced the hypocrisy of the abortion debate. They saw an issue of the utmost importance to constitutional first principles, who shall be within the boundaries of our community’s sense of obliga-

tion and protection, dismissed as a "Catholic issue," as an unconstitutional "mixing of religion and politics." We were accused of "trying to impose our religious values on others." One can only absorb so much of this falsification, and then one reacts.

The principled resistance to "imposing one's religious views" on a pluralistic society is a favorite ploy of the "I'm personally opposed to abortion but..." school of politician. Their dilemma is that they want to retain their Catholic credentials but realize that in today's Democratic Party, to be upwardly mobile is to be very liberal, to be very liberal is to be a feminist, and to be a feminist is to be for abortion. I won't quarrel with their political game plan, but their rationale is absurd.

First of all, abortion is not a Catholic issue, nor a Mormon issue, nor a Lutheran issue. It is an ethical issue that the Supreme Court (the same Court that opened the floodgates in 1973) has specifically found is "as much a reflection of traditionalist values toward abortion, as it is an embodiment of the view of any particular religion." The Court also found in its decision of June 30, 1980 in *Harris v. McRae* that "it does not follow that a statute violates the Establishment Clause because it happens to coincide or harmonize with the tenets of some or all religions... That the Judaeo-Christian religions oppose stealing does not mean that a... Government may not, consistent with the Establishment Clause, enact laws prohibiting larceny."3

To support their spurious argument, the "I'm personally opposed to abortion but..." politicians must develop spurious analogies, such as identifying abortion, which by definition and intention involves the destruction of innocent human life, with the issues of birth control or divorce, which do not.

The distinctions are of transcendent importance because we are talking about a basic human right, the first civil right, enshrined in our nation's birth certificate where we are reminded that all men are created equal and are endowed by their Creator with certain inalienable rights, the first of which is life. Is the protection of this human right an impermissible religious intrusion?

Another way of expressing one's reluctance to impose one's values on a society is to require a consensus before sup-

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6. *Id.*
porting any changes in the law. You will note that this is a highly selective requirement applying only to abortion legisla-
tion. No consensus was demanded before adopting the Civil Rights Act of 1964\(^7\) or Fair Housing legislation.\(^8\) These were right and their proponents helped create a consensus by advo-
cacy and example and by understanding that the law itself can be an excellent teacher. No, when the cause was the abo-
lition of slavery or the codification of civil rights the moral thing to do was to push for the changes and to help achieve the consensus which followed.

The whole notion of morality by consensus is a curious one. I have often thought that if Jesus had taken a poll He would never have preached the Gospel.

And so to argue, then, that the religious new right has “caused” this new church/state debate is to claim both too much and too little. Had the religiously-based values of the great majority of the American people not been systemati-
cally ruled out of order in public discourse over the past twenty years, there would have been no trip-wire in the na-
tional consciousness to be kicked. Had Catholics not, concur-
rently, seen a matter of great importance to them categori-
cally ghettoized as a “Catholic issue,” and thus an issue that ought not be treated in the public arena, there would have been no coalition between evangelicals and Catholics. That coalition may not last forever, but for the moment, it has been of sufficient weight to have forced to the surface of our public debate a set of arguments that has been going on, as a kind of subterranean civil war of cultures, for at least a generation.

The combination of passion and ignorance can be deadly, and so let us remind ourselves that we ought to argue these matters seriously without taking ourselves with ultimate seriousness; it suggests that we ought to make clear our opin-
ions. I will do so briefly, bringing matters down from the theo-
retical to the practical: what should we do to facilitate a de-
bate on religious values and public policy that strengthens the integrity of the Church and the political process?

