LAND OF THE FREE

By J. LEON HOOPER

On 26 February 1993, a car bomb exploded under New York City's World Trade Center, killing five people. During the subsequent arrests and trials of sixteen Islamic fundamentalists, many of the United States' growing Arab community protested that other Americans unjustly branded all Arab-Americans with a terrorist iron. Some leaders of America's Islamic communities publicly argued that at the heart of Islam is a commitment to civil peace, based on a divinely inspired respect for universal human dignity. Other American religious leaders responded by condemning prejudice and violence against Arab-Americans.

Modern democracies are built on social trust. The aftermath of the Trade Center bombing is instructive in what it takes for a committed faith community to build public trust within a modern pluralistic, yet religiously vibrant, nation. In a country where over eighty per cent of the population claim that their religious beliefs shape the way they behave, Arab-Americans instinctively sought to demonstrate a close link between public peace and modern notions of human dignity on the one hand, and their own deep faith commitments on the other. They did not simply assert their respect for human dignity. They reached into their own particular religious sources to justify that respect, publicly demonstrating that Islam is capable of a spirituality[1] of freedom and human dignity.

That Islamic leaders would appeal to their own spirituality is remarkable within a so-called secular state, but their appeal is not unique. Here I will outline how American Roman Catholics also demonstrate, for the sake of public trust, that they are capable of a spirituality of modern freedoms and human dignity. For both America's Arab and Catholic communities, the need to advance our own spiritualities of human dignity rests on the unavoidable fact that some within our communities have violently opposed modern freedoms and the pluralistic democracies that embody them. As communities that belong to traditions that are centuries deep and that are presently spread throughout diverse cultures, each must answer for its own members and its own past. Citizens outside a particular faith community need to know if respect for human dignity can be rooted in the deeper commitments that shape that particular community. If Arab or Catholic

Americans simply tolerate modern freedoms – that is, simply bow down before superior force until such time as they can impose their own beliefs – the larger community of citizens will rightfully distrust them. Expedient compromises have proven insufficient for the high degree of social trust by which modern societies thrive.

Here I first will trace how my own religious community – the Roman Catholic Church – moved from spiritualities that opposed modern freedoms to spiritualities that find in those freedoms something of God's will for contemporary society. One key insight into the contemporary dimensions of human dignity allowed Catholics to develop a spirituality of freedom that eventually found expression in Pope John XXIII's encyclical *Pacem in terris* (1963). This spirituality then grounded the Second Vatican Council's endorsements of a broad range of social freedoms – political, economic, religious and cultural – in its *Declaration on religious freedom* and the *Pastoral constitution on the Church in the modern world* (1965).

Second, however, I will argue that our spiritualities of modern freedoms are inadequate for the new tasks that face modern pluralistic societies. Two recent developments within our common life have exposed this inadequacy. First, the spirituality of human dignity that supported the conciliar decrees and declarations has proven too abstract and too weak to encourage public commitments to human dignity, even among Roman Catholics. We must dig deeper within our own tradition for richer sources that might support those commitments (if indeed they can). Second, we are finding that we must create a new spirituality *between* our various religious communities. I will argue that Americans of all religious commitments and none must work toward a common understanding of how those freedoms are linked to the deepest sources of human living.

As a Roman Catholic and a US citizen, I have a right and even an obligation to understand how a follower of Islam moves from his or her faith commitments to public policy commitments (though I have no obligation to accept their faith commitments as my own). As a Catholic who is committed to the public good, I am similarly obliged to offer to non-Catholics an understanding of my own position: presenting my best case for my support of human dignity and of the freedoms that are necessary for human dignity. And, importantly, I am obliged to reach toward a future understanding of the sources of human dignity that can become common to us all.

Roman Catholic condemnations of modern freedoms

Most late-nineteenth-century Roman Catholics condemned the social freedoms that we identify with modern free-market democracies.

