The Teaching Authority of the Church and American Society: A Voice in the Wilderness

Robert J. Araujo, S.J.
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INTRODUCTION

At the beginning of this new year, the Reuters news agency reported that Pope John Paul II would issue a new encyclical in 1991 that will address social issues.¹ This Reuters report also indicated that this encyclical will commemorate the one hundredth anniversary of Pope Leo XIII's social encyclical *Rerum Novarum*. The Reuters announcement gives us an opportunity to reflect on the role the Church has in becoming involved with social and economic issues. In particular, we Americans ought to be challenged by the news of the encyclical to reexamine the role which the Church in the United States, particularly its hierarchy, has taken in speaking out on such matters as the national economy and our country's possession and potential use of nuclear weapons.

As American citizens and Catholics, we are especially challenged by the Constitutional provision that is frequently translated as "the separation between church and state." The first amendment states in pertinent part: "Congress shall make no law respecting an establishment of religion."² This proviso has frequently beeninterpreted to mean that the

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¹ This report stated that no name had yet been given to this forthcoming paper encyclical. See Reuters, *Pope Sets Encyclical On Social Problems*, Boston Globe, Jan. 2, 1991, at 6, col. 4.

² U.S. Const. amend. I.
Church cannot—indeed, should not—involve itself with the social, economic, and political issues which our federal, state, and local governments address. By expressing its view on these matters, the Church would, in the minds of some people, be in violation of this important Constitutional safeguard that is designed to protect Americans from religious beliefs to which they do not voluntarily adhere.

In addition to this tension which exists between the Church taking positions on social issues and the provisions of the first amendment, there are many Americans (both Catholics and non-Catholics) who hold the belief that the Church should not interfere with issues that involve the society at large; in other words, "no politics from the pulpit." Many of these people view the role of the Church as dealing exclusively with religious issues that involve the hereafter; they do not believe that the Church's authority extends into the world of everyday affairs in which we presently exist. Essentially, these individuals see a clear distinction between the City of God and the City of Man; for them, there is no connection between the two.

I, for one, disagree with the view that the Church has neither any right nor any role in discussing the issues which our society faces. I do not believe that the United States Constitution prohibits every action by the Church when it discusses the economic and social issues that confront our American society. I do not, moreover, see the Church's addressing, as it has, social issues such as the threat of nuclear war or the United States economy as constituting an establishment of religion that violates the first amendment. In addition, I think that it is not only the Church's right but its duty to inform the faithful (and, in appropriate cases, the general public—including government officials) about our individual and corporate relationship to the social and economic concerns of our time.

The rest of this paper shall address the appropriate role of the Church, particularly the bishops, in addressing the contemporary social and economic ills which our society faces. My discussion shall be broken down into two components. The first will identify the challenges that face Americans today and what our responses should be, including our responses as members of the Church. Within this discussion, I propose to examine and evaluate the propriety of Constitutional and other challenges which argue that the Church cannot or should not speak out on social issues. Finally, I shall propose a response to these challenges and how the Church (either as the faithful or as the hierarchy) can and must deal with the social problems of our time as both citizens and committed Christians.

I. The Challenges

This past November, Newsweek magazine carried as its feature sub-
ject a series of articles dealing with warnings in the American economy signalling troubles ahead for many who may be losing their jobs due to the current recession. As I paged through the stories which these articles presented, I asked myself the question whether the managers making the decisions regarding other people’s jobs were considering the moral issues, as they take actions that threaten the economic welfare of tens of thousands of Americans and their families. Further reflection on this subject led me to the action taken by the U.S. bishops in 1986 when they issued their pastoral letter on the economy. As I continued to read the Newsweek articles, I asked myself the question: would I have been as sensitive to the predicament of so many people if I had not read the Economic Pastoral Letter? My answer was no.

Additional reflection led me to an earlier publication which preceded the Economic Pastoral Letter by over a quarter of a century. The work was John Courtney Murray’s collection of essays published in We Hold These Truths: Catholic Reflections on the American Proposition. In large part, Fr. Murray’s essays explore the relationship between American citizenship and Christian faith. On these essays, he states:

They are the reflections of a citizen who considers it his duty to be able to answer the fundamental civil question: ‘What are the truths we hold?’ They are also the reflections of a Catholic who, in seeking his answer to the civil question, knows that the principles of Catholic faith and morality stand superior to, and in control of, the whole order of civil life.

