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THE BISHOPS' PASTORAL LETTER ON THE ECONOMY: THEOLOGICAL CRITERIA AND CRITICISMS

J. BRIAN BENESTAD*

INTRODUCTION

"Christ, to be sure, gave His Church no proper mission in the political, economic, or social order."¹ That is the teaching of Vatican II's *Pastoral Constitution on the Church in the Modern World (Gaudium et Spes)*. Yet the Catholic Church has an obligation to foster peace and justice in the world. Popes and bishops rightfully and regularly address political, economic and social matters. The roles of clergy and the laity, however, are not the same.

Distinguishing the duties of clergy from those of the laity has been difficult of late. Pope John Paul II has told bishops to pursue justice through evangelization,² to communicate Catholic social doctrine³ and to avoid anything that "resembles political party spirit or subjection to this or that ideology or system."⁴ "Secular duties and activities belong properly although not exclusively to laymen."⁵ The laity are at least responsible for all those political and social initiatives not within the purview of episcopal duties. These duties include the prudent application of Catholic social principles to public policy. In making such prudential judgments on the basis of shared goals, "it happens rather frequently, and legitimately, so," says Vatican II's *Gaudium et Spes*, "that with equal sincerity some of the faithful will disagree with others on a given

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1. Second Vatican Council, *Pastoral Constitution on the Church in the Modern World (Gaudium et Spes)* no. 42, reprinted in THE DOCUMENTS OF VATICAN II 199, 241 (W. Abbott ed. 1966) [hereinafter cited as *Gaudium et Spes*].

2. JOHN PAUL II, JOHN PAUL II IN MEXICO 80 (1979).

3. *Id.* at 82.

4. JOHN PAUL II, BRAZIL: JOURNEY IN THE LIGHT OF THE EUCHARIST 349 (1980).

5. *Gaudium et Spes*, *supra* note 1, no. 43.

matter.”⁶

What about bishops engaging in partisan politics by taking positions on public policy? Is that the American way of communicating Catholic social doctrine, or does it resemble political party spirit? Surely, there are times when the principles of Catholic social doctrine may overlap with partisan politics as commonly understood. There are times when the necessity of combating clear evils will require bishops to enter the policy arena. Nevertheless, episcopal lobbying for public policies does not always avoid party spirit or ideology. Policy statements reflecting a party spirit are not appropriate for inclusion in episcopal pastoral letters. That such statements or activities are appropriate for bishops in other fora is a subject for another article.

In criticizing certain kinds of partisan involvement on the part of bishops, I am hoping to foster greater episcopal influence on all matters of public concern. In other words, if the bishops speak about public problems as religious leaders and not as congressional aides, they will be more effective in promoting peace and justice.

I.

In the second draft of the *Pastoral Letter on Catholic Social Teaching and the U.S. Economy*, the U.S. Catholic bishops speak as both teachers of the faith and advocates of non-binding political opinions. Agreement or disagreement with those political opinions should not blind readers to the theological defects or merits of the second draft. Advocacy of correct political opinions, however important for the common good of the nation, cannot even minimally satisfy the mission of bishops in the Catholic Church.

A careful reading of Vatican II, especially the *Dogmatic Constitution on the Church (Lumen Gentium)*, and the teaching of Pope John Paul II (not to mention other popes and theologians) would yield theological criteria for evaluating the pastoral letters—even those on social or political matters—of individual bishops or of episcopal conferences. The following formulation of these criteria may not be the best or the most exhaustive, but it is, I believe, accurate.