Whether those freedoms were of the political varieties developed by the Anglo-American societies or the economic and cultural freedoms that were the focus of the welfare-state traditions,[2] they were judged to be foundationally destructive of our contact with God. In 1864 Pope Pius IX declared as inimical to Roman Catholic faith any suggestion that 'the Roman Pontiff can, and ought, to reconcile himself to, and agree with, progress, liberalism, and civilization as lately introduced' (*Syllabus of errors*, 80). The Pope's primary target was freedom of religious belief, but he also included freedoms of speech, press, assembly and education. In tones that foreshadow recent American political rhetoric, the Spaniard Don Felix Sarda y Salvany (whose work was endorsed and defended by the Holy Office) declared that modern freedoms and the liberal mind-set that supported them are 'a greater sin than blasphemy, theft, adultery, homicide, or any other violation of the law of God', against which Catholics should use every means and method, including 'demolishing the combatant himself'.[3] According to Louis Veuillot (Pius IX's principal source for the *Syllabus*), 'godless, soulless, anti-Christian liberalism' panders to a general public 'whose souls are sick, and sick with a terrible disease'. In the face of modern claims for social freedoms, committed Catholics must 'protect the multitude of our weak and ignorant brothers' by 'enacting such laws as will make it easier for them to know God and to be in communion with God'.

Nor were negative evaluations of western freedoms confined to disgruntled European theologians. In his first published account of the problems facing pre-war America (in 1940), that eventual apostle of western freedoms, John Courtney Murray,[4] wrote:

> It would seem that our American culture, as it exists, is actually the quintessence of all that is decadent in the culture of the Western Christian world. It would seem to be erected on the triple denial that has corrupted Western culture at its roots, the denial of metaphysical reality, of the primacy of the spiritual over the material, of the social over the individual.[5]

Murray continued that only adherence to the explicitly Roman Catholic doctrines of the Incarnation, the Trinity, and the cross could reverse the collectivism, individualism, and materialism that infected the western soul.

Within these perspectives on the historical and social roots of modern freedoms, a positive spirituality of those freedoms is impossible. At best, Catholics can only endure such a culture, perhaps

understood as a cross to be borne. Western liberal societies cannot be a source of the experience of transcendence, nor can they be read as an expression of God's salvific will. Certainly they cannot be understood as rooted in the gospel message that is proclaimed by God's chosen people.

Given our collective history, then, the first question facing a Roman Catholic is: Do modern societies tell us something about God's action in, and God's will for, our world? If we are to answer positively, we must locate in modern societies something that Pius IX did not find, namely, moral and religious goods to which committed Catholics can (and even must) give assent.

Many mid-twentieth-century Catholic theologians found such goods clustered around the term 'human dignity'. The term bridges the Church's nineteenth-century condemnations and its twentieth-century affirmations of modern freedoms. At the heart of their condemnations, Pius IX, Sarda y Salvany, and the early Murray appealed to the dignity of the human person. In the 1960s, Pope John XXIII, the later Murray, and the Second Vatican Council based their support of modern freedoms on human dignity (as the Latin title, *Dignitatis humanae personae*, of the *Declaration on religious freedom* indicates). Obviously we have between them two distinct notions of human dignity and of the obligations that we owe to the human person. How they differ, and where our contemporary notions of human dignity came from, are important for understanding how a Catholic spirituality of modern freedoms became possible.

Pre-modern societies (at their best) defended what are called 'the passive rights' of the human person. Put negatively, these rights are claims that other social agents ought not interfere with an individual or a group. Usually the other social agents most capable of interfering with the individual or small groups are a society's political and economic institutions. So these claims are usually made against those who hold political and economic power over modern nation-states. No person ought to be tortured or deprived of the material goods that are essential for life. These claims are called 'passive immunity rights'.

Passive rights also take on a more positive form, sometimes called 'rights of access'. They are claims *for* something. Again, the individual or social group can claim that they are worthy of protection and support by the political and economic powers under which they live. For example, the state ought to extend its protection to persons and groups, and the business and cultured élites ought to allow persons or groups access to the economic and cultural goods of that particular society. In

the name of human dignity, all persons ought to have access to protection and other social goods.

