

Are Traditional Catholics Defective Citizens?

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Abstract: *This essay defends traditional or “magisterial” Catholics against three charges which, if true, seem to imply that they are dysfunctional or defective citizens. The three charges in question are: first, that Catholics disrespect their fellow citizens’ autonomy by failing to offer public reasons for policies and laws; second, that they are half-hearted democrats; and third, that they surrender their political judgment to politically incompetent authorities. It is argued that Catholics should be acquitted of all three charges, and that far from undermining citizenship, the Catholic faith affords citizens significant moral and spiritual resources for resisting political oppression and injustice.*

Catholic Christians (and indeed, Christians more generally) have frequently been perceived as defective or incompetent citizens. They have been accused of numerous forms of political disloyalty, from refusing to pay homage to the Roman gods, to putting the Pope’s authority ahead of their own country’s civil authority, to threatening the civil rights of homosexuals and women in the present day. In this essay, I consider three charges which, if true, seem to imply that “orthodox” or “traditional” Catholics (what I shall refer to as “magisterial” Catholics) are dysfunctional or defective citizens – in other words, that their religious beliefs and commitments somehow compromise or corrupt the commitments and capacities we might reasonably demand from liberal democratic citizens. The first charge is that Catholics disrespect their fellow citizens’ autonomy by failing to offer public reasons for policies and laws; the second is that Catholics are half-hearted democrats; and the third is that Catholics surrender their political judgment to incompetent authorities. The purpose of this essay is to survey the three charges one by one, and in each case offer the best reply I can on behalf of the accused. I hope to persuade the reader not only that a respectable case can be made for the civic credentials of traditional Catholics, but that Catholicism affords citizens significant moral and spiritual resources for resisting political oppression and injustice.

The Case Against the Civic Credentials of Magisterial Catholics

The charges to be considered here are not directed indiscriminately at all Catholics, but at what some would describe as “traditional” or “orthodox” Catholics. Not all baptized Catholics believe in anything approaching a “traditional” or “orthodox” manner, otherwise the contrast between traditional and untraditional, and

between orthodox and heterodox, loses all meaning. How, then, might we best specify the group commonly referred to as “traditional” or “orthodox”? In order to avoid becoming embroiled in longstanding disputes over the authentic meaning of these terms, I have decided to substitute a less contentious term, “magisterial,” to indicate allegiance to the Catholic Church’s “magisterium” (from the Latin, “magister,” meaning teacher) or divinely conferred teaching authority. For the purposes of this paper, let us stipulate that a magisterial Catholic meets three conditions: (i) first, he recognizes and submits to the teaching authority of the Church on “matters of faith and morals”; (ii) second, this submission is not merely due to a coincidence between his own personal judgments and the Church’s, but due to his belief that the Church has a special, God-given authority to instruct the faithful on such matters. (iii) Third, the magisterial Catholic does not exempt matters of public controversy, or matters touching on political rights and justice, from the Church’s magisterium. Thus, when the Pope, in communion with other bishops of the Church, teaches that abortion is a gravely unjust killing of innocent human life, or that embryo experimentation is a violation of the dignity of the embryonic human, or that heterosexual and monogamous marriage is an institution that deserves the protection and respect of civil authorities, he considers these teachings to be relevant and binding upon all the faithful, even if the teachings in question engage major questions of political justice that go well beyond the sphere of his home or house of worship.

The case against the magisterial Catholic is composed of three charges, each of which is grounded in a distinctive cluster of assumptions about the meaning of citizenship in a constitutional democracy. The three sets of assumptions concerning citizenship could be described, roughly, as liberal, democratic, and republican respectively. Liberalism, as its etymology suggests (*liberty*), underlines the importance of individual liberty, which may be understood minimally as freedom from arbitrary violence, coercion, and intimidation, or else more positively as some form of rational autonomy, viz., the capacity to shape one’s own life responsibly in accordance with one’s own best lights.¹ Liberal conceptions of citizenship tend to view citizenship less in terms of equal social and political status or political “empowerment,” and more in terms of immunity from coercion, and enjoyment of the rights and liberties of religious, civil, and economic life. The liberal charge is that Catholics rule others paternalistically, insofar as they approve coercive policies that cannot be justified to reasonable citizens.

Democracy, as its etymology suggests (*demos kratos*, meaning rule by the people), underlines the importance of the *equal voice* of all individuals in the political process, the aspiration towards roughly equal social and political status, and the right of the people to collectively determine its own destiny through fair

1. John Stuart Mill offers one of the clearest articulations of a distinctively liberal view of citizenship, especially with his famous “harm principle,” which asserts that “the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant” (*On Liberty*, in John Stuart Mill, *On Liberty and Other Essays*, ed. John Gray, *Oxford World’s Classics* (Oxford and New York: Oxford University Press, 1991), 14).

and inclusive decision procedures. Democratic ideals of citizenship give central importance to mechanisms through which the popular will is translated into policies and laws, such as voting, public debates, town hall meetings, protests, and various forms of political representation.² The democratic charge is that Catholics are only half-heartedly committed to popular sovereignty, because their primary allegiance goes to higher moral and theological principles.

