

A Mandate for All Seasons

Catholic Conscience and Secular Society

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Since 2006, the United States Conference of Catholic Bishops has been serving victims of human trafficking through a contract with the U.S. Department of Health and Human Services. This multi-million dollar contract allows the USCCB to provide “anytime, anywhere” assistance to victims of this terrible crime through a network of approximately one hundred subcontractors throughout the United States. This national network comprises both Catholic and non-Catholic organizations that are willing to provide critical care, such as food, clothing, shelter, and other emergency services to victims in need. Today, the Bishops’ Conference is the unsurpassed leader in helping thousands of survivors of human trafficking.

In addition to the usual stipulations included in government contracts, the USCCB includes one restriction in contracts with its local partners—that is, that none of the funds can be used to provide or refer for abortion services or contraceptives.

In 2009, the American Civil Liberties Union filed suit against the Department of Health and Human Services because of this restriction. The ACLU claims that the Department of Health and Human Services violated the Establishment Clause of the First Amendment “by permitting [the] USCCB to impose its religiously based restrictions on the types of services trafficked individuals can receive with taxpayer funds.”¹

Yet, even prior to any judicial determination of the case, the Department of Health and Human Services decided to cease funding the USCCB program and to

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¹ *ACLU of Massachusetts v. Leavitt*, complaint, January 12, 2009, 2, http://www.aclu.org/pdfs/reproductiverights/acumvleavitt_complaint.pdf.

fund other organizations without the same depth of experience in caring for immigrant populations. This decision, of course, served as a precursor for the decision of the administration to withhold or limit conscience protections even for faith-based organizations.

As this development illustrates, there is an urgent need for the Catholic Church to vigorously oppose attempts to use the Establishment Clause in this way. Professor Stephen Carter of Yale Law School has warned that the “potential transformation of the Establishment clause from a guardian of religious liberty into a guarantor of public secularism raises prospects at once dismal and dreadful.”²

Indeed, a political and legal culture that works to drive our Catholic institutions from carrying out their charitable work should focus our attention on the life of St. Thomas More. He is an appropriate guide, for he used all his brilliance as a lawyer to avoid conflict with King Henry VIII. Yet, finally, when direct conflict could no longer be avoided, he sacrificed both his family’s security and his very life for the sake of his Catholic conscience.

One modern scholar of the saint recalls the various reasons that have been given for More’s martyrdom: “The integrity of the self as witnessed by an oath, the irreducible freedom of individual conscience in the face of an authoritarian state, [and] papal supremacy as a sign of the supra-national unity of Western Christendom. . . . All of these are true as far as they go. But in the last analysis More did not die for any principle, or idea, or tradition, or even doctrine, but for a person, for Christ.”³

In 1929, G. K. Chesterton wrote that “Thomas More is more important at this moment than at any moment since his death, even perhaps the great moment of his dying; but, he is not quite so important as he will be in about a hundred years’ time.”⁴

In the life of More we see the truth recognized in *Gaudium et spes*, that “in the depths of his conscience, man detects a law which he does not impose on himself, but which holds him to obedience.”⁵ This is the natural law that resonates in man’s conscience.

The ultimate lesson More gives to Catholics is that to follow Christ will genuinely open up the possibility of martyrdom. It may not be the bloody martyrdom of Thomas More, but it may be the martyrdom of career or reputation.

The challenges to conscience that we face in twenty-first-century America are not wholly different from those that More faced in sixteenth-century England. Indeed, with the rapid advancement in medical science and biotechnology, one could argue that fidelity to divine law requires at least as much heroism today as at any other time in history.

² Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: Basic Books, 1993), 122–123.

³ Clarence H. Miller, ed., *The Yale Edition of the Complete Works of St. Thomas More*, vol. 14, *De tristitia Christi* (New Haven: Yale University Press, 1976), 775.

⁴ G. K. Chesterton, *The Fame of Blessed Thomas More* (London: Sheed and Ward, 1929), 63.

⁵ Vatican Council II, *Gaudium et spes* (December 7, 1965), n. 16.

