

RELIGION & LIBERTY

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The Higher Law That Undergirds Virtue, Liberty, and the Government



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the human mind, order in nature, and order in the divine mind—are correct, though Thomas was especially adept at harmonizing the three foci.

***R&L:** One of your recent books on natural law is *The First Grace: Rediscovering the Natural Law in a Post-Christian World*, published by ISI Books. Why do*

***R&L:** You have done extensive research and written books on the subject of natural law. What is natural law?*

you consider the natural law to be the first grace?

Hittinger: The history of philosophy, theology, and jurisprudence is replete with different definitions. Some definitions emphasize the first principles of practical reason—principles which are implicit whenever we reason about conduct. We can call this order in the human mind. If we emphasize the order of nature, then we bring into view human nature itself as a standard for what ought or ought not to be chosen. We can call this order in nature. While Stoic thinkers of antiquity defined natural justice in relation to divine providence, it was Christian theologians who carefully defined natural law as *lex indita*, a law imprinted on our being by the Creator. The most famous definition is that of Thomas Aquinas: “This sharing in the Eternal Law by intelligent creatures is called natural law.” Thomas, of course, did not mean the entirety of the Eternal Law, but rather that part of it we can know naturally. All three definitions—order in

Hittinger: The title of this book is taken from the letter of a presbyter named Lucidus who taught that after the sin of Adam no work of human obedience could be united with divine grace, that human freedom was not weakened or distorted but totally extinguished, and that Christ did not incur death for all human beings. At the Second Council of Arles (473), Lucidus retracted his position. In the letter of retraction, the natural law is mentioned twice. The natural law is said to be the “first grace of God” (*per primam Dei gratiam*) before the coming of Christ (*in adventum Christi*). Lucidus also affirmed that, according to Romans 2:15, the natural law is “written in every human heart.” This did not suggest that, after sin, and without the restoration of the human soul by grace, that mankind know the natural law in every detail, or with perfect clarity. Nor did it suggest that what remains of human moral responsibility after sin is sufficient for the righteousness communicated by Christ. But it did mean that

INSIDE THIS ISSUE ☉ **Articles:** “A Primer for Love: Personalist Ethics” by David Carey and “Money and Morality: The Christian Moral Tradition and the Best Monetary Regime” by Thomas E. Woods, Jr. ☉ **Review Essay:** “An Orthodox View of Contemporary Economics, Politics, and Culture” by John Couretas ☉ **In the Liberal Tradition:** Bartholomew de Las Casas ☉ **Column:** “Free Religion” by the Rev. Robert A. Sirico

the early church rejected Lucidus' position that human beings are unable to do any moral good.

R&L: *Why must the natural law be "rediscovered?"*

Hittinger: Natural law is always "discovered," at least in the sense that it is not constructed or "made" by the human mind. The sub-title of my book, however, bids us to understand once again that the fundamentals of morality constitute a "higher law."

R&L: *How does or should a proper understanding of the natural law affect the political and social institutions of society, if at all?*

Hittinger: One of the questions that haunts the modern mind is whether moral judgment is bereft of any note of authority save the private estimation of the individual subject. In my view, no one expressed the question, with all of its ramifications, better than Thomas Hobbes. To be sure, individuals make judgments; but whose judgments have public authority? Slowly, but inexorably, modern culture posited a dichotomy between individual judgment and public authority. Natural law could no longer be reckoned a higher law, ex-

pressing a supra-public order of law. In our country, we were fortunate indeed that at the time of our founding, natural law still was deemed a higher law that rendered individuals and societies subject to a divine bar of authority. Disagreements or skepticism about matters of revealed theology and ecclesiology did prevent the founders from affirming a transcendent source of moral norms. James Madison's Memorial and Remonstrance (1785) argues very explicitly that the ground of religious liberty is the antecedent duty of every human soul to the Creator of the natural commonwealth.

It is the duty of every man to render to the Creator such homage and such only as he believes to be acceptable to him. This duty is precedent, both in order of time and in degree of obligation, to the claims of civil society. Before any man can be considered as a member of civil society, he must be considered as a subject of the governor of the universe.

R&L: *Many commentators contend that the reigning philosophy of law within the courts of the United States is positivism. Would you agree? How is the positivist philosophy of law different than the natural law?*

Hittinger: Positivism can mean different things. On the one hand, there is a kind of lawyerly positivism that insists that the descriptive task of saying what the law "is" is analytically separate from what the law "ought to be." This kind of positivism allows a moral critique of human law. On the other hand, there is what I call a "cosmological positivism," according to which all norms of conduct are imposed, posited by the human mind. The great myth of Prometheus, told in Plato's *Protagoras*, is still the best example of cosmological positivism. On this view, there is no separation of law and morality, for civic morality is entirely a creature of human law.

I propose that although our legal culture sometimes seems to hover between these two kinds of positivism, we still exhibit a deep and persistent expectation that human law satisfy moral norms. Americans believe that human commands ought to comport with moral rights. Every nook and cranny of human law is litigated, as though law must fall in line with natural justice. In ways that are truly astonishing, Americans demand not only that law be just, but also that society be just. At the same time, Americans are reluctant to impose "morality." From one point of view, this is a contradiction. From another point of view, it indicates how difficult it is to shake ourselves loose of natural law. The most controversial Supreme Court decisions—on religion, sexual conduct, marriage and family, affirmative action—bear the marks of dissatisfaction with legal positivism. Typically, both sides in these disputes appeal to something like natural law and natural rights.

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R&L: In *Casey v. Planned Parenthood*, *The United States Supreme Court* has defined individual liberty as “the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.” Is this definition of liberty consistent with the natural law? If not, what definition of liberty would be consistent with the natural law?

