

## A RESPONSE TO NICHOLAS LUND-MOLFESE

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I wish to take this occasion to highlight several of Mr. Lund-Molfese's particularly valuable points of analysis, and also to make a few additional points occasioned by his thoughtful analysis.

### **The Role of the Laity: Engagement without Politicization of the Faith**

Democracy is an adventure in pursuit of the natural law—and it is very messy and very vulnerable. “A real pluralism depends on people of conviction struggling vigorously to advance their beliefs by every ethical and legal means at their disposal.” So say the U.S. Bishops, who then cite John Paul II in this regard:

It is a tribute to the Church and to the openness of American society that so many Catholics in the United States are involved in political life...democracy is . . . a moral adventure, a continuing test of a people's capacity to govern themselves in ways that serve the common good and the good of individual citizens. The survival of a particular democracy depends not only on its institutions, but to an even greater extent on the spirit which inspires and permeates its procedures for legislating, administering and judging. The future of democracy in fact depends on a culture capable of forming men and women who are prepared to defend certain truths and values.<sup>2</sup>

In this moral adventure, the laity have a profound role to play in bringing the Gospel and the natural law to bear on the temporal order, and Nicholas (if I may) offers a number of profound insights about that role. He relies on a section of *Gaudium et Spes* which shows that the laity need to shoulder this task without looking for precise answers—in the realm of application—from the clergy. It is to be expected that they will disagree with one another, and so long as this disagreement is carried on charitably and in a civil manner, the laity play an indispensable role in America's moral adventure.

Through the laity, then, the Church must be totally immersed in the affairs for the temporal order; she must be a bold and steady conversation partner in the messy moral adventure of constitutional democracy. At the same time the Church must be vigilant in never politicizing the faith, never allowing it to be reduced to a means to any temporal end.

It is precisely the careful distinction between the respective roles of clergy (and Magisterium) and laity that allows there to be no undue incursion of the Church into the political sphere. Might I suggest this: concretely embodied in the distinction between laity and clergy is the conviction (the doctrine) that the faith can never be treated as a means to any worldly end, but is an end in itself. This is precisely why a priest can never engage in partisan politics (regardless of the side of the political spectrum) and speak a candidate's name from the pulpit. To do so would both treat the faith as a means to a political end, and would usurp the role of the laity. Or, put another way, when the role of the laity is usurped, the faith invariably is treated as a means to an end, is politicized. As Nicholas notes (in II.C.), "...Catholic bishops refrain from endorsing candidates not because of the tax code but because of the nature of the Church herself"—the Church has her own finality, and should never be treated as a means to any temporal end, however right or noble the temporal end might be. Again from Nicholas: "The task of the bishops is to clearly teach those aspects of moral theology by which Catholics should discern how to cast their votes—not tell the faithful for whom they should be voting." Otherwise, they politicize the faith, sacrificing its own finality.

While the faith is never to be reduced to a means to a political end, the faith always and everywhere applies to the temporal order. The entire set of principles—much of Catholic social thought—for such application needs to be taught boldly, and from the pulpit. But a critical line must be drawn: the application of the principles must be left to the laity, even when—especially when—the application seems blatantly obvious. For the Magisterium or the clergy to engage in the application politicizes the faith (precisely what liberation theology does, which is at the heart of the Magisterium's critique of the same<sup>3</sup>).

In brief, total engagement in the temporal order, and no politicization of the faith. In this regard key sections of Nicholas' article are particularly noteworthy: II.D, all of III, and IV.D. The reader will find some groundbreaking material therein.

## The Dignity of the Human Person as Grounding Principle

As John Paul II has noted often, particularly in *Veritatis Splendor*, the idea of the dignity of the human person is at the heart of all moral issues. Put otherwise, regardless of the moral issue being debated, ultimately the debate redounds to the question of the absolute dignity of the human person. In a word, we have a highly *personalist* foundation for ethics.