We face a legal culture that promotes abortion, euthanasia, assisted suicide, contraception, in vitro fertilization and other assisted reproductive technologies, and various forms of same-sex unions and adoptions. The mergers of Catholic hospitals with non-Catholic facilities raises a host of moral and ethical issues. How are Catholic citizens—not to mention Catholic lawyers, physicians, pharmacists, and other health care professionals—to make moral decisions in this challenging environment?

The relationship between conscience and truth in contemporary culture was addressed by Joseph Cardinal Ratzinger in a 1991 keynote address at the tenth Bishops' Workshop of The National Catholic Bioethics Center.⁶ He first observed that the conscience of post-modern man considers itself entirely *subjective* while, at the same time, *infallible* in its judgments. This subjective conscience is also self-justifying, setting itself in opposition to any outside authority.

This type of conscience acts “not as a window through which one can see outward to that common truth,” according to Ratzinger, but as a “protective shell, into which man can escape and there hide from reality.”⁷

The postmodern conscience is thus vulnerable to prevailing societal opinions; it mirrors them and becomes ultimately enslaved by them. The notion of truth as a reference point is abandoned, and in its place we find the concept of progress. Ironically, progress itself “is” the infallible truth. And with objective truth sufficiently out of the way, power becomes the only category that matters. The strong are then free to dominate the weak. This dynamic was described by Pope John Paul II in more detail in his encyclical *Evangelium vitae*.⁸

When examining the relationship between conscience and the magisterium, Ratzinger also recalled another great English witness to conscience—John Henry Cardinal Newman.

Newman's conversion to Catholicism cost him dearly and came about as a need to obey the truth in his conscience. In a letter to the Duke of Norfolk, Newman wrote, “If I am obliged to bring religion into after-dinner toasts . . . I shall drink—to the Pope, if you please—still, to Conscience first, and to the Pope afterwards.”⁹

In explaining this statement, Ratzinger noted that Newman was not falling into modernity's trap of presupposing the opposition of conscience to authority. Rather, Newman had such high regard for truth that conscience, as the “presence of the voice of truth,” takes priority over other claims. In this way, conscience is the “overcoming of mere subjectivity in the encounter of . . . man with the truth from God.”¹⁰ The natural law speaks to man in the innermost reaches of his heart. This

⁶ Joseph Ratzinger, “Conscience and Truth” (February 1991), in Ratzinger, *On Conscience* (Philadelphia and San Francisco: NCBC and Ignatius Press, 2007), 11–41.

⁷ *Ibid.*, 16.

⁸ John Paul II, *Evangelium vitae* (March 25, 1995).

⁹ Newman to the Duke of Norfolk, December 27, 1874, quoted in Ratzinger, “Conscience and Truth,” 23.

¹⁰ Ratzinger, “Conscience and Truth,” 25.

original memory of the good and the true—what Ratzinger called the “inner ontological tendency”—has been implanted in each of us.¹¹

We see reflected in Greek tragedy how the written laws of men are subordinate to the unchanging laws of God. In the play *Antigone* by Sophocles, Antigone buries her brother despite the dictator Creon’s law to the contrary, thereby proclaiming the duty of the individual to follow his own conscience against unjust mandates of the state. Jacques Maritain tells us that it is natural law that establishes freedom of conscience as a natural, inviolable right.¹² Similarly, in his letter from the Birmingham jail, Dr. Martin Luther King Jr., relying on natural law and on Aquinas’s conclusion that an unjust law is no law at all, asserted that one has a moral responsibility to disobey unjust laws.¹³

As Christians, through baptism we are incorporated into Christ’s body and endowed with a Christian perspective of the natural law—what Ratzinger called “a Christian memory.”¹⁴ The teaching authority of the papacy consists in bringing forth this Christian memory.