For Fr. Murray, the question was not whether Catholicism is compatible with American democracy—it is, rather, whether American democracy is compatible with Catholicism. He answered the question in the affirmative. I also hold the view that American democratic policies, while not identical, are frequently compatible with the social teachings of the Church. Moreover, I do not see that the Church is prohibited by first amendment safeguards from publicly advocating its view on important social questions insofar as these views advance the common good of all people by upholding the dignity and rights to which every human being is entitled. The Church, after all, has a major role in teaching the faithful about our duties to live lives in which we care for one another. This role parallels that of many secular groups (e.g., those which advocate the pro-

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3 See Newsweek, Nov. 5, 1990, at 44-56.
5 J. Murray, We Hold These Truths: Catholic Reflections On The American Proposition (1960).
6 Id. at ix.
7 Id. at ix-x.
8 Matthew 25.
tection of the environment, world peace, and care for the homeless and destitute) who are concerned with the same or similar issues on which the Church instructs the faithful.\* 

In understanding the role of the first amendment in protecting the rights of all American citizens, two points must be noted. The first is that this Constitutional protection was not designed to combat religious beliefs but to protect them so that all who wish to practice religious faith—as well as those who do not—would be protected from the requirement of either following only certain religious tenets but not others or abstaining from religious beliefs altogether.\*

A second important point is that the society in which we live is not synonymous with the state and political institutions which govern.\*

The first amendment prohibition would not likely apply to a situation in which the state adopts certain religious beliefs of a particular sect into the policies it formulates and the laws it promulgates. I argue, however, that our American society, while it overlaps in some areas with the state, does not completely coincide with the state. Therefore, the Church would not be precluded from advocating its morally based views to the general public and government officials about society’s duty to care for the homeless. It should even be possible for the Church to offer testimony about such social duties when legislative bodies of the state are addressing social problems and are soliciting the views of different interests, including religious groups, who have a point of view on the particular issue being considered.

At this stage of our discussion, it would be useful to examine some particular challenges that have been made against the Church’s right and responsibility to advocate its views about social and economic questions in the public forum.

I have already alluded to the potential problem with the first amendment issue. Clearly, this is an important issue which dramatically affects what roles the Church and the bishops can and cannot take in public fora. A detailed investigation and discussion of this Constitutional issue would consume a long and detailed presentation which extends beyond the scope of this paper. However, I reiterate the point made earlier that the first amendment prohibition must not be construed as a hostility to-

\* Some of these human interest groups are Amnesty International, CARE, Save The Children, and Greenpeace.

\* See J. Murray, supra note 5, at 150-51. Murray discusses the foundation of the first amendment as one in which the authors desired to protect religious beliefs and their correlative practices. He correctly acknowledges that the concept of separation of church and state must focus on the tolerance of different religious beliefs, not hostility toward some and favoritism toward others.

\* Id. at 35.
ward religious institutions. Rather, the amendment is designed to protect the free exercise of religious beliefs in a pluralistic society. The first amendment is designed to preclude favoritism toward a particular set of religious tenets to the exclusion of others.

This safeguard does not mean that the state must be blind and deaf to the views of its citizens and officials who have formulated their views on important social issues (e.g., homelessness, the AIDS crisis, world hunger, protection of the environment, protection of in utero human development, peaceful resolution of international conflicts) as a result of either secular or religiously affiliated moral training. I agree with Governor Cuomo of New York that we can and must remain fully Catholic and true to our religious heritage by appealing to the best in people who share our pluralistic culture through persuasion rather than coercion. However, I respectfully disagree with the governor that our moral beliefs, as molded by religious or other traditions, cannot be properly heard in the debate about such crucial issues as abortion. A more extreme view of this debate has been presented by Professor Lawrence Tribe of Harvard Law School. For example, he has stated that claims which attribute personhood to the nonviable fetus are "unmistakably religious" and that a first amendment issue is triggered when the views of organized religious groups become pronounced in the legislative debate on abortion.