First, do the pastoral letters evangelize? That is, do they lead new disciples to Christ and make known Catholic doctrine on faith and morals, especially those aspects which are

6. *Id.*

not understood or frequently ignored? Second, do the pastors effectively communicate or develop Catholic social teaching? This task is for the most part not identical with making prudential policy judgments, that is, stating partisan political opinions. Third, do the pastoral letters enlighten and move laymen and laywomen to take more seriously their obligations toward themselves, their families, society and the state? Will episcopal teaching move the laity to overcome sin, to be more virtuous in every aspect of life, to work for good public policy and to permeate the world with a Christian spirit?⁷

Finally, I would suggest additional criteria for pastoral letters touching on public policy. Do the bishops avoid acting just like any other interest group? Does their lobbying for political causes differ from that of the ACLU or the National Rifle Association? Do the bishops attempt to point out the relative strengths and weaknesses of conservative, centrist and liberal perspectives on issues? In other words, do the bishops act as mediators? Do they foster a public philosophy or a public morality?

The criteria for evaluating pastoral letters are the same, whether they are issued by individual bishops or episcopal conferences. According to the Second Vatican Council, national episcopal conferences do not have some special mandate to teach above and beyond the duty of individual bishops in their respective dioceses. Their function is above all practical. They are to help individual bishops suitably and fruitfully fulfill their office by making possible close and harmonious cooperation with other bishops. The episcopal conference should also help bishops jointly exercise their pastoral office.⁸

Joseph Cardinal Ratzinger, the head of the Vatican's Congregation for the Doctrine of the Faith, says that Vatican II completed the work of Vatican I by strengthening the role of bishops. Vatican II clearly affirmed that the bishops enjoy "infallibility in the Magisterium," when they teach in union with the pope.⁹ According to Cardinal Ratzinger, however,

7. See Second Vatican Council, *Dogmatic Constitution on the Church (Lumen Gentium)* nos. 18-29 (1964), in THE DOCUMENTS OF VATICAN II, *supra* note 1, at 14, 37-56 [hereinafter cited as *Lumen Gentium*]; Second Vatican Council, *Decree on the Bishops' Pastoral Office in the Church (Christus Dominus)* nos. 11-21 (1965), in THE DOCUMENTS OF VATICAN II, *supra* note 1, at 396, 403-12 [hereinafter cited as *Christus Dominus*].

8. *Christus Dominus*, *supra* note 7, nos. 37-38.

9. *Lumen Gentium*, *supra* note 7, no. 25.

Vatican II's doctrine on bishops has not been prudently implemented:

The decisive new emphasis on the role of bishops is in reality restrained or actually risks being smothered by the insertion of bishops into episcopal conferences that are ever more organized, often with burdensome bureaucratic structures. We must not forget that episcopal conferences have no theological basis, they do not belong to the structure of the Church, as willed by Christ, that cannot be eliminated; they have only a practical, concrete function.¹⁰

Ratzinger criticizes the episcopal bureaucracy as burdensome because it is proving to be an obstacle to the clear statement of Christian truths:

The group of bishops united in the conferences depends in their decisions upon commissions that have been established to prepare draft proposals. It happens then that the search for agreement between the different tendencies and the effort at mediation often yield flattened documents in which decisive positions (where they might be necessary) are weakened.¹¹

Not only do episcopal conferences often publish "flattened documents" but some bishops rest satisfied with conference documents and fail to exercise their own personal responsibility. Wary of characterizations as "backward" or "not open," individual bishops accept the group spirit and tolerate watered-down statements or important omissions. Ratzinger points out that the group spirit is really established by "active minorities bent upon pursuing clear goals."¹²

Ratzinger is not suggesting that episcopal conferences be dismantled; rather, he thinks that individual bishops must courageously preach the whole Gospel of Jesus Christ. Bishops must not only be open to the world but must also be capable of "opposing the world and its negative tendencies,"¹³ thereby truly serving the world and protecting the faithful from harmful influence.

Ratzinger's critical remarks on episcopal conferences are partially echoed by the famous French theologian, Cardinal

10. J. RATZINGER, *THE RATZINGER REPORT: AN EXCLUSIVE INTERVIEW ON THE STATE OF THE CHURCH* 59 (1985).

11. *Id.* at 60-61.

12. *Id.* at 62.

13. *Id.* at 68.