Hittinger: Clearly, this dictum does not appeal to the black-

letter law of the United States Constitution. Rather, it appeals to a transcendent notion of justice—transcendent, in the sense that there are norms more fundamental than the rules imposed by human legislators. Our Court routinely “discovers” (rather than claiming to “make”) natural standards of justice. The reader of my book will not be in doubt that I believe that the Court’s discoveries are very flawed. For one thing, the Court often asserts liberties which subvert

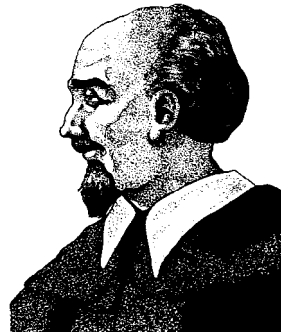
Bartholomew de Las Casas (1474–1566)

“As regards humans, it is shown that from the beginning of their rational nature, they were born free For liberty is a right necessarily instilled in man from the beginning of rational nature and so from natural law”

Bartholomew de Las Casas was born in Seville, Spain. He studied law at the University of Salamanca, where the Dominicans were wrestling with moral issues raised by the conquest of the New World. Ambivalent about these moral issues, in 1502, de Las Casas ventured to the island Hispaniola (now the Dominican Republic and Haiti) and secured a plantation and number of Native American slaves for himself. Eight years later the Dominican Order of Preachers arrived in Hispaniola, decrying the entire system of slavery as tyrannical and evil. This preaching affected de Las Casas deeply. After a time of prayerful reflection he became a priest and was the first priest to celebrate his first mass in Hispaniola.

He was assigned to be the chaplain for the Spanish Armies during their invasion of Cuba. He witnessed first hand a horrible massacre of the native people. De Las Casas sailed for Spain the next year to present his case for proscribing these atrocities against the native people to the Council of the Indies and King Ferdinand. Wishing to avoid the entire situation, the King granted de Las Casas the title “Protector of the Indians” and passed a great many laws that were ostensibly intended to rectify the situation. However, after less than a year and another trip back to Spain, de Las Casas realized that the King had no intention of forcing the colonialist to obey the newly promulgated laws. Determined to continue his quest for freedom for Native Americans, de Las Casas returned to Hispaniola, freed his own slaves, and joined the Dominican Order in 1522. He devoted the next eight years of his life to prayer, reflection, and writing. By 1544, de Las Casas was appointed bishop of the Mexican province of Chiapas. However, the local landholders so opposed de Las Casas’ message of liberty that he renounced his bishopship and returned to Spain in 1547. He lived at the convent of Our Lady of Athocha in Madrid until his death in 1566, during which time he rarely spoke to anyone, concentrating primarily on writing. At the age of ninety he wrote his last defense for the liberty of Native Americans based on his understanding of personal property rights.

Undaunted by almost universal opposition throughout his life, the intrepid liberator crossed the Atlantic fourteen times to try to persuade the Spanish Monarchy to enact and enforce humanitarian laws that would effect the peaceful civilization and conversion of the Native Americans. Even so, he never saw the fruit of his labor become fully ripe. He died before Native Americans were finally granted their independence through a bona fide legal mandate.



Illustrated by Vincent Harriger

Source: “Bartholomew de Las Casas: Protector of Indigenous Peoples,” www.op.org/domcentral/people/vocations/Bart.htm.

law itself. The *Casey* dictum, literally understood and applied, would cancel out obligation to obey the Court's own verdicts.

R&L: *What role should religion play within the formal process of lawmaking within a society, if any?*

Hittinger: This is difficult to answer abstractly because “religion” can mean so many different things. Some Supreme Court decisions have gone so far as to say that “religion” means the conviction that there exists transcendent sources of morality; religion can mean the merely subjective “religious” state-of-mind of the legislator; religion can also mean the religious-historical sources of custom and common law relating to matters of marriage and family, crime, civil associations, and so forth. Thus, “religion” has become an artificial category, sometimes expanded, sometimes cut and trimmed, for the purpose of winning legal, political, and policy arguments. Because ordinary human beings tend to make judgments according to standards that transcend mere human rules, and because relatively few of us have a highly articulated super-structure of philosophy or theology, religion is a rather foggy and elusive target. An extreme version of First Amendment jurisprudence interprets the establishment clause in such a way as to forbid the state from recognizing the specifically religious content and importance of the free exercise clause. To recognize specifically religious conscience is to establish religion. The danger here is that the right of free exercise of religion is drained of content, and then tends to be collapsed into an all-purpose right of free-speech or self-expression. Although academic legal literature abounds with efforts to define religion, the issue remains unsettled. At the national level, all kinds of religious discourse is in evidence, and courts rarely try to intercept it on First Amendment grounds; yet, at the level of a local public school, even a moment of silence can be struck down as a violation of the establishment clause.

R&L: *Is it appropriate for religion to have any impact on the development of law within a society, such as the United States, that places a high value on individual liberty?*

Hittinger: We are a free society. Society is not a creature of the state. So long as people are religious, religion will have at least an indirect bearing upon public policies and laws through society itself. A state would have to either destroy religion or destroy society for it to be otherwise. Compared to other political cultures, Americans tend to enjoy a very vivid sense of social liberties distinct from the institutions of the state.

R&L: *Does a person need to be a Christian before he or she can accept the principles of the natural law?*

Hittinger: No, of course not. Read the *Meditations of Marcus Aurelius*.

R&L: *Do you think that Christianity—and any other theistic religion for that matter—is currently being excluded from public policy debates? If so, what effect do you think this has on societal norms and values?*

Hittinger: Increasingly, truly believing Roman Catholics and Protestant Evangelicals are regarded by the elite culture as having no sense of public justice, as having a private lust to impose their religion. This cartoon-like view is especially apparent whenever one gets into the precincts of public law and academia. It is much less true in the world of business, sports, civic associations, and in the day to day life of municipal culture.

R&L: *As a scholar and professor, how does your faith inform your studies and teaching?*

Hittinger: You carefully phrased the question “as a scholar and a professor.” Taken in just this way, let me say that I am very inclined to look for the good sense in our western habits and institutions. I view even the most adamant secularist positions as part of our common culture. A Christian can take a more inclusive view of the quest for truth. Christ is our redeemer by the cross, but he is also the second Adam, and hence the consummator of human history.

R&L: *Does your contact with university students leave you optimistic or pessimistic regarding the rediscovery of natural law within society?*

Hittinger: Speaking generally, I do not think that students are very well formed in their respective theological traditions. Over some twenty years of teaching, I have seen more students arrive at the university with an amorphous sense of religion accompanied by a therapeutic sense of morality. By way of exception, I often find that orthodox Jews and some Reformed tradition students are more attentive to their traditions at the intellectual level. Catholics are usually somewhere in between. Students mature very rapidly in their 20s, and therefore it is a crucial time in their lives. Usually, by the age of 25 or so it is clear whether a young man or woman will develop an intellectual curiosity about the big questions of morality, the soul, and God. Every generation is a work in progress.