It is for this reason, Ratzinger asserted, that Newman was right: the toast to conscience must come before the toast to the Pope, because “without conscience there would not be a papacy. All power that the papacy has is power of conscience.”¹⁵

Conscience is not only a reference point for theological reflection. It is also a notion deeply imbedded in our political founding. In fact, the centrality of conscience was well regarded by the framers of the U.S. Constitution. In 1802, President Thomas Jefferson called the Establishment and Free Exercise clauses of the First Amendment the “expression of the supreme will of the nation [on] behalf of the rights of conscience.” Indeed, the religion clauses of the First Amendment are best understood as embodying the government’s obligation to respect the rights of conscience.

Jefferson’s view of the government’s obligation to respect the rights of religious believers was articulated two years later in a letter he sent to the Ursuline Sisters of New Orleans. In 1804, the United States purchased the Louisiana territory from France. The Ursuline Sisters, having recently experienced the anticlerical excesses of the French Revolution, were fearful of how the young and predominantly Protestant and Anglo-Saxon nation would treat their school, orphanage, and hospital. The Ursuline superior in New Orleans wrote to Jefferson to get his assurance that they would be allowed to continue their charitable work. In a hand-written letter, Jefferson responded that the “principles of the constitution and the government of the United States are a sure guarantee . . . that your institution will be permitted to govern itself according to its own voluntary rules, without interference from the civil authority.” Jefferson closed the letter with these touching words: “Be assured [of] . . . all the

¹¹ Ibid., 32.

¹² Jacques Maritain, *Natural Law: Reflections on Theory and Practice*, ed. William Sweet (South Bend, IN: St. Augustine’s Press, 2001), 79.

¹³ Martin Luther King Jr., letter from Birmingham Jail, April 16, 1963.

¹⁴ Ratzinger, “Conscience and Truth,” 35.

¹⁵ Ibid., 36.

protection which my office can give. . . . I salute you, holy sisters, with friendship and respect. Thomas Jefferson.”¹⁶

As the account of the Ursuline Sisters shows, Catholic health care in the United States has a rich history. Largely founded and staffed by women religious, Catholic hospitals have grown to become the single largest provider of nonprofit health care in the United States. Today about 629 hospitals—one out of every nine—are sponsored by the Catholic Church. They collectively employ over 725,000 individuals. They serve 5.5 million overnight patients annually and millions more on an outpatient basis. One of every six patients in the United States is cared for in a Catholic hospital.¹⁷

These hospitals and medical centers are increasingly on a collision course with a secular legal and political establishment. In fact, I believe it is accurate to say that many—if not most—of these facilities are struggling to maintain a genuinely Catholic identity against tremendous pressure to provide services that run counter to the Catholic moral vision. An increasingly hostile public health establishment is imposing a secular vision of health care on Catholic institutions.

And because those forces control so many of the financial resources flowing into health care, they have considerable financial leverage over hospital administrators, governing boards, and ethics committees.

Given this environment, it is hard to imagine the president—or any other government official—writing a letter to a religious hospital of the kind Jefferson wrote, giving his assurance that they could govern themselves “without interference from the civil authority.” In fact, as one contemporary observer has noted, “It is simply incomprehensible to many people in positions of power . . . that the same [Catholic] vision that inspires widely respected compassionate care would also compel closure or sale of a facility to avoid complicity in providing abortions.”¹⁸

Indeed, there is growing hostility to conscience protection from professional associations and advocacy groups.

In 2007, the American College of Obstetricians and Gynecologists issued an ethics opinion which asserted that physicians who refused to perform abortions had an affirmative duty to refer patients to physicians who would.¹⁹ An ACLU report argues that the “law should not permit an institution’s religious strictures to interfere with the public’s access to reproductive health care.”²⁰ A multitude of abortion advocacy

¹⁶ Thomas Jefferson, letter to Sr. Marie Theresa Farjon de St. Xavier, May 15, 1804, http://www.churchstatelaw.com/historicalmaterials/images/thomas_jefferson_letter_1804.pdf.

¹⁷ U.S. Conference of Catholic Bishops, “Catholic Health Care and Social Services,” (2012), <http://www.usccb.org/about/media-relations/statistics/health-care-social-service.cfm>.

¹⁸ James C. Capretta, “Health Care with a Conscience,” *New Atlantis* 22 (Fall 2008): 69.