Henri de Lubac. In a recent interview, he said, "In some large countries, by an almost inevitable process, if one were not careful, the episcopal conference would grow excessively, creating ever more organs that would usurp the responsibilities proper to individual bishops."¹⁴ But that is not the only problem, according to de Lubac:

Let us not forget the lessons of history. The temptation to constitute independent national Churches has not always been avoided. It is by no means certain that even in our own century, it has always and everywhere been avoided, at least in the benign form that consists in envisaging too many things from too narrow a perspective, or in putting so much emphasis on the "local Church" that one comes to almost separate it from the center.¹⁵

There is a further tendency, says de Lubac, "to transpose into one's conception of the Church something of the current ideas about the foundations and functioning of civil and political societies."¹⁶

To test the relevance of de Lubac's observations for the U.S. Episcopal Conference, one would have to ask whether the American hierarchy and/or their bureaucracy is attempting to create a sphere or spheres of autonomy vis-à-vis the universal Catholic Church. Do the episcopal leaders see themselves in a power struggle with Rome? Do they see the dispute over collegiality as one "between the pope and bishops regarding the share of power each has in the Church?"¹⁷ Does the model of states' rights versus federal power affect the episcopal leadership's view of its relationship to Rome?

II.

There are a number of good things that may be said about the second draft of the bishops' letter on the economy. It has emphasized that concern for the poor is important in this country. It has generated a great deal of discussion in a wide variety of circles regarding social justice. It has said sensible things about work, the important role of the laity, the different meanings of justice, and the obligation of all individuals to contribute to the commonwealth. Furthermore, it

14. H. DE LUBAC, *A THEOLOGIAN SPEAKS* 22 (1985).

15. *Id.* at 22.

16. *Id.*

17. Ratzinger, *The Ecclesiology of Vatican II*, 15 *ORIGINS* 370, 373 (1985).

opposes collectivism, rejects the notion that a free market automatically produces justice, admits that there is legitimate disagreement on policy, and affirms that the Church is not bound to any political system. I could say much more in a positive vein and will do so at the appropriate times. I want to focus this article, however, on several serious difficulties with the second draft, namely, its ambiguous purpose, the inadequate consultation process, its focus on policy, and its failure to stress the importance of the family, education and virtue.

First, the bishops are not quite clear about what they are doing in their pastoral letter. At the very beginning of the letter they write, "We approach this task (relating Catholic Social Teaching and the U.S. economy) as pastors and teachers of the gospel."¹⁸ This is only partly true, because the bishops also admit advocating debatable political opinions,¹⁹ which they cannot do *qua* teachers of the faith.

The same pattern is evident in the bishops' previous pastoral on war and peace. In that letter they said that specific application of principles to policy matters allows for diversity of opinion: "we recognize that the Church's teaching authority does not carry the same force when it deals with technical solutions involving particular means as it does when it speaks of principles or ends."²⁰ They also wrote, with respect to the wisdom of increasing expenditures for conventional defense in Europe, "It is not for us to settle the technical debate about policy and budgets."²¹ Yet in other parts of the letter, they did not hesitate to make proposals in order to settle the technical debate.

The authors of the economy pastoral are even less hesitant to settle technical debates although they imply that other Catholics may legitimately see things differently:

When we make recommendations about specific decisions or policies in the economic sphere, we recognize that prudential judgments are involved. These depend on the accuracy of our facts and on our assessment of them. Although we believe these judgments are correct and will stand up to

18. National Conference of Catholic Bishops, *Catholic Social Teaching and the U.S. Economy* para. 2 (Second Draft 1985), reprinted in 15 ORIGINS 257 (1985) [hereinafter cited as Second Draft].

19. *Id.* para. 32.

20. National Conference of Catholic Bishops, *The Challenge of Peace: God's Promise and Our Response*, 13 ORIGINS 1, 26 (1983).