Finally, republicanism, as its etymology suggests (*res publica*, meaning the public thing, or the commonwealth), draws attention to the moral and intellectual qualities citizens require in order to discern and promote the *res publica* – the public good.³ Whereas liberalism views citizenship as primarily a liberty-protecting status, and democracy views it primarily as a guarantor of equal voice and social status, republicanism (or, to be more precise, the strand of republicanism considered in this essay⁴) tends to view citizenship as the locus of public-spirited and intrinsically valuable activities of self-government, civic virtue, and statesmanship. The republican charge is that Catholics surrender political judgment to nonpolitical authorities, and thus lose the capacity for independent judgment, which is at the core of responsible citizenship.

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2. Iris Young's, *Inclusion and Democracy* (Oxford: Oxford University Press, 2000) represents a democratic approach to citizenship, insofar as it gives a prominent place to the goods of political participation and equal voice. One of the basic premises of this book is the proposition that "[t]he normative legitimacy of a democratic decision depends on the degree to which those affected by it have been included in the decision-making processes and have had the opportunity to influence the outcomes" (5-6).
 3. Republicanism as conceptualized in this essay can be traced back to ancient treatments of civic virtue and public-spiritedness such as Plato, *The Republic*, trans. Allan Bloom, 2nd ed. (Basic Books, 1991), Aristotle, *The Nicomachean Ethics*, trans. H. Rackham, 2nd ed. (Cambridge, Massachusetts and London, England: Harvard University Press, 1934), and Marcus Tullius Cicero, *De Republica and De Legibus*, trans. C.W. Keyes (Loeb Classical Library, 1928). See Benjamin Barber, *Strong Democracy*, 2nd ed. (Berkeley: University of California Press, 2003) for a contemporary account of citizenship that is republican in this sense. Rousseau also provides a striking though arguably extreme modern statement of republican principles, especially in his insistence on "the total alienation of each associate, together with all his rights, to the whole community" (Jean-Jacques Rousseau, "The Social Contract," in *The Social Contract and the Discourses* (New York: Alfred A. Knopf, Inc., 1993), Bk 1, chap. 6, 191). And Machiavelli, in emphasizing the civic qualities and public devotion of a loyal citizenry, is clearly a republican thinker, even if the methods he recommends for securing the commonwealth are ethically questionable (Niccolo Machiavelli, *The Discourses*, trans. S.J. Leslie J. Walker (Penguin Classics, 1984 [1531]); Niccolo Machiavelli, *The Prince*, trans. Harvey C. Mansfield (Chicago and London: University of Chicago Press, 1998 [1532])).
 4. See Quentin Skinner, *Hobbes and Republican Liberty* (Cambridge: Cambridge University Press, 2008)) and Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford and New York: Oxford University Press, 1997)) for accounts of an alternative "neo-Roman," rights-based strand of republican thought, which has much lighter participatory and virtue-ethical overtones. In restricting the meaning of republicanism to its more Aristotelian, participatory strand, I do not mean to deny the distinctiveness and value of neo-republican forms of republicanism. The taxonomy offered in this paper is a convenient way of framing critiques of Catholic citizenship, not an exhaustive intellectual history of citizenship.

Before considering the charges in greater detail, I should ward off three possible misunderstandings: First, I do not pretend to settle longstanding controversies about the “essential meaning” of liberalism, democracy, or republicanism, each of which surely falls under the category of an “essentially contested” concept, that is, a concept for which no “natural” and non-question-begging definition can be given.⁵ However, I believe we may justifiably use these terms as convenient labels for certain more or less cohesive clusters of assumptions about citizenship, each of which draws sustenance from a distinctive line of exemplars, heroes, and intellectual forebears. Second, in treating liberal, republican, and democratic assumptions separately, I do not mean to imply that they are completely isolated from each other in practice. Rather, I mean to suggest that we can identify distinct philosophical strands in modern conceptions of citizenship, and that contemporary critiques of Catholic citizenship are frequently animated by one of these strands more than by others.

Third, I must acknowledge at the outset that these charges are not often pressed against Catholics exactly in the way I have outlined below. However, I do not pretend to offer a historical survey of arguments against the civic credentials of Catholics. Rather, I hope to (i) articulate, to the best of my ability, the sorts of suspicions a traditional Catholic citizen would be likely to arouse in someone of liberal, democratic, or republican sensibilities; (ii) explore possible grounds for such suspicions; and (iii) consider how, if at all, they might be defused. A skeptic might object that these arguments are a philosopher’s speculations, not a reflection of real political concerns. But the fact that there is some reconstruction going on here by no means implies that the charges to be considered are entirely fanciful or contrived. On the contrary, I believe they are commonplace in modern constitutional democracies: it is by no means unusual to hear the charge that Catholics offer inaccessible “sectarian” arguments in the public sphere, put their Church’s doctrines ahead of the democratic will, and place too much weight on religious authority in deciding political questions. The purpose of this essay is to bring into the open the content and possible grounds of such suspicions, and subject them to critical scrutiny.