¹⁹ American College of Obstetricians and Gynecologists Committee on Ethics, “The Limits of Conscientious Refusal in Reproductive Medicine,” *AGOC Committee Opinion* 385 (November 2007).

²⁰ American Civil Liberties Union, “Religious Refusals and Reproductive Rights: American Civil Liberties Union Reproductive Freedom Project,” 2002, www.aclu.org/reproductiverights/religion/12679pub20020122.html, 9.

groups claim that conscience clauses are “dangerous to women’s health”²¹ and that the right to a timely abortion “must always prevail over a health care provider’s rights of conscience.”²²

Nonetheless, in the years since *Roe v. Wade*, there have been congressional efforts to protect conscience. The Church amendment in 1973, the Public Health Service Act of 1996, and the Hyde/Weldon amendments in 2004 all seek to protect hospitals or individuals receiving federal funds from being forced to perform abortions or from discrimination as a result of that conscientious choice. Regrettably, many state and local officials are unaware of these provisions, misunderstand them, or deliberately ignore them.

To rectify this, in 2008, the Bush administration fast-tracked a regulation to implement existing conscience safeguards. Issued by the Department of Health and Human Services, the regulation requires recipients of federal money to certify their compliance with conscience protection laws.²³ Equally important, complaints of discrimination against religious or moral beliefs are to be investigated as civil rights claims.

Unfortunately, congressional leaders introduced legislation to block this regulation.²⁴ In November 2008, a coalition of sixty influential abortion and civil rights groups petitioned the administration of President Barack Obama to rescind it.²⁵ As a Presidential candidate, Obama criticized the regulation.²⁶

Three separate suits were filed in the federal court in January 2009 to overturn the regulation. Connecticut’s attorney general led a multi-state challenge to the regulation, and Planned Parenthood and the ACLU have filed separate suits claiming that the regulation jeopardizes women’s health.²⁷

²¹ NARAL Pro-Choice America, “Refusal Clauses: Dangerous to Women’s Health,” January 1, 2009, <http://www.prochoiceamerica.org/assets/files/Abortion-Access-to-Abortion-Refusal-Clauses-Refusal-Clauses-Dangerous.pdf>, 6.

²² Physicians for Reproductive Choice and Health, “Church and Medicine: Medical and Public Health Associations on Refusal Clauses,” 2008, <http://www.prch.org/church-and-medicine-medical-and-public-health-associations-refusal-clauses>, with links to similar statements by other organizations.

²³ U.S. Department of Health and Human Services, “Ensuring That Department of Health and Human Services Funds Do Not Support Coercive or Discriminatory Policies or Practices in Violation of Federal Law; Final Rule,” *Federal Register* 73.245 (December 19, 2008): 78071–78101.

²⁴ Patty Murray, “Senators Clinton and Murray Introduce Legislation to Stop New HHS Rule That Would Undermine Women’s Health Care,” press release, November 20, 2008, <http://murray.senate.gov/news.cfm?id=305165>.

²⁵ Obama-Biden Transition Project, “Advancing Reproductive Rights and Health in a New Administration,” November 25, 2008, http://change.gov/open_government/entry/advancing_reproductive_rights_and_health_in_a_new_administration.

²⁶ Rob Stein, “Rule Shields Health Workers Who Withhold Care Based on Beliefs,” *Washington Post*, December 19, 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/12/18/AR2008121801556.html>.

²⁷ Rob Stein, “Lawsuits Filed over Rule That Lets Health Care Workers Deny Care: Regulation to Protect ‘Conscience Rights’ Called Too Broad,” *Washington Post*,

Once again, as was the case with the lawsuit directed against the USCCB immigration service, the Obama administration moved to reduce conscience rights, this time by gutting the regulations to allow only a few exceptions. Although this regulation was not eliminated wholesale, it is significant that this conscience regulation, as important as it is, is also limited in its reach. It is, for the most part, tied to federal programs that safeguard conscience from coercion as it relates to abortion. An enormous range of morally troubling procedures, issues, and decisions remain outside the scope of these protections.