21. *Id.* at 21.

public scrutiny, we acknowledge that differing conclusions are possible even among those who share the same moral objectives.²²

The bishops clearly view their advocacy of debatable political opinions as an important means of fulfilling their episcopal duties. At the same time, they do not believe that they are engaging in partisan politics in the same manner as any other interest group. An important pre-election statement in 1984 by Bishop James Malone, the President of the U.S. Episcopal Conference, offers an explanation of the bishops' position. He said that the USCC takes positions on public policy issues but does not endorse political candidates. "This point needs emphasizing," said Malone, "lest, in the present political context, even what we say about issues be perceived as an expression of political partisanship."²³ Malone implies that only episcopal endorsement of political candidates would properly be called partisanship. This past November, Bishop Malone described the bishops' political involvement as a social ministry, given a new ecclesiological grounding by Vatican II's *Gaudium et Spes*. Strangely, the bishops recognize legitimate diversity of opinion on policy but do not see and admit their own partisanship.

Another difficulty with the second draft is the inadequate consultation process and the monolithic slant of the bishops' staff—the bureaucracy. While the bishops consulted widely among economists and public policy specialists, they asked few theologians or philosophers to testify. That is very odd in a letter entitled *Catholic Social Teaching and the U.S. Economy*. It surely seems to indicate that designing wise policy proposals was more important to the bishops than a probing inquiry into the theological and philosophical principles of Catholic social teaching.

The episcopal staff preparing the pastoral on the economy is liberally biased in policy matters and has a perspective on Catholic social teaching that does not do justice to the full range of papal social teaching or teachings of the Second Vatican Council. If the bishops want to focus on policy, they need a politically diverse staff in order to insure adequate discussion of all significant points of view. More importantly, the bishops need staff members conversant and sympathetic with

22. Second Draft, *supra* note 18, para. 32.

23. United States Catholic Conference, *Religion and the '84 Campaign*, 14 ORIGINS 161 (1984).

all aspects of Catholic social teaching.

A third major defect of the pastoral on the economy is its focus on policy. This policy focus is so American and so congenial to new understandings of the Church emerging in the United States that it is nearly impossible to have serious discussion about it. Raising doubts about a social ministry focused on policy exposes one to any or all of the following criticisms: naiveté regarding the role of power in the real world, indifference to the poor, thoughtless or selfish embrace of Adam Smith's "invisible hand" theory, and even theological backwardness for failure to understand the new ecclesiology of Vatican II.

As I understand the arguments, the case for a social ministry focused on policy runs as follows. First, the U.S. Constitution gives all Americans, including bishops, the right to state their political opinions. Second, the simple proclamation of Catholic social principles is abstract and feckless. No one will pay attention unless some policy is attacked or defended. Position-taking encourages people to reflect on the moral quality of their lives and moves them to action. Third, the root causes of injustice can be removed only by the right laws and structures. Furthermore, law shapes the mores of the nation. Where would we be without the Civil Rights Act of 1964? That Act certainly shows that policy removes evils. Fourth, according to Reverend J. Bryan Hehir, the principal architect of the bishops' new social ministry, the Catholic moral tradition has always been specific. Hehir, the Associate Secretary of the USCC's Department of Social Development and World Peace, compared the specificity in the first draft of the letter on the economy with the specification of moral norms in *Humanae Vitae*. Archbishop Rembert Weakland, chairman of the committee drafting the economy pastoral, argued on two occasions that the specificity in the letter is nothing new or extraordinary. He compared it to the manner in which the Church specifies the duty to worship God by imposing a Sunday obligation. Furthermore, a policy focus is simply the American way of being faithful to the exigencies of Vatican II and papal social teaching. Lastly, not seeking to benefit themselves, the bishops are not acting in a partisan manner.