The automatic conclusion that arguments made on behalf of the personhood of pre-viable fetuses is "unmistakably religious" is troublesome in several ways. First of all, this broad conclusion denies that these arguments, even though emanating from a religious tradition, can serve secular goals, viz., the protection of developing human life. Second, it could be construed that this attitude would exclude from the debate views which parallel those of religious beliefs. In other words, Tribe's point could mean that the first amendment would preclude contributions to the debate on abortion because they parallel those of certain religious groups. It would be a mistake and a tragedy to silence such views in the public debate because they emanate from religious beliefs or because they are similar to those views which come from a religious heritage but are held independently of religious belief. It would be a mistake because it would show hostility (as opposed to neutrality) toward religiously based moral views. It would be tragic because it would cut off from

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13 Id. at 25.
public debate the important views and contributions of responsible people who make up a significant part of the pluralistic American culture.

At most, the first amendment can be neutral to such views, it cannot preclude them. To do so would constitute an antagonism toward such views which could well interfere with the free exercise of religion (which is protected by the same amendment). Moreover, the Church (including its hierarchy and its members) can be viewed as a particular constituent group of the society. Like any other interest group (e.g., civil rights groups, advocates for unrestricted freedom of publication, etc.), the Church should be free to express its views about social questions, particularly when these views are held by other groups (some of which may be secular in their orientation).

It is important to note that there is developing literature indicating that religiously inspired views about important social issues affecting the general public are not and should not be precluded from the public debate by the first amendment. Professor Kent Greenawalt of Columbia Law School has recently published a major work addressing those individuals "who view religious convictions as foolish superstitions whose impact on our social life should be minimized as far as possible." Professor Greenawalt advances and argues the notion that "[l]egislation must be justified in terms of secular objectives, but when people reasonably think that shared premises of justice and criteria for determining truth cannot resolve critical questions of fact, fundamental questions of value, or the weighing of competing benefits and harms, they do appropriately rely on religious convictions that help them answer these questions." Legislators themselves and even judges can rely on their own religious convictions under similar circumstances.

Greenawalt correctly recognizes the major contribution made by religious organizations in conferring secular benefits on our pluralistic, secular society, especially in the fields of health care, education, and protection of the marginalized. Religious leaders have also contributed to the advancement of social justice (e.g., Rev. Martin Luther King, Jr., Rev. John Ryan, Rev. Jesse Jackson, and Rev. Robert Drinan, S.J.). While noting that the holding of political office by religious leaders may be a cause of concern, Greenawalt points out that we should never rule out the likelihood that such leaders can also be good citizens who contribute to the secular needs of all who share a role in our pluralistic and democratic

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18 Id. at 12.
19 Id.
20 Id. at 200.
society. For this author, American democratic institutions must not only be tolerant of the views of its members who hold religious beliefs, but they must also be open to the contributions which these believers can and do make to the "common dialogue of rational secular morality."28

Professor Michael Perry of Northwestern University Law School has carried this discourse begun by Greenawalt to a further level by contributing to the debate views and suggestions about the proper relations of morality and religion to politics and law.29 Perry sees that traditional, liberal democratic politics have failed to respond in a meaningful way to some important issues facing the United States. He searches for an alternative which he labels "deliberative, transformative politics."24 He identifies constitutional adjudication as a model of this politics in which moral discourse is a principal component.28 Because of the multiplicity of communities which compose our nation (and hence, divergent, sometimes conflicting views), there is need for a widespread contribution to this moral discourse. Perry believes that individuals and groups who can contribute to the development of the human good must participate in this discourse regardless of whether their views are based in secular or religious morality.26

Assuming that the constitutional challenge can be disposed of (at least in many instances), there still remain critics (including some of the most devout faithful) who maintain that the Church should not involve itself with the concerns of this world. Many of these individuals believe that the Church's teaching about religious faith exclusively concerns the afterlife and must be divorced from the social issues encountered in this life. These critics argue that the Church has no role in addressing contemporary social issues. They advocate the position, "no politics from the pulpit."

