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God's Gift of Freedom Must Be Used to Choose the Good



Interview: Rev. Avery Dulles, S.J.

The Reverend Avery Dulles, S.J., S.T.D., holds the Laurence J. McGinley Chair in Religion and Society at Fordham University and has been president of both the Catholic Theological Society of America and the American Theological Society. He is the author of over twenty books, including, most recently, *The Splendor of Faith: The Theological Vision of Pope John Paul II* (Crossroad).

R&L: *Pope John Paul II, in his Encyclical Letter Centesimus Annus, noted that, "The individual today is often suffocated between the two poles represented by the state and the market." You have noted that the way out of this modern dilemma is the strengthening of culture. Could you elaborate?*

Dulles: The political and economic orders, important though they obviously are, do not exhaust the reality of human life and human society. They deal only with particular aspects of life in community. More fundamental than either is the order of culture, which deals with the meaning and goal of human existence in its full range. Culture shapes and expresses our ideas and attitudes regarding all the typical human experiences, and in so doing touches on the transcendent

mystery that engulfs us and draws us to itself. In our century, the order of culture has often been subjugated either to political or to economic interests. The state sometimes seeks to use sports events, education, the arts, communications, or religion to support its ideology. Alternatively, business and industry strive to turn cultural activities into profit-making enterprises. This latter tendency is particularly manifest in "consumerist" societies such as ours in the United States. Culture should, however, be oriented toward the true, the beautiful, and the good. Whenever these transcendentals are instrumentalized by the search for power and wealth, civilization is degraded.

R&L: *How do you envision the role of the church in culture?*

Dulles: Religion, since it concerns itself with the relationship between human beings and God, lies close to the heart of culture. Christians believe that God has manifested his truth, beauty, and goodness unsurpassably in his incarnate Son. The church, by celebrating the memory and continued presence of Christ, attempts to form human beings in a spirit of gratitude, love, and generous service. It thereby contributes to the building of a civilization of peace and love. Without religion as an independent force, morality is turned into a tool for the forces of politics and the market; in this way, morality becomes denatured.

R&L: *There is a great deal of confusion today about the meaning of human freedom. What misunderstandings lie at the heart of this confusion?*

Dulles: In Western societies, freedom is often defined in political terms, as immunity from the coercive power of the state. In Marxist societies, the emphasis instead has been on economic freedom, or protection from manipulation by the forces of industry and capital. These concepts of freedom, though not invalid, are incomplete.

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In current popular thinking, freedom is understood to mean the capacity to do whatever one pleases, without moral or physical restraints. This arbitrary view of freedom points the way to uninhibited individualism, social chaos, and defiance of moral standards. Many people imagine that entering into firm commitments, such as a vocation or a family relationship, will impair their freedom. They therefore go through life unattached, guided by passing whims rather than firm convictions. Such lives quickly become empty and meaningless, moving toward suicidal despair.

Lord Acton and other wise thinkers have taught us that true freedom is not the same as license. It is not the power to do whatever we like but to choose what is good. Morality is not a barrier to our freedom but a condition of authentic self-realization. To make responsible commitments is not to negate our freedom but to fulfill its purpose.

R&L: What, then, is an appropriate understanding of freedom?

Dulles: Freedom consists of self-possession and self-determination. It is given to us so that we may voluntarily embrace the true human good. Jean-Jacques Rousseau erred when he wrote, "Man was born free." We are born in almost total dependence on others, but, by education and practice, we gradually expand

our zone of freedom. In the deepest sense, freedom is a gift of God because we cannot liberate ourselves from our illusions and selfish desires without divine grace. Jesus can therefore say: "You will know the truth, and the truth will make you free" (Jn 8:32).

God does not force his truth and grace upon us, but he appeals to us to accept it. "Behold," he says, "I stand at the door and knock" (Rv 3:20). God respects our freedom so much that he allows us to abuse it by turning away from him and acting against his will for us.

R&L: Allow me to quote from John Paul's recent "Letter to Artists": "...all men and women are entrusted with the task of crafting their own life: In a certain sense they are to make it a work of art, a masterpiece."

Could you comment on how freedom and this task of crafting a life are related?

Dulles: God, in creating the world, acted with utter freedom and without self-interest. Totally blessed in himself, he made the world simply to give others a share in his infinite goodness. In our existence, bodily life, and spiritual gifts, we participate in God's own perfection, though, of course, imperfectly. Our freedom to make new things brings us into a close relationship with God the Creator. We mirror God's creative action

most perfectly when we freely fashion objects of beauty, giving aesthetic form to the concepts of our own minds. Pope John Paul II, who was a poet, playwright, and actor before becoming a priest, keenly appreciates the calling of artists. His "Letter to Artists," as I see it, summons all of us to deeper reflection on the importance of beauty as a transcendental property of being, inseparable from truth and goodness.

As a priest, John Paul II considers the analogies between art and holiness. The saints reflect the freedom and altruism of Christ as they follow him in original and distinctive ways. By freely giving ourselves to God, in imitation of the saints, all of us can through his grace remake ourselves in Christ's likeness. Just as he was God's masterpiece, mirroring the Father's radiant glory, so every human life can be a free and splendid creation, a true work of art.

R&L: Further, what does it mean for people to be co-creators with God?

Dulles: To create in the strict sense means to produce from nothing. God created when he first produced the world, but when it left his hands, it remained in some respects incomplete. By giving human beings dominion over the rest of creation, God invites them to complete, in a certain sense, the work he has begun. Thanks to rapid advances

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in science and technology, we have witnessed an exponential increase in the production and distribution of goods. This progress is not a usurpation of God's prerogatives, but a realization of God's design that we should have dominion over the earth. Whatever we accomplish, of course, depends upon

God's prior gifts, without which we would be powerless.

R&L: *How might this perspective be applied to life in the commercial sphere?*

Dulles: In making us in his image and

likeness, God intended us to work as free and independent agents. With that mandate, to be sure, comes the awesome responsibility to preserve or enhance the beauty of nature and to make the world more pleasant and habitable for future generations.

Production and consumption, trade

Joseph Addison (1672–1719)

"It is a great presumption to ascribe our successes to our own management, and not to esteem our selves upon any blessing, rather as it is the bounty of heaven, than the acquisition of our own prudence."

In early eighteenth-century English coffeehouse culture, no patron was as distinguished a conversationalist or as delightful an essayist as the Oxford-educated Joseph Addison. Born on May 1, 1672, in Milston, Wiltshire, where his father was rector, Addison had a long career in English politics as a committed Whig and in which he held many offices, including Secretary of Ireland and Secretary of State. He died in London at the age of forty-seven.