The Liberal Charge: Catholics Are Paternalistic

The liberal charge of paternalism goes something like this: the charge is essentially that magisterial Catholics, insofar as they are committed to important policy positions that cannot be justified in terms that are acceptable to their fellow citizens, violate the right of citizens to be governed by laws they themselves may endorse by their own lights. This charge is motivated by a Rawlsian ideal of public reason, which insists that reasons offered for fundamental law be the sorts

5. The term “essentially contested concepts” was originally coined in W.B. Gallie, “Essentially Contested Concepts,” *Proceedings of the Aristotelian Society* 56 (1955-56). Cf. William E. Connolly, *The Terms of Political Discourse*, 2nd ed. (Princeton, New Jersey: Princeton University Press, 1983 [1974]), esp. chap. 1, “Essentially Contested Concepts in Politics”; and Alasdair MacIntyre, “The Essential Contestability of Some Social Concepts,” *Ethics* 84, no. 1 (1973).

of reasons a “reasonable person” would find acceptable⁶ (from now on, I will refer to this as the “publicity condition”). Since I am not interested in giving a detailed exegesis of John Rawls’s theory of public reason but in reconstructing a plausible version of the Rawlsian approach to political justification, let me just state what I take to be a relatively non-question-begging definition of the reasonable person to whom a justification of law is owed: on this definition, the reasonable person (i) is fair-minded, open to cooperating on fair terms with his fellow citizens; (ii) is able to follow arguments, intelligently weigh evidence, and adjust his views in light of relevant evidence; (iii) has a conception of the good and of what gives meaning to life, however vague or inarticulate it may be; and (iv) possesses and acts on a minimally adequate sense of justice, i.e. reaches some basic threshold of sensitivity to, or empathy for, the legitimate interests and demands of others, and is willing to honor the demands of justice as he responsibly discerns them.

The liberal charge is that a reasonable person so defined cannot reasonably be expected to reconcile himself with policies and laws entailed by Catholic social and moral teachings. That is because certain policies endorsed directly or indirectly by the Church implicate deep philosophical and/or theological questions, such as the worth of an unborn human being, or the place of marriage in our society, and consequently, cannot be justified in terms that any reasonable citizen would accept, at least not under conditions of reasonable moral and religious pluralism. This remains the case even if Catholics advance rational arguments for their views on abortion, same sex marriage, sex education based on abstinence, or what have you. For on these sorts of topics, even arguments framed in rational or philosophical terms, such as arguments based on natural law principles, are alien to the world-views of many reasonable, cooperative, and fair-minded citizens. If the Catholic responds, “so what?” the liberal will reply that justifying our laws and policies in a way that can pass muster with reasonable persons is a way of respecting citizens’ autonomy. After all, those laws and policies are being imposed through the coercive apparatus of the State, and insofar as they constitute a significant restriction of citizens’ life plans and choices, anyone advocating or imposing such laws and policies owes a justification to those affected. The adherence of magisterial Catholics, at the behest of their church, to political positions that lack an adequate public

6. This view of public reason is set out in lecture 6 of John Rawls, *Political Liberalism, The John Dewey Essays in Philosophy* (New York: Columbia University Press, 1993), as well as in John Rawls, “The Idea of Public Reason Revisited,” *University of Chicago Law Review* 64, no. 3 (1997). Other treatments of public reason broadly sympathetic to the Rawlsian approach include Stephen Macedo, *Liberal Virtues: Citizenship, Virtue, and Community in Liberal Constitutionalism* (Oxford: Clarendon Press, 1990) and Amy Gutmann and Dennis Thompson, *Democracy and Disagreement: Why Moral Conflict Cannot Be Avoided in Politics, and What Should Be Done About It* (Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1996). The precise meaning of “reasonable” here is far from straightforward. For critical discussions of the concept of the reasonable, see, inter alia, Leif Wenar, “Political Liberalism: An Internal Critique,” *Ethics* 106, no. 1 (1995) and David Thunder, “A Rawlsian Argument against the Duty of Civility,” *American Journal of Political Science* 50, no. 3 (2006).

justification, is thus an objectionable form of paternalism – a failure to respect the autonomy of their fellow citizens. Or so the liberal argument goes.

How might a Catholic respond to the charge of political and moral paternalism? He might begin by conceding that certain policies that are either directly sanctioned, or fairly directly implied, by his Church's teachings on marriage and human dignity, such as opposition to abortion and same sex marriage (to mention the most obvious cases), cannot be defended in a way that any fair-minded and reasonable person will find persuasive. But he would insist that it does not follow from this that the political implementation of such policies constitutes an objectionable form of paternalism, or an unacceptable violation of personal autonomy. On the one hand, it is not clear that autonomy is such an absolute good that it must be upheld even in the face of weighty competing goods such as the moral ecology of society, the integrity of family life, freedom from drug addiction, and the worth of human life.⁷ On the other hand, such a stringent standard of legitimacy could not possibly be honored unless the State got out of the business of passing controversial laws and policies. But that would not only disarm Catholics from advancing pro-life and pro-marriage policies: it would also disarm liberals from using political means to advance pro-choice, pro-welfare, or other reasonably contested policies. We would be driven back to something approaching a "night-watchman state," something most liberals today are themselves opposed to.