Claims for both passive immunity and access rights were advanced in the pre-modern societies and permeate the writings of Pope Pius IX and, especially, of his successor, Pope Leo XIII. Two aspects of these claims should be noted. First, the claims are essentially relational, not individualistic, even in their negative forms. They do not inherently deny relationships, only those ways of relating that are destructive of the human person and subgroups. Second, however, in the face of large-scale social realities such as states, economies or cultures, the human person is understood as essentially passive – as enjoying an immunity or as receiving a political or economic benefit from the hands of another.

The modern turn in our understanding of human dignity rests in our new affirmation that *all* members of society by right ought to have a say in the very construction of our common political, economic and cultural goods. Here the notion of human dignity conveys an active right and obligation, not simply a passive claim. It is this notion of active human agency that permeates the writings of Pope John XXIII (in his support of 'the rising will of the people') and the documents of the Second Vatican Council. Key to our new understanding of human dignity is the rejection of any claim that we can determine in any *a priori* timeless fashion those who are capable of contributing to our social good.

At the core of modern freedoms and modern societies is a new appreciation of the constructive capacities of human persons and voluntary groups as they pursue social or private goods. Where Catholics found this new insight into human dignity raises the question of what spirituality can support this insight.

Natural law spirituality

Catholics developed a spirituality of modern freedoms in response to a series of radio addresses (1939–45) by Pope Pius XII. Looking at a world torn apart by the Second World War, this Pope insisted that the crisis facing the global community was primarily a spiritual crisis in the sense that the task of responding to fascist totalitarianism and the devastation of Europe and Asia required more than simple pragmatic adjustments of political, economic or military institutions. Pius XII's claim that the crisis was spiritual was consistent with earlier Catholic criticisms of modern society. Yet the Pope also opened up the possibility of a spirituality that was not explicitly Roman Catholic. He sent his call for social reconstruction to 'all men of good will'.

Where, then, might Catholics find a response to the world-wide spiritual crisis that is spiritual but nonetheless open to all persons of good will? Within the Catholic intellectual arsenal there was a workable candidate, namely, the natural law. Catholics held that God had created all human beings in such a way that they could reach their perfection by following through the drives and demands that God had placed in human nature. Those drives and demands are a law that all people of good will could reflectively bring to expression, regardless of their theological (revealed) beliefs. Foundational to natural law theory is the affirmation that God exists, and that God desires the human social good and empowers humans to achieve that good. In a word, natural law supplies a 'spiritual vision' of God's action within human nature around which Catholics and other theists can co-operate.

Are modern freedoms in fact supported in a publicly held natural-law spirituality and, thereby, acceptable to Roman Catholics? To arrive at a positive answer to this question, American theologians initially turned to the founding ideologies of the American Revolution. In the American Declaration of Independence they had a claim that sounded like a natural law assertion: 'We hold these truths to be self-evident, that all men are created equal and are endowed by their Creator with certain inalienable rights . . .' These American Catholics could not accept any assertion that the Declaration, in the eighteenth century or now, was or is based on Protestant theologies or on secularistic ideologies. If founded purely in the natural law, the Declaration could not appeal to any claims that all churches equally offered access to the Lord or that religion ought to be kept out of public life.

These natural-law arguments – very American in substance – won the day in the conciliar *Declaration on religious freedom* and *Pastoral constitution of the Church in the modern world.* Three aspects of the conciliar affirmations deserve special attention. First, by the Second Vatican Council, the teaching Church admitted that a 'spiritual' appreciation of the active social dignity first appeared outside the Roman Catholic Church, to which the Church must be attentive. Historically, people outside the Church sought to advance the rights and obligations inherent in active agency before the Catholic Church noticed them. Second, the Council committed the full Church to an active role within the larger social world. That is, the notion of active moral and religious agency became an integral aspect of the mission of the People of God to the temporal order. Third, the full Church's mission to temporal society included both the construction of just social structures and, importantly, the recasting of a public philosophy

along the lines of a natural-law spirituality that is not collectivistic, materialistic, or individualistic. The truth of active human dignity, which was first recognized outside the Church, became a guiding principle in constructive Catholic approaches to human societies.