But it is difficult, if not impossible, to separate the Gospel message taught by Jesus from the Church's contemporary teaching on the major social and economic justice issues of our times. To do otherwise would verge on hypocrisy. Professor Perry makes an important observation at the conclusion of his book when he states: "As a Catholic, one of my principal moral texts is the Last Supper scene in John's Gospel, in which Jesus . . . says to those gathered with him . . . 'I give you a new commandment: love one another; you must love one another as I have loved

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21 Id. at 227.
22 Id. at 258.
24 Id. at 4.
25 Id. at 76.
26 Id. at 181-82.
you.' "27

As both citizen and Christian, Perry indicates that the teachings of Jesus have permeated his life. The passage he quotes from John’s Gospel focuses on two major tenets of what Jesus taught: the first is love for others. The second is related to the first, *viz.*, service to others which emanates from the love for others. This is at the heart of the message which the Church teaches to the faithful in its efforts to awaken the need within each one of us to believe the message Jesus gave us and to emulate his deeds in our own lives. This can be done in the way we deal with and treat one another in the course of our lives on earth.

When the Church talks about the duties and responsibilities we Christians have to others, it is not making a political statement. It is, on the other hand, making a statement about the need to import Christ’s teachings not only into our hearts but into our actions as well. Pope Leo XIII characterized this sentiment well when he declared in *Rerum Novarum*:

> [T]he Church indeed has a power that is especially unique. For the instruments which she uses to move souls were given her for this very purpose by Jesus Christ, and they have an efficacy implanted in them by God. Such instruments alone can properly penetrate the inner recesses of the heart and lead [each person] to obedience to duty, to govern the activities of [the] self-seeking mind, to love God and [one’s] neighbors with a special and sovereign love, and to overcome courageously all things that impede the path of virtue.28

God’s interest in helping others, particularly the marginalized, can be traced back to the earliest books of the Old Testament. Fr. Norbert Lohfink has identified God’s special concern for the poor and His interest in societies and how they deal with the marginalized.29 God’s interest in caring for and protecting those in need, according to Fr. Lohfink, is transferred to people of belief who become a “contrast people.” As he bluntly states:

God’s plan for the transformation of the world proceeds by means of a contrast-people. But one can enter this new society only by following Jesus. There is no cheap route divorced from faith. Anyone who interprets the central texts of the Bible concerning the poor as meaning some kind of aid for the poor that it possible without faith and without transformation of the world within the believing community, is misusing these texts and is not doing them justice.30

27 *Id.* at 184.
28 *Rerum Novarum* para. 40.
30 *Id.* at 78.
Quite clearly, Fr. Lohfink, a renowned Biblical scholar, knows what he is talking about. He offers a strong challenge to those who consider themselves religious believers. His suggestion is a potent tonic to overcome the view that religious belief is severable from the fashion in which we conduct our daily lives and the manner in which we deal (or do not deal) with the pressing social concerns of the day. After all, there can be and often is an overlap between important issues concerning the religious and secular spheres. But, is there an alternative to the solution offered by Fr. Lohfink which can avoid the need for a contrast society and that still allows us to capture the spirit of Jesus’ teaching in our own lives—an alternative which enables us to exercise our Christian responsibilities while at the same time enabling us to be consistent with the Constitutional protections and restrictions which we will inevitably encounter in our American political culture? I think there is.

II. A RESPONSE TO THE CHALLENGES

My response begins with the counsel offered by Pope John XXIII when he stated that a practical way of implementing the social teachings of the Church in everyday life is by following a three-prong approach: (1) examine the situation or condition; (2) evaluate this situation or condition in the context of the applicable teachings of the Church; and, (3) decide what can and should be done to address the issue as it actually exists in a specific context.  

This Pope was conscious of the fact that good and faith-filled people might have different views on how to go about implementing the Church’s social teachings. I think that is very much a part of what divides the faithful today; the bone of contention is not whether the Church should address social issues, but rather, how it should go about doing this. John XXIII offers some helpful advice:

[W]hen it comes to reducing these teachings to action, it sometimes happens that even sincere Catholic[s] . . . have differing views. When this occurs they should take care to have shown mutual esteem and regard, and to explore the extent to which they can work in cooperation among themselves. Thus, they can in good time accomplish what necessity requires. Let them also take great care not to weaken their efforts in constant controversies. Nor should they, under pretext of seeking what they think best, meanwhile, fail to do what they can and hence should do.  