The bishops should avoid a policy focus in their pastoral letters unless it is required by Catholic social doctrine or the presence of clear evils. Theological reasons support this position. First, the presence of non-binding statements or mere political opinions in pastoral letters confuses the laity and fur-

ther erodes episcopal authority. European Church leaders commented on the partisan nature of the second draft of the pastoral on war and peace:

When bishops propose the doctrine of the church, the faithful are bound in conscience to assent. A serious problem arises on the pastoral level when bishops propose opinions based on the evaluation of technical or military factors. The faithful can be confused, their legitimate freedom of choice hindered, the teaching authority of bishops lessened and the influence of the church in society thus weakened.²⁴

The faithful will be confused because most Catholics will have great difficulty distinguishing binding from non-binding statements, especially since information will come largely from the secular media, who often do not grasp the essentials of Catholic teaching or slant reports to promote political programs. Secondly, continuous teaching in the non-binding mode leads to the opinion or even demand that the Church have a non-binding category in the area of morals. This means that traditional Catholic teaching on moral matters, as expounded by the magisterium, would be one opinion vying for adherence with the opinions of various theologians. Thirdly, the engagement of the Church in active partisan politics is not infrequently subsumed under the category of the prophetic mission of the Church. Calling non-binding statements prophetic leads to a misunderstanding of Christianity itself. It is hard to imagine Amos or Isaiah saying to the Israelites, "These are my opinions with which you may legitimately disagree." Fourthly, turning the episcopal conference into a lobby for good public policy necessarily diverts the attention of bishops from pressing internal problems in the Church, such as the seminaries, catechesis, moral theology, and dissent from the Church's magisterium. Many young people are growing up with little knowledge of Catholicism, no sense of the Church, and a narrow understanding of their obligations toward the common good. Reading about the policy proposals of the U.S. bishops will have little, if any, educational value for Catholics, especially because most of the information will come from the secular media.

III.

A close examination of the second draft reveals an ex-

24. Schotte, *A Vatican Synthesis*, 12 ORIGINS 691, 693 (1983).

traordinary neglect of the family and a failure to stress the importance of primary, secondary and higher education. Catholic teaching ascribes very great importance to the family and education for both the individual and society. In recent years, U.S. newspapers, television, scholarly journals and popular periodicals have pointed out problems in the family and education and even have shown a relation between those problems and poverty in the United States. Many children who live in households headed by single females are poor. Many youngsters, especially in the inner city, drop out of school, thereby jeopardizing their chances of obtaining a decent job.

Chapter Two of the second draft, entitled "The Christian Vision of Economic Life," is supposed to present the essentials of Catholic social teaching that pertain to economic life. It does not contain a single sentence, much less a major section, on the family or education. Chapter Three, entitled "Selected Economic Policy Issues," contains nothing significant on the family or education, not even in the separate sections on employment and poverty. In suggesting elements of a national response to unemployment, the bishops propose establishing a right to a job for Americans; coordinating fiscal and monetary policy to insure full employment; holding down inflation; and developing job-creation programs supported by business, labor unions and government. They do not even mention that adequate education is a necessary prerequisite for most jobs that pay a living wage. Furthermore, the bishops do not publicize the fact that many young people, especially blacks, are not receiving an adequate education; nor do they point out that, in many cases, disruption of life at home impairs the moral and intellectual formation of the young.

In the same Chapter Three, the bishops analyze the causes of poverty and propose a number of solutions. They mention that divorce and widowhood leave women with inadequate income and point out that "[o]ne third of all female-headed families are poor."²⁵ Nevertheless, the bishops choose not to discuss the problem of divorce much less dramatize it, nor do they even exhort men to support the women from whom they separate. They pass up a wonderful opportunity to stress the importance of duties which was once so much a part of Catholicism until rights doctrines almost ruled out any other kind of moral language.

25. Second Draft, *supra* note 18, para. 176.

In proposing solutions to the problem of poverty, the bishops believe that changes in social and economic structures are the most important means of alleviating poverty. They also acknowledge the limited usefulness of private charity and voluntary action but, in the next sentence, stress the greater effectiveness of government policy. Additional aids in combating poverty are a healthy economy, jobs at decent wages, full and equal access to employment for women and minorities, tax and welfare reform and, finally, a strong commitment to education for the poor as well as policies to support the stability of the family.

