Response: Catholics and the New American Public Order
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This article focuses on the conclusion in which the analyses of the previous papers converge, namely, the emergence of a new and radically different public order that is emerging in contemporary America. While Catholics could never feel completely comfortable in the older order that preceded it, the culture that informed this order had many features that were consistent with the Catholic vision of man, society, and the human good; and it secured for the Church a broad freedom to exercise her ministry and for Catholics the freedom they needed to practice the faith. In sharp contrast, the new order installs at the heart of public life an ethic of human autonomy incompatible with the Catholic understanding of man and society, and jeopardizes the freedom of the Church and of Catholics to practice the faith. The emergence of this new order will require Catholics to rethink their relationship to American culture and the American state.

Rather than addressing individually the thoughtful analyses offered by Drs. Glenn, Barilleaux, and Brust, I thought it would be useful to explore the conclusion in which their analyses converge, namely, that a new and different public order is taking shape in America in which Catholics (or at least Catholics faithful to the magisterium of the Church) will, in Ryan Barilleaux’s words, “have difficulty finding a comfortable place.” The recent election does nothing to change this fact because it does not reverse the deep-seated social and cultural trends—I am thinking here of the ever-growing individualism, materialism, and relativism that so define the contemporary scene, and above all, the ongoing de-Christianization of American society—that have been driving this transformation.

This, of course, is not to suggest that Catholics could be completely at home in the old order, the order that is passing away. Imperfect as it was (and certainly not to be confused with the kingdom of God), this order nevertheless had features that were congenial to the Catholic mind and conducive to the freedom of the Church to exercise her divinely ordained ministry and the freedom of Catholics to live out their faith.
THE OLD AMERICAN ORDER

To begin with, the old order was shaped in important ways by the heritage of ancient and medieval thought. These premodern influences—especially the impact of the heritage of medieval constitutionalism—made for a political order in which Catholics could be comfortable because its organizing principles (the existence of an objective moral order discernable by reason, limited government, the rule of law, the distinction between state and society, etc.), in Murray’s phrase, “approve themselves to the Catholic intelligence and conscience” and are “native to” Catholicism’s “own universe of discourse.” These political commitments, furthermore, created the legal space necessary for the Church to pursue her ministry and American Catholics to freely practice their faith.

The fervent Protestantism of the American people, in turn, made possible a culture broadly committed to a common Judeo-Christian morality. In the America he visited in the early 1830s, as Tocqueville noted, Christianity ruled “without obstacles, with the consent of all,” and not as a “philosophy which has been examined and accepted,” but as “a religion believed in without discussion,” as “an established and irresistible fact.” And, while American Christians were divided into “an innumerable multitude of sects” each of which worshipped “God in its own fashion,” all of them “preach[ed] the same morality in the name of God” because all of them “belong[ed] to the great unity of Christendom, and Christian morality is everywhere the same.”

If America’s culture, like its political order, was one in which Catholics could be mostly comfortable, the fit was never perfect, and Catholics remained in certain respects outsiders. If America’s democratic experiment was influenced by the heritage of medieval constitutionalism, it was also shaped by the heritage of the Reformation and Enlightenment. On the one hand, if the political principles which inspired the republic approved themselves to the Catholic intelligence and conscience, America’s understanding of these principles were colored by, and, at times, deformed by an individualism, voluntarism, rationalism and secularism derived from these sources. The “seeds of dissolution,” as Murray noted, were present from the very “beginning” in the form in which “the ancient heritage . . . reached the shores of America.”

At the same time, if American culture was broadly Christian, the Christianity that shaped it was an intensely Protestant Christianity incompatible in many respects with Catholicism, and characterized by a deep-seated and visceral anti-Catholicism. Even in the mid-twentieth century when America was frequently celebrated as a “Judeo-Christian” nation,
America remained an overwhelmingly Protestant society in which Catholics (and other non-Protestants) could never feel totally at home.  

THE NEW ORDER AND THE IDEOLOGY OF THE SOVEREIGN SELF

Today, however, this old order is passing (if it has not already passed). On the institutional level, the old American order was characterized by far-reaching decentralization, widely diffused authority at the national level, legislative predominance, separation of powers, checks and balances, and strictly limited government. In sharp contrast, in the new institutional order that is emerging, government is highly centralized, the power of the federal government is seen as essentially plenary in nature, governmental power is concentrated in an imperial executive and an even more imperial judiciary, and administrative agencies enjoy not only far-reaching powers, but simultaneously exercise executive, legislative, and judicial power. In this new order, government by the people has been largely supplanted by government by technocrats, government by executive, administrative, and judicial fiat, and the state has become all-encompassing; no area of human life lies beyond the reach of the centralized state.