The aim of Addison's political thought, which was based on a natural law radiating from the divine will and the political equality of man, was the preservation of limited, consensual, and constitutional government and a free, commercial society. Addison's religion was high-church Anglican, which gives his theological language a formality and orthodoxy many modern readers have found alien.

But Addison is remembered chiefly for his prose mastery. As Samuel Johnson wrote, "Whoever wishes to attain an English style, familiar but not coarse, and elegant but not ostentatious, must give his days and nights to the study of Addison." Most of Addison's essays were published in *The Spectator*, a popular periodical he founded with his friend Richard Steele. Addison used these light and often gently satirical essays to educate the merchants and tradesmen of the emerging English middle class—what he termed the "middle condition"—in the manners and morals needful for their stability and legitimacy in English social structure. In C. S. Lewis's words, Addison's essays stand firmly "on the common ground of life" and deal "with middle things."

In doing so, he described the virtues required of people in a commercial society. As Addison counseled, such people must possess courage to take the economic risks required for a prosperous business economy. Further, they must be diligent in the practice of their vocations, frugal in the conduct of their lives, and philanthropic in the management of their estates, and in these ways be good stewards of God's blessings to them. And such people must be absolutely honest; in Addison's words, "There is no man so improper to be employed in business as he who is in any degree capable of corruption." *A*



Sources: *The Life of Joseph Addison* by Peter Smithers (Oxford, 1954), and *Joseph Addison's Sociable Animal* by Edward A. Bloom and Lillian D. Bloom (Brown University Press, 1971).

and profits are not ends in themselves but must be governed by higher norms such as truth, beauty, goodness, and communion among peoples. The institutions of culture can educate people to direct their energies, investments, and purchases according to these norms. The state should protect freedom of initiative in business and commerce rather than seek to regulate everything. But it must sometimes use its authority to see to it that industry and commerce genuinely enhance the lives of all.

R&L: We've been touching on areas of Christian social teaching, and, specifically, Roman Catholic social teaching. To outside observers, the Catholic Church seems to be more open to the free society now than it was one hundred years ago. Can you comment on this development?

Dulles: In the nineteenth century the Catholic Church was rightly critical of the liberalism that spread across continental Europe after the French Revolution. "Freedom" was a slogan used to destroy established authority, including that of the church. In their anxiety about liberal democratic movements, the popes leaned toward supporting confessional states, in which throne and altar were allied. But as early as Leo XIII, the popes began to warn against totalitarian systems in which the state claimed supreme control over the economy, education, and religion. With the massive evils of Soviet Communism, Fascism, and National Socialism, the Catholic Church began to speak more favorably of societies in which the church, though separated from the state, enjoyed constitutional freedom to pursue its mission. The Second Vatican Council and the popes since Pius XII have favored free, self-governing societies, provided that the criteria of morality and justice, and the rights and dignity of human persons, are respected as inviolable.

R&L: How do you perceive Catholic social teaching influencing debate in the public square?

Dulles: For the past century and more, the Catholic Church has been building up a body of official social teaching based on the thought of Augustine, Aquinas, and the tradition stemming from these great Christian thinkers. Pope John Paul II has written three social encyclicals dealing respectively with labor, social concerns, and the centenary of Leo XIII's *Rerum Novarum*. Catholic social teaching is not an exercise in economics, politics, or sociology. It seeks to set forth the principles required by fidelity to the moral law and to the gospel. It emphasizes human solidarity, concern for peace, care for the poor, and personal freedom.

R&L: What does Catholic social teaching have to say about the role and limits of the state? Why?

Dulles: Catholic social teaching recognizes the importance of the state for safeguarding the public order, which must be grounded in truth, justice, charity, and freedom. But the state has limited competence. It exists for the sake of serving its citizens, not for dominating over them. Subject to the eternal law of God, the state has no right to set itself up as judge over matters of truth, morality, or revealed religion. It must respect the prior rights of individuals and families, including the private ownership of property and the right of parents to choose the form of education for their children. According to the principle of subsidiarity, the state may not arrogate to itself functions that can be adequately performed by lesser bodies, including private agencies.

R&L: As we approach the end of the millennium, many have identified Saint Thomas Aquinas as the most influen-

tial person of the past thousand years. Aquinas seems to have had a deep influence on your theology, as well. How do you understand his legacy?

Dulles: I would like to think that Thomas Aquinas has been the most influential thinker of the second millennium. He certainly has had great influence in the Catholic Church, especially since the middle of the nineteenth century, when his philosophy was rescued from neglect. I am not a specialist on Saint Thomas, but there is no theologian for whom I have greater esteem. In all my theological work I try to consult his teaching on the point I am studying; he almost always has something wise and important to contribute.

As a philosopher and theologian, Saint Thomas is exemplary for his respectful attention to the opinions of other thinkers, his modesty and patience, his fidelity to Scripture and tradition, and his capacity to synthesize principles taken from a great variety of disciplines. To understand the religious vision that animates Aquinas's thought, we should look at his devotional writings as well as his technical works. It would be a serious oversight to ignore his prayers and hymns.

R&L: What are the most pressing challenges for the church and for Christian social teaching as we enter the next millennium?

Dulles: On the verge of the third millennium Christians have two major tasks. One is to assimilate the finest fruits of their own heritage, so that they know what to believe and say. The other is to communicate their vision and their values to the complex and turbulent world of our day. God has given us in Christ a revelation of truth and holiness that is valid for all times, places, and cultures, but we have failed to share this

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A Culture of Freedom?

Doug Bandow

The culture these days seems distinctly unfriendly to both freedom and virtue. For all of the rhetoric about the end of big government, the GOP Congress has made peace with Leviathan. At the same time, evidence of moral decline, from family disintegration to artistic obscenity, lies all around us. Superficially, at least, enhancing state power in order to make society more virtuous seems to be a losing strategy.

Yet some conservatives, when not busy concocting new duties for government—to promote “national greatness,” for instance—are pushing state action as the best means of rescuing the culture. And the temptation to do so is understandable. America is broke morally. Should not government attempt to fix it?

Can Government Play a Role in Moral Education?

The culture today poses a serious challenge to anyone who believes in liberty. Unless one is a libertine, the images that flood the airwaves, the lifestyles that dominate the media, the lyrics that make up contemporary music, the visions that are presented by popular artists, and the mores that govern sexual behavior are all cause for concern. The problem is not just that they are ugly, though they often are—it is embarrassing to travel abroad and realize that MTV is perhaps the most visible expression of American culture. More important, these phenomena are fundamentally destructive, eroding the moral underpinnings not only of families and communities but of a free society.