Regarding education, the bishops endorse recent calls for improving public education and acknowledge that Catholic schools have a good reputation for educating the poor. They even write: "The importance of education as a means of overcoming the ever-recurring poverty problems that are in our society cannot be overemphasized."²⁶ In their remarks on the family, the bishops call for more and better day care for children and say that a renewed sense of moral responsibility must counter "[t]he alarming extent of teenage pregnancies and the high rate of divorce."²⁷

The foregoing remarks on education and the family constitute only a hesitating step in the right direction. They do not occupy a position of prominence in the section on poverty. Further, the bishops do not think first of what the Church can do for families but rather of what policies might promote family stability. Policy that supports families is a good idea but should not take the place of the Church's doctrine on family life or its ministry toward families.

In 1981, Pope John Paul II published a small book on the family. His reflections provide valuable insights as to the ways of relating Catholic social teaching to the U.S. economy. He not only points out problems with contemporary family life, but also offers a vision of why good family life is indispensable to societal well-being. At the very beginning of his text, John Paul II lists some negative aspects of family life:

A mistaken theoretical and practical concept of the independence of the spouses in relation to each other; serious misconceptions regarding the relationship of authority between parents and children; the concrete difficulties that the family experiences in the transmission of values; the

26. *Id.* para. 202.

27. *Id.* para. 206.

growing number of divorces; the scourge of abortion; the ever more frequent recourse to sterilization; the appearance of a truly contraceptive mentality.²⁸

Other threats to the family include pornography, prostitution, and discrimination against women. Looking at the situation in the United States, one could also add to the list widespread acceptance of homosexuality; abuse of sex, alcohol and drugs among the young; and the declining influence of religion.

John Paul II believes that as goes the family so goes the nation. It is in the family that children learn a sense of gratitude for everything—life, parents, friends, thinking, learning, grace; they learn to give, to use their talents for the sake of others; they learn moderation in their desires for things and form the character that will enable them to resist harmful peer pressure. Children learn of their obligations toward themselves, their parents, friends, and the Church. Furthermore, the family is where the young primarily learn of their duties toward society. “The very experience of communion and sharing that should characterize the family’s daily life,” writes John Paul II, “represent its first and fundamental contribution to society.”²⁹ In a recent statement, the French bishops captured something of the relation of the family to society: “[A] minimum of trust is normally learned within the bosom of the family, based on marriage, a place in which one’s word is given and held to. This commitment, this conjugal covenant is more than one thinks, the basis for all truly human social life.”³⁰

Too many pupils, especially the poor, graduate from grade school and high school without sufficient literacy or cultural education. Young people require not only the proper skills to be employable but also appropriate character formation. Students who graduate from high school with verbal and quantitative skills in addition to the beginnings of a liberal education will have a better chance of succeeding in college, preparing for a trade, or even finding a job. Without moral education, however, they may not feel obliged to work in a competent manner, or they may use their talents for unjust purposes. A suitable education teaches students that they have a duty to contribute to society through their work and

28. John Paul II, *On the Family (Familiaris Consortio)* no. 6 (1982).

29. *Id.* no. 43.

30. J. SCHALL, *OUT OF JUSTICE, PEACE—WINNING THE PEACE* 116 (1984).

various kinds of public-spirited activity.

Many of the privileged youth attending college also graduate without sufficient knowledge of literature, philosophy, history and religion. What does the study of these humanities have to do with the poor and other citizens? If educated young people are to address the problems of society in a serious way, then they must begin by inquiring into the meaning of good and evil, noble and bad, just and unjust. It is important to graduate students who not only have an interest in justice, mere myrmidons of justice, but also knowledge as well.

Given the educational problems of the nation and traditional Catholic teaching on education, it would be wholly fitting and helpful for the U.S. Catholic bishops to highlight the importance of education in their letter on the U.S. economy. The bishops could also do more to promote Catholic education at all levels: grade schools, high schools, colleges and universities, and seminaries. The decline of serious interest in philosophy and theology on the part of many seminarians will surely contribute to errors and omissions in the Church's work for justice. If priests are insufficiently educated, many lay people will be insufficiently instructed in their faith and consequently will be unable to bring the leaven of that faith to bear on their everyday lives, with deplorable results in social and political life.