Catholic spiritualities within pluralistic societies

The social and theological adequacy of natural law spirituality ran into trouble even as it triumphed. Three developments within western democracies and interior to the Church's own life challenged this spiritual response to our ongoing spiritual crisis.

First, Robert Bellah and others found that citizens within the United States were losing their ability to speak in terms of the social good.[6] Although people continued to act generously, they nonetheless justified those actions in the individualist languages of profit-making or self-improvement. Other public languages that had been accessible in the eighteenth and nineteenth centuries, namely, those of republican virtue (shaped by the Enlightenment) and of covenant faith (primarily based in Calvinist theology), had dropped out of public currency. Add to this the increasing violence and social fragmentation within the United States, and one has to conclude that a natural-law or deistic spirituality can no longer bind together a modern industrial nation. Demonstrably we need richer notions of our common social living if we are to reverse this apparent triumph of individualism and social violence.

Second, after the Council Roman Catholics became much more willing to talk of God's action in history. In our attempt to get beyond the dry, semi-deistic spirituality of the natural law, we turned to our record of God's action within historical societies. We have struggled with the scriptural claim that God cares particularly for the poor and that the cycles of social violence can be broken only by turning the other cheek. To stand with God is to stand with the liberator of the Israelites in the Exodus event and with a God who expressed love for us in Jesus' attempt to live the ethics of the kingdom in brutal times. We are much more willing to bring explicitly Catholic perspectives to practical policy discussions. These moves have enriched our public discussions of war and economic growth and, to a degree, of social violence.[7] We have learned from our past communities of faith that God does reach out to human society (not just to individuals), working toward its transformation.

Third, those who admit to the inadequacy of natural-law definitions of public spirituality often appeal to a movement that claims to have rediscovered yet another new truth about human dignity, namely, the

essentially communal nature of the human person. According to this line of thought (often labelled 'post-modernist' or 'communitarian') all human beings are considerably more reliant on their social environments for a needed rich or 'thick' sense of the human good than has been recognized by the theorists of western freedom or by our current public philosophies. Indeed, the first two post-conciliar developments mentioned above support this third claim.

Many of our postmoderns or communitarians themselves begin in a negative reading of modern society and modern notions of human dignity. They note first our hesitancy to discuss our deepest value commitments in public, and our conclusion that the best we can do is withdraw into our own communities of mutual understanding, or impose our own beliefs on others who will never understand us, unless they are forced within our communities.

More helpful readings of modern societies also take as their starting point the western hesitancy to speak out publicly, particularly in religious languages. In a masterful study of western thought,[8] Charles Taylor explores what moral and religious goods the founders of western societies were trying to defend and why they were silent about the deeper commitments that support those goods. The moral goods that Taylor outlines are similar to the claims for human dignity mentioned above. While some communitarians locate our hesitancy about speaking out in religious languages in an antagonism toward religion, Taylor understands our hesitancy to be grounded more profoundly in the positive affirmation of human dignity. While our public silence can be motivated by a desire to keep religious beliefs isolated in the private sphere of the individual, it can also be motivated (and, Taylor argues, is motivated) by a respect for the sovereignty of the person and the sacredness of the beliefs that that person professes. Taylor's study takes account of our hesitancy, while it also accounts for the ongoing persistence of religious beliefs particularly within the United States.

Taylor continues that, if the West wishes to defend the dignity of the human person, it must either articulate the deeper commitments that do, in fact, ground its notions of human dignity, or else develop new understandings of the foundations of human dignity. That is, spiritualities that support its policy commitments must find public expression.