I would suggest in the first place that we insist on rigor-
ous intellectual consistency in these arguments. Not a few ob-
servers have noted that many of the same voices who hailed the American Bishops as “prophetic” when they tacitly en-


dorsed the nuclear freeze now find the Bishops "scary" when the issue turns to abortion. This is hypocrisy. The Bishops have the clear right (and, in Catholic theory, the responsibility) to make clear what they think are the appropriate moral criteria for forming and shaping public policy, on issues ranging from national security to domestic welfare policy to abortion. If the Bishops enter the public arena to propound these criteria, they have an obligation to do so in language and imagery that is accessible to a pluralistic audience, and not just to Catholics. In our democracy, the Bishops clearly have the right to go farther, and to suggest what in their prudential judgments the public policies most likely to meet the test of their moral criteria would be. In Catholic theory, the Bishops' prudential judgment is to be weighed seriously and respectfully; it is not weighted with the same gravity, however, as the Bishops' teaching about the normative moral framework that should guide public policy.

Thus, the Catholic theory about the teaching role of religious leadership. Such a model would seem appropriate for religious leaders of other denominations in a pluralistic democracy such as our own. This model protects the constitutional right of the Bishops as citizens to speak their minds about the public business; it also protects the integrity of the political process from unwarranted entanglements with religious institutions. Yet this model, which would seem to be the essence of reasonableness in a liberal, democratic society, is now under attack. At least one nationally syndicated columnist has suggested that the Bishops had better mind their manners on the subject of abortion or the tax-exempt status of church property could be jeopardized: the threat of a bully, not of a man of justice, to recall Thomas More's reproof to Cromwell in A Man for All Seasons.10

Here the question of consistency comes clear. Had the Archbishop of New York quizzed a conservative Catholic President about his commitment to nuclear arms control, would there have been impassioned hand-wringing at the New York Times editorial board about "mixing politics and religion"? Yet this is precisely what happened when the Archbishop of New York questioned a liberal Democratic candidate for Vice President about her approach to the public policy of abortion. Why is it that Archbishop O'Connor

threatens the separation of church and state when he tries to clarify Catholic teaching about abortion, and the Rev. Jesse Jackson does not when he organizes a partisan political campaign through the agency of dozens of churches? These confusions are not merely a matter of anti-Catholic bias, although that is undoubtedly present; they reflect the chaotic condition of public understanding on the larger questions of religious values and the public policy debate.

I cannot think of a clearer illustration of this double standard than by quoting from a letter sent to Archbishop John R. Roach, then President of the National Conference of Catholic Bishops. This letter appeared in the New York diocesan newspaper, Catholic New York, on July 7, 1983:

As an American and Catholic I am proud of you. It would have been easy to compromise your position so as to offend no one. You chose instead to tend to your duties as shepherds, to teach the moral law as best you can. You can do no more. Our Church has sometimes been accused of not having spoken out when it might have. Now you, our Bishops, show the courage and moral judgment to meet this issue of nuclear holocaust with a collective expression of where the Church in America stands.

This letter was signed by the present Governor of New York, Mario Cuomo.

Churches as institutions should not play a formal role in our political process, both for the sake of their own integrity as well as the integrity of our politics. Church leaders, on the other hand, have every right to make publicly clear their views on both specific issues and, more importantly, on the moral norms that should guide our approach to those issues. If religious leaders are ruled constitutionally out of bounds in these debates because they make explicit reference to the religious basis of the values they see as normative, then an unconstitutional, illiberal act of bigotry has taken place. And what does this say about our devotion to pluralism?

Moreover, all religious leaders should be held to the same standard (i.e., no institutional entanglement, but full play for the appeal to religiously-based values in arguing public business). Black and white, Protestant, Jewish, and Catholic: all should stand under the same standard, all should observe the same limits. The obverse of this delimitation of roles is that public officials must take all possible precautions to avoid even the appearance of giving the state's favor to one expression of the Judeo-Christian traditions over others.
In my view, there is nothing unconstitutional or inappropriate in a president making clear his or her understanding that religiously-based values have had, and will continue to have, a crucial, formative role in our democratic experiment. If Washington, Lincoln and Roosevelt could do so, why not Ronald Reagan? The bounds of sensitivity are crossed, however, if and when a president seems to give public favor to one denomination or sect over others. No more than any other citizen can we expect a president to put his conscience into the closet during his or her term of office. We can expect, however, that all presidents will hold to the distinction between religious institutions and religious values in framing their approach to these questions.