A Primer for Love: Personalist Ethics

David Carey

One need not search far to find the supreme ethic by which we should evaluate all of our actions. The holy scripture is clear that we must love the Lord our God with all our heart and with all our soul and with all our mind and that we must love our neighbors as ourselves (Matt. 22:36, 39). Love for God and neighbor must serve as the basis for any ethics. Here I am primarily interested in examining the love-for-neighbor portion of this supreme ethic within the context of personalism. This discussion will provide valuable insight, because personalism lends itself to the development of a love-for-neighbor ethics, given that the concept of the person is primary and foundational. Thus, a personalist ethics must start with and address ethics in terms of individuals. My particular interest is to construct a primer for personalist ethics indicating how a love for neighbor is achieved through and in our individual lives.

Five basic concepts are particularly important to assembling a personalist, love-for-neighbor ethics: person, community, end, act, and law.

Among most busy, practical-minded people within contemporary society (especially within the business world), the third concept—the notion of an end or goal—tends to dominate their attention. Much of a person's workaday language focuses on goals, objectives, targets, and bottom lines. So it makes sense to begin with the notion of an end, springboard from that concept to the other four, and then tie all of them together into one cohesive system of ethics, an ethics driven by the overarching command to love our neighbors as ourselves.

Before launching into a discussion of particular ends, such as business goals, it should be noted that ends come in different forms. Therefore, some important distinctions must be made. The first distinction is the difference between a relative end and an absolute end. A relative end is a conditional goal, to be pursued only to the extent that certain conditions are met. An absolute end remains a goal no matter what. It may, in fact, be desired partly for its consequences,

but an absolute end would still be desired even without those consequences. Closely related to the notion of an absolute end is the notion of an ultimate end. An ultimate end is an absolute end, but one desired simply for itself, without any further or ulterior motive. The ultimate end is the single goal to which all activity is subordinated.

The ancient pagan philosophers held that happiness—understood in a general way as a perfect or complete good—is that single, ultimate goal. No matter what else we may seek or desire, we all seek happiness. Everything that we do, we do for the sake of happiness. Furthermore, it is foolish to ask why someone wants to be happy. The desire for happiness is one desire that is simply given. Everyone wants it,

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and for no other reason but for its own sake. People disagree about what happiness is in particular, and, in fact, we may be quite wrong about the happiness that we pursue, thinking that our happiness will be found in something that is actually quite disappointing when we achieve it. But the desire for happiness itself is universal, common to everyone.

According to Christian ethics, complete happiness is found only in God, who “satisfies with good things” (Psalm 103:5). Thomas Aquinas points out that although everyone desires happiness in a general way, not everyone looks to God for that happiness. In fact, God must reveal the way to such happiness, because it surpasses human reason (I Cor. 2:9). The two-fold command to love, with which we began, expresses that way.

This happiness, then, is the ultimate and absolute goal of everyone whether he or she recognizes the authority of God's command or not. A classic example of a relative goal is

It is true that publicly traded corporations, for instance, have profit-maximization as their reason for being, but the pursuit of money is always a conditional one.

money. Money may appear to be desirable for its own sake, but in reality, it is desirable only for what else it can get us. The nineteenth century British philosopher John Stuart Mill noticed the psychological phenomenon of transferring to money the pleasure that we derive from the things that money can buy. He thought, for this reason, that money actually became a part of happiness: “It may, then, be said truly that money is desired not for the sake of an end, but as part of the end. From being a means to happiness, it has come to be itself a principal ingredient of the individual’s conception of happiness” (*Utilitarianism*, Chap. 4).

Mill thought of happiness as a kind of pleasure, even if an illusory one, but he noticed that this psychological transference occurs in us by what he called “strong association.” Nevertheless, thinking of money as a part of happiness is a confusion of the purpose of money. When we desire money, what we really want are real goods, not merely the tokens by which we buy or earn those goods. If we could have all the real goods that we desire without having or using money, then money would have no value. Thus, money by itself cannot be an absolute end.

Because money is a relative end rather than an absolute end, profit-maximization can never rightly be understood as an unconditional goal. It is true that publicly traded corporations, for instance, have profit-maximization as their reason for being, but the pursuit of money is always a conditional one. In fact, a business entity that pursues short-term (e.g., quarterly) profit exclusively, as an absolute and unconditional goal, is an unhealthy business. It does not even maintain its value for shareholders, because its prospects are unstable. It invites hostile takeovers, leveraged buy-outs, consequent liquidation, flight of capital, roller-coaster market value, and short-term trading (even churning).

The relative value of money as an end is a clue to what conditions are necessary for a company to flourish in the long run. Any relative end or goal has to be seen in the light of an absolute goal to which it is related (that is, subordinated). As our personalist, love-for-neighbor ethics applies to cooperative enterprises—and every business or society is a cooperative enterprise—the common good of those who are cooperating is the absolute goal. In order to better understand this common good, we now turn to the other four key concepts mentioned at the outset: person, community, act, and law.

Persons are individual beings who can exist separately from other beings (at least at some stage) and who are able to deliberately choose to act for an end. Thus, a person has four attributes:

individuality, separability, intelligence, and free will. Individuality means that each person is unique, unrepeatable, and thus, to some degree, incommunicable. To be incommunicable is to have at least one attribute that no other individual can share. But because persons can know and choose, and therefore love, friendship among persons is not only possible but desirable. For, as indicated implicitly in the command to love God and neighbor, love is the greatest act of personhood.

Separability should be distinguished from actual separation. The fact that I once lived inside my mother’s womb does not count against my separability. At some stage of my existence—the present, at least—I live quite separate from my mother and from all other beings. I may always be in some sort of contact with others, but I am physically detached from them. But actual separation is not necessary for personhood. Even if I died before being born, I still had the ability to live a separate life, simply by being the kind of creature that separates from mothers in the course of a full life. Likewise, some future misfortune which would require my constant attachment to some form of life-support would not render me any less a person. My separability, as we understand it here, is one of my permanent features, simply because that is the kind of being I am.

Similarly, the intelligence required for personhood is simply the ability to know things beyond what I can sense with my body. I may never exercise that ability. If I do gain such knowledge, illness may someday impede me from ever using it again. But unlike other animals, a person is the kind of being that can think about and even know things which cannot be sensed in any bodily way. There are two kinds of knowledge with which intelligence is concerned: theoretical knowledge, which is desirable simply for its own sake, and practical knowledge (or know-how), which is desirable not only for its own sake but also for getting things done or made, that is, for acting to accomplish an end. Moral conscience is a kind of practical intelligence for distinguishing right actions from wrong ones.