Once the common foundation is noted and acknowledged, a critical distinction must be made between two different *types* of issues, which for purposes of convenience we will label “level A” and “level B” (not so much a hierarchy, as Nicholas notes, as a distinction—as we shall see, the two levels are not subordered in terms of importance). Nicholas most helpfully quotes a critically important text from then Cardinal Ratzinger in this regard (see endnote 59). First, there are issues that directly involve absolute negative moral norms. This simply means that to violate the norm is to violate the dignity of the human person, always and in every circumstance. Put otherwise, the negative moral norms remind us, command us, to avoid actions that are *intrinsically* evil. The most poignant example is the negative moral norm instructing us never to intentionally take the life of an innocent person. To do so *inherently* denies the dignity of that person. Grounded in this negative moral norm are the issues of abortion, active and passive euthanasia, infanticide, and embryonic stem cell research. And, each issue noted in *Gaudium et Spes* 27 and championed by John Paul II in *Veritatis Splendor*, texts used by Nicholas, fits here.

Second, level B issues. These are issues wherein a moral norm applies, but not a negative moral norm that prohibits the action in each and every instance. Rather, qualified lay people are obliged to critically examine a concrete situation and make a prudent determination of whether or not a norm is being violated. An excellent example is the phenomenon of the just versus unjust war. The criteria for just war offer a set of norms, but these criteria must be applied cautiously to a particular war or potential war to determine whether or not the criteria can be met. The issue of the dignity of the human person *is just as much at work*, or at stake, in such a moral setting, as it is when a negative moral norm is applicable, but at times it is harder to determine when dignity is being violated. Alongside the question of just war, other issues that fall under this second area include school funding (e.g., the issue of vouchers), the rare case where the death penalty might be legitimate, and technical economic questions involving hunger, population, and third-world debt.

Now for a critical point: when it comes to “the realm of practical solutions and prudence,” as Nicholas notes, there are “different possibilities consistent with the faith.” That legitimate latitude is of a different kind, and in a different order, than the kind of latitude appropriate for level B issues. In the correct order, it would affect the question of *application* for both level A issues (*how* to fight abortion in the legal arena, *whether* to employ civil disobedience) and level B issues (*how* to protest a war that a particular Catholic layperson has conscientiously decided is clearly unjust). It seems that Nicholas’ paper allows the legitimate recognition of this realm to eclipse the recognition of the realm of level B issues. By the way, the tremendous text of *Gaudium et Spes* that warns against “solutions proposed on one side or the other” being “confused with the Gospel message” and the warning not “to appropriate the Church’s authority for [one’s] own opinion” applies to both. Let me put this critical point another way: The term “prudential application” has two licit meanings. #1) It can mean the application of level B principles to a particular situation (how is this war judged by the criteria for Just War). It can also mean #2) the use of prudence in determining the best way to *concretely act* for the common good in regard to a level A issue (*how* to best eradicate slavery) or in regard to a level B issue wherein a conscientious decision has been made that evil exists (*how* to alter a country’s economic system that is fairly judged to contribute to massive poverty). Again, Nicholas allows his correct use of meaning #2 to eclipse a consideration of meaning #1, thereby allowing an important distinction—that between level A and level B issues—to recede to the background of the discussion.

Note that level B issues, at a certain point, can take on the definitiveness of a level A issue. Once a war is judged as unjust (with apodictic certainty) it enters into the same realm of certainty as a level A issue (while the question of what practical steps toward stopping the war remains an open one). Hence, Nicholas is on solid grounds in noting in section IV.B: “Further, nothing in the Church’s teaching implies that acts that are *always* wrong are necessarily more morally grave than acts that are sometimes wrong.” And as well: “Given the potential gravity of an unjust war, I fail to see why matters of war would always be considered a ‘secondary’ issue, less important even when *evil in fact* than any of the acts (adultery, blasphemy, perjury, etc.) are intrinsically wrong.”

