

Democracy - Yes; Liberalism - No

-by Kenneth L. Grasso

The debate between neoconservatives and cultural radicals represents perhaps the most important debate among faithful Catholic intellectuals, among Catholic thinkers loyal to the Church's teachings as opposed to parallel magisterium so fashionable among contemporary American Catholic elites. Mark Lowery's judicious analysis casts important light on this debate; and on a whole array of important points I find myself in agreement with him. He is surely right in suggesting that neither position is fully satisfactory. Likewise, it is difficult to take issue with his contention that the two positions are in some sense complementary because each provides a much needed leavening of the other, because each acts to correct the other in important respects. Similarly, Lowery is certainly correct in maintaining that the cultural situation which faithful Catholics find themselves confronting, and the common ground that unites neo-conservatives and cultural radicals, combine to demand a spirit of cooperation and conciliation on the part of the contending parties.

I was particularly struck by his remark that "the logic" of the cultural radical position "leads toward a certain type of sectarianism" [56]. He is clearly right in this regard, and has identified a major source of its appeal at this particular moment in American Catholic history. In the face of the increasingly toxic character of American culture and the profoundly corrosive influence that this culture has exercised on the faith and morals of a very large segment of American Catholics, it is not surprising that faithful Catholics are increasingly tempted to embrace the type of sectarian withdrawal from the world traditionally associated with certain varieties of Protestantism.

The problem is that what might be called the Amish option simply is not available to a Catholic community serious about living its faith. The Catholic tradition demands that we engage the world in order to bear witness to Christ and to organize it in accordance with Christian truth. Indeed, although one hesitates to employ so frequently abused a term, our faith demands that we enter into dialogue with the society around us, simultaneously learning from it and communicating the Gospel to it. This type of cultural engagement is not optional for Catholics. On the contrary, it is a requirement of our faith itself. Any doubts on this score can be dispelled by a cursory survey of the teaching of Vatican II (or, for that matter, the modern popes) regarding Christianity and culture and the vocation of the laity. The sectarian temptation represents one of the major dangers confronting American Catholics on the

eve of the third millennium, and, to the extent that cultural radicalism embodies that temptation, it must be steadfastly resisted.

As persuasive as much of Lowery's analysis is, however, I nevertheless harbor reservations about several aspects of his argument. The concerns I wish to raise here center around his treatment of "liberalism" and "liberal institutions" and his account of Catholic social teaching as it concerns religious liberty and the institutions and practices of constitutional democracy. As far as the whole question of "liberalism" and "liberal institutions" is concerned, his analysis requires further clarification. Lowery distinguishes the two, contending both that "liberal ideology need not accompany liberal institutions" [58] and that "if we are to work within the context of *Dignitatis Humanae* and *Centesimus Annus*, it would seem that we must affirm the legitimacy of liberal institutions, while simultaneously denying a liberal ideology" that views "the individual" as "an atomistic and autonomous center of rights" [50]. His position, as I understand it, is that while contemporary Catholic social teaching rejects liberalism, it nevertheless embraces, albeit cautiously and for prudential reasons, "liberal institutions."

The problem here is that Lowery seems to be using the term liberalism in two different senses. On the one hand, he employs it to refer to a particular model of man and society, which crystallized in the seventeenth century in the thought of Thomas Hobbes and John Locke and in the succeeding centuries has gradually come to dominate modern Western political theory. On the other hand, he seems to be employing it to refer to the complex of political institutions and practices which, taken together, are constitutive of what we have come to term the free society. It is true that the former did much to spur the rise of the latter. Nevertheless, key elements in this complex of institutions and practices antedate the rise of the liberal intellectual tradition (e.g., limited government, the rule of law, the idea of rights, etc.), and, as Lowery rightly observes, the acceptance of "liberal" institutions and practices "need not" entail the acceptance of "liberal ideology."

Lowery's terminology here--his insistence on employing the same term to designate these very different things--only invites confusion. If the acceptance of these institutions need not entail the acceptance of the liberal model of man and society, and if the principles in which they are rooted predate liberalism, why then call them "liberal" institutions? Lowery's very terminology seems to imply the sort of necessary connection between these institutions and the liberal model of man and society that his argument denies.