Finally, a person has free will. The ability to make choices may remain undeveloped, never be exercised, or become permanently impaired. Nevertheless, simply being the kind of creature that would be able to make choices under the right circumstances is enough to be a person throughout one’s life. Free will is the basis for moral responsibility.

With the attributes of personhood firmly in hand, we have a good grasp on the first building block of the common good for our personalist ethics. The next building block, then, is community. A community is any network of interpersonal relationships. In a personalist, love-for-neighbor ethics, the highest use of the powers of personhood is to love other persons—that is, to will their good for their sake, not merely for one’s own. The common good is the total good of all persons in a community. The common good includes the conditions that best contribute to the flourishing both of the community of such persons and of each person individually.

Law serves the common good, because it directs various human activities toward the common good (i.e., the flourishing of community). Since the common good is an essential factor in complete human happiness, law also is essential to human happiness. Given this essential role, we should examine the concept of law more closely.

Thomas Aquinas defines law as an ordinance of reason for the common good, promulgated by the one who has charge of the community. Thus, Aquinas’ definition has four elements. First, every law, generically, is an act of reason. Acts of passion (vengeance, envy, greed, and so on) may have the appearance of law, but if they are not reasonable, they are not true laws. In enacting laws, reason is acting in its practical rather than its theoretical capacity. Practical reason subordinates actions to their ends; so law is called an “ordinance” because it is an act of arranging actions to promote the common good. Second, as we already noted, the common good, as the end of law, is the total good of all persons under that law. Law must then establish the conditions that best contribute to the flourishing both of the community of particular persons and of each person individually. Third, an ordinance of reason for the common good is not a law until it is promulgated, that is, published in such a way that all who must know it in order to execute it can readily know it. Finally, the source of the law must be the person or persons in charge of the community. Officials in a community are the proper legislators only to the extent that they legislate for the common good and hold office legitimately, since legitimacy is necessary to maintain public order (a facet of the common good).

Although all laws must be promulgated, some laws are promulgated positively (that is, they are posited or enacted by a clear, verbal, historical act of the legislator) and some are promulgated interiorly (that is, known to their subjects immediately or by reasoning from principles that are imme-

diately known). Positive laws are of two kinds: divine and human. Interior laws also are of two kinds: eternal and natural. Among these four types of law, there is a proper order: Eternal law, by which God governs creation, is the norm or standard for all other law. Natural law is the participation of rational creatures in eternal law. Positive laws, whether divine (e.g., the Ten Commandments) or human (e.g., the United States Constitution) express, apply, or further develop eternal and natural law. Positive law, to be truly law, cannot be contrary to either eternal law or natural law. If it were, it would work against the common good and thus would fail to meet the second condition required by the definition of law. Thus, law’s proper order remains a necessary element in an environment that promotes the common good, the absolute goal of any cooperative association.

Having analyzed end, person, community, and law, we have surveyed the landscape adequately enough to address the more precise subject matter of any ethical system: human acts. People do many things that are not properly human acts, because they are not done thoughtfully and freely. A truly human act is one in which we consider several goods and freely choose one of them. This requires the faculties of personhood, namely intellect and free will. A faculty is a capacity or power that can be conditioned or habituated to act one way rather than another. This habituation is an intermediate stage between

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mere ability and full actualization of a particular action. For instance, the average child has at least the mere, undeveloped ability to multiply numbers. Once she has learned multiplication tables, she has habituated her intellect to do simple multiplications. The habit that she has formed is more permanent than a temporary disposition or a short-term memory. She retains this habit even when she is asleep, so her knowledge is now more than mere ability, but it is not fully actual. It is in an intermediate condition. It becomes fully actualized when she is actually multiplying numbers.

Similarly, moral virtues and vices are habits. All concrete human acts (that is, acts involving deliberation and choice) are moral acts. That is, they are either morally good or morally bad. They tend to be morally good if one’s intellect and will are conditioned or habituated to recognize what is best (i.e., what would be most consistent with loving God and

At our best, our love for the other person's good, a part of the common good, takes us beyond merely recognizing that good even to the point of giving ourselves, sometimes even totally, so that the other's good may flourish.

neighbor) in any situation and to choose it. They tend to be morally bad if one's intellect and will are conditioned or habituated to prefer a lesser good to a greater good (e.g., preferring a creature to the Creator, (Romans 1:25)). A virtue is a good habit; a vice is a bad habit.

There are four main moral virtues: prudence, justice, courage, and moderation. In each case, the virtue (good habit) tends to perform human acts that avoid both the vice of excess and the vice of deficiency. So prudence (or practical wisdom) is the habit of making good judgments about the acts that we choose to perform, avoiding both the vice of excess (e.g., the tendency to deliberate excessively) and the vice of deficiency (e.g., the tendency to act impetuously, without sufficient deliberation).

Similarly, the virtue of justice is the habit of giving to each other what is due, avoiding the vice of excess and the vice of deficiency. For instance, a just judge avoids the vice of harshness (the overzealous tendency to impose excessive punishment) and the vice of negligence (the tendency toward undue leniency). Courage avoids both cowardice and rashness. Moderation, as its name indicates, seeks the right amount, avoiding gluttony and anorexia, for example.

These four cardinal virtues have been widely honored even in pagan antiquity. Christian ethics, in seeking happiness in God, adds three "theological" virtues to the list: faith, hope, and charity (I Cor. 13:13). Charity (or *agape* in Greek) is that supernatural love by which we fulfill the twofold command to love God and neighbor. Other kinds of love may help or hinder us in practicing the seven virtues, so it is of the utmost importance to distinguish charity from other kinds of love.

Love in the broadest sense is any attraction toward something. In this broad sense, love is the motivation for every human act, since even acts of avoidance arise from an attraction of some sort. I hate one thing because I love its opposite: I hate to die because I love life, I hate pain because I love pleasure (or at least the calm absence of pain), and so on. So virtues habituate us to love what is good, but vices corrupt our ability to love what is good, to the point that we hate goodness and come to love malice, violence, cowardice, laziness, and so on. Dante, in the *Divine Comedy*, envisions Mount Purgatory, the bridge between hell and heaven,

as a series of seven terraces. Each terrace purifies the heaven-bound traveler of one of the "deadly" vices which are impediments to loving well. The first three (pride, envy, and anger) are misdirected habits of love—love for my neighbor's inferiority, or downfall,

or victimization. The last three are habits of excessive love (greed, gluttony, and lust) for desirable goods. The middle condition (portrayed at the very middle of the whole trilogy, by the way) is habitually weak love, love hampered by the vice of deficiency, taking the form of laziness, boredom, melancholy, and the like.