There has been a loss not just of sexual responsibility but of responsibility

generally. Where there are no standards, anything is acceptable. And where anything is acceptable, no one can be held responsible. Indeed, those who hurt others the most demand support and affirmation. We live in a world of victimology, where almost everyone claims to be a victim of one sort or another.

This loss of individual responsibility invites government intervention. The Founders designed the new political system for a virtuous people, even though they did not take virtue for granted. They consciously sought to create mechanisms—federalism and separation of powers, for instance—to restrain the vice that they knew would never disappear. Nevertheless, the political world at that time was nestled within a largely Christian moral environment. Today, if people will not control themselves, some ask, what alternative is there but to turn to the state?

There is none when it comes to attempting to control the practical consequences of an irresponsible society. Criminals must be arrested, absent fathers must be dunned for child support, and the negligent must pay damages. But it would be far better to forestall such problems. Can government help do so by shoring up the culture, even at the price of individual liberty? It is an issue that divides libertarians and traditionalists, and this division seems more likely to grow than shrink in the future.

Virtue needs to be taught. And authority is useful in teaching virtue. The anarchist slogan so often seen on bumper stickers, “Question Authority,” misses the distinction between legitimate and illegitimate authority. There is, perhaps,

no more important duty for the family than moral education. While church leaders have no particular expertise to lecture about the best organization of the economy, they are well-equipped to offer a moral road map. Community institutions of various sorts also should play an important role.

Can government do so too? The twentieth century is what historian Paul Johnson calls the “Age of Politics.” The state has demonstrated its ability to kill and steal on a mass scale; sculpting human lives, however, has consistently lain beyond its competence. Government simply lacks the tools to create a virtuous person.

No Guarantee the State Would Reflect Judeo-Christian Worldview

Nevertheless, the state can try to prevent some vicious acts—to have sex outside of marriage, view pornography, or use drugs. Today, figures like Judge Robert Bork forthrightly call for censorship. Such restrictions might promote a habit of doing right, thereby aiding the process of moral education. Maybe, but not certainly. After all, while such laws historically have driven vice underground, it is not clear that they have measurably reduced the incidence of vice. Moreover, virtue cannot be exercised without free choice. The attempt to enforce moral conformity through the law risks improving appearances far more than reality.

The temptation to rely on the law for moral education is risky for other reasons. People who view vice with distaste have a tendency to undervalue liberty. Yet the notion of arresting someone—

and that is the ultimate sanction to enforce the law—because, say, of the way in which or with whom he or she has sex, should cause anyone who values freedom and human dignity to pause.

The danger is surely more acute today when people give radically different answers to the question, “What is virtue?” In the view of some, there is no greater sin than to smoke cigarettes, to discriminate on the basis of race, sex, or sexual orientation, or to earn a profit. If morality is to be determined politically, then what cause for complaint is there if government penalizes whatever moves the majority? Or a coalition of active minorities? Reliance on special revelation, in the case of the religiously faithful, and general revelation or natural law, in the case of those who are not, implies truth with a capital T. Reliance on politics does not.

At least, when the United States was founded, there was a general moral consensus devolving from a biblical worldview. That meant government was likely

to teach *Heather Has Two Mommies*, not sexual abstinence. Government agencies and officials work tirelessly to scrub the public square clean of any mention of religion. Censorship in Scandinavia focuses on violence, not sex.

Great Moral Awakenings Sparked By Revival, Not Legislation

Why would one assume that newly empowered censors would target the right depictions? And how *can* they, if there is no moral consensus upon which to base their actions? For example, fornication became the norm at a time when many states banned sex outside of marriage. Acceptance of homosexuality expanded in spite of anti-sodomy laws. Even today some states maintain laws against adultery, but there is no public support for enforcing them. The notion that government can reverse the shift in American morals by passing laws and prosecuting miscreants ignores both the limitations of government and recent history.

Average Americans are rightly nervous about those who wish to forcibly impose a moral code on their neighbors. Most people may reject adultery, but few wish to prosecute adulterers. And, implicitly at least, they recognize the danger of allowing ephemeral political majorities to decide matters of private virtue.

Of course, some people advocate using the law simply to reinforce social attitudes—to make a collective statement, if you will. Yet criminal law is meant to be enforced. When it is not, it has little educational value. How many people eschew adultery because of a restrictive state law? Conservatives, of all people, should recognize that human behavior cannot be so easily modified.

Instead of focusing on passing new laws, conservatives should focus on rebuilding America’s moral consensus. Doing so will entail hard work. But such a strategy can be effective. Social mores are critically important in shaping human behavior. For instance, the war against smoking was largely a private battle until recently, and it was private pressure, not the threat of jail, that forced the practice into retreat.

Indeed, history’s great moral awakenings have been sparked not by legislation but by religious revival and renewal. Unfortunately, such events cannot be willed. But they can be encouraged.

That means a concerted effort to transform the culture. Such an effort requires action by conservatives of both a traditionalist and a libertarian bent. The former need to recognize the difficulty in using politics to promote virtue, and to concentrate on the difficult task of moral reconstruction through the efforts of civil society. The latter need to acknowledge that liberty is not enough, and to support the various forms of non-political authority that help generate a moral consensus. Both need to combat government interference with private institutions, especially the family, as they



The state has demonstrated its ability to kill and steal on a mass scale; sculpting human lives, however, has consistently lain beyond its competence.

— Doug Bandow

to pass legislation reflecting this traditional moral code. Today, however, the moral consensus undergirding American society continues to fray. It is foolish to expect that government support for morality would necessarily reflect a Judeo-Christian worldview. Public figures today are more likely to be upset at Hollywood portrayals of figures smoking than committing adultery. The President and Vice President urge cultural support for gay relationships. School districts

One answer, of course, might be to elect the right people. Bill Clinton’s presidency illustrates the bankruptcy of this approach, however. The American people obviously value economic prosperity above personal probity. That could change, of course, but until it does, there is little sense in expecting public officials to restore the nation’s traditional moral core.

The problem is not simply that some politicians possess seared consciences.

chide, push, pressure, restrict, and offend.

We need to begin at home, emphasizing the importance of the transmission of values to children. Doing so requires many things, ranging from family time to monitoring children's television and Internet activities. It may require the sort of financial sacrifice that even conservatives, with the usual career ambitions, hesitate to make. It requires celebrated religious figures to

ecutive with a trophy wife. These sorts of efforts require not only theoretical assent but active support.