A better way of conceptualizing what Lowery is getting at--if I understand him correctly--might be to begin with the institutions and practices constitutive of the free society (e.g., government that is limited in its scope and responsible to those it governs, a market economy, etc.). These institutions and practices, as we have seen, do not presuppose the liberal model of man and society. On the contrary, they can be projected from a number of different models. Different models of man and society, in turn, will issue in different models of

the free society--in versions of the free society which although superficially similar nevertheless differ dramatically in their spirit and substance. A "free society" which adopted as its public philosophy the political theory of, say, Jacques Maritain would differ rather drastically from one which adopted for this purpose that of, say, Ronald Dworkin.

Now, from the perspective of Catholic social thought, the type of free society we have today is unsatisfactory precisely because it has come to be shaped in important respects by the liberal model of man and society. And, what Catholic social thought offers us is not merely an alternative justification of the institutions of the free society, but an alternative model of such a society, a model which differs in spirit and substance from that which issues from liberalism.¹

This way of formulating matters, I would argue, clarifies the point Lowery is trying to make here, namely, that Catholic social teaching rejects the liberal model of man and society while at the same time embracing constitutional democracy. At the same time, by severing any association (if only a psychological one) between the institutions of the free society and liberalism, it helps open the door to a somewhat different--and somewhat less cautious--reading of the nature and meaning of Catholic social teaching's embrace of these institutions than that offered us by Lowery.

More specifically, I would argue that Lowery's treatment of Catholic social teaching fails to appreciate fully the far-reaching development that has taken place in the Church's social teaching over the past half-century. His treatment of *Dignitatis Humanae* is a case in point. It is "perhaps" possible, he observes that "just as *Dignitatis Humanae* re-focused certain key points of the received tradition on religious liberty, some later teaching 'may' re-focus certain key points of *Dignitatis Humanae*." [50] In this context, one cannot help but think of John Courtney Murray's characterization of *Dignitatis* as representing both an "end" and "a beginning."² I take this to mean that if *Dignitatis* closes certain questions, it leaves others open. *Dignitatis*, for example, does not resolve the whole range of questions relating to the establishment of religion. Likewise, it does not resolve the question of precisely what government may do in order to "help create conditions favorable to the fostering of religious life," of what it may do by way of discharging its responsibility to "take account of the religious life of the people" and "show it favor."³ Similarly, it is true that *Dignitatis* does not attempt to present a systematic or definitive argument in support of its conclusions.

But this does not mean that *Dignitatis* leaves everything up for grabs. The subject of *Dignitatis* is conveyed by the other title by which this document is known, the Declaration on Religious Liberty. "This Vatican Synod," *Dignitatis*,

declares that the human person has a right to religious freedom. This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that in matters

religious no one is to be forced to act in a manner contrary to his own beliefs. Nor is anyone to be restrained from acting in accordance with his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits.⁴

The "limits" in question are the demands of "public order" as that term is defined by *Dignitatis*.⁵

Thus, what *Dignitatis* closes is the question of the existence of the right to religious liberty which it affirms, and whose content and limits it outlines. Although Catholic teaching on Church-state relations (and, more broadly, religion and public life) can indeed be expected to evolve--and indeed must do so if the matters left open by *Dignitatis* are to be resolved and bring to term the development in Church teaching in which it represents a key moment--there can be no retreat from the right affirmed by *Dignitatis*. Thus, any "re-focusing" of *Dignitatis* by the Church in the future will leave this right intact.

This state of affairs, in turn, has far-reaching implications. It precludes, at the very minimum, the type of Catholic confessional states that existed in the past, and this for the simple reason that the limitations these states placed on the religious freedom of non-Catholics are inconsistent with the human right to religious liberty. Likewise, it means that whatever models "of a future Christian society" (to use Lowery's phrase) we might "envision," whatever models might be proposed by us as individuals or by the Church for a "new Christendom" must be consistent with this right. Furthermore, insofar as the right to religious liberty outlined in *Dignitatis* has far-reaching implications for the Church's understanding of the character of the political common good and the nature and functions of the state, *Dignitatis* has profound implications for the Church's overall teaching about the right ordering of social and political life.