In practice, human acts often fall somewhere between the virtuous and the vicious, and, in fact, those making progress up the mountain of purgatory are not totally corrupted by vice. Often we recognize the better course of action but take the worse, struggling with ourselves to do better, sometimes succeeding, sometimes failing. When we succeed, our acts are continent and bring us closer to virtue. When we fail, they are incontinent and bring us closer to vice. Repeated acts become habitual. That psychological fact is key to understanding human choices and a personalist, love-for-neighbor ethics.

Sometimes our love is selfish, seeking some good or satisfaction for ourselves at the expense of others. Sometimes, our love, though not selfish, is needy and arises from our weaknesses. At other times, we may focus so wholeheartedly on another person that we forget our own desires and needs and see only what is good for the other person. At our best, our love for the other person's good, a part of the common good, takes us beyond merely recognizing that good even to the point of giving ourselves, sometimes even totally, so that the other's good may flourish. When our love is at its best, we have reached the highest level of human acts. We have actualized our powers of personhood (intellect and will) to their fullest. Such love is the ultimate act of personhood, the strongest bond of community, the absolute end and fulfillment of all law, the defining aspect of a distinctly Christian personalist ethics. It is this love alone—charity—that fulfills the twofold command. Charity, by embracing all the virtues, is the way to happiness.

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Money and Morality: The Christian Moral Tradition and the Best Monetary Regime

Thomas E. Woods, Jr.

The economic difficulties of the past several years in the United States have led more and more people to take an active interest in monetary policy and in the Federal Reserve System. Many possess an inchoate sense that there must be a connection between past monetary policy and our current doldrums. At a time when monetary matters are attracting so much attention, therefore, it may be particularly opportune to consider the moral dimensions of the present monetary regime. As we shall see, current monetary policy leaves much to be desired when evaluated against the Christian moral tradition and the thought of several Christian historical figures. To state it more bluntly, the current monetary system fails to comply with even the most basic Christian moral rules, such as the prohibitions against theft and fraud and the call to practice biblical financial stewardship. The great Christian thinkers of the late medieval and early modern period typically condemned the type of monetary debasement that has occurred, and continues to occur, in the current monetary system of the United States of America.

This monetary debasement taints our present monetary system primarily because the currency we use possesses no precious-metal backing. In 1933, the federal government removed the gold backing from our currency (which until that time had been convertible into gold) and forced people to turn over their stocks of gold. This was nothing other than a massive act of confiscation. The paper currency continued to circulate out of habit, so accustomed had we become to its use. But it had become convertible into nothing. Its lack of convertibility made it what economists call “fiat money,” as opposed to the “commodity money” we had when our currency was convertible into gold. This is all a nice way of saying that the government unabashedly violated God’s commandment not to steal. We can hardly be surprised that such disobedience should have had such regrettable consequences.

The best-known difficulty with a fiat currency is inflation. Inflation, wrongly described by many people as rising prices (a mere *effect* of inflation), refers to an increase in the amount of paper currency in circulation. With respect to com-

modity money, inflation refers to an increase in currency that does not correspond to an increase in the commodity into which the money is convertible. Thus, commodity money provides an inherent check against inflation. The ever-present demand by depositors for redemption of bank notes into a commodity such as gold prevents any sustained inflation of the money supply, since the issuing institution finds itself unable to settle all the inevitable claims for conversion of the inflated notes into gold. Gold possesses the advantage of

... current monetary policy leaves much to be desired when evaluated against the Christian moral tradition and the thought of several Christian historical figures.

being finite in quantity and impossible to counterfeit. But if deposits are redeemable in nothing but worthless paper, a crucial check against monetary expansion has been removed. There is practically no limit to the amount of paper that can be printed and stamped as money.

An important if frequently overlooked feature of inflation is its “distribution effects.” Inflation of the money supply leads to rising prices or, at the very least, to prices that are higher than they would have been in the absence of the inflation. But the price increases associated with inflation do not occur all at the same time, reaching all goods instantaneously across the entire economy. The new money does not enter the economy in a uniform way; rather, it affects everyone in different degrees at different times. Some get the new money earlier than others. Those who receive the new money first are able to spend it in an economy in which prices have not yet risen. Those who receive the new money from its first recipients, in turn, find themselves at an advantage vis-a-vis those who have not yet received it, because prices have likely not yet risen to a level commensurate with the new quantity of money.

As the new money works its way through the economy, it raises the prices of the goods that its recipients purchase.

Those who receive the new money last, after it has worked its way throughout the economy, suffer the brunt of the distribution effect, because all this time, without having come into possession of any of the new money, they have had to pay the higher prices that the new money has brought about. We now see that the distribution gains of the first possessors of the new money have come at the expense of those who received the money only much later. If there is a principle of Christian morality according to which such insidious wealth redistribution is acceptable, it is not known to the present writer.

Inflation also hurts those on fixed incomes and those who rely for their sustenance on accumulated savings. In either case, the same nominal amount of money possesses less real purchasing power as a result of the government's increase of the money supply, and practically everyone—particularly the most economically vulnerable—thereby become the victims of indirect theft. Thus, the government's illicit confiscation has begotten more theft, visiting the harmful effect of this sin “to the third and fourth generation.”

Furthermore, inflation also throws business calculation into chaos. Under an inflationary regime, businesses find it difficult to distinguish between genuine and illusory profits. Basing themselves on nominal expenditure and revenue figures, they tend to overestimate profits, mistaking the consequences of an inflated money supply for an increase in real profits. It is standard accounting practice for an asset's cost to be reckoned as the amount of money spent to purchase it. But when inflation occurs, the price of replacing that asset when it wears out rises. Thus, inflation causes businesses to overstate their profits, because it encourages them to not properly take into account the now higher replacement costs of their assets and even to spend and invest money that they actually need just to maintain their capital stock. In other words, by misleading businesses into a false sense of prosperity, inflation can cause business executives to engage in inadvertent capital consumption, thereby causing executives to commit fraud—whether advertently or inadvertently—when preparing their financial statements. On the other hand, commodity monies, as Hans Sennholz has pointed out, can actually facilitate economic calculation, because their quantities tend to change so slowly. Inflationary activity thus profoundly disrupts the common good no matter how that concept is defined.