The major stumbling block to fostering more universal conscience protections and developing a greater sense of conscience in public life is the aggressive secularization of professional life—of law, politics, and medicine.

John Paul II's apostolic exhortation *Christifideles laici* tells us that secularism as a cultural force "sustains a life lived as if God did not exist."²⁸ In the public life of society, secularism goes even further: It is not content to simply regard religion with indifference; it regards religious faith as an obstacle to both individual freedom and justice.

In a previous era, Maritain observed that Christians had advanced toward a more just and humane society through what he termed the "evangelization" of the secular conscience. Yet today, the effect of pervasive secularization has accomplished the reverse—the secularization of the Christian conscience. Or perhaps more precisely, secularism prevents the adequate formation of the Christian conscience. It prevents the formation of the type of conscience needed to evangelize society as Maritain envisioned.

One of the conundrums we face now is the inability of legislatures and courts to adequately recognize the conscience rights of religious institutions—principally because those very legislators and jurists who are essential to achieving such recognition possess poorly formed consciences themselves.

With some exceptions, the legal and political establishment elevates a subjective and infallible conscience. In this context it is worth remembering Justice Anthony Kennedy's words exalting the autonomous self in his 1992 *Planned Parenthood v. Casey* decision, in which he stated, "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and the mystery of human life."²⁹

But if this is true, why should these words protect only the abortion rights liberty? Does not this right extend as well to Catholic institutions and to those who work in them?

In light of where we find ourselves today, it is imperative that Catholics find ways to communicate with legislators and jurists, not only to assist these leaders in

January 16, 2009, A04, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/15/AR2009011502059.html>.

²⁸ John Paul II, *Christifideles laici* (December 30, 1988), n. 34.

²⁹ *Planned Parenthood v. Casey*, 505 U.S. 833 (1992).

the formation of their personal consciences but to awaken in them an appreciation of the need for conscience as a bulwark against political and judicial abuse of power.

We must ask ourselves: What does it mean to form a Catholic conscience disposed toward conforming one's life to the imitation of Christ as understood by the Church? Why are so many Catholics and Catholic institutions so unwilling to fight to preserve a genuinely Catholic conscience in the face of countervailing pressure?

Historically, the task of conscience formation was accomplished through a combination of institutions—the family, parishes, and Catholic schools. It has become obvious that in many ways these structures are no longer accomplishing their mission in this regard.

In many instances, the Catholic family has become indistinguishable from its non-Catholic counterpart in its way of thinking and acting. For example, the Catholic divorce rate is now nearly identical to that of the general population.

We know that the family is the primary place for evangelization and for the passing on of the faith. Much more will have to be done to strengthen Catholic family life and to encourage parents to assume their responsibility as the primary educators of their children. This means instructing families on developing home catechesis, family devotions, and the reading of Sacred Scripture. All of this is foundational to an authentic Catholic conscience.

Catholic secondary schools and colleges should be asked to review their mission in light of how their activities further, or hinder, the formation of the Catholic conscience. Much of Catholic higher education has adopted Enlightenment assumptions and has failed to provide students with an authentic Catholic vision of the integration of faith and reason.

The 1967 “Land O’Lakes Statement,” which was drawn up and signed by a group of Catholic educators from universities throughout the Western Hemisphere, asserted that the intellectual life of Catholic universities could be separated from magisterial teaching.³⁰ The statement paved the way for an intellectual culture of dissent centered on opposition to *Humanae vitae*. This culture of dissent continues to extend outward to other moral issues, such as abortion and euthanasia.

An early manifestation of the culture of dissent was recounted in a *Wall Street Journal* article in January 2009.³¹ The article describes how, in the summer of 1964, members of the Kennedy family and their advisers invited a group of theologians to Hyannis Port to formulate a political stance that would support abortion within the framework of a Catholic conscience. In November 1964, Senator Edward Kennedy ran for re-election in Massachusetts, and Robert Kennedy sought the Senate seat in New York.