In sharp contrast to the old order, this new institutional order is not only incompatible with the Catholic understanding of government and its proper role in the overall economy of social life, but it also jeopardizes the independence of civil society, and with it, the freedom of the Church—the space the Church needs to exercise its ministry and Catholics need to practice the faith.

At the same time, we have witnessed the ascendancy of a new public philosophy rooted in a radically post-Christian understanding of man and society. The hallmarks of this understanding are its individualism, subjectivism, and secularism. From the perspective of what might be called the ideology of the sovereign self, as Sandel writes, human beings are “unencumbered selves,” “free and independent” selves who are unbound by “ends we have not chosen—ends given by nature or God, for example, or by identities as members of families, peoples, cultures, or traditions.” The self is thus “installed as sovereign, cast as the author of the only obligations that constrain.” In this view, in short, a human being is simply a sovereign will, an arbitrary center of volition, free to make of himself (or herself) and the world, whatever he (or she) chooses.

While the proponents of this ideology might differ about the proper scope of state action, the proponents of this ethic are committed to a distinctive understanding of man, society, and the human good whose central values are liberty and equality and which affords what Charles Taylor de-
scribes as “absolutely central importance to the freedom to choose one’s own mode of life.”\footnote{9} Indeed, it is this vision that finds expression in the famous mystery passage in Planned Parenthood v. Casey asserting that “at the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.”\footnote{10}

The public morality that flows from this vision is simple and straightforward: “Truth,” as Francis Canavan notes, becomes “only what the individual thinks is true,” and “good” becomes “what the individual personally prefers”\footnote{11}; what George Will terms the “moral equality of appetites”\footnote{12} becomes the organizing principle of law and public policy; choice and self-creation are elevated to the status of the human good, and toleration and nonjudgmentalism become the highest moral virtues; the job of government comes to be understood as the creation of a framework of order allowing individuals the greatest possible freedom to pursue their vision of the good life consistent with the exercise of that same freedom by others; and substantive conceptions of the human good (especially those rooted in what Steven D. Smith calls “strong religion”—i.e., the type of religion that insists that “some people’s deeply held beliefs are true while others are false” and that “some ways of living are acceptable to God while others are abhorrent”\footnote{13}) must be systematically excluded from the public square.

**THE LIBERAL-SECULARIST CONFESSIONAL STATE**

Now, as Tocqueville suggests, at the heart of a stable and coherent society is found a consensus, a body of shared beliefs.\footnote{14} If in part this consensus will be procedural in nature—specifying as it does things like the protocols to be followed in making decisions (in the vernacular, “the rules of the game”), the locus of legitimate authority, etc.—it will not be limited to such matters, but will encompass, at least in broad outline, an agreement regarding the political and moral principles that justify the structure of the polity’s public order, the content of the commonweal, and the nature of man and the human good. Since, as Murray notes, such a consensus necessarily “occupies an established position in society and excludes opinions alien or contrary to itself,”\footnote{15} it follows that all stable and coherent societies have an orthodoxy, a body of beliefs that constitute the charter of their public order and that all good citizens are expected to affirm.\footnote{16}

In this new order, the ideology of the sovereign self is elevated to the status of our new public doctrine, our new national orthodoxy. Indeed, as Hugh Heclo observes, it functions as our established religion, our “de facto religious creed and commitment,”\footnote{17} proclaiming a gospel of human autonomy, liberation, and self-creation (hence, the missionary zeal, the evangelical fervor, of its proponents). And, this ideology demands not
merely an ethic of live and let live, but an ethic of affirmation in which the choices, lifestyles, and conceptions of the good life of individuals are affirmed, valued and celebrated. The refusal to affirm the identities of others—their values, conception of the good, etc.—is viewed as an affront to the demands of human freedom, equality, and dignity. In this new order, the price of admission to the public square is the validation of the values and lifestyles of others.

Thus, as Smith writes, this ideology

is not content to regulate outward conduct but instead seeks to penetrate into hearts and minds. . . . After all, ‘equal concern and respect’ . . . are matters not just of external behavior but of internal attitudes, intentions, beliefs and understandings. Naturally, the proponents of equal respect are concerned with purifying the beliefs and motives of government officials, and citizens, and also with assuring citizens not merely that they will be justly treated but that they are equally respected.

People, in this view, are understood “to be harmed not just by discriminatory actions, or even by words, but by beliefs.” This concern manifests itself in constitutional doctrines which seek to assure classes of people “that they are not ‘outsiders’ or ‘lesser members of the political community.’”