## The Consistent Ethic of Life

Having made the all-important distinction between A and B issues, it almost goes without saying that the “consistent ethic of life” is vulnerable to misuse whenever that distinction is left unmade. A voter might favor a candidate’s position on one or several “level B” issues, and that candidate might have disqualified himself on one or several “level A” issues, yet the voter might uncritically justify voting for that candidate on the basis of an unqualified and unnuanced exhortation to consider the “full range of issues.” The following statement of the U.S. Bishops, perfectly acceptable and laudatory in itself, could easily be thus misunderstood:

We hope that voters will examine candidates on the full range of issues and on their personal integrity, philosophy and performance. A consistent ethic of life should be the moral framework to address issues in the political arena.”<sup>4</sup>

The Bishops cite the CDF document *Participation of Catholics in Political Life #4*, which speaks similarly:

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 isolated aspect of the Church’s social doctrine does not exhaust one’s responsibility towards the common good. Nor can a Catholic think of delegating his Christian responsibility to others; rather, the Gospel of Jesus Christ gives him this task, so that the truth about man and the world might be proclaimed and put into action.<sup>5</sup>

Without the critical distinction between level A and level B issues, the above texts are interpreted to mean that we should not be “single issue voters” who isolate one area of moral doctrine and focus on it too exclusively. It could be seen as a warning against, say, a voter allowing concern for the unborn trumping concern about warfare or for the poor. To give one quintessential example, after quoting part of the above text, one editorial states:

This means that as wrong as abortion is, there are other wrongs, too. Morality is not a question of whether abortion policy is

more serious than a government policy that leaves millions of children malnourished and without health care. Both destroy human life.<sup>6</sup>

If a candidate holds a legitimate position on an issue (like health care or warfare) but contradicts the faith in other respects (e.g., his position on abortion), a citizen may not isolate that legitimate position and vote solely on its basis. That political commitment is good in and of itself, but “does not exhaust one’s responsibility toward the common good.” Seeking the common good includes a) recognizing that broad range of issues that concern the dignity of the human person, and b) making the critical distinction between level A and level B issues.

A candidate with a perfectly legitimate stance on a level B issue can disqualify himself on a level A issue.<sup>7</sup> It is not necessarily the case that the level A issue is more important than the level B issue—that is difficult to weigh and decide, and the whole point of the consistent ethic of life is to recognize that the one super-issue, the dignity of the person, affects every issue. Hence, various attempts to weigh issues against one another turn out to be too facile. Nicholas warns as well against this. In particular, he aptly notes something worth quoting a second time: “Given the potential gravity of an unjust war, I fail to see why matters of war would *always* be considered a ‘secondary’ issue, less important even when *evil in fact* than any of the acts (adultery, blasphemy, perjury, etc.) are intrinsically wrong.” Precisely. The level A/level B distinction does not affect that point, because a level B issue is by no means a “secondary” issue, but rather a different *kind* of issue.

The force of the level A/level B distinction is particularly manifest when we examine the possibility of a Catholic voting for a candidate who is disqualified on a level A issue. While it still may be possible to vote for such a candidate, one would be by definition cooperating with evil. (It can work the other way as well—on a level B issue wherein apodictic certainty of inherent evil is determined, a vote for a candidate approving of that issue would be a vote that entails cooperation with evil). *What one is doing* in so voting is a different *kind* of act than if one were to vote for a candidate clean on level A issues, but illicit *according to the layperson’s judgement* on a level B issue that admits of other reasonable viewpoints.

As Cardinal Ratzinger’s reply to Cardinal McCarrick explains, it may well be morally licit to cooperate in evil so long as it is remote material cooperation with proportionate reason. Nicholas helpfully adumbrates the key principle allowing such cooperation, but does so apart from the critically necessary analysis attempted in the above paragraph.

Cardinal Ratzinger noted:

*Nota Bene.* 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 precisely because of the candidate's permissive stand on abortion and/or euthanasia. When a Catholic does not share a candidate's stand in favour of abortion and/or 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.

That statement was widely misinterpreted. To give one representative example: "...[I]f a Catholic thinks a candidate's positions on other issues outweigh the difference on abortion, a vote for that candidate would not be considered sinful."<sup>8</sup> In a word, everyone decides on his own, and level A and level B issues can be thrown into the mix indiscriminately. Now, it is true to say this: Whether or not there is proportionate reason is ultimately a matter for the individual conscience. However, the conscience must be properly formed, and of foremost consideration in that formation is the distinction between level A and level B issues.