Inflation's interference with business calculation is not insubstantial. As the distribution effects of inflation work their way through the economy, business firms may see the prices of the goods they produce begin to rise. If entrepreneurs be-

lieve that these price rises represent a permanent phenomenon, they are liable to expand production, investing in additional capital and labor. If, on the other hand, they believe that these price increases are caused simply by inflation and are not likely to be long lasting, they will refrain from rearranging resource allocation in line with the rising prices. The trouble is that they have no way of knowing whether given price increases are caused by genuine increases in demand or by inflation. They have no way of knowing the specific path of the inflation as it works its way throughout the economy, and whether their own firms are part of that path. “Inflation,” writes Steven Horwitz, “is a major drag on economic growth because it unnecessarily complicates the entrepreneur's job and leads to error and wasted resources.”

Inflation thereby encourages a mentality of immediate gratification that is plainly at variance with the discipline and eternal perspective required to exercise principles of biblical stewardship—such as long-term investment for the benefit of future generations.

Thus, in addition to encouraging fraud, inflation discourages the practice of biblical financial stewardship.

This discouragement of biblical stewardship extends beyond distinctly business environments. “The millions who see themselves deprived of security and well-being become desperate,” explains Ludwig von Mises. “The realization that they have lost all or most all of what they had set aside for a rainy day radicalizes their entire outlook. They tend to fall easy prey to adventurers aiming at dictatorship, and to charlatans offering patent-medicine solutions.” These effects are “especially strong among the youth. They learn to live in the present *and scorn those who try to teach them ‘old-fashioned’ morality and thrift*” (emphasis added). Inflation thereby encourages a mentality of immediate gratification that is plainly at variance with the discipline and eternal perspective required to exercise principles of biblical stewardship—such as long-term investment for the benefit of future generations.

Before moving on, let us consider one additional point about a fiat currency. One implication of Mises' regression theorem (which he developed in *The Theory of Money and Credit*, 1912) is that the only way a fiat money can arise is by means of government confiscation of the precious-metal backing of existing commodity money, thereby transforming the paper currency, at one time convertible into a precious metal, into worthless, irredeemable paper. If Mises is right, this point must surely enter our moral calculus—if fiat

money can come about only as a result of massive government confiscation, its moral status may well be fatally compromised on that ground alone.

Beyond inflation, a very serious problem associated with fiat money is the boom-bust cycle. It was Ludwig von Mises (1881–1973) who developed the so-called Austrian theory of the business cycle, and his student F. A. Hayek (1899–1992) whose elaborations on it won him the Nobel Prize in economics in 1974.

Space considerations prohibit all but the briefest overview of the theory here, but what follows may serve at least as an introductory sketch. When the Federal Reserve engages in monetary expansion through credit markets (to “stimulate the economy,” so we are told), the effect is to lower the interest rate. Normally, the interest rate coordinates saving and investment. When people save more, the interest rate goes down. The lower interest rate, in turn, alerts entrepreneurs to the correspondingly increased availability of funds to be borrowed. The increased saving also reflects the public’s increased willingness to defer consumption. This, naturally, is when investment projects make the most sense. Also, the lower interest rate gives a disproportionate stimulus to

Mises’ analysis reinforces the moral claim of a pure gold standard, because if all money were convertible into gold on demand, no central bank would be able to engage in the kind of credit manipulation and stimulus that leads to the business cycle in the first place. Surely if a particular monetary system can avoid the impoverishment and dislocation of recessions and depressions, this factor alone should speak volumes in its favor.

Moreover, the Austrian theory also contains critically important insights for proper moral analysis and shows why moral judgment is liable to go dreadfully wrong if undertaken in ignorance of the true causes of the business cycle. Countless moralists are to be found during recessions and depressions calling for various state measures intended to alleviate the dislocations associated with the downturn. Since this topic is well covered in the Austrian literature, let us confine ourselves to one typical suggestion: emergency aid, from low-interest loans to outright subsidies, to failing businesses. As the Austrian analysis makes clear, this is precisely what should not be done, because it only perpetuates the credit-induced misallocation of capital into the indefinite future. Liquidation of the malinvestments incurred during

the boom must be allowed to continue unimpeded, lest the inevitable liquidation process and its attendant suffering be indefinitely prolonged.

In fact, the policy implications of the Austrian theory are obvious: the government should do nothing at all. Any attempt to lend support to malinvested capital only obstructs the recovery. Economically sound firms are forced to continue to compete with these unsound firms for the scarce resources they need.

Support for failing businesses thus tends to

impoverish those firms that are capable of employing the resources of their less successful counterparts more efficiently and more in line with consumer demands and time preferences but they are impeded from doing so. Government stimulus to consumption, which remains the conventional wisdom despite its repeated failure (as in Japan, which has been in the economic doldrums after some fourteen years of consumption-driven policy), is at least as bad an idea as supporting failing businesses. Business downturns are not caused by insufficient consumption. In a certain sense, a downturn is caused by too much consumption, making long-term investment projects correspondingly unprofitable (because they were out of line with consumer desires to consume in the more immediate future). This is why Murray Rothbard suggested that the most helpful path to pursue at such a time is certainly not more consumption, but “more saving, to vali-

The importance of economic knowledge to moral analysis is amply reinforced in the case of the business cycle. Without an adequate knowledge of the causes and cures of the cycle, someone trained in moral philosophy or theology cannot be sure that he is not in fact recommending a course of action that will only exacerbate the problems he aims to solve.

“higher-order” stages of production like mining or raw materials—that is, stages furthest away from finished consumer goods.

The problem with the Fed’s stimulus is that by artificially lowering the interest rate it makes investors think that the public is more willing to defer consumption than it actually is. It makes investors think the public has saved more than it actually has. But the public’s saving/consumption preferences, in this scenario, have not changed at all. Business executives are led to engage in an expansion in higher-order stages of production that is completely at odds with the public’s unchanged desire for consumption in the present. They begin projects that cannot all be completed given existing resources. The resulting misallocation of capital and overall economic discoordination eventually bring the artificial boom to an end.

date some of the excessive investments of the boom.”

The importance of economic knowledge to moral analysis is, therefore, amply reinforced in the case of the business cycle. Without an adequate knowledge of the causes and cures of the cycle, someone trained in moral philosophy or theology cannot be sure that he is not in fact recommending a course of action that will only exacerbate the problems he aims to solve. One prominent Catholic writer during the 1930s wrote that the cause of the Great Depression, “supposedly so complex,” could be distilled to “one word: greed.” Such pronouncements are, to say the least, unhelpful. Even if greed magically disappeared, misleading signals to investors would still lead to the misallocation of capital described in the Austrian theory.