The liberal might reply by pointing out that this response overlooks one crucial distinction: the distinction between *restrictive* and *permissive* policies. The publicity condition kicks in only when there is a proposal to restrict the autonomy of citizens, by preventing them from acting in a particular way, or limiting their available options. But a law that *enlarges* the scope of action, e.g. a law that permits same sex marriage or abortion, is an enabling and permissive law, not a restrictive law. Thus, it need not meet the same sort of publicity condition as a *restrictive* law or policy. If that is true, then the liberal is not engaging in special pleading when he defends certain policies that fail the publicity condition, while condemning others that fail it, just so long as the policies he defends are permissive rather than restrictive in nature.

There are a number of points the magisterial Catholic might make in response to this argument. First of all, many policies currently advocated by mainstream liberals, such as abortion and welfare policies, are restrictive not permissive, yet surely

7. As Galston argues, "[t]o invade negative freedom in the name of the real good is to promote the individual's benefit over his or her harm, rationality over irrationality, truth over error. In practice, such invasions can be wrong *in principle* only if the mere fact that the impetus toward the good is external somehow negates the worth of the good end so achieved, that is, only if the consciously willed pursuit of a goal is a necessary condition of the value of attaining it...this proposition cannot be defended. Freeing an individual from heroin addiction [for example] is good even though the afflicted individual may not consciously will his or her liberation" (William Galston, *Liberal Purposes: Goods, Virtues and Diversity in the Liberal State* (Cambridge: Cambridge University Press, 1991), 86). For a defense of legal interventions based on the effects of the "moral ecology" of society on individual well-being, see Robert P. George, *Making Men Moral* (Oxford: Clarendon Press, 1993).

are not justifiable to all reasonable persons. Welfare policies clearly restrict people's lives by reallocating their resources in the name of justice. We may become accustomed to the prevailing welfare state or come to view it as a natural part of life, but it surely constitutes a significant restriction of our autonomy since it is essentially a choice made by a third party about how a large part of our income should be used. Even if a tax regime of some sort is legitimate, the use of taxes for war, expansive welfare programs, and other projects can be reasonably contested. In the case of laws touching on the protection of human life, the assumption that such laws are permissive not restrictive begs some very deep and contested questions, in particular the question of the worth of human life in its various stages and conditions. Of course, if the embryonic human being is really not the sort of being who has moral standing or deserves to be protected from harm, then terminating its life is a permission extended to the mother, not a restriction (the ultimate restriction) of the life of the unborn. But this is precisely the question at issue between proponents and opponents of abortion. One cannot treat the permission of abortion as a purely enabling or permissive law without taking a position on the moral significance of abortion. If, as the liberal tends to insist, this debate is subject to the disagreement of reasonable citizens, then according to his own publicity condition (viz., that coercive laws must be justified in terms acceptable or accessible to any reasonable person), he is debarred from resting his policy judgments on his judgment about the morality of abortion.

The second objection against the claim that permissive laws can be exempted from the publicity condition, whereas restrictive laws cannot, is that this move continues to place a very high and virtually overriding value on individual autonomy. But many citizens reasonably believe that other aspects of the common good, such as the moral environment of society and its likely effects on family life, may in some cases trump the good of individual autonomy. Now, the Catholic is not insisting that his liberal opponent agree with his moral vision of a well-ordered and healthy society. But he would much prefer for his liberal adversary to engage his arguments on their merits, rather than dismissing their whole basis as "unreasonable" or unfair. Catholics who value autonomy with more qualifications than the liberal should be argued against on the merits of their views, not dismissed as "unreasonable" or as bad citizens. For the precise weight to be placed on individual autonomy is something reasonable persons may debate and disagree about. It is not something that can be etched in stone or placed beyond reasonable discussion. If the latter is essentially what the anti-paternalist liberal seeks to do, then he has won what can only be described as a cheap and pyrrhic victory over his Catholic adversary.