IV.

The second draft still emphasizes rights more than virtue, though it gives conversion and virtue more favorable treatment than did the first draft. Conversion and virtue are not major themes of the first draft nor are they considered very reliable or effective tools in the quest for justice.

The first draft, in the section on principles, reads that "There are forms of individual and group selfishness present in the nation that undermine social solidarity and efforts to protect the economic rights of all."³¹ To overcome individual and group selfishness, the bishops suggest the formation of a new cultural consensus: "*all persons really do have rights in the economic sphere* and that society has a moral obligation to take the necessary steps to insure that no one among us is hungry,

31. National Conference of Catholic Bishops, *Catholic Social Teaching and the U.S. Economy* para. 85 (First Draft 1984), in 14 *ORIGINS* 337 (1984) [hereinafter cited as First Draft].

homeless, unemployed, or otherwise denied what is necessary to live with dignity."³² Conceivably, this could be a good political suggestion, but should it be the first reaction of Catholic bishops to selfishness? Even Socrates said that it is worse to do an injustice than to suffer one. Closer to home, Augustine repeatedly said that "every sin is more hurtful to the sinner than to the sinned against."³³ Should not the Church first try to overcome selfishness by preaching conversion and showing the way to virtue?

The bishops even treat the formation of a cultural consensus as though it were a technical problem similar to revising tax codes. They write: "Both our cultural values and our tax structures need to be revised to discourage excessively high levels of consumption and to encourage saving and consequent investment in both private and public endeavors that promote the economic rights of all persons."³⁴ A nation surely does not form and ameliorate cultural values or customs in the way that it revises its tax codes. The bishops later recommend voluntary action in the form of almsgiving, sharing possessions, and hospitality as means of providing some relief to victims of injustice. In their opinion, however, acts of charity do not uproot the causes of injustice. These causes can only be removed "through government and the political process."³⁵ In other words, the bishops imply that wise public policy will secure the proper laws and structures and is the only way to attack the root of society's problem. Given such a perspective, it is understandable why the section on principles continually strays into the policy arena and why fully half the letter is devoted to policy proposals.

The long Catholic tradition does not support the view that a cultural consensus is revised like a tax code nor that removing the root causes of injustice depends primarily on framing the right laws. On this point, Cardinal Ratzinger distills the best of Catholic political wisdom in the following statement:

Nor can one localize evil principally or uniquely in bad social, political or economic "structures" as though all other evils came from them so that the creation of the "new man" would depend on the establishment of different

32. *Id.* para. 86.

33. Augustine, *The Enchiridion on Faith, Hope and Love* ch. 17, in *THE BASIC WRITINGS OF ST. AUGUSTINE* 667 (W. Oates ed. 1948).

34. First Draft, *supra* note 31, para. 142.

35. *Id.* para. 124.

economic and socio-political structures. To be sure, there are structures which are evil and which cause evil and which we must have the courage to change. Structures, whether they are good or bad, are the result of man's actions and so are consequences more than causes. The root of evil, then, lies in free and responsible persons who have to be converted by the grace of Jesus Christ in order to live and act as new creatures in the love of neighbor and in the effective search for justice, self-control and the exercise of virtue.³⁶

In his recent *Apostolic Exhortation on Reconciliation and Penance*, John Paul II endorsed Ratzinger's view on the relation between personal and social evil, and added the following:

At the heart of every situation of sin are always to be found sinful people. So true is this that even when such a situation can be changed in its structure and institutional aspects by the force of law or—as unfortunately more often happens—by the law of force, the change in fact proves to be incomplete, of short duration and ultimately vain and ineffective—not to say counterproductive—if the people directly or indirectly responsible for that situation are not converted.³⁷

Longstanding Catholic tradition reminds us of truths that are still pertinent, though discovered and discussed in other historical eras. Even common sense used to dictate that vices have social, economic, and political consequences. Everyone can think of examples to show the baneful influence of pride or excessive ambition, greed, laziness, envy, anger, not to mention lust and intemperance. Surely, much work is performed incompetently or not at all because of laziness or greed. Does not incompetent work have a devastating effect on the economy and on people's personal lives? Do not perverted passions lead to child abuse, child pornography, and rape?