Consistency is one antidote to hypocrisy. So, too, is a theory and practice of pluralism that meets the twin tests of constitutional integrity and religious liberty. All of us have heard it said recently that the new church/state debate is a threat to American "pluralism." That it could be, were it a debate about the establishment of a theocracy. But since it is not, it is worth observing that the contemporary nervousness over threats to "pluralism" has the issue precisely backwards. According to the secular-separationist orthodoxy, so often reflected in the national media, it is the overt appeal to religiously-based values in the public arena that threatens pluralism. In fact, it is much more likely that it is precisely the religious convictions of the majority of Americans that sustain our democracy's commitment to religious liberty, including the freedom not to believe. Our democratic experiment's commitment to pluralism is not sustained today by abstract allegiance to the Enlightenment; it is sustained by fundamental themes in the Judeo-Christian tradition, particularly that tradition's insistence on the inviolability of individual conscience. To drive religiously-based values out of the public arena is the real threat to pluralism. A commitment to pluralism, like any other significant commitment, must be sustained by a frame of reference that transcends the here and now, or as Chesterton put it, "An open mind, like an open mouth, should close on something."

For a public arena shorn of the religiously-based values of the American people would not remain empty for long. The values vacuum is filled by the raw pursuit of interests, and politics deteriorates into the mere quest for power in its most base form: the capacity to thwart others. The church/state debate upon which we are now engaged is, from one angle of vision, a debate over whether a "civil war... by
other means,” as Alasdair MacIntyre has put it, will break out with real ferocity, or whether it can be healed through the creation of a new public philosophy, able to provide moral coordinates for the conduct of the American experiment in ways that can be followed by both religious believers and their non-believing fellow-citizens.

American Catholics are in a privileged position to make enormously useful contributions to the development of such a public philosophy. We are the inheritors of a two thousand year old tradition of careful thought about the relationship between personal conscience and public policy. We do not come to the complexities of these issues as Biblical literalists, or as philosophical naifs. Our natural law tradition provides a means for mediating religious values into the public arena in a publicly accessible way. The bedrock principles of Catholic social ethics, personalism, pluralism, and the common good, are all notions eminently suitable for incorporation into a revivified public philosophy in America. The Catholic principle of subsidiarity is also relevant to today’s political culture, and holds out the prospect of being one of those bridge-concepts that sets common ground between ideologically divided foes. Catholics know, in their ethnic bones, the truth of Walter Lippman’s observation that “Liberty is not the natural state of man, but the achievement of an organized society.” No institution in the Western world has more experience with the tough questions of societal organization than the Roman Catholic Church; no institution in America has benefited more from the conduct of the American experiment than American Catholicism. Might I suggest that it is time for American Catholics, particularly Catholic intellectuals, writers and public officials, to begin making a distinctively Catholic contribution to this preeminent task of reconstituting an effective public philosophy capable of sustaining the future of the American proposition? Might I also suggest that considerably more material will be found for such a task in the writings of John Courtney Murray than in a dozen volumes extolling “Marxist analysis”?

All government is compulsion unless the whole nation unanimously agrees on a given proposition. Absent this (and it’s nearly always absent) some people’s views will be imposed

11. A. MacINTYRE, AFTER VIRTUE 236 (2d ed. 1981). “Modern politics is civil war carried on by other means. . .”

on others. Our ideal has been to minimize the compulsion and to utilize persuasion. But this requires, as Joseph Sobran calls it "... an ethos of fair and civil discussion." It is a sad fact that too many liberals, normally eloquent champions of free speech, by misrepresenting the nature of this issue and the goals of the pro-life movement, have eroded that ethos. They literally told us to go sit in the back of the bus.

The role of Catholic public officials in the important task of revitalizing American politics through the free market of religious competition intended by our Founding Fathers deserves some brief reflection.