³⁰ International Federation of Catholic Universities, “The Land O’Lakes Statement: The Nature of the Contemporary Catholic University,” July 1967, reprinted in Neil G. McCluskey, *The Catholic University* (Notre Dame, IN: University of Notre Dame Press, 1970), http://www.bc.edu/offices/mission/exploring/cathuniv/gallin_loi.html.

³¹ Anne Hendershott, “How Support for Abortion Became a Kennedy Dogma,” *Wall Street Journal*, January 1, 2009, <http://online.wsj.com/article/SB123086375678148323.html>.

One of the priests involved, then-Father Albert Jonsen, wrote a detailed account of the gathering.³² According to Jonsen, the group included the moral theologian Father Joseph Fuchs, Father Robert Drinan, the Dean of the Boston College Law School, and three other theologians—Father Giles Milhaven, Father Richard McCormick, and Father Charles Curran. Father Milhaven later recalled that the group worked for a day and a half at a nearby hotel. They arrived at a consensus that Catholic politicians “might tolerate legislation that would permit abortion . . . if political efforts to repress [it] . . . led to greater perils for social peace and order.” In the end, according to Father Milhaven, the theologians “all concurred on certain basics . . . that a Catholic politician could in good conscience vote in favor of abortion.”³³

Recall that this meeting was held in 1964—three years *before* any state actually voted to change its law to permit greater access to abortion—and nine years before the Supreme Court’s *Roe v. Wade* decision.

Since that time, many Catholic politicians have followed this example of seeking theological and pastoral advice to help them to “form” their conscience in such a way as to support abortion and other moral issues that are counter to Church teaching. As a result, we have already lost most of one generation of Catholic politicians. We must ask ourselves what must be done to avoid losing another. What can be done so that the next generation of Catholics—and especially the next generation of Catholic professionals and politicians—will be different?

The answer to that question, I believe, is fundamentally theological, not political. And it begins with the recovery of a basic insight—that there should be a difference between a secular and a Catholic conscience.

The fundamental problem is that pervasive secularism has made the life and witness of the Christian community, and of the individual Christian, increasingly difficult—especially in regard to the formation of conscience.

The secular way of thinking promotes a secular way of living that makes a distinctively Christian way of living difficult or impossible.

The secularism of today, whether we consider modernism or post-modernism, is radically different from the secularism of the past. For St. Paul, St. Augustine, and St. Thomas Aquinas, the natural order is one that is consistent with the formation of a Catholic conscience. Classical writers, such as Aristotle and Cicero, had an ethical understanding of the world in which concepts like natural law and virtue had meaning. Christians have always seen the work of these thinkers as preparatory to the introduction of the Good News of Christianity.

But the thinking of the fathers of contemporary secularism is precisely the opposite. Not only can they not be viewed as preparatory to the introduction of a Christian way of life, they are consciously opposed to it.

In what way may it be said that Nietzsche, Sartre, or Freud has a view of things that is compatible with a Christian understanding of natural law or virtue? One

³² Albert R. Jonsen, *The Birth of Bioethics* (New York: Oxford University Press, 2003), 290.

³³ Hendershott, “Support for Abortion.”

profound consequence of this is that today many Catholics would have a difficult time explaining why the terms “natural law” and “virtue” have a place in public life.

In 1965, Professor Harvey Cox of Harvard Divinity School published *The Secular City*, a book that quickly became a bestseller and has since sold more than 250,000 copies. In it, he promoted the idea that contemporary secularization is part of a divine plan that Christians must, out of necessity, embrace. Cox viewed “secularization as the liberation of man from religious and metaphysical tutelage, the turning of his attention away from other worlds and toward this one.” He argued that secularization is “emancipation” and that it “is the legitimate consequence of the impact of biblical faith on history.”³⁴

Moreover, he maintained that “we must learn . . . to speak of God in a secular fashion and find a nonreligious interpretation of biblical concepts.”³⁵ It is clear that in the more than forty years since its publication, *The Secular City* has had a profound influence.

