

# CATHOLIC + AND ★ AMERICAN

USING CATHOLIC SOCIAL TEACHING  
FOR A CRITICAL LOOK AT AMERICAN LAW AND CULTURE



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For the last few years, I have been exploring the ways in which Catholic social teaching might be used in American law to offer a vision of the common good that emphasizes the dignity of the human person and the essential role of community in human flourishing. Although the American legal system demonstrates a deep respect for the human person on many levels, it diverges from Catholic social teaching in how it tends to view the individual in relation to others. During the latter half of the 20th century, American law has made dramatic shifts toward a general acceptance of a view of individuals within society as free agents, whose connections and commitments to others are organized around the principle of personal choice.

Although the political process involved in the creation of laws and the development of public policy is complex, in much of American lawmaking the stated justifications (legislative histories, statutory language, journalistic reporting) for altering many longstanding legal regimes specifically exalt the individual at the expense of community, and view the common good as being best served by maximizing personal choice or limiting the “burdens” imposed by marriage, child rearing, or other social obligations. These changes have been documented by many observers and, by itself, a study demonstrating that they have taken hold throughout American law would offer little that is new to the academic literature. As this trend has deepened, however, what has been lacking is a coherent response to these changes that might be useful in public debate. I think Catholic social teaching may provide a compelling theory for such a response and that its usefulness can be demonstrated when one looks at specific cases. Although explicitly Christian and Catholic, I think many of the themes of Catholic social

teaching would find broad acceptance among religious believers, as well as among others, who might define themselves as secular but who recognize the real risks to the social order when too much deference is given to, in Mary Ann Glendon’s terms, the “lone rights-bearer.” Indeed, for religious believers, Catholic social teaching can provide the intellectual foundation for more cohesive political engagement across denominational lines on a variety of issues.

During my year at the Erasmus Institute, I began to prepare chapters for a book that will reconsider the role that Catholics should play in American social, political, and economic life, based on a vigorous engagement with the principles of Catholic social teaching. The dawning of the 21st century has revealed a new era in the relationship between the United States and the rest of the world. Now that the United States is clearly the globe’s preeminent power, a wide range of scholars see the emergence of a new kind of imperial nation. The American Empire is not arising in the traditional sense of active military

control of peoples and territory, but through a more passive cultural and economic dominance, occasionally set into motion by military action, but more often a product of an inequality of bargaining power in the global marketplace.<sup>1</sup> What does this development mean for American Catholics, who are members of a worldwide church and, as the recent war in Iraq demonstrated, may often find that the economic and political objectives of the American government are in strong tension with their core religious beliefs?

In the decades ahead, Americans will need to abandon the idea of their nation as a reluctant superpower, and may even have to accept the reality of citizenship in a new kind of imperial state. I believe that this change will call for a different understanding of Catholic engagement with American institutions and values. The assimilationist apologetics of 20th-century American Catholicism must change if American Catholics are to have a meaningful encounter with their faith in this kind of future, one that does not compromise core values and beliefs in order to gain social acceptance. Furthermore, because it tends to ignore the existence of important structures of injustice in American life, the neo-conservative attempt to reform American culture through the imposition of moral order from the top down is also a losing proposition. I think a better approach for American Catholics is to embrace what I call “Catholic cosmopolitanism.” The Catholic cosmopolitan remains rooted in the richness of the culture of which he or she is a part but also acknowledges the ephemeral nature of all political arrangements. Pope John Paul II made reference to a similar idea in *Centisimus Annus* when he noted that “the Christian faith does not presume to imprison changing sociopolitical realities in a rigid schema, and it recognizes that human life is realized in history in conditions that are diverse and imperfect.” Empires rise and fall, but the God-given dignity of the human person never changes. Catholics must live out a radical commitment to love others, particularly the poor, in whatever circumstances they find themselves.

The Catholic relationship with the American experiment has long been rocky. As historian John McGreevy has demonstrated recently in *Catholicism and American Freedom* (Norton 2003), the Catholic Church was viewed with wariness or outright hostility by most Americans from the nation’s beginnings. The surge of Catholic immigration in the mid 19th century only increased the tension, as “foreign” priests followed their countrymen to these shores and began challenging American individualism and the Protestant underpinnings of America’s civil religion. Over the last 50 years, however, beginning most notably with John Courtney Murray, some prominent Catholic intellectuals have become more aggressive in their attempts to square American political ideals and cultural values with Catholic belief and tradition.

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Ironically, it was in the 1960s, at the point when Murray was most influential and when the United States elected its first Catholic president, that the nation’s culture began to make a particularly dramatic break with Catholic understandings of social and economic life. Core concepts of Catholic social teaching, like the notion of the common good and the idea of solidarity, have become increasingly incompatible with American notions of individual and economic freedom. Today, American Catholics have been left to confront a cultural, political, and economic environment that rejects the idea of transcendent truth and sees the free market as the most reliable indicator of value in most aspects of human life. Rather than putting the poor first, we have become a nation that believes everyone who works hard enough can be rich.

If American Catholics are ever to make the kind of radical engagement with a “lived faith” called for by John Paul II in *Centisimus Annus*, they must recognize that both the conservative and liberal positions of American politics are fundamentally flawed. For some, accepting the idea that the United States will never conform itself to a truly Catholic understanding of a society ordered toward God, human dignity, and the common good might suggest a wholesale retreat from American culture. However, that type of withdrawal is inconsistent with Catholicism’s universalist vision and history. The acceptance of the limitations of the American experiment should be a call to a new kind of societal engagement for American Catholics—the engagement of the cosmopolitan who, while a loyal citizen, is rooted in a faith tradition that knows no political boundaries and is committed to the dignity of all human beings. The Catholic cosmopolitan should approach American society from a position of critical distance, and this means assessing American social, economic, and political life as a Christian first. The Catholic cosmopolitan should embrace a Catholic vision of global solidarity by rejecting blind allegiance to the all-powerful nation–state and its distorted values, and by recognizing the moral imperative of a commitment to the good of all persons, particularly the weakest and the poorest, at home and abroad.

<sup>1</sup>See generally, Andrew Bacevich, *American Empire* (Harvard, 2003); Niall Ferguson, *Empire: The Rise and Demise of the British World Order and Lessons for Global Power* (Basic Books, 2003); Eric Hobsbawm, “United States: Wider Still and Wider,” *Le Monde Diplomatique*, June 2003.