The Catholic public official, like his Catholic fellow-citizens, ought not come to this discussion under a cloud of suspicion. It is well to think back to the example of John F. Kennedy before the Greater Houston Ministerial Association, but the terms of the fundamental debate have shifted dramatically since 1960. The question today is not whether a Roman Catholic commitment is compatible with American public office; the question is whether the American experiment can survive the sterilization of the public arena that takes place when religiously-based values are systematically ruled out of order in the public discourse.

It is ironically the same Catholics who were once suspect on the grounds of their discomfort with pluralism who now have an opportunity to help reconstitute an American pluralism in which there is space for religiously-based values in the public arena. As Catholic public officials, we do not come to the public debate on church/state matters with a scarlet "C" sewn to our breast.

The National Conference of Catholic Bishops, in its recent statement on the church/state debate, correctly noted that a Catholic public official cannot finally sunder personal conscience and civic responsibility. Most of us would, I hope, subscribe to that teaching. The discussion gets more interesting, and more difficult, when we try to define with precision just what the positive responsibilities of the Catholic public official are, particularly when he or she is called upon to enforce a law with which they are in conscientious disagreement, be that a capital punishment statute, or the abortion liberty as defined by the Supreme Court in Roe v. Wade\(^ 13 \) and subsequent rulings.

Since the abortion issue is so often the centerpiece of these arguments, let me address that briefly.

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It is clearly insufficient for a Catholic public official to hold that his or her personal, conscientious objection to abortion as a matter of personal choice for himself or herself ends the matter. As Stephen Chapman says, it does not make sense to say an abortion takes a life and it should be allowed. If a fetus represents a human life, its disposition cannot be a strictly private matter. It is just as clear that Catholic public officials must abide by their oath of office to enforce the laws. But what else ought we to do?

First, we ought to make use of the educative potential of public office to make clear that abortion is not, at bottom, a "Catholic issue," but rather, a moral and civil rights issue, a humanitarian issue and a constitutional issue of the first importance. The abortion liberty, we should insist, is a profoundly narrow-minded, illiberal position; it constricts, rather than expands, the scope of liberty properly understood. It draws in, rather than expands, the community of the protected. These are, or ought to be, issues of concern far beyond the American Catholic community. Our approach to the problem of profligate abortion must be couched in terms like these, publicly accessible and understandable.

Second, we ought to do everything in our power to make abortion a less-immediate resort for the bearer of an unwanted child. This will involve, as others have suggested, government support for adoption services and for health care during pregnancy, to cite but two examples of positive governmental intervention into this problem. But it should also involve serious and careful reconsideration of a welfare system that currently rewards pregnancy out of wedlock, and that has contributed to the erosion of the family structure among the poor. The Catholic commitment to a social ethics in which consequences (not merely intentions) carry moral weight suggests that we examine our public conscience on the ways by which we have tried to meet the needs of the weakest among us, and ask whether or not these efforts have not in some circumstances actually contributed to the problems they were intended to solve.

Those who point out that solving the abortion issue through constitutional and/or legal action involves prudential judgments on which Catholics may in good conscience disagree are correct in their basic assertion. They may even be correct in their claim that there is no effective public consensus at present capable of sustaining a constitutional prohibition of abortion. But the status quo need not remain forever, and we cannot in conscience be satisfied with a status
In which one and a half million children are killed every year, no matter how sympathetic we may be to the personal tragedies involved when parents take the decision to abort their offspring. The duty of one who regards abortion as wrong is not to bemoan the absence of a consensus against abortion, but to help lead the effort to achieve one. Catholic public officials have, in my judgment, a moral and civic obligation to clarify precisely what is at stake in the abortion controversy (and not only for the unborn child, but for the moral-political health of the American experiment); we have a moral and civic obligation to help disentangle this fundamental question of constitutional protection from the confusing sound of rhetoric involved when "separation of church and state" and feminist ideology are brought into the debate; and we have a moral and civic obligation to create structures in society that make the first resort to abortion in the case of unwanted pregnancy less likely. Ultimately, as Professor John Noonan has said so eloquently, the abortion liberty must be overcome "in love." But between now and then, there is much we can do in addition to declaring the state of our personal consciences.