None of this will be easy. The challenge facing one who believes in either virtue or liberty is great enough. To believe in both offers a special challenge.

Freedom allows conduct that often erodes the moral foundation upon which a free society rests. However, attempting to enlist the state in rebuilding that foundation is a doomed enterprise.

Virtue should be modeled and promoted. That does not mean retreating into a shell and avoiding the world. It does mean articulating a belief that there is right and wrong behavior.

attack not only sin that seems alien, such as homosexuality, but that which pervades middle-class congregations, such as greed and anger. It requires active engagement throughout the culture, including the arts and media, to develop positive alternatives.

It requires people to encourage their friends and colleagues to live up to a commonly understood moral code. Virtue should be modeled and promoted. That does not mean retreating into a shell and avoiding the world. It does mean articulating a belief that there is right and wrong behavior.

Believing In Both Freedom and Virtue Offers Special Challenge

Finally, moral reconstruction requires punishing bad behavior and rewarding good behavior. Boycotting Seven-Eleven over the sale of *Penthouse*, criticizing not only the record companies that produce Gangsta Rap but also the music stores that sell it, and refusing to buy products from firms that support the worst television shows are examples. So, too, is celebrating the "good family man," not the wealthy ex-

The argument for doing so had some appeal many years ago, when there was a rough consensus on what made up such a foundation, though government's role was always secondary to that of the broad array of institutions that comprise civil society. The argument has no appeal today. Given the composition of government and the attitudes held by the voting public, political action is more likely to degrade than enhance society's moral tone. In such a world, it is even more important to protect liberty. Freedom is not sufficient to create a good society, but it is an essential ingredient in doing so. A

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gift with others who are spiritually starving for lack of it. Without Christ, people will never find the true meaning and purpose of life, nor will they achieve the unity and peace that God intends for the whole human family.

Our first task is to believe, to rise to the challenge of faith. If our faith were strong and sound, we would be good witnesses to Christ and the gospel. Our failure to evangelize is due in great part to the weakness of our faith.

R&L: In closing, I would like to quote from a recent New York Times article about you: "An agnostic when he entered Harvard in 1936, the future theologian was drawn to Saint Thomas Aquinas and other Catholic medieval philosophers. He became a Catholic in 1940 while at Harvard Law School...." Would you speak briefly about your conversion to Christianity?

Dulles: I began to discover Thomas Aquinas by reading Jacques Maritain's *Art and Scholasticism* even before entering college. In college I learned much more about Aquinas, chiefly through the books of Étienne Gilson. My conversion to Catholicism was assisted by some study of Plato, Aristotle, Augustine, Bernard, Dante, and others. My senior thesis, which turned into a book, was on a Renaissance Platonist, Pico della Mirandola. Through these and many other channels, including the great art and architecture of the Middle Ages and the Renaissance, I was powerfully drawn to Catholicism.

I became convinced that Western civilization could not advance without being regenerated from its religious roots, which had been preserved without disruptive change in the Catholic Church. Joining the church, I found in it the living presence of Christ, who gave himself for the life of the world. A

The Samaritan and Caesar

Todd R. Flanders

The eleventh-grade catechism class I taught was looking forward to the big day. The confirmation mass would mark the culmination of twelve years of religious education and would be a kind of graduation ceremony inducting them into the responsibilities of a mature Christian life. Confirmands had been prepared to pray for a special outpouring of the Holy Spirit, for special grace that would strengthen them in their baptismal vows and help gird their loins for Christian battle. In his homily, the celebrant spelled out what these battles would entail: opposing welfare reform, standing firm against tax cuts on capital gains, petitioning lawmakers to increase funding for this and that social program—issues that are surely central to the moral struggles of eleventh graders everywhere. So it was. And so, I suspect, it is in many churches.

We are disheartened by anecdotes like this because they evidence confusion in pulpit and pew about distinctions between morality and advocacy, between charity and public policy, and, perhaps, sometimes between the City of God and the City of Man. This confusion can be heightened if a church's own charitable institutions operate chiefly from government funds, engage in policy advocacy, and rely on the political system to enable their good works.

Were the effectiveness of religious charities truly to hinge on advocacy and politics, then the confirmation homily I heard would make perfect sense. Maybe a Good Samaritan today, when coming upon a broken man in a ditch, really ought to write his congressman.

I hope here to raise concerns about

the effect of substantial taxpayer funding on the mission of religious charities, and also, significantly, about the possible effects of this on the hearts of the faithful themselves.

Troublesome Bedfellows

We know—history is clear—that church and state should not be wedded; indeed, they have always proved troublesome bedfellows. Now, it is a sensible rule of thumb that you ought not get into bed with someone who is not your spouse. Even if both parties have the best intentions of avoiding what we now call “an inappropriate relationship,” the very getting into bed poses dangers of ... shall we say ... excessive entanglement. Regardless of whether you are confident of sufficient goodwill to resist entanglement, you would do well to think twice.

How tempting is it for religious charitable organizations to view government as a prime source of support? What effect might such temptation have on charitable missions? The jury is still out, because the arrangement is a new one for many organizations. We must wait and see what happens.

A case for study, though, is provided by Catholic Charities USA, a venerable institution in its ninetieth year and now the nation's largest private network of independent social service organizations. This case is suggestive because of the organization's well-earned reputation for service, its longevity, its size, and the fact that it began working with government contracts and funds more than thirty years ago. “In 1974, Catholic Charities received 24 percent of its income from government,” pointed out

Daniel Oliver and Vernon Kirby last year in the Capital Research Center's *Alternatives in Philanthropy*. “By 1979, this figure had climbed to 52 percent. By the mid 1980s, it reached its current level of two-thirds of Catholic Charities' overall support.”

One issue with Catholic Charities' expanding reliance on government is the possibility that such reliance places restraints on its mission. In the early 1970s, after it began accepting government contracts, Catholic Charities came to define its mission in essentially secular terms: to “provide service for people in need” and to “advocate for justice.” For a Christian organization to define its mission in essentially secular terms, and to be required by law to separate government-funded activities from activities with religious content, is for it to risk confusing Christian charity with social work. Oliver and Kirby quote Father Philip Earley of a Boston affiliate: “When a person becomes an employee of Catholic Charities, I'm not sure they're doing it because of any spiritual thing, or because of our mission. It's a job. They're a social worker and there's a position available.” No denigration of social work is implied in insisting that it be distinguished from Christian charity.