This brings us to the topic of the Catholic teaching about political regimes, in general, and, in particular, its posture toward constitutional democracy. The Church, Lowery argues, "never favors any one particular political regime" because to do so "would violate" a foundational principle of Catholic social teaching, namely, the principle of "the proper autonomy of the temporal order." This means that the view that "the liberal regime is necessarily the ideal home for the Catholic faith in this world," that it represents "her favored choice of all conceivable political regimes" is inconsistent with Church social teaching. At the same time, although "the extent to which the liberal political order is a good setting for the Catholic faith is a legitimate matter for continued discussion," contemporary Catholic social teaching nevertheless affirms not only that "the liberal state is *compatible* in practice with Catholicism as articulated in *Dignitatis Humanae*," but that "the liberal regime, for all its vulnerabilities, is the best political option currently available" to Catholics. Indeed, it presently represents "the best available home" for "the Catholic faith" [58].

Perhaps the best place to begin exploring contemporary Church teaching on this whole question is with the documents of Vatican II, and, in particular, with *Gaudium et Spes*. The Council, it is true, emphatically reaffirms the traditional truth that the Church "is not committed to any one culture or to any political, economic or social system." She is neither to be "identified with any political community nor bound by ties to any political system." Likewise, it affirms that "the concrete forms of structure and organization of public authority in any political community may vary according to the character of various people and their historical development" so long as political power "is exercised within the limits of the moral order and directed toward the common good."⁶

At the same time, however, the Council makes a number of affirmations that taken together constitute what Murray describes as "a political commitment, however discreet, to constitutional government."⁷ To begin with, the Council affirms that the protection and promotion of human rights is at the very heart of the political task. Similarly, it affirms that freedom must take its place (alongside truth, justice and love) as a foundational component of a genuinely human social order. It affirms that societies should establish written constitutions specifying the organization, operations, and scope of government; defining the rights of individuals, families and social groups; and providing mechanisms for the protection of those rights. Finally, it affirms that a rightly ordered polity should contain

structures providing all citizens without any distinction with ever improving and effective opportunities to play an active part in the establishment of the juridical foundations of the political community, in the administration of public affairs, in determining the aims and terms of reference in public bodies, and in the election of political leaders.⁸

What emerges in these affirmations is what might be described as a preferential option for constitutional democracy.⁹

The obvious question here concerns the grounds for this preference. Lowery suggests they are purely prudential in nature. In the context of today's world, he maintains, the Church views constitutional democracy as the "best political option currently available" to us. It is difficult, however, to square this claim with the argument offered by the Church's social Magisterium in support of its preference for constitutional democracy. Consider, for example, the opening lines of *Dignitatis Humanae*:

A sense of the dignity of the human person has been impressing itself more and more deeply on the consciousness of contemporary man. And the demand is increasingly made that men should act on their own judgment, enjoying and making use of responsible freedom, not driven by coercion but motivated by a sense of duty. The demand is also made that constitutional limits should be set to the powers of government, in order that there may be

no encroachment on the rightful freedom of the person and of associations.¹⁰

Confronted with these "desires" the Council "proposes to declare them to be greatly in accord with truth and justice."¹¹

The point is that what we find at the heart of contemporary Catholic social teaching is an argument for democratic government rooted in man's nature and dignity as a person, and directed to the proper ordering of human social life.¹² What we find, in other words, is an argument not from prudential considerations, but from principle. Constitutional democracy, the Church seems to be saying, is not simply the best we can hope to do at the moment, but the best form of government in principle, the form of government that most accords with man's dignity as a person.