It has been said here recently that Catholics in their own belief and behavior do not differ significantly from the rest of the population on the issue of legal abortion. I hope that isn't quite true. But there is at least some truth in it, as all of us must admit.

And yet there is another side of this fact: the pro-life movement itself is no more Catholic than non-Catholic. It gives the lie to the charge that we are trying to impose a uniquely Catholic position.

When the great wave of Catholic immigration to America occurred in the nineteenth century, Catholics did not import pro-life attitudes. These were already here. The several states had passed their own laws restricting and prohibiting abortion, for reasons that had nothing to do with Catholic teaching.

This was the consensus, not only of the United States, but of all civilized people. Abortion was wrong. The Supreme Court didn't express a new consensus in 1973; it attacked the consensus that already existed, by striking down not only the most restrictive but even the most liberal abortion laws then in existence. It informed the legislatures of all 50 states that they were all, in diverse ways, violating the Constitution. None of those legislatures, Republican or Democratic, conservative or liberal, had ever understood the Constitution
properly. The consensus was wrong, even at its permissive margin. So said the Court.

The Catholic Church has introduced nothing foreign or novel. It has merely been the most important institution to insist on the moral consensus the Court assaulted. It has spoken in harmony with many non-Catholics.

Samuel Johnson once observed, "Mankind more frequently requires to be reminded than informed." That is all we are doing: at a time when the moral consensus of the West is under assault, we are reminding this nation of its traditional membership in that consensus. That is what moral authority is for: not to introduce doctrinal novelties, not to compete for power with those who currently hold power, but to remind the powerful of the moral limits of power. True authority is not a rival but a moral yardstick of power.

I am not referring here to the teaching authority of the Church as such: I am talking about the authority of moral law in the experience of all mankind, the moral law written in our hearts, the moral law without which it is nonsense to speak of "rights."

Catholics neither have nor claim any monopoly of that law. We do have a duty to maintain it, and to be willing to stand up to speak for it when the state violates it. This is a duty wholly distinct from our duty to propagate our faith. The Gospel is the good news, but the moral law is not news at all, it is what we know in our hearts already.

The abortion issue is at once the hardest and the most typical case involved in the whole complex area of religiously-based values and public policy. It is the hardest case because of the depth of feelings involved on all sides, and because of the fantastic obfuscation that has grown around the issue since Roe v. Wade. It is the most typical case because the furor surrounding it illustrates graphically the condition of a public arena deliberately shorn of religiously-based values; we have lost the ability to conduct moral arguments in the public arena, because we have no agreement on the coordinates that should guide and shape such debate. This means that the abortion issue cannot be resolved under the conditions of what Richard Neuhaus has called the "Naked Public Square." Until we re-establish the legitimacy of an appeal...
to religiously based values in the conduct of the public debate over the public business, the abortion debate will remain a case of barely-restrained "civil war carried on by other means."¹⁶

Thus our essential difficulty, and the debate surrounding it, are not the result of a new intervention by the Catholic hierarchy into the political affairs of the nation. The truth may be precisely the opposite; that the Bishops' entry, coupled with the rise of evangelical Protestantism, has brought about a critical mass of dissatisfaction with the secular-separationist perspective in its commitment to the maintenance of a public square uncontaminated by religious values. Turning that dissatisfaction into the positive reconstruction of a public philosophy capable of sustaining the American experiment into its third century is a noble task to which all of us are called.

Especially called are you, the students of Notre Dame. Father Theodore Hesburgh, in an address to the faculty in January 1982, said:

Obviously, we are swimming against the current when we profess the eternal and the spiritual to an age completely caught up in temporal and material concerns. It is not easy to engage in intellectual inquiry in the context of the Christian message in a world that often rejects the Good News. How to teach students to cherish values, prayer, grace and eternal life when they are surrounded by a sea of vice, unbelief, cynicism, and anomie, all dressed up to look sophisticated and modern, something they mostly aspire to be. . . .