Mother Teresa made this distinction, for secular media that did not know better, by declaring that she was *not* a social worker. She did not compartmentalize her activities into religious and nonreligious categories. Once, when a monk approached her to say that he sensed “a vocation to serve lepers,” Mother Teresa responded, “Brother, you

are making a mistake. Your vocation is *not* to work for the lepers. Your vocation is to belong to Jesus. The work for the lepers is only your love for Christ in action and, therefore, it makes no difference to anyone as long as you are doing it to Him, as long as you are doing it with Him.” For Mother Teresa, what her church calls “corporal works of mercy” could never be shown to have a pervasively nonreligious purpose. Expressly integrating one’s life of faith and good works, so as better to be a vessel of the gratuitous love of God, cannot be construed in secular terms.

Excessive reliance on government can affect an organization’s posture toward government. Not unlike a longtime recipient of welfare, a charitable organization’s reliance on government can become dependence. Amy Sherman, writing in *Policy Review*, quotes the Reverend Eddie Edwards, who oversees a community development organization in east Detroit called Joy of Jesus: “When we are working with people in the community, helping them become self-sufficient, helping them get off welfare, it would be extremely difficult to tell them to get off welfare if we were on some kind of public assistance.” Compare the following observation of Father Fred Kammer, president of Catholic Charities: “frequently [our staff] are unable to bring about long-term positive change in troubled families [because of] a shortage of funds from federal and state agencies.”

The notion that more government dollars are needed to address problems easily translates into a position of political advocacy for expanded government. And indeed, as Oliver and Kirby report, “headquarters declares that a key part of Catholic Charities’ mission is ‘to improve societal systems’ through ‘social and economic policy development, involvement in legislative analysis [and] community organizing’—i.e., lobbying and advocacy for welfare programs.”

Joseph Doolin of Catholic Charities in Massachusetts expresses a concern that “virtually every [private social service] agency of any size at all does some business with the state. And, increasingly, any business becomes dominant business—and, hence, the whole disappearance of a truly voluntary sector.” From a civic perspective, we should share Doolin’s concern. If we are interested in the vitality of institutions that mediate between state and individual, then we should be interested in preserving their character truly as *mediating* institutions, truly as *voluntary* associations—*voluntary* here meaning, ideally, not only that membership is voluntary but that support is as well.

The Temptations of State Reliance

From a religious perspective, we should be most interested in the truly charitable character of charitable organizations, and concerned about overreliance on government as it may affect that character. Pertinent remarks made

ments of government regulatory procedures. Ten years have passed and what I feared, I think, is now an even greater peril.” The Cardinal was not condemning the limited use of public money for provision of services. He was warning against the temptation to substantially depend on such money, and against what such dependence can do to the character of a charity.

Father Kammer has objected to the use of Cardinal O’Connor’s remarks in the charity debate, responding that the Cardinal has said recently, “A tremendous number of things we believe are legitimately called Catholic have nothing to do with church liturgy or prayer or things of that sort but would certainly be Catholic in the sense of feeding the hungry and other works of the social gospel...” Doubtless the Cardinal can, contrary to Father Kammer, hold this authentically Catholic view and at the same time hold his well-documented view that overreliance on government presents dangers to Christian charity.

We know—history is clear—that church and state should not be wedded; indeed they have always proved troublesome bedfellows.

— Todd R. Flanders



by New York’s John Cardinal O’Connor in a 1995 homily have been oft quoted. “I believe a grave problem that can confront any institution today that tries to do good works is the problem of *increasing dependence on government* ... I warned [ten years ago] that dependence on government is fraught with peril and that I saw this creeping dependence. I saw us going after the money, wherever the money is, to tailor programs accordingly, to fit our charity into the require-

In truth there are countless private Catholic charities that subscribe to both teachings of Cardinal O’Connor, and the Cardinal suggests that such has always been the way of the Church. Again from his 1995 homily: “[Overdependence on government budgets] was not the way of the Church for centuries. This was hardly the way of Christ, of the apostles, of the early missionaries.”

I think of Chicago’s Saint Martin de Porres House of Hope, from whose

founder, Sister Connie Driscoll, I have learned much about Christian charity. The House of Hope is a homeless shelter for women and their children that provides many services for its approximately 150 residents, including drug rehabilitation and job training programs. Sister Connie proudly proclaims that the House accepts no government money, nor even money from the archdiocese. She has the best success rate in the city and operates on a fraction of the budget of shelters receiving government funds.

The approach of the House of Hope is to love the whole person—which can mean being tough as nails (“I run the toughest house in the city,” boasts Sister Connie). It certainly means being able to tailor services to the unique needs of residents without any unnecessary restrictions or red tape imposed from without. Sister Connie’s organization does not actively proselytize. Its Christian charitable endeavors are largely distinct from liturgy and the like. But sacred and secular purposes are not divided in the House of Hope and, there, they do not have to be. It will surprise no one who works to reclaim broken lives that Bible studies are among the House’s most popular voluntary activities and that Gospel choirs made up of residents and alumnae are a fixture.

Sister Connie takes no government funds, but she is hardly an antigovernment ideologue. She has worked closely with the city of Chicago and has served as the chairman of the mayor’s task force on homelessness. Sister Connie’s overall approach to addressing problems that naturally have a civic dimension is a shining example of what Catholic social teaching calls subsidiarity. While the House of Hope is closest to the task at hand in its own neighborhood, other supportive activities are needed from area churches, larger civic associations, and the city. Federal government involvement might even on rare occasions be demanded to meet unusually press-

ing needs. The classic Catholic definition of the subsidiary principle in the 1931 encyclical *Quadragesimo Anno* states the following: Functions should not be transferred to higher collectivities “which can be performed *and provided for* by lesser and subordinate bodies.” The definition suggests that the inability of lesser bodies to provide for needed functions should be demonstrated before resort to higher collectivities is merited. Compare with this view one expressed by Father Kammer: The federal government should ensure that all Americans have “jobs, food, housing, health care, and education,” while “religious charities should supplement the role of government.” He views as erroneous “the claim ... that local people know best.”

“Go and Do Likewise”

While it surely is sometimes the case that local people do not know what is best, it is almost always the case that local people know most about local situations. The principle of subsidiarity does not, I wish to emphasize, imply that persons and resources closest to tasks are always sufficient for carrying out those tasks. It does presume, however, in favor of those closest to a task first, before resorting to progressively higher collectivities for help. Why this presumption? Subsidiarity is concerned for the good of persons and concerned that the good of persons not be eclipsed by less personal involvements of larger-scale collectivities. Persons flourish in relationships of mutual responsibility, beginning with family and extending outward to broader circles of social relatedness. As Boston College professor of law Thomas Kohler has said of subsidiarity, “To be authentically responsible, social and political orders must be structured in a way that permits individuals the maximum opportunity to act responsibly. Persons, not institutions, are the end of any society worthy of the

name.” Enabling persons to act responsibly is the goal.