The Democratic Charge: Catholics Are Opposed to Democracy

Pope John Paul II argued in his 1995 encyclical, *Evangelium Vitae*, that "[d]emocracy cannot be idolized to the point of making it a substitute for morality or a panacea for immorality. Fundamentally, democracy is a 'system' and as such is a means and not an end. Its 'moral' value is not automatic, but depends on conformity to the moral law to which it, like every other form of human behavior, must be subject: in other words, its morality depends on the morality of the ends which

it pursues and of the means which it employs..."⁸ A few pages later, the pope applies this general principle to the case of abortion and euthanasia, surmising that "[l]aws which authorize and promote abortion and euthanasia [even if democratically enacted] are...radically opposed not only to the good of the individual but also to the common good; as such they are completely lacking in juridical validity."⁹ An advocate of democracy might respond by charging that the pope (and presumably the magisterial Catholic, assuming he similarly places moral principles above the democratic will), insofar as he subjects all political laws to a higher authority, namely God's law, and insists that this authority always takes precedence over the decisions of democratic legislatures and plebiscites, is only half-heartedly committed to the democratic process: if the democratic process happens to endorse the higher moral principles he believes in, he accepts it; if not, he has nothing but contempt for it. But a democratic polity cannot function well over the long haul unless citizens accept and abide by the determinations of the popular will, even when they find them abhorrent or morally problematic. If every citizen placed his favorite moral authority, whether God's law or the natural law, above the democratic will, this would surely destabilize the political order, since it would open the door to large scale defections from the political process just because a particular group of citizens happened to find it is working against their own moral judgments or those of their church.

The charge that the magisterial Catholic is anti-democratic has some truth to it, but insofar as it is true, I see this "anti-democratic" spirit as a civic advantage, not a handicap. It is true that democracy itself, for the magisterial Catholic, is only conditionally valuable. A democracy that destroyed the most valuable aspects of our culture, or systematically undermined human rights, or yielded egregious injustices, would not have much to recommend it. But so far, this reservation about democracy would surely be shared by many non-Catholic citizens as well, including liberals and republicans, and probably many self-professed democrats. So is there something about the magisterial Catholic's attitude to democracy that sets him apart from other citizens or gives the democratic critique some special force in his case? Perhaps the fear is that the Catholic, because he is bolstered by the confidence that his principles are divinely inspired and guaranteed by his church's teaching authority, may be quick to bypass or overturn the ordinary political process rather than reform it through deomocratic means. This taste for revolutionary or dissident politics, buoyed up by a literally religious zeal, is hardly the hallmark of responsible citizenship, which tends to engage the democratic process constructively, not delegitimate or scorn it.

How might a Catholic respond to the charge that he is a danger to democracy because of his confident and zealous commitment to higher moral principles? I think he might begin by making a distinction between partial and egregious injustice. If magisterial Catholics believed a political procedure forfeited its legitimacy just because it was *partially* unjust, then there would be little room for compromise or gradual reform. One decision after another, in an imperfect world, would

8. *Evangelium Vitae*, par. 70.

9. *Ibid.*, par. 72.

be deemed illegitimate, and perhaps the entire political process would be deemed illegitimate. Magisterial Catholics would defect en masse, in search of a more perfect socio-political order, and the polity would be fragmented into moral and religious factions. That does indeed seem like a bleak prospect. But this outcome only looks likely if we assume that Catholic critics of the political order are demanding moral perfection from the State. In fact, magisterial Catholics do not typically have such utopian and unrealistic expectations about our political institutions. They stick with the process, “warts and all,” advocating reforms of various sorts, and using the process to advance their vision of a good society, even when it renders outcomes that fall far short of perfect justice. Thus, magisterial Catholics have a much more robust commitment to democracy than a utopian would: they view incomplete justice as the best we can do in this world, and are willing to work with a process that at best yields partially just outcomes.¹⁰

On the other hand, this commitment to democracy is not unconditional. Human authority is exercised at God’s good pleasure, and under God’s law. And no human authority has the right to overturn God’s law or institute egregiously unjust laws or policies. Thus, while imperfection and some degree of injustice is an inevitable feature of human societies and institutions, no human institution has a *carte blanche* to decide whatever it wishes. Magisterial Catholics believe, following Thomas Aquinas and Augustine, that a government, whether elected or not, may forfeit its moral and political authority – that is, its right to be obeyed and respected as an authority – if it attempts to authorize egregiously unjust laws, or policies that are seriously detrimental to the common good. Where the threshold between partial injustice and egregious injustice lies is not a question that can be decided by hard-and-fast rules. Certain policies and laws are clearly acceptable even if imperfectly just (to take the classic example, an effective criminal justice system must tolerate the inadvertent imprisonment of some innocent defendants, otherwise many criminals would get off scot free); while others are absolutely unacceptable and illegitimate (for instance, a law that seizes the assets of Jews just because they are Jews). But discerning the boundary between acceptable and unacceptable compromise is a matter for prudence and an informed conscience.