Moral relativism gives us a society that is only relatively moral and we are sick of that, very sick indeed.

Nearly two weeks ago on this campus Governor Cuomo proposed a hypothetical case:

Put aside what God expects. Assume, if you like, there is no God; then the greatest thing still left to us is life.¹⁷

That remark misses a point of terrifying importance, a point that was made by Professor Paul Eidelberg:

Unless there is a Being superior to man, nothing in theory prevents some men from degrading other men to the level of subhuman.

¹⁶. A. MACINTYRE, supra note 11.
The age of Dachau and Auschwitz and the Gulag verify Eidelberg’s insight. How many times must we learn that, when moral values are excluded from the public square, raw force alone settles the issue?

I have always believed that the purpose of a Christian education is to help us change the world. I have never heard a commencement address admonish graduates to “go out there and don’t change the world”!

No matter what the failings and fears of our fellow Catholics, no matter how far short we ourselves may fall at times, we have the duty to speak out. To fail to speak, to bear witness to our commitment, is not the virtue of prudence: it is self-serving expediency.

We need not wait for our Bishops to speak out. We can and must do it ourselves. The most helpless members of our society need us. Do not fail them! Do not be afraid to speak! Do not let anyone make you ashamed to stand up as a Catholic for all human beings! Loving people who cannot love you back is no small thing! And after you have encountered all the ambiguities, syllogisms and sophistries, and after the last hair has been split, do not let them make you ashamed to be a Catholic!

And forgive some unsolicited advice, but you will find it awfully hard to go anywhere in the world without your soul tagging along. And you need not be too deferential if someone tells you a pre-born baby’s life is too trivial to protect. You might remember that, while this is the age of abortion, it also is the age of Dachau and Auschwitz and the Gulag.

St. Ambrose said, “Not only for every idle word must man render an account, but for every idle silence.”

Charles Peguy has said, “If you possess the truth and remain silent you become the accomplice of liars and forgers.”

Elie Wiesel, who survived Auschwitz, has said, “Apathy towards evil is man’s greatest sin.”

And so, do you change the world or does the world change you?

A man sent me a letter some time ago that he had received from perhaps the most famous of our Senators - the Senator’s letter is dated August 3rd, 1971. It contains the following language:

While the deep concern of a woman bearing an unwanted child merits consideration and sympathy, it is my personal feeling that the legalization of abortion on demand is not in accordance with the values which our civilization places on
human life. Wanted or unwanted, I believe that human life, even at its earliest stages, has certain rights which must be recognized: the right to be born, the right to love, the right to grow old.

When history looks back to this era it should recognize this generation as one which cared about human beings enough to halt the practice of war, to provide a decent living for every family, and to fulfill its responsibility to its children from the very moment of conception.

A beautiful statement, in 1971. But today that Senator, a prominent Catholic, does not support our legislation and has not for the 10 years I have been in Congress. He has repeatedly voted to use tax funds to pay for abortions, and yet if he would assume the leadership of our movement we would prevail. Believe me, one person can move mountains!

The day before he was assassinated in 1968, Dr. Martin Luther King, Jr. reflected out loud with an audience about the times in which he lived. He said,

If I were standing at the beginning of time, with the possibility of a general and panoramic view of the whole of human history up to now, and the Almighty said to me, ‘Martin Luther King, which age would you like to live in?’ . . . I would turn to the Almighty and say, ‘If you would allow me to live just a few years in the second half of the Twentieth Century, I will be happy.’ Now that’s a strange statement to make because the world is all messed up. But I know, somehow, that only when it is dark enough, can you see the stars.

And so I ask again, do you change the world or does the world change you?

There was a “Just Man” many centuries ago who tried to save Sodom from destruction. Ignoring his warning, mocking him with silence, the inhabitants shielded themselves with indifference. But still he persisted, and taking pity on him, a child asked, “Why do you go on?” The Just Man replied that in the beginning, he thought he could change man. “Today,” he said, “I know I cannot. If I still shout and scream it’s to prevent them from changing me!”

I hope you go out and change the world!