The practice of fractional-reserve banking, which lay at the heart of modern banking systems, also carries moral implications. A fractional-reserve bank is one that lends out much of its demand deposits (that is, funds that its clients are entitled to at any moment, on demand) at interest, trusting that a critical mass of its clients will not demand their money simultaneously and that the money the banks keep in reserve—a mere fraction of their liabilities—will suffice to meet the demands of those who do demand their money. Banks that engage in this practice are inherently bankrupt. If all their clients simultaneously demanded that their deposits be turned over to them, the bank would be forced to concede its inability to meet its obligations. The only case in which it would be morally legitimate for a depositor’s money to be treated as temporarily not his own would be in the case of a time deposit, in which case the depositor would have voluntarily contracted to relinquish control over his money to the bank for a set period of time, during which the banker could do with it as he saw fit.

In many cases, governments have granted favors and special privileges to such banks. Very often, fractional-reserve banks, under pressure for redemption from depositors, have been legally permitted to suspend payment to their depositors—which means they are allowed to continue in operation, demanding that their own debtors meet their obligations, while at the same time refusing the just claims of their creditors (i.e., their depositors). Sometimes this privilege has lasted years at a time. No other business is allowed to operate on such a basis, and there is no obvious moral difference between banking and any other business enterprise that should entitle it to exemption from this basic standard of morality.

The late scholastic theologians were generally unfavorable toward fractional-reserve banking as well. In the sixteenth century, such theologians as Luis Saravía de la Calle, Martín de Azpilcueta Navarro, and Tomás de Mercado argued that the demand deposit did not amount contractually

to a transfer of property, even for a time, from the depositor to the banker, and that it would be wrong for the banker to attempt to seek profit by lending out deposits that were supposed to be available to depositors on demand. Even in the case of such scholastics as Luis de Molina and Juan de Lugo, whose position was rather confused but which appeared to favor the principle that the depositor forfeited some control over demand deposits to the banker, a modern scholar suggests that they would nevertheless have rejected the fractional-reserve system when presented with all of its implications. Fr. Bernard W. Dempsey has shown that on the basis of their own principles, even these men, faced with the modern system, would have favored a banking system based on one hundred percent reserves or something very much like it.

The issues that arise over questions of money and banking serve to remind us of the complementary roles of economics (a purportedly value-free science) and morality. Without economic knowledge, the moralist’s advice can prove profoundly misguided and even destructive. A sound moral foundation, in turn, is necessary for us to evaluate existing economic institutions in light of genuine principles of justice.

In sum, the best monetary regime, from the point of view both of utility and of Christian morality, is a one hundred percent reserve commodity money system. This system alone is free from all forms of fraud, requires no confiscation of a person’s property, creates no disincentives to honor our stewardship responsibilities, keeps the business cycle at bay, and avoids the immoral distribution effects and erosion of accumulated wealth that inevitably accompany a system of fiat money. What this means, in short, is that that monetary system is best which observes the most basic moral rules: Do not steal and do not commit fraud. This was the message of the great Christian thinkers of the late medieval and early modern period, who typically condemned monetary debasement, and it is a message that their modern-day counterparts would do well to heed.

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An Orthodox View of Contemporary Economics, Politics, and Culture

John Couretas

In 1967, following two decades of progressively harsher persecution of religion under communist rule, Albanian dictator Enver Hoxha triumphantly declared his nation to be the first atheist state in history. Hoxha, inspired by China's Cultural revolution, proceeded to confiscate mosques, churches, monasteries, and shrines. Many were immediately razed, others turned into machine shops, warehouses, stables, and movie theaters. Parents were forbidden to give their children religious names. Anyone caught with bibles, icons, or religious objects faced long prison sentences. In the south, where the ethnic Greek population was concentrated, villages named after saints were given secular names. For the religious, a long nightmare of persecution and martyrdom was to follow.

Hoxha's campaign destroyed life and property, but could not kill the spirit. The government eased its official policy of religious persecution in the late 1980s and finally lifted the ban on faith observances in December 1990. Today, Albania's religious roots are being watered again. The Muslim majority (about seventy percent of the population) is rebuilding its institutions, as are the Orthodox Christian and Roman Catholic minorities.

In 1991, into this milieu of despair and destruction, came Anastasios, the newly appointed Archbishop of Tirana and all Albania. Anastasios, a former dean of theology at the University of Athens and an expert on world religions, set to work heroically rebuilding the Orthodox Church. According to one count, 1,608 Orthodox churches and monasteries were destroyed during the communist persecution.

In Albania, Anastasios turned the Marxist program upside down; he focused not on the state, but the person.

"The secret of substantive change, the guarantee of change, and the dynamic through which change occurs all lie hidden within the process of restoring and purifying the human person," he says.

Anastasios' ecumenical vision for social change, seen

through the lens of Orthodox theology, has been admirably captured in a new collection of essays from St. Vladimir's Seminary Press titled *Facing the World: Orthodox Christian Essays on Global Concerns*. The essays, published during a period of 30 years, touch on topics such as human rights, Islam, globalization, and Church and culture. The book serves as an excellent introduction to the Orthodox mindset, and its interpretation of divine life and worldly affairs through scripture, holy tradition, and a trusty reliance on Greek patristics.

Anastasios' understanding of social and political events is, of course, characteristically rooted in the miracle of Easter. While not denying that it was the cross that reconciled hu-

manity with God, Anastasios points out that in Orthodox Christianity the "emphasis on the Resurrection is the crucial element in the Christian ethos of the east; it pervades every thought and action, intensifies faith in miracles, and deepens the certainty that every impasse in human life will ultimately be overcome."

And what better place to hope for miracles than in Albania?

Facing the World: Orthodox Christian Essays on Global Concerns

**by Archbishop Anastasios
(Yannoulatos)**

**St. Vladimir's Seminary Press
216 pp. Paperback: \$15.95**

Laboratories of Love

In the essay "Orthodoxy and Human Rights," Anastasios takes a critical view of the Universal Declaration of Human Rights, adopted by the United Nations in 1948, and the later development of these declarations into exhaustive lists of economic, social, and political rights. Anastasios makes an important distinction between rights declarations, and their enforcement through legal and political forms of coercion, and Christianity's preferred method of persuasion and faith. "Declarations basically stress outward compliance," he says, "while the gospel insists on inner acceptance, on spiritual rebirth, and on transformation."