A year before the publication of *The Secular City*, Father Joseph Ratzinger addressed the same general issue but from a different perspective. Speaking to university students at Münster Cathedral, Ratzinger said, “It has been asserted that our century is characterized by an entirely new phenomenon: the appearance of people incapable of relating to God.” He continued,

I believe the real temptation for someone who is a Christian . . . does not just consist in the theoretical question of whether God exists. . . . What really torments us today, what bothers us much more is the inefficacy of Christianity: after two thousand years of Christian history, we can see nothing that might be a new reality in the world. . . . What is all this array of dogma and worship and Church, if at the end of it all we are still thrown back onto our own poor resources? That in turn brings us back again, in the end, to the question about the gospel of the Lord: What did he actually proclaim and bring among men?³⁶

In 1968, Ratzinger replied directly to Cox. In his *Introduction to Christianity*, Ratzinger cites *The Secular City* and then asks, “Need we only . . . don the mufti of a secular vocabulary or a demythologized Christianity in order to make everything all right? Is a change of intellectual costume sufficient . . . ? I may say that in fact the plain and unadorned theology in modern dress appearing in many places today makes this hope look rather naive.”³⁷

In other words, we are back to Ratzinger’s question that he posed to students in Münster Cathedral: what is the “new reality” that Christianity brings into the world? Part of that new reality must be a new way of thinking and a new way of acting—and that means a new way of thinking about one’s conscience.

³⁴ Harvey Gallagher Cox, *The Secular City: Secularization and Urban-ization in Theological Perspective* (New York: Collier Books, 1965), 17.

³⁵ *Ibid.*, 4.

³⁶ Joseph Ratzinger, *What It Means to Be a Christian* (San Francisco: Ignatius, 2006), 24–25.

³⁷ Joseph Ratzinger, *Introduction to Christianity*, 2nd ed. (San Francisco: Ignatius, 2004), 40.

Providing a contemporary answer to that question is fundamental to the mission of the pontificate of Benedict XVI. His first two encyclicals mark the recovery of a distinctive way of Christian thinking in the context of modern secularism. *Deus caritas est* and *Spe salvi* are beautiful meditations on the theological virtues of faith, hope, and charity—foundations of Christian moral life. Moreover, the Synod of Bishops' *Instrumentum laboris* may also be seen in this light.³⁸

Thus, unlike in the 1960s, the Church now possesses considerably more resources to assist families, parishes, and Catholic schools in the formation of an authentically Catholic conscience. We have been blessed with the consistent teaching of three Popes stretching over forty years. And we have at our fingertips tremendous spiritual and intellectual resources in *Veritatis splendor*, *Evangelium vitae*, the *Catechism of the Catholic Church*, and the *Compendium of the Social Doctrine of the Church*. We have invaluable resources in *Donum vitae* and *Dignitas personae*.

And I may say that one of the most important resources that we now possess—even though it is vastly underutilized—is The National Catholic Bioethics Center and its important biennial Workshop for Bishops.

Yet the question remains, do we have the will to utilize these resources in an effective manner?

The consistent teachings of John Paul II and Benedict XVI provide additional, vital guidance. In his 2009 address at the Catholic University of America, Benedict XVI emphasized the critical role that Catholic education plays in forming consciences. He observed that the “crisis of truth” is rooted in the “crisis of faith,” and stressed that Catholic education must be a public witness to the “way of Christ, as found in the Gospels and upheld by the Church’s magisterium.”³⁹ Divergence from this vision will weaken Catholic identity and will lead to moral, intellectual, and spiritual confusion. Catholic education should be a place to form an authentically Catholic conscience and to live a distinctively Catholic way of life.

During his visit to the United States, Benedict XVI noted that, unlike much of Europe, secularization in America has not yet spawned a wholesale disrespect for religion and its role in public life. Polling data on regular church attendance support the idea that the American people are still largely a religious people. The fact that the most modern society in the world is also one of the most religious societies confounds the proponents of “secularization theory”—the idea that as modernity advances, religion must necessarily retreat.