This, of course, raises the question of how this "preferential option" for constitutional democracy can be reconciled with the simultaneous assertion that the Church is "not committed to any one" political system and that the "concrete forms" of "political structure" and organization may legitimately vary from society to society. The answer, I would suggest, is found in the fact that the Council's preference for constitutional democracy does not involve the denial of the legitimacy of other forms of government. Circumstances, it makes clear, may not only make another form of government legitimate, but may require it. What the Council affirms is that, in principle, constitutional democracy is preferable to other forms of government; and that it ought to be instituted whenever and wherever the preconditions for its actualization and proper operation are present. It is preferable because although a variety of governmental forms are capable of advancing the common good, constitutional democracy provides the political medium--the matter, as it were--through which the demands of the common good can receive their best and most complete realization. Constitutional democracy, in short, is capable of incarnating the substance of the common good more fully, more perfectly, than its rivals.

The Church, of course, does not confuse this political order with the Kingdom of God. Respecting what Lowery terms the "eschatological principle," the Council warns that "we must be careful to distinguish earthly progress clearly from the increase of the Kingdom of Christ."¹³ Nor, it should be added, does this embrace of constitutional democracy by the Church violate her commitment to the autonomy of the temporal order. The "rightful autonomy" of "earthly affairs," as the Council makes clear, should not be confused with a "false autonomy" which would "exempt" temporal life "from every restriction of the divine law."¹⁴ Properly understood, this autonomy "does not override" the "moral" law.¹⁵ This law, in turn, both encompasses the rights of the person and demands that social and political life be organized in a manner in keeping with man's dignity as a person.

What I am suggesting here, in short, is that Catholic social teaching has undergone a far-reaching development over the past half-century, and that

Lowery's failure to appreciate fully this development prevents him from coming fully to grips with what *Dignitatis Humanae* accomplished and what it means for Catholic social thought, or from grasping the nature of Catholic social teaching's commitment to the free society. As a result, it weakens what is, in many respects, a penetrating analysis.

Admittedly, these criticisms leave much of Lowery's argument untouched. At the same time, if the understandings of liberalism, the free society, and contemporary Catholic social teaching outlined here are correct, it means that a number of the propositions with which he concludes his analysis will have to be rethought and several aspects of his argument as a whole will need to be recast. A solid grasp of these subjects is a precondition for the determination of the proper posture of Catholics toward American society.¹⁶

Notes

1. For a longer, more detailed discussion of the whole question of Catholicism, liberalism and the free society, see Kenneth L. Grasso, "Beyond Liberalism: Human Dignity, the Free Society and the Second Vatican Council" in *Catholicism, Liberalism and Communitarianism: The Catholic Intellectual Tradition and the Moral Foundations of Democracy*, ed. Kenneth L. Grasso, Gerard V. Bradley, and Robert P. Hunt (Lanham, Maryland: Rowman & Littlefield Publishers, Inc. 1995), 29-58.

2. This phrase is drawn from the title Murray gave a volume of essays on *Dignitatis* that he edited after the Council. See *Religious Liberty: An End and a Beginning*, ed. John Courtney Murray, S.J. (New York: The MacMillan Company, 1966).

3. The Declaration of Religious Liberty in *Religious Liberty: An End and a Beginning*, section 7, p. 175; and section 3, p. 170. For purposes of convenience, in citing Church documents, the page number in the edition being cited will be preceded by the section number in the document itself.

4. *Ibid.*, 2, 166-167.

5. *Ibid.*, 7, 177.

6. *Gaudium et Spes in Vatican II: The Conciliar and Post-Conciliar Documents*, ed. Austin Flannery, O.P. (Collegeville, Minnesota: The Liturgical Press, 1975), 42, 942; 74, 984; 74, 981.

7. "The Issue of Church and State at Vatican Council II," *Theological Studies* (December 1966): 599.

8. *Gaudium et Spes*, 75, 982.

9. For citations of the specific passages in which these affirmations are found, see Grasso 30-32.

10. Declaration on Religious Liberty, 1, 162.

11. *Ibid.*, 1, 163.

12. For an overview of this argument, see Grasso, 34-44.

13. *Gaudium et Spes* 39, 938.

14. *Ibid.*, 41, 941.

15. *Ibid.*, 36, 935.

16. I say "precondition" here because no resolution of this question is possible without both a sound theology of the relation of the Church to the world (and hence of the relation of grace to nature); and an adequate account of the character of the American regime both today and at the time of its origin.