Whatever else it may do and whatever it is proscribed from doing, the Church (i.e., its hierarchy and faithful) should not hesitate to enter the discourse on the problems which confront our society. We must not

31 Mater et Magistra para. 236.
32 Id. para. 238.
step back and fear to encounter and engage those who are involved with this discourse. If no discourse exists in spite of the pressing need for discussion about solutions for combating social issues, then let us not fear to begin the dialogue.

During the Second Vatican Council, our Church and our faith were rediscovered in some important ways. Much of what was rediscovered was identified in the Pastoral Constitution on the Church in the Modern World (Gaudium Et Spes). The Council found that while the Church cannot be identified with any particular political community, party, or system, the religious mission of the Church incorporates a function that its members “discharge their earthly duties conscientiously and in response to the Gospel spirit.” The Council put to rest any notion that faith and worship consist only in acts of liturgical worship; an obligation of faith is to unite, not divorce, faith and earthly life. After all, “[t]his split between the faith which many profess in their daily lives deserves to be counted among the more serious errors of our age.”

At the heart of the message of the Pastoral Constitution on the Church in the Modern World is the understanding that the common good of humankind is inextricably related to the Church’s mission in this world. Since the social order exists to assist individuals and the common good (not vice versa), social institutions must be continuously scrutinized to insure that the interests of all human beings are served. The greatest responsibility of the Church in implementing this goal is not to take action directly that accomplishes this end but to persuade its members—and perhaps other people of good will—to reform attitudes that will in turn enable all of us to work for a just and loving society. The power and authority of the Church rests in its care and love to teach through prayerful persuasion and reflective advocacy—it does not rest in the harsh, strident tones of political harangue and hate-filled rhetoric. The tone of the teachings must emphasize cooperation as well as action.

There are two important points to keep in mind as each of us assesses the respective roles of the hierarchy and the laity in dealing with the social issues of our time. The first concerns the notion already mentioned of what it means to be Christian in the contemporary world.

Our tradition is formulated by the Biblical texts urging us to respect the dignity of each and every human being and to take whatever action is necessary to ensure that our fellow human beings are accorded the same social and economic justice that we expect for ourselves. Each per-

33 Gaudium et Spes, 76 (Dec. 7, 1965).
34 Id. at 41.
35 Id.
36 Id. 26-43.
37 See Encyclical Letter of Pope John Paul II, Laborem Exercens (On Human Work) § 1, 4.
son who calls him or herself a Christian faces the Gospel's demand to do unto others as we would want them to do to ourselves. Simple justice demands that the entitlements we expect for ourselves should also be granted to others. Our American culture is filled with an abundance of temptations that suggest we take care of ourselves first and let others fend for themselves. However, our faith, as the American bishops state in the Economic Pastoral Letter, is not some weekend obligation that is satisfied by attendance at liturgical functions. It is satisfied only when the actions of our everyday lives adopt and implement the faith in which we say we believe. As Pope John Paul II has stated in his encyclical letter, Sollicitudo Rei Socialis (On Social Concern), our faith (which includes the social teachings of the Gospel) must interpret the realities of the conditions of human beings and then guide our individual and corporate behavior accordingly. This first point can best be characterized as what it means to be a Christian in the world today.

The second point is also focused on the individual and can be best expressed as what it means to be a good citizen in both our American culture and the world today. Clearly there is a nexus between both of these points. If one is a Christian and lives out one's religious belief in everyday life, that person will also be a good citizen in that he or she will participate in public life and exercise his or her access to political decision-making so as to maximize the possibility that every human being is accorded the same entitlements which each citizen expects for him or herself. As Fr. David Hollenbach has indicated, "[a]ctive citizenship . . . is part of the Christian vocation. It is integrally connected with the life of discipleship because it can be such an important way of serving one's neighbors."