If the bulk of participation by Americans in private charity comes to be the grudging signing of a check on April 15, then, I suggest, we will have lost sight of half the purpose of charity. Writing on “The Modern State as an Occasion of Sin,” Jennifer Roback Morse, a Catholic economist with the Hoover Institution, offers a pertinent analysis of Matthew 25:40, “Truly I say to you, as you did it to one of the least of these my brethren, you did it to me”: “In this passage, our Lord does more than instruct us to practice the corporal works of mercy. For He promises to be present in the transaction, as the recipient. In this way, we might see the face of God in the face of the poor. This is at the heart of the Christian perspective on giving. The donor has the experience of participating, in some small way, in the endless mercy of God, from whom our very existence is a gift we can never repay or hope to deserve. The immediate recipient is only part of the point of the transaction. An equally important point is the impact of the act of unrequited generosity on the donor.”

In the parable of the Good Samaritan, the Samaritan and his free act of charity are the focus of the story. He was the one who acted as a neighbor to his neighbor. “Go and do likewise,” said Jesus to his hearers. When government becomes a major provider of private charity, are we more or less likely freely to “do likewise” with our time, our talent, and our treasure? Any complete discussion of charity and responsibility must include reflection not only on the welfare of our neighbor, but also on our own welfare as a neighbor. A

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What a Natural Rights Regime Requires

A Review Essay by David F. Forte

There is a unique satisfaction in seeing a colleague's work mature into a worthy contribution to the understanding of liberty. Randy Barnett's articles on contract, the Second Amendment, and the Ninth Amendment have been all important statements. Now, his thinking on liberty flowers into a thoughtful, humble, and frank declaration.

Barnett's professional life would have drawn an approving nod from Aristotle. As he brings into perfection the potentialities of his thinking, as he achieves excellence in his life's work, Barnett exemplifies—intellectually at least—the well-lived life. I only wish that Aristotle (and his disciple Aquinas) had figured more largely in the substance of the work. Without them, Barnett's theory remains unsatisfactorily grounded in sentiment.

A Frank and Honest Examination

Barnett does acknowledge natural law, but, for him, it is a contingent set of norms left to the area of morals and left out of the area of rights and law. Similarly, Barnett structures his notion of liberty around a telos—the “pursuit of happiness.” His pursuit of happiness, however, is without content and is not derived from the natural law. It is not the telos of the well-lived life of virtue of Aristotle nor the notion of human “flourishing” of John Finnis nor that of “individual flourishing” of Douglas Rasmussen and Douglas Den Uyl, with whom Barnett mistakenly allies his idea of the pursuit of happiness.

With his theory in fact ungrounded in natural law, Barnett's individual lib-

erty comes dangerously close to an exercise in amoral autonomy, not the moral autonomy of Kant nor the implicit rights/responsibility complementarity of Aquinas.

Nonetheless, putting aside his misapplication of natural law and turning to the meat of his work, we find that Barnett has examined frankly and honestly what a regime of natural rights

The Structure of Liberty: Justice and the Rule of Law

by Randy E. Barnett

Clarendon Press

1998. 347 pp. Paperback: \$29.95

would require. By acknowledging the practical limits of a regime of liberty, Barnett advances the credibility of classical liberal theory.

At this level, Barnett's volume is a wonderful piece of political theory. It is clearly structured and argued, filled with turns of analysis that startle and enlighten. Its strength is that much of its argument is based on common sense, on the experience of living in a complex society, and on understanding that in human terms one cannot make a perfect circle encompassing all the right answers to every situation. His writing is not of the irrelevant and dangerous theorist scribbling in the reading room of the British Museum (or in the Harvard Law School library) but of the master teacher, explaining principles by reasonable examples and applications, repeating

points from different perspectives, and knowing when a definition cannot be pushed into absurdity.

Barnett modestly begins by basing liberal theory not on some abstract Kantian, Cartesian, or Gewerthian notion of the ego, the self, or the lonely actor, but on practical consequentialist reasoning by the “if-then” formula. If we think that human nature impels people to seek the pursuit of happiness, prosperity, and security, then certain things must occur for those objectives to be realized. In particular, it is Barnett's insight into the practical limitations of knowledge that gives his theory a grounding other liberal theories have often lacked (excepting, most notably, F. A. Hayek). Barnett does not have to be a relativist or a postmodernist

to notice that knowledge is intensely personal and, when shared within the scope of the people with whom one deals, very local. Barnett's book does not deny that there may be objective truth. It only emphasizes the individual and localized situation in which each person finds himself when dealing with choices in an environment of scarce resources.

An Exegesis of *Federalist* No. 10

With those purposes and within the limits of knowledge and resources, the question comes down to how one can order relations to best accomplish the ends he posits of human nature: pursuit of happiness, prosperity, and security.

Barnett spins his theory through what is essentially a sophisticated exegesis of *Federalist* No. 10. He rejects, as did Madison, the option of changing

people's preferences to obtain order, instead turning to methods of regulating people's actions. He easily shows the intractable problems in obtaining knowledge present in most centralized planning schemes and opts instead for a decentralized order with local, individualized, or small-group "personal" jurisdictions. Each personal jurisdiction possesses several elements of property, and, between personal jurisdictions, there are consensual transfers and mechanisms of coordination. Here Barnett shows the practicality of his project when he relies on custom and convention to define the several kinds of property that exist within one's personal jurisdiction. Similarly, convention establishes the limits on what constitutes a harm and defines the mechanisms of coordination.

The amalgam of rules, definitions, methods of consensual transfer, requital of harms, and types of several forms of property is the law. Barnett pays homage to Lon Fuller's analysis of what truly

the problems of partiality in the administration of the law through the rule of law (law must have an objective personality), the Madisonian device of local personal jurisdiction, the role of lawyers, and the mechanism of consent—devices Americans have traditionally used to limit partiality.

Natural Law's Perspective

The thoroughly practical exegesis of liberal theory will make this book a standard for many years to come. His sophisticated defense of the rule of law convincingly demonstrates the necessity of exercising individual liberty among variably ignorant and often self-interested persons. There are, however, three places in which natural law norms might have provided a salutary perspective to Barnett's theory. They arise from norms that are external to his scheme, transitive through his theory, and internal within his theory.