Anastasios reminds us of Christianity's contribution to the development of political liberty. "Human rights documents," he says, "presuppose the Christian legacy, which is not only a system of thought and a worldview that took shape through

the contributions of the Christian and Greek spirit, but also a tradition of self-criticism and repentance.” Those words should be hung from banners everywhere new constitutions and declarations are being drafted.

Anastasios rightly discerns the secularizing motive and thrust behind much of what passes for human rights activism these days. He points out that a predominant ideology behind these declarations advances the “simplistic” view that people are radically autonomous beings, capable of advancing on their own innate abilities. This strict reliance on logic, the “deification of rationality,” is but a short step to the logical denial of faith in a living God. Anastasios asks: Are human rights simply and merely an outcome of human rationality, or are they innate to the human personality?

“Rights declarations are incapable of inducing anyone of implementing their declarations voluntarily,” he concludes. “The hypocritical manner in which the question of human rights has been handled internationally is the most cynical irony of our century.”

Anastasios’ solution to the problem of human rights is thoroughly Orthodox: “The power and means for promoting worldwide equality and brotherhood lie not in waging crusades but in freely accepting the cross.” He urges a radically personal solution, one that takes as its model the saint, the martyr, and the ascetic. Here Anastasios draws on the traditional Orthodox understanding of freedom, which is ordered and tempered by ascetical practice, self-control, and placing limits on material desires. Churches are to become “laboratories of selfless love,” places where the Kingdom of God is manifest on earth. “Our most important right is our right to realize our deepest nature and become ‘children of God’ through grace,” he says.

Lest this approach be interpreted as a justification of passiveness and quietism, Anastasios also urges Christians to exercise their ethical conscience in the world. “Christians must be vigilant, striving to make the legal and political structure of their society ever more comprehensive through constant reform and reassessment,” he says.

Globalization and the Church Fathers

In his essay on “Culture and Gospel,” Anastasios reminds us of Christianity’s emphasis on the “immeasurable importance of the human person and personal freedom.” At the same time, he rightly warns of an interpretation of life that sees everything from a material, economic perspective. This tension between personal freedom and a distrust of the exclusively economic view carries over into his essay on “Globalization and Religious Experience.” Here, unfortunately, he falls into an interpretation of economics and trade as functions of, as he puts it, “several hundreds of multinational corporations with power over the worldwide production and distribution of goods

and information.” He claims that the disparities between the “privileged” and the “deprived” are growing wider everywhere and cites one writer who claims that “only 20 percent of the population derives any benefit from free commerce.”

Anastasios’ distrust of economic globalization puts him at odds with the experience of Orthodox cultures—indeed back to the Byzantine era—which were always energetic traders. Indeed, one of the biggest factors in the globalization of trade in the twentieth century was the remarkable growth of Greek merchant shipping on a global scale. Still, it is not wealth itself that Anastasios condemns, but what he perceives as powerful and rapacious economic powers that hoard it and consume it. In this, his outlook is entirely consistent with the views of wealth and poverty formulated by the Greek fathers.

In “The Dynamic of Universal and Continuous Change,” Anastasios cites numerous Patristic sources to show that wealth is best understood in the context of stewardship. “If you exceed what is reasonable in wealth, you fall short to the same degree in love,” said Basil the Great. And St. John Chrysostom: “Failing to give the poor some of what we possess is the same as robbing them and depriving them of life; for the things we are withholding belong to them, not to us.” Greed is the culprit. And that is a vice even the poor can succumb to. “Many of the poor, who lack material wealth, happen nevertheless to have extremely greedy intentions,” Chrysostom said. “The fact that they are poor does not save them, for they are condemned by their intentions.”

Anastasios’ cure for the ills of secular human rights movement—a personal dedication to living out the Gospel—is really the only cure for the world’s economic evils or for that matter any other social ill. The root problem is selfishness, that pervasive evil. Such a solution may seem naïve or simplistic to the secular minded. And even the religious would not go so far as to put the lawful regulation of society on the honor system. Yet, outside of coercion and control, what else has ever worked?

Anastasios points out that spontaneous, brotherly love is Christianity’s quintessential message:

“We have a duty to live out conscientiously the mystery of our faith—at the heart of which lies the rediscovery of the one, universal and divine *koinonia*—so that we can offer, without seeking anything in return or any worldly reward, the kind of genuine love that reveals the life of the Trinitarian God.”

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Free Religion



It is worth remembering what George Washington said in his farewell address about religion: “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.”

Here the first American president put his finger on the importance of preserving a freedom of religion within a society. In many parts of the world, religion inspires despotism, unending bloodshed, and war; but in the U.S. it was different. Many faiths, each vigorous in its truth-claims, were able to live at peace with each other and form the foundation of a society. The reason this peaceful state could exist was because the different faiths were reconciled to freedom, and indeed could serve as a bulwark of that freedom. It is a fiction of the Enlightenment that any claim to truth or objective standards of morality collapses any distinction between religion and civil law. In fact, this distinction lies at the core of American culture and Western civilization itself. That there is a distinction between religious authority and state power has been a constant line of thought from the ancient Hebrew world (in the separation of the religious from the civil courts) to our own, which came to be embodied in the American idea of religious pluralism. This does not mean complete separation. Religious faith must still undergird pluralist political and cultural institutions. Washington astutely recognized that this undergirding is a necessary precondition to a moral and prosperous society.

The American religious tradition depends on its free acceptance by believers At the same time, we must recognize that it is impossible to come to terms with a proper understanding of morality without serious reflection on the transcendent meaning of life that is the substance of religion.

But presently there are disturbing aspects to the role of faith in American life. Public institutions, whether in government or the media, have been notoriously unfriendly to faith, and hardly ever take account of the role that religion plays in the lives of most Americans, except to criticize it. We have no official religion in the U.S., nor do our public institutions require or enforce a particular belief in public policy. This is as it should be. The American religious tradition depends on its free acceptance by believers; it is a faith that is not imposed. At the same time, we must recognize that it is impossible to come to terms with a proper understanding of morality without serious reflection on the transcendent meaning of life that is the substance of religion. If average citizens and public officials fail to reflect on this transcendent meaning, morality can lose its moorings and become nothing more than the policy decisions of the people in power. This is why George Washington rightly judged that religion is the foundational norming agent of morality within a free and virtuous society.

The Rev. Robert A. Sirico is a Roman Catholic priest and the president of the Acton Institute.

**“When law and morality contradict each other,
the citizen has the cruel alternative of either
losing his moral sense or losing his
respect for the law”**

—Frédéric Bastiat—