With this revised statement of the Catholic position in hand, does the Catholic’s conditional endorsement of democracy tend to discredit popular sovereignty or result in an “*a la carte*” attitude towards democratic decisions? I believe not, for the following reasons: first, as I have already suggested, Catholics can tolerate a substantial amount of imperfection and injustice short of egregious injustice, without calling into question the fundamental legitimacy of the process or the authority of democratic decisions. Second, even if a particular decision is deemed illegitimate, it need not follow that the entire institution that rendered that decision, or all other decisions reached through that institution, are illegitimate. For example, just because a democratic vote endorsed something the Catholic Church teaches

10. St. Augustine’s *City of God* is a powerful admonition not to confuse the imperfect and sinful “city of man” with the glorious and sinless “city of God” which will not be fully realized until the next life, and comes closest to its realization this side of death in the community of the Church, not the state.

is a grave evil, say abortion, it would not follow that all other decisions yielded by that procedure are nullified. Finally, there is a strong strand of Catholic thinking leaning away from revolution toward a more moderate and gradual path to social reform. Catholics have not been traditionally averse to prudentially comparing the likely effects of diverse political interventions. For example, two of the intellectual giants of the Catholic Church, Augustine and Aquinas, explicitly argued that prostitution might under certain circumstances be legally tolerated if its suppression led to worse vices of excess.¹¹

So far, I have suggested that the conditional character of the Catholic endorsement of democracy need not have the sort of destabilizing effects feared by democrats, nor need it reflect a generalized contempt for the democratic process as a whole. But I would go even further, and suggest that the conditional character of the Catholic endorsement of democracy is precisely what a healthy democratic polity desperately needs. Most citizens in Western democracies believe that the popular will can be gravely mistaken, and history has shown that the popular will can endorse the most reckless and inhumane policies (witness Nazi Germany). A large group of citizens – in this case magisterial Catholics – with moral allegiances that go higher than the people or the State, with a firm commitment to the dignity of every human person,¹² and with a willingness to engage the democratic process quite extensively under the guidance of higher moral principles, is one of the greatest protections against a democratic slide towards oppressive or egregious injustice.

The Republican Charge: Catholics are Unfit for Political Judgment

Finally, let us consider the republican charge, namely, that Catholics who accept the Church's teaching authority are unfit for the sort of independent political judgment that we would expect from a competent and responsible citizenry. The basic premise of this objection is that citizens, who are called to exercise judgment on behalf of the common good of their polity, must be capable of coming to their own political conclusions, not just acting as puppets in the service of someone else, in this case a religious authority. The capacity for autonomous political judgment is important both for its own sake and for the sake of the public interest. It is to be valued for its own sake, insofar as the cultivation and exercise of prudence is itself a noble and worthwhile activity. The capacity for independent judgment is vitally important for the public interest, because only an intellectually mature and informed citizenry can be counted on to make wise decisions that further the public good. After all, if citizens are just parroting the views of some unelected body of persons with little explicit involvement in the policymaking process, then how can we reasonably expect those judgments to track the public interest? For citizens to

11. See Augustine, *De Ordine*, 2.4: "Banish prostitutes and you reduce society to chaos through unsatisfied lust." Aquinas explicitly concurs with this view (quoting this exact passage) in *Summa Theologica* II-II, Q 10, a. 11.

12. This commitment has been reaffirmed time and again in official statements of church doctrine. For example, see the *Catechism of the Catholic Church* (1994, 1997), #356, 357, 1700, 1738.

be instructed in their political views like children is likely to result in judgments that are dogmatic and ill-informed by the facts on the ground. It is no longer those citizens who are ruling, but whatever unelected elite they unthinkingly follow. Now, if we could have some assurance that such an elite would consistently track the public interest, then infantile decisions, however deleterious to the virtue of prudence, might be politically tolerable. The problem is, it is hard to see why an elite, unelected, and male-only body (namely the bishops of the Church), with little or no direct legislative experience, and with concerns that are primarily spiritual rather than temporal, should be trusted to make consistently sound judgments about the political common good.

To sum up, the republican alleges that magisterial Catholics are defective citizens on two counts: first, insofar as they submit uncritically to important political judgments by their religious leaders, the virtue of political prudence and independent judgment atrophies, and this is a moral loss in its own right. Second, the dependency on judgments by an unelected and largely spiritual authority makes it unlikely that citizens will reach wise and adequately informed political decisions, which is detrimental to the public interest.

What is the Catholic to respond to these charges? The first response to the charge of intellectual infantilism is to emphasize that “matters of faith and morals” do not include answers to prudential questions, e.g. how precisely should we organize our political, social, and economic order; how should we solve the problem of unemployment; which forms of welfare should government provide; and and so on. Matters of faith and morals are doctrines of faith and general moral teachings, which may inform political life but do not uniquely determine the configuration of public policy. For example, the Church may insist on the right to religious freedom, and the right to life, but the Church cannot instruct citizens about how precisely to work towards a society in which religious freedom and the right to life are fully respected and promoted. The Church has always been careful not to provide a detailed blueprint of the good society. While she has enunciated general principles of religious freedom, social solidarity, human dignity, and justice, she has not prescribed specific solutions for achieving these goals. As then Cardinal Joseph Ratzinger put it in a 2002 doctrinal note issued by the Congregation for the Doctrine of the Faith:

By its interventions in [matters pertaining to man’s life in society], the Church’s Magisterium does not wish to exercise political power or eliminate the freedom of opinion of Catholics regarding contingent questions. Instead, it intends – as is its proper function – to instruct and illuminate the consciences of the faithful, particularly those involved in political life, so that their actions may always serve the integral promotion of the human person and the common good. The social doctrine of the Church is not an intrusion into the government of individual countries. It is a question of the lay Catholic’s duty to be

morally coherent, found within one's conscience, which is one and indivisible.¹³

In short, the scope of magisterial authority, "matters of faith and morals," while it extends to general principles and a few specific proscriptions (such as the ban on abortion and same sex marriage), leaves most of the details of policymaking and law up to the free initiative and prudence of citizens. Anyone who thinks his local bishop is a competent judge on the gamut of political questions is not only deeply deluded; he is also ignoring the Church's constant admonition that solving society's problems is a responsibility of the lay faithful, not something the Church can directly undertake in her moral and theological teachings. As it is expressed in *Lumen Gentium*,

the laity, by their very vocation, seek the kingdom of God by engaging in temporal affairs and by ordering them according to the plan of God. They live in the world, that is, in each and in all of the secular professions and occupations. They live in the ordinary circumstances of family and social life, from which the very web of their existence is woven. They are called there by God that by exercising their proper function and led by the spirit of the Gospel they may work for the sanctification of the world from within as a leaven. In this way they may make Christ known to others, especially by the testimony of a life resplendent in faith, hope and charity. Therefore, since they are tightly bound up in all types of temporal affairs it is their special task to order and to throw light upon these affairs in such a way that they may come into being and then continually increase according to Christ to the praise of the Creator and the Redeemer.¹⁴

A second response to the charge of intellectual infantilism would be to argue that the objection overlooks the ways in which our ordinary claims to moral and political knowledge are frequently grounded in appeals to epistemic authorities whose judgments cannot be fully verified or tested. The notion of "independent political judgment" is far more problematic, upon examination, than it might at first appear. After all, how do we decide the most effective military strategies for defending our country, or the security threat posed by Al-Qaeda, or the best economic policies, or the requirements of political justice? Are these questions we can determine based on our own "independent" judgment, prescinding entirely from any epistemic authority beyond reason itself? Is it not the case that we identify, to the best of our ability, a wide range of epistemic "short-cuts" or authorities, who can either save us the trouble of lengthy and inefficient study, or simply provide us with

13. See "Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life," issued on November 21, 2002 by the Congregation for the Doctrine of the Faith, par. 6.

14. *Lumen Gentium* / "Dogmatic Constitution on the Church," promulgated by Pope Paul VI on November 21, 1964, par. 31.

some guidance in the absence of a secure vantage-point of our own on the matter? There may be more than one source of intelligence about national security, but in the end, we are bound to rely either on that source, or on some politician who assesses that source, since only a very small number of persons have full access to the source. Similarly, there may be more than one economics expert, but ultimately, we have to choose to trust the findings of one or more such experts (or their political followers) when we decide which kind of economic policies we favor. Finally, how do we judge questions of political justice? Do we form such judgments by a completely independent survey of the relevant evidence? Is it not the case that we place more weight on the perspective of those politicians and orators whose character and judgments we trust? Is it not the case that a coincidence of the views of highly respected and admired leaders on a particular course of action could win us over if we ourselves could not quite decide based on independent considerations?

If, as I suggest, our ordinary claims to moral and political knowledge are frequently based on trust in the testimony and moral or epistemic authority of others, then reliance on religious authority in forming our moral beliefs no longer seems so unique or *sui generis*. Rather, it seems to fit the common pattern of our belief-forming practices: I may have some independent grounds for a belief, but in many cases, the belief is ultimately secured by reliance on some authority or testimony about matters I myself only partially discern.¹⁵ Far from destroying the possibility of independent judgment, this sort of dependency is the very condition for the possibility of well-founded judgments on moral and political matters. To form a more realistic concept of independent judgment, consider the following two ways of relying on authority: first, there is a blind reliance on authority, which makes no effort to assess the credentials or credibility of the authority – this would indeed be to forsake all independent judgment and personal responsibility for one’s beliefs. But then, there is an intelligent and responsible reliance on authority, which attends to the credentials of the authority before submitting to it. These credentials could include things like past judgments and actions, training, scientific credentials, and the testimony of others about said authority. If a magisterial Catholic gives weight to the Church’s moral teachings in a way that is responsive to the character of the Church and its qualifications as a moral authority, rather than simply out of unthinking habit, then he may be just as justified in relying on the Church’s moral and political judgments as a nonreligious citizen is justified in relying on the judgments of a respected statesman on some difficult question of political justice.