First, Barnett argues that the nature of man is to *pursue* happiness. On the

of his theory. This process is not frozen but maintains its integrity through time. His beloved common law—the evolutionary legal system—is a form of rationally guided convention. And he relies on socialization (which needs conventional devices) to help achieve a level of compliance with the rules of the system. Such conventions fill in his structure with normative rules: What is a nuisance and why? To what extent are my words my property? When is something truly libelous? Thus his theory provides a window to a Burkean natural law: those conventional norms that have developed through the moral experience of a free people.

Third, Barnett spends many useful pages on the costs of choice in a personal and local world of limited knowledge. By this insight, he brings in the fact of our moral responsibility for our acts. We bear the costs of our decisions, and those costs are not always, perhaps not even usually, material. We are therefore always vulnerable. There is no perfect security in our choices, yet we make them nonetheless as best we can. And we make them with other people. We freely connect, as vulnerable, relatively ignorant persons, with other persons similarly situated. The connection of vulnerable persons one to another in reliance and trust is what creates community. These localized communities are, in fact, the most effective moral and socializing agents. Consensual transactions between people make present the reality of intersubjectivity. It is the phenomenological, if you will, apprehension that the other person is a self. In Barnett's real world, we come to comprehend that human beings do possess a common nature and that nature contains its own imperatives. A

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Human experience is not static; hence arises the salutary method of the common law and its devising of rules for human action.

— David F. Forte

is the nature of law as law: Laws must be promulgated, general, consistent, stable, and so on, but Barnett adds the fact that neither human experience nor rights are static but are subject to cultural evolution. Hence arises the salutary method of the common law and its devising of rules for human action, the corrective element of electoral-made law (though I believe he underestimates the ultimate effect of such a corrective on evolutionary legal forms). He deals with

other hand, what if the end of man is to *attain* happiness? To a traditional natural law theorist, happiness is participation in the good. That participation may—indeed, must—in the nature of things, be very individual and local, but it is still participation in the good. It tells us what the pursuit of happiness is for.

Second, at critical junctures Barnett relies on conventions to keep the legal and political process from becoming rigid. This is one of the attractive aspects

A Humane Economy
The Social Framework of the Free Market
by Wilhelm Röpke

Intercollegiate Studies Institute, 1998. 312 pp. Cloth: \$24.95

Review by D. Eric Schansberg

A student of the Austrian School of economics and an architect of West Germany's economic reconstruction after World War II, Wilhelm Röpke's intellectual project was marked by sober thinking about the moral implications of the economic order. Perhaps his best-known work, *A Humane Economy* (originally published in 1960 and released last fall in a new edition), is the fruit of such thinking.

Röpke begins *A Humane Economy* by anticipating three types of critics of his book: the collectivists, those who reduce the world to supply and demand, and those who see only what lies beyond supply and demand. Throughout the book, he systematically dismantles parts of the collectivist position, but his passion seems to be in reconciling and reforming those who hold the other two views. Later in the book, he calls for "a combination of supreme moral sensitivity and economic knowledge" and then argues that "economically ignorant moralism is as objectionable as morally callous economism."

Röpke discusses communism and central planning at some length but expresses greater concern about "creeping" phenomena such as the welfare state and inflation. In his eyes, there is plenty of blame to go around, and his culprits will be all too familiar to friends of liberty: bureaucrats who look to expand programs, interest groups trying to better themselves at the expense of others, the apathy and ignorance of the general public about the economic and

noneconomic consequences of government activism, "a hostile and economically irrational distrust of everything that goes by the name of capital or entrepreneur," and idolatry of government ("People are still in the habit of taking refuge in official regulations whenever a new problem turns up.")

Röpke also takes aim at those who focus merely on the practical, material benefits of free markets. In a particularly provocative point, he says that he would argue for free markets "even if it imposed upon nations some material sacrifice while socialism held out the certain promise of enhanced well-being." For Röpke, the most important implications of the market are not so much "economic" as they are social, ethical, and religious. "What the free world has to set against communism is not the cult of the standard of living and productivity.... This would merely be borrowing communism's own weapons. What we need is to bethink ourselves quietly and soberly of truth, freedom, justice, human dignity, and respect of human life and ultimate values."

Röpke is rightly critical of a variety of social ills and analytical shortcomings. In addition to hard-heartedness and soft-headedness, he attacks materialism and "economism"—reducing the economy and individuals to aggregate numbers and taking quantitative and theoretical economic analysis to the point that it no longer resembles reality. In contrast, he says that the "true task of economics" is to "make the logic of

things heard in the midst of passions and interests of public life, to bring to light inconvenient facts and relationships, to weigh everything and assign it its due place, to prick bubbles and expose illusions and confusions, and to counter political enthusiasm and its probable aberrations with economic reason and demagoguery with truth." He also exhorts his fellow economists to have the courage that is "indispensable for defending the dignity of truth."

Chapter two's discussion of "concentration" and "enmassment" is perhaps the highlight of the book, as well as its greatest weakness. Given the limits of this review, allow me to focus on the flaws. For instance, it is admirable that Röpke focuses on the often-overlooked problems with technological advance and improved living standards, but he emphasizes them too much—arguing that these will almost necessarily result in less solitude, more limited ability, or a desire to invest in things of larger significance, and so on. Perhaps being more of a slave to obtaining enough food to survive results in a more contemplative life, but access to higher standards of living and more leisure would seem to offer greater opportunities of which some or many will take advantage.

In a similar way, he argues that when "men are uprooted and taken out of the close-woven social texture in which they were secure ... true communities are broken up." Although true, it overlooks the crucial point that people can become "too" secure—too unwilling to risk and too unable to empathize—in provincial settings. He expresses overblown concerns about overpopulation; he glorifies farm life; he does not draw a clear distinction between reverencing and idolizing nature; and he even contradicts himself, appealing dramatically to European (mass) culture and tradition. In sum, this chapter ends up reading like a combination of a brilliant discussion

of the noneconomic implications of economic progress and a conservative rant about social ills.

Readers should also note that the book was crafted in a context somewhat different than our own. This allows for a perspective often lost to more contemporary observers. For example, it is Röpke's observations about the "moral defeat" of communism in light of Hungary's resistance that allows him to prophesy the literal defeat of communism with tremendous confidence. Likewise, his worries about chronic inflation turn out to have been well-placed, given that we now take modest inflation for granted.