If sin alienates human beings from God and from one another, virtue fosters communion and unity. Catholic teaching on virtue implicitly criticizes Kantian autonomy which dominates much moral thought today. The great shadow of Immanuel Kant looms so large over moral and political phi-

36. Vatican Congregation for the Doctrine of the Faith, *Instruction on Certain Aspects of the "Theology of Liberation,"* 14 ORIGINS 193, 197 (1984).

37. John Paul II, *Apostolic Exhortation on Reconciliation and Penance*, 14 ORIGINS 432, 442 (1984).

losophy that the great stress in Catholic circles on the rights of the human person, along with the relative neglect of virtue, might ultimately serve Kantian rather than Christian ends.

The second draft shows no awareness of the tension between rights and solidarity or between rights and virtue. The Second Vatican Council teaches that rights must be understood as subordinate to the "divine law."³⁸ The divine law provides a standard for the exercise of rights. Pope John Paul II has made the same point on a number of occasions: "While insisting—and rightly so—on the vindication of human rights, one should not lose sight of the obligations and duties that go with those rights. Every individual has the obligation to exercise his basic rights in a responsible and ethically justified manner."³⁹

The emphasis on rights in the second draft is even stronger than in the first. The second draft loudly proclaims a doctrine of economic rights and suggests that such a concept will significantly contribute to securing economic justice for all. "*We believe the time has come for a similar experiment in securing economic rights: the creation of an order that guarantees the minimum conditions of human dignity in the economic sphere for every person.*"⁴⁰ Every reasonable person must applaud the bishops' desire to insure a decent standard of living for all, but need not agree with their doctrine of economic rights, which could cause more problems than it solves. For example, acceptance of economic rights would probably exacerbate the growing entitlement mentality and do nothing to foster a sense of personal duty toward the common good.

CONCLUSION

Bishop Malone, Cardinal Bernardin, Archbishop Weakland and other bishops, theologians and social activists, including the bishops' leading adviser, J. Bryan Hehir, believe that the U.S. Episcopal Conference most valuably contributes to the Church's social ministry by lobbying for specific public policies just like any other interest group. I do not believe that the majority of U.S. bishops support this orientation.

38. *Gaudium et Spes*, *supra* note 1, no. 41.

39. John Paul II, Message to the Secretary General of the United Nations on the XXXth Anniversary of the Universal Declaration of Human Rights, Dec. 2, 1978, in 7 *THE SOCIAL TEACHING OF JOHN PAUL II: HUMAN RIGHTS* 11 (G. Filibeck ed. 1981).

40. Second Draft, *supra* note 18, para. 96.

For various reasons, no group of U.S. bishops has publicly questioned the political activism of their episcopal conference. I question that activism for theological reasons and, at the same time, support John Paul II's advice to bishops: pursue justice through evangelization and teach Catholic social doctrine.

At a time of great confusion about the meaning of Catholicism, dissent among theologians, poor catechesis, rejection of Catholic moral teachings, strains in family life, inadequate education of future priests, not to mention the virtual absence of any public morality, the U.S. bishops cannot afford the luxury of spending so much time formulating and disseminating non-binding political opinions. They should leave such work mainly to the laity and get on with the task of making known the whole range of Catholic teaching on faith and morals. Proclaiming a seamless garment of mostly political opinions cannot do justice to the richness of the Catholic tradition, nor does it begin to address seriously the problems of the Catholic Church and the nation. The Catholic Church in the United States needs a seamless garment of Catholic doctrine on faith and morals. As one seminary dean said to me: "We need pastoral letters on the cost of discipleship, on the very meaning of Christian life."