While in America, Benedict XVI warned that we cannot rely on this traditional religiosity. America’s unique brand of secularism tends to “reduce religious belief to a lowest common denominator.”⁴⁰ Faith becomes a lukewarm acceptance that there are certain moral truths, but these truths are seen to have little relevance for everyday living.⁴¹

³⁸ Synod of Bishops, *Instrumentum laboris* (May 11, 2008).

³⁹ Benedict XVI, Address to Catholic Educators, April 17, 2008.

⁴⁰ Benedict XVI, Responses of His Holiness Benedict XVI to the Questions Posed by the Bishops (April 16, 2008), n. 1.

⁴¹ *Ibid.*

Also during his visit, the Holy Father emphasized the importance of sound moral formation in an age saturated with information and distraction. He singled out the need for Catholic health care professionals to have a thorough formation in the Church's moral teaching; and we have seen that the need is just as urgent for those engaged in law, politics, and teaching.

In these professions, as in all of society, the lay faithful are called to act as "leaven." They are called to possess a Catholic identity grounded in a uniquely Catholic way of thinking.

Yet to do this they need what in *Deus caritas est* is called a "formation of the heart"—a genuine encounter with Christ that "awakens their love and opens their spirits to others."⁴² Through this formation they will begin to integrate the Gospel and the Church's living tradition into their everyday lives, and thus begin, in the words of St. Ignatius, to "think with the Church" (*sentire cum ecclesia*).

It would be difficult to underestimate the responsibility that has been entrusted to the bishops of the Catholic Church. Even the influential atheist philosopher Jurgen Habermas, a man who entered into a public dialogue with Cardinal Ratzinger in 2004, recognized this responsibility when he observed, "Christianity, and nothing else, is the ultimate foundation of liberty, conscience, human rights, and democracy. . . . We continue to nourish ourselves from this source. Everything else is post-modern chatter."⁴³

In his spiritual autobiography, the late Avery Cardinal Dulles wrote of the joy he experienced when he discovered the richness of the Catholic Church. He recalled his own radical conversion from materialist philosophies to the Catholic faith as "a passage from darkness into light."⁴⁴ Reflecting on the challenge presented by the postmodern age and its metaphysical agnosticism, Dulles observed that the rich intellectual and cultural heritage of the Church gives her "resources for evangelization that are available to no other group."⁴⁵

According to Dulles, the New Evangelization calls all Catholics to be carriers of the Gospel. To do this, he said, we need "a more outgoing, dynamic Church, less distracted by internal controversy, more focused on the Lordship of Jesus Christ, more responsive to the Spirit, and more capable of united action."⁴⁶

The Church in America has the resources for united action. We have the largest nonprofit health care network in the country. We have Catholic parents, Catholic families, and Catholic schools that have great potential to form the consciences of the lay faithful. Most importantly, we have the Gospel of Jesus Christ, the clear teaching of the magisterium, and the sacramental unity of the Church's life of prayer.

⁴² Benedict XVI, *Deus caritas est*, n. 31.

⁴³ Richard John Neuhaus, "Secularizations," *First Things* (February 2009): 27–28.

⁴⁴ Avery Dulles, *A Testimonial to Grace: And Reflections on a Theological Journey* (Lanham, MD: Sheed and Ward, 1996), 140.

⁴⁵ *Ibid.*, 139.

⁴⁶ *Ibid.*

Like St. Thomas More, we are called to use everything at our disposal to remain faithful citizens and to abide by the law. We do this all the while recognizing, as More did, that there are certain boundaries beyond which we can never pass.

Following our Catholic conscience in obedience to the natural law and to the Gospel of Jesus Christ can be difficult. Yet our dignity lies in doing so.

I spoke earlier of Cardinal Newman's letter to the Duke of Norfolk. I would like to leave you with Newman's beautiful and hopeful words from that letter: "[Conscience] is a messenger from him, who, both in nature and in grace, speaks to us behind a veil, and teaches and rules us by his representatives. Conscience is the aboriginal Vicar of Christ."⁴⁷

⁴⁷ Newman to the Duke of Norfolk, 1874, in *Difficulties of Anglicans*, vol. 2, 248.