At times, however, the flaws of his analysis are revealed by the test of time; for example, he criticizes mass production for resulting in a disproportionate number of products with mass appeal. While that is still true to some extent, today's economy also features remarkable diversity as producers try to reach consumers in their particular niches. Likewise, his prophecies about the inability of the economy to shoulder the burden of an even-larger government and the limits of advertising in reaching a supposedly blasé audience are significantly overstated.

There are a host of other issues that deserve minor quibbles, but, in all, Röpke's book stands the test of time. (Among other strengths, I would note chapter four's detailed discussion of the components of inflation and its serious short-term and long-term problems.) It remains a compelling, well-written exposition of the practical and ethical advantages of free markets. As such, defenders of liberty should make room for it on their bookshelves. A

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Book News



Leisure the Basis of Culture

Josef Pieper

Liberty Fund, Inc., 1999

158 pp. Cloth: \$17.00

Reissued this year by Liberty Fund, Inc. in a truly splendid edition, *Leisure the Basis of Culture* is a serious philosophical statement deeply rooted in the classical tradition and the Roman Catholic faith. Pieper begins by disputing the modern view of the world of work, summed up in the phrase, "one does not work to live; one lives to work." For Pieper, this has it exactly backwards.

Following Aristotle, Pieper contends, rather, that "we work in order to have leisure." The world of work is directed toward the satisfaction of human needs and wants—such as food, shelter, and clothing—and is important. But more enduring is the pursuit of things that are good in and of themselves—such as, poetry, philosophy, and literature.

Without this distinction, our leisure becomes mere idleness (which Pieper reminds is a cardinal sin) and our work becomes tyrannous. Only by keeping these two worlds in balance can we achieve the good life.

Character Counts

Os Guinness, ed.

Baker Book House, 1999

160 pp. Paperback: \$8.99

According to Guinness, "one of the most urgent items of unfinished business for the new millennium is the issue of leadership in free societies." Hence his thesis—"character counts"—and his project—exploring the contours of character as mined out of the Judeo-Christian heritage and refined in the crucible

of leadership. To this end, his book observes from a Christian perspective the qualities of four great leaders: George Washington, William Wilberforce, Abraham Lincoln, and Aleksandr Solzhenitsyn.

Although Guinness has done a fine job in bringing the moral tenor of the lives of these great men to the fore, there are points to dispute. For example, there is the recurrence of the dubious category "leadership"—why not "statesmanship"? Is this change of vocabulary merely semantic or indicative of deeper moral problems in our political life? This goes unasked.

But this is a minor complaint. The great virtue of the book is the lives of the men studied. In Guinness's words, "Biography should be a staple in the diet of both disciples and citizens, for great lives do more than teach. They stir, challenge, rebuke, amuse, and inspire at levels of which we are hardly aware." And so, too, this book.

Crisis of the House Divided

Harry V. Jaffa

The University of Chicago Press, 1999

452 pp. Paperback: \$20.00

This year is the fortieth anniversary of Jaffa's watershed study of the American political experiment as seen through the lens of the Lincoln-Douglas debates. His thesis, that the political principles of the Declaration of Independence are foundational to the American constitutional order, is important and controversial. His description of the genius of Lincoln's statesmanship is inspiring and compelling. One cannot understand America without reading this book.

—Gregory Dunn



Rev. Robert A. Sirico

The First and Fundamental School

As I sat in the audience during Pope John Paul II's final Mass in Cuba in January of last year, I was impressed by the explosion of exaltation from the crowd when he spoke firmly to the question of education. He told all parents in Cuba that they, not the state, are entrusted by God to make decisions about their children's education.

Cuba's educational system, of course, is the most conspicuous sign of that regime's omnipresent state control. Before the revolution, there were 250 private Roman Catholic schools in Cuba; all were nationalized by the Communist Party. For the past thirty-five years, the Party has stolen children from their parents at the youngest ages and has subjected them to a long and rigorous political indoctrination by a school curriculum so politicized that no subject escapes a political spin. The Holy Father's recent words to the Cuban people raised hopes that someday Cuban parents could realize their dream of raising their children according to their own family values.

In truth, John Paul's thoughts on education in his encyclicals, as well as the traditional teaching of the Catholic Church, remind us of the dangers associated with politicizing education and robbing parents of their right to be their children's first educators. For example, in *Familiaris Consortio*, an apostolic exhortation, John Paul calls the family "the first ... and fundamental school." And he continues with unqualified frankness: "Those in society who are in charge of schools must never forget that the parents have been appointed by God himself as the first and principal educators of their children and that their right is completely inalienable."

The word *inalienable* here is startling and unequivocal. John Paul rejects in no uncertain terms the secularization, centralization, and state monopolization that has tended to displace the family, to deny inalienable rights of parents, and to absorb education into the political nexus.

I do not believe that John Paul's words are meant to apply only to countries such as Cuba, however. The ten-

dency toward centralization has afflicted developed societies as well; in some ways, especially considering some of the subject matter now discussed in American classrooms, the West has been just as aggressive in making schools the exclusive domain of government.

Again in *Familiaris Consortio*, the Holy Father instructs us about our moral duties with regard to political and institutional settings that contradict the Church's teaching on education. "If ideologies opposed to the Christian faith are taught in the schools," he writes, "the family must join

with other families, if possible through family associations, and with all its strength and with wisdom help the young not to depart from the faith."

For us in the West, returning to the primacy of parents in edu-

cation will entail educational reform. We must remember that the issue is not whether radical overhaul is needed; the issue is, rather, what should be done and how.

I suggest that the best way to begin the process of education reform is by asking: What has worked in the past? A great example of success is the parish school. Most parish schools are selective in admission policies, firm in discipline, publicly accountable in their curricula, and economically efficient in their delivery of education services. Insofar as educators are willing to look to this model, they should. Insofar as legislators wish to aid reform, viable options might include school choice and charter schools.

Such reform will call for both boldness and prudence, because legislators will be dealing with the future of real people and real minds. So long as we can put aside selfish concerns and remember that education is not to be the exclusive property of the state but, rather, should be subjected to the principle of subsidiarity that must animate all social concerns, we cannot go too far off the mark. *A*

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“If there is no sacred, eternal, divine, absolute law, there is no possibility of denouncing any form of law or polity or national act as unjust. If the positivistic theory of law is right, there is no possibility of waging war against the totalitarian state as a monster of injustice. Nor can we even say, ‘It is unjust’; but only, ‘It does not suit me, I do not like such things’.”

—Emil Brunner—

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