If both of these points are observed by the hierarchy and the faithful, there could be more justice and less conflict in our own country and possibly in the rest of the world. Our faith, as expressed in the lives we live, becomes a vehicle through which the justice of the Bible can become a reality. Some critics have argued that the Catholic bishops' Economic Pastoral Letter emphasizes the "collectivist" to the detriment of the individual. This criticism is misplaced and inaccurate. Catholic social thought, as reflected by the Economic Pastoral Letter, demonstrates the inextricable relationship between the individual and the communal. As

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38 Matthew 7:12.
39 Economic Pastoral Letter, supra note 4, at 25 (introduction).
40 Sollicitudo Rei Socialis § 41, 7.
42 See Friedman, Good Ends, Bad Means, in THE CATHOLIC CHALLENGE TO THE AMERICAN ECONOMY 7 (Gannon ed. 1987).
the bishops recognize, "respect for human rights and a strong sense of both personal and community responsibility are linked, not opposed." At the very heart of Catholic social thought is an acknowledgement of the inextricable relationship between the individual and the community. What is crucial to justice is the establishment of "minimum levels of participation in the life of the human community for all persons." The bishops acknowledge that the ultimate injustice found in our society, "is for a person or a group to be treated actively or abandoned passively as if they were nonmembers of the human race. To treat people this way is effectively to say that they simply do not count as human beings."

Within our own context of the present day in the United States, we see a growing concern about increasing unemployment among workers of all kinds—those in public and private employment, blue-collar, management, executive, and professional occupations. If we treat these individuals with an attitude that ranges from indifference to pity, we are not living up to the demands of the Gospel and our Catholic teaching that we ought to be concerned about these individuals. Moreover, this concern must be implemented by the actions we take as moral citizens. If we turn away from their plight and merely say to them, "stay warm and well fed," we are conferring upon them an inhuman status that violates the very nature of what it is to be a human being: entitlement to the dignity each of us undoubtedly expects for ourselves. For example, to the unemployed who are growing in numbers as each day passes, we are making them feel by our inaction that they are "worthless and without a productive role in our society. Each day they are unemployed [we tell] them: We don't need your talent. We don't need your initiative. We don't need you."

So, the issue becomes how must our faith be kept alive. What must we do as Christians if we do not want our faith to wither on the vine and to be consumed by fire? One response is to recognize and exercise the

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43 Economic Pastoral Letter, supra note 4, at P79.
44 Id. at 77 (emphasis added).
45 Id. (emphasis added).
46 See supra note 3 and accompanying text; see also Kilborn, Youths Lacking Special Skills Find Jobs Leading Nowhere, N.Y. Times, Nov. 27, 1990, at A1, col. 3; Schmidt, Hard Work Can't Stop Hard Times, N.Y. Times, Nov. 25, 1990, at A1, col. 3.
47 See James 2:14-17.
48 Economic Pastoral Letter, supra note 4, at 141 (emphasis in original).
49 John 15:16.
existing partnership between the hierarchy and ourselves to see that basic justice is accorded to each person in our society.

This partnership is characterized, as I see it, by distinct roles for the hierarchy and the laity. As teachers and formers of the Christian conscience, the hierarchy (and those upon whom they rely for counsel) have the duty to "interpret authentically the norms of morality" we are to follow in our own lives. With the norms formulated and published in the Church's teachings, the laity must then take action. Without waiting for orders or specific directives, it is the role of the faithful to implement in our everyday lives these teachings so that they become a part of "the mentality, customs, laws and structures of the community in which [we] live."  

While the hierarchy may keep its distance from the political and government institutions, we, the faithful who are both Christians and good citizens, have the duty to participate in the very institutions which can mean the difference between sustenance or starvation, employment or unemployment, shelter or homelessness for others.

As a new social encyclical is about to be released by the Holy See, let us all remember our dual role as Christians and citizens. We belong to the two cities—the one founded on faith, the other founded on the political order—where we receive in one the conscience that forms our individual attitudes about social issues encountered in the other. With formed consciences, we Christians turn to our second city and can implement our beliefs through the actions we take as good citizens and as people of conscience to see that all people experience the basic justice to which all are entitled. If we manage to be proper citizens of both cities, we can enjoy the promise Jesus made to us when he said: "Anything you have done for the least of your brothers and sisters, you have done it for me."  

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50 See Encyclical of Pope Paul VI, Populorum Progressio (On The Development Of Peoples) para. 81 (March 26, 1967).
51 Id.
52 Gaudium et Spes para. 43.
53 See Bishops Pastoral Letter, The Challenge Of Peace: God's Promise And Our Response para. 16.
54 Matthew 25:40.