The republican may not be satisfied with this response. He might concede that he exaggerated the notion of independent judgment, and that moral and political judgment does indeed rely on epistemic authority of one sort or another. However, he might quickly point out that the authority claimed by the Church is of an entirely different sort to that claimed by most humans, since it professes to be

15. For a general discussion of the role of testimony in the acquisition of knowledge, see C.A.J. Coady, *Testimony: A Philosophical Study* (Oxford: Oxford University Press, 1992). For a discussion of the role of testimony in religious belief and knowledge, see John Lamont, *Divine Faith* (Hampshire, England: Ashgate, 2004), esp. chap. 6, “Knowledge from testimony.”

divinely inspired. We can always second-guess or criticize a human authority, if it is merely human – after all, what human being never errs? Thus, ordinary epistemic authorities are subject to rational critique, at least in principle. What is most worrisome about the Church's magisterium is not that it is an epistemic authority, but that it is an epistemic authority that claims for itself a divine imprimatur. Clearly, if the magisterial Catholic accepts the divine origins of church teachings, he will find it very difficult if not impossible to bring those teachings into question on rational grounds. Thus, the Church's epistemic authority, given its putatively divine origins, does appear to disable our critical faculties much more decisively than any merely human authority. And this disabling, because it is so comprehensive or unconditional, is uniquely a problem for the magisterial Catholic, and not for a secular citizen, who relies on human authorities in pragmatic and corrigible ways. To sum up, magisterial pronouncements get placed beyond critique in a way that ordinary human pronouncements on moral and political issues do not. And that is likely to be troublesome to someone who values a citizen's capacity to think through political and moral judgments for himself, or at least to question them when he feels he has some reason to do so.

In response to this line of argument, one might begin by pointing out that although human authorities may appear to be corrigible or open to challenge in principle, in practice they are frequently inscrutable to ordinary citizens, not just as a matter of contingent fact (e.g. because most citizens are poorly informed), but because of the proliferation and division of knowledge, which places important parts of political knowledge in the hands of specialists and experts. For example, the vast majority of ordinary citizens are in no position to challenge the claims of global climate experts, economists, geologists, and intelligence officials. In short, certain areas of political knowledge or politically relevant knowledge cannot be accessed by citizens without placing their trust in an authority whose claims they themselves cannot rationally verify. If that is true, then the republican critique of Catholic reliance on religious authority is really a critique of modern citizenship, not a critique of Catholic citizenship.

A second response would be to point out that the magisterial authority the Church claims for herself is not simply asserted dogmatically: it is not a bald act of power. Rather, it is grounded in a historical and theological argument about the Church and its mission in the world, the meaning of the scriptures, apostolic succession, tradition, and so on. Although no mathematical proof can be given for the Church's authority, a substantive historical and theological argument can be given for it. Clearly, many citizens do not buy the argument, but that does not mean that those who do are acting irrationally or without epistemic warrant.

Finally, the magisterial Catholic might argue that the Church's teaching authority is inseparable from the traditions and longstanding practices of the Church. Thus, rather than constituting completely abstract propositions about morality and social order imposed "out of nowhere," the Church's pronouncements draw heavily on a tradition and set of scriptures that the magisterial Catholic has already bought into. Consequently, when the Church teaches on matters of faith and morals, her teachings feel less like an alien imposition than a clarification and

elaboration of truths already perceived, if only dimly, in the traditions and scriptures of the Church. The republican critic might push the objection back a step, suggesting that the tradition and scriptures of the church are themselves an unwarranted epistemic authority. But that would be to underestimate the extent to which morality more generally relies on a tradition of symbols, stories, and arguments, as MacIntyre so famously argues in *After Virtue*.¹⁶ If tradition is an inescapable condition for the acquisition of moral knowledge, then reliance on the theological and philosophical traditions of the Church cannot be dismissed as irrational, unless those traditions themselves are obviously incoherent or irrational.

Conclusion

To sum up, I have given serious consideration to three separate charges of civic incompetence directed at magisterial Catholics, in each case advancing what I take to be a plausible defense of the accused. Against the liberal charge of paternalism, I have argued that the charge rests on a questionable conception of autonomy and public reason. Against the charge that Catholics are undemocratic, I have argued that the Catholic stance towards democracy is not as radical as it might appear, and that Catholic reservations about democracy, far from being a problem, are in fact a moral and political asset for any democratic polity. Finally, against the republican charge that magisterial Catholics forfeit their intellectual independence by surrendering political judgment to the Church, I have argued that the charge is overstated, and that unverifiable appeals to epistemic authority are in any case part and parcel of modern civic life. If I am right, then the magisterial Catholic is not only acquitted of the charge of civic incompetence: his religious convictions may actually be an important line of defense against the worst excesses of political injustice and oppression. For who can resist the excessive incursions of the state better than someone whose moral convictions rest on an authority entirely independent from the “city of man”?¹⁷ ■

16. See Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981) and *Whose Justice? Which Rationality?* (Notre Dame, IN: University of Notre Dame Press, 1988).

17. I would like to thank the Matthew J. Ryan Center for the Study of Free Institutions and the Public Good at Villanova University, which has supported my research activities in 2009-10, affording me the time and resources to prepare this article. I would also like to thank my colleagues at Villanova, with whom I had a chance to discuss a preliminary version of this paper at a lunch presentation sponsored by the Ryan Center, on November 19, 2009.