### **Conclusion: the "GS43" Principle**

Spirited debate about level B issues needs to take place, as well as spirited debate on practical action for levels A and B both, and we actually get *distracted* from that debate when we do not have the proper distinctions in place. Heeding unity on level A issues will allow a better flourishing of legitimate debate on level B issues. As for this spirited debate, *Gaudium et Spes* 43 reminds us, and Nicholas emphasizes, that laypeople, with their various areas of expertise, are the ones who should apply the principles of Catholic social thought to each sphere of the temporal order, that disagreement among laity is to be expected, that no party may claim his view as the only "Catholic" one, that the teaching authority of the Church does not have a final answer to the disagreement, and that the debate be carried on civilly and charitably.<sup>9</sup> So important is this principle, for both level B issues and practical application for both levels, that I suggest it be given an appropriate label so as to place it with the other marvelous Catholic social principles. Until I or someone else can come up with a better moniker, I will call it the "GS43 principle," after the document and article in which it is so well articulated.

That principle is also a guiding light for the *Catholic Social Science Review*. The *Review's* stated policy is that it considers for publication pieces that “combine high quality scholarship and compatibility with the Church’s Magisterium,” and GS43 provides some important criteria for assessing that compatibility. Along the same lines, the president of the Society aptly notes that members of the SCSS obey all that the Church teaches, and then adds:

The SCSS does not embrace any particular social, economic, political, psychological, etc., systems or approaches because the Church Herself does not. Our membership, programs, and journal reflect the many different perspectives that are compatible with Catholic orthodoxy.<sup>10</sup>

*GS43* offers guidance regarding the legitimate variety of different approaches that exists within the magnanimous but definitive parameters of Catholic orthodoxy.

## Endnotes

1. In this response, included by agreement with Mr. Lund-Molfese, I have compiled the views of several referees alongside my own analysis. I am responsible for the argument as a whole.
2. *Living the Gospel of Life* (Washington D.C.: United States Catholic Conference, 1998) #38. This document is extraordinarily rich, superior to the “Faithful Citizenship” documents of 1999 and 2003. *LGL* 38 here cites John Paul II, *Ad Limina* Remarks to the Bishops of Texas, Oklahoma and Arkansas (June 27, 1998): *Origins* 28:16 (Oct. 1, 1998), 282.
3. See CDF, *Libertatis nuntius*, AAS 76 [1984], 876-909. (Instruction on Certain Aspects of the Theology of Liberation.)
4. U.S. Bishops, *The Challenge of Faithful Citizenship*, 2004, from the section “Role of the Church.”
5. The official document is found in AAS 96, no. 6 [June 4, 2004], 359-79.
6. Bronson L. Havard, “Nuance is Catholic teaching: so lower the political rhetoric!” *Texas Catholic* (Sept. 10, 2004), 8.
7. “Now suppose your choices in an election aren’t that great. One helpful question to ask is, ‘How fundamental is the issue on which the candidate is off base? Does the candidate embrace any disqualifying positions?’ .... Some disagreements with candidates are *legitimate*; others are not. Some positions are so fundamentally wrong that they should be beyond the realm of the optional....May we vote for one who, free of disqualifying faults, is better than the alternative even if not right on everything? Of course....” (Fr. Frank Pavone, *Reflections on the Political Responsibility of Christians* [priestsforlife.org], esp. pp. 31-32.)
8. Bronson Havard, editorial, *Texas Catholic* (July 16, 2004), 7.
9. “Very often [the layman’s] vision will suggest a certain solution in some given situation. Yet it happens rather frequently, and legitimately so, that some of the faithful, with no less sincerity, will see the problem quite differently. Now if one of the other of the proposed solutions is too easily associated with the message of the Gospel, they ought to

remember that in those cases no one is permitted to identify the authority of the Church exclusively with his own opinion. Let them, then, try to guide each other by sincere dialogue in a spirit of mutual charity and with anxious interest above all in the common good” (GS 43).

10. [www.catholicsocialscientists.org/joinsscsc.htm](http://www.catholicsocialscientists.org/joinsscsc.htm)