These post-concilar developments suggest the following. First, a viable spirituality of freedom will not be a lowest-common-denominator theism patterned on eighteenth-century deism or nineteenth-century natural law. Abstract spiritualities have already

proven insufficient for large-scale social living. Second, insights born of our particular faith traditions can enrich our public discussions, especially when expressed with profound respect for our conversational partners. Third, a viable spirituality of freedoms and dignity is in large part dependent on the ability of particular faith communities to experience redemptive social action outside those communities (even among those who find some of our ways of conceiving God and God's demands to be morally repugnant). This last way of describing the problem facing contemporary society in particular, seriously challenges any faith community that cannot imagine their God surprising them by speaking from beyond their own tribal boundaries. It is a theological difficulty that all our faith traditions must address publicly, for the sake of the wider public trust.

A contemporary public spirituality of freedom is, then, a task yet to be done. Our efforts will be guided by the modern recognition that we must act constructively in its creation and that we must bring our own theological sources to that conversation. Yet our efforts will also aim at a future in which our own traditions are enriched – and transcended – in conversation with theological and moral viewpoints that differ from our own. Our task must be grounded for each community in a faith that God can be in our collective future as God has been in our particular pasts. Our present times can be understood as an invitation to allow God to work wherever God chooses, beyond the solitary self, beyond our own tribal boundaries, beyond even our past doctrines. At the very least, life with such a God would be richer and more dynamic than any of our present individual or tribalistic alternatives. Our social sciences and many of our religious traditions suggest that we are under an obligation to our fellow citizens and to our God who transcends us even within history to develop the faith and trust for such efforts.

NOTES

[1] Throughout this paper I rely on Michael H. Crosby's definition of 'spirituality' as an experience of God's presence and action at the core of human relationships (with oneself, with one's community, with all humanity), and as an expression of that perception. Here I refer to the expressive side of spirituality, i.e. to a public discussion of the link between faith commitments and generally held values – a link that Roman Catholics and Arab-Americans have brought to expression. Foundational to that expression, however, is the lived experience of God's salvific power within society. As I will argue, if a religious community completely rejects a society as intrinsically evil, a spirituality of God's presence in that society is an impossibility. See Michael H. Crosby, 'Spirituality' in *The new dictionary of Catholic social thought*, edited by Judith A. Dwyer (Collegeville MN: The Liturgical Press, 1994), pp 917–920.

[2] For a discussion of the full range of these freedoms, see David Hollenbach, *Claims in conflict* (New York: Paulist Press, 1979).

[3] My Veuillot and Sarda y Salvany citations are taken from Peter Steinfels, 'The failed encounter: the Catholic Church and liberalism in the nineteenth century' in *Catholics and liberalism: toward a civil conversation in American public life*, edited by R. Bruce Douglass and David Hollenbach (New York: Cambridge, 1993), pp 39–41.

[4] Murray's 1950s defence of civil religious freedom led to his being silenced on the issue by his ecclesial superiors. Eventually Murray was invited to the second session of Vatican Council II as a principal drafter of what became the *Declaration on religious freedom (Dignitatis humanae personae)*. See Donald E. Pelotte, *John Courtney Murray: theologian in conflict* (New York: Paulist Press, 1976).

[5] John Courtney Murray, 'The construction of a Christian culture: I. Portrait of a Christian; II. Personality and the community; III. The humanism of God' (1940) in *Bridging the sacred and the secular*, edited by J. Leon Hooper (Washington DC: Georgetown University Press, 1994), p 102.

[6] Robert Bellah et al., *Habits of the heart: individualism and commitment in American life* (Berkeley: University of California Press, 1985).

[7] For example, the US National Conference of Catholic Bishops' 1983 'The challenge of peace: God's promise and our response', and its 1986 'Economic justice for all'.

[8] Charles Taylor, *Sources of the self: the making of the modern identity* (Cambridge Mass.: Harvard University Press, 1989).