From the perspective of this doctrine, belief-systems that break fundamentally with the ideology of the sovereign self—which hold that man is a creature who must make his actions conform to the law given him by his Creator, assert the existence of a knowable and substantive human good which we are morally obligated to pursue, or insist that there exists a natural relational structure that flows from the very teleological structure of human nature itself—are both erroneous and dangerous. They are erroneous because they are based on a false understanding of the nature of man, society, and the world; and they are dangerous because they are in fundamental conflict with the principles that are the charter of a just public order. Indeed, by virtue of their rejection of some lifestyles and choices, they represent a fundamentally immoral assault on the dignity of others.

In this new regime, freedom of religion is reduced to mere freedom of worship; Catholicism (as it has been traditionally understood) is seen as, in Smith’s words, “a scandal and offense”; and faithful Catholics are relegated to a cultural and legal status that might not unfairly be described as “a dhimmitude of sorts.” Indeed, Catholicism must either be excluded from the public square, delegitimized, and driven from polite society or it must be fundamentally transformed. The price of admission, as it were, is the embrace of the political morality issuing from the ethic of the sovereign self, the acceptance of the privatization of religion that this entails, and the reinterpretation of Catholic doctrine as embodying not universally
valid and obligatory truths, but mere subjective preferences, as our truth rather than as the truth. (As Hillary Clinton famously insisted, this new order demands that “deep-seated cultural codes, [and] religious beliefs” be “changed.”21)

What we are witnessing, in short, is the rise of what Benedict XVI famously called “the dictatorship of relativism,” and of what might more technically be termed a liberal-secularist confessional state.22 Indeed, we seem to be drifting ever closer to Tocqueville’s dystopian vision of a social order characterized by thoroughgoing statism and radical individualism: An omniscient and omnipotent nanny state—“an immense protective power” which “covers the whole of social life with a network of petty complicated rules that are both minute and uniform” in order to provide for the “security” of its subjects, foresee and supply “their necessities,” facilitate “their pleasures,” and manage “their principal concerns,” and ultimately “relieve[s] them from the trouble of thinking and all the cares of living”—presiding over a mass of atomized, isolated, enervated, and dehumanized consumers, “alike and equal,” oblivious to everything but “the petty and banal pleasures with which they glut their souls.” Relieving “them from the trouble of thinking and all the cares of living” and wanting them to “think of nothing but enjoyment,” this state keeps its subjects “in perpetual childhood,” and ultimately reduces them to “no more a flock of timid and industrious animals with the government as its shepherd.”23

CONCLUSION

For American Catholics, the emergence of this new and different America represents a novel and disorienting development. It is one thing to live as a Catholic minority in a Protestant Christendom committed to a vision of limited, decentralized government that afforded Catholics the considerable space to live out their faith commitments. It is an altogether different thing to live as a Catholic minority in a post-Christian society animated by an anthropology and public morality incompatible with Catholic truth and committed to the radical privatization of religious faith.

Forging the new and very different cultural orientation that this situation demands, however, will be not be easy, especially given the heavy psychological investment of American Catholics in proving that they were “good” Americans. Perhaps the central irony of American Catholic history is that the country American Catholics sought to be accepted in for so long—and believed that they could embrace with a clear conscience and perhaps even reinvigorate—ceased to exist at almost the very moment they believed that they had finally gained a seat at the table.
As far as the new cultural orientation we need is concerned, one hears much talk today of things like the “Benedict option,” the “Jeremiah option,” and the “Dominican option.” Whatever one makes of these “options,” it is clear that an adequate response to the new situation in which we find ourselves will involve an appreciation of the gulf between the new American order and the older order that preceded it; a significant distancing of Catholicism from contemporary American culture, and, in particular, the new American state; coming to terms with the emphatically—and aggressively—post-Christian character of America’s new public culture; and truly rediscovering what it means to live as “alien citizens.”

Notes


5. Murray, We Hold These Truths, 55.

6. As James Davison Hunter notes, nineteenth-century America was not only demographically, but culturally, a “Protestant nation.” And, even in the heyday of “Judeo-Christian America,” it was impossible to deny “the Protestant tilt” of American culture. Culture Wars: The Struggle to Define America (New York: Basic Books, 1991), 68, 70.


14. “It is easy to see,” he writes, “that no society is able to prosper without similar beliefs, or rather none can continue to exist in such a way; for, without common ideas, there is no common action, and without common action, there are still men, but not a social body. So for society to exist, and, with even more reason, for . . . society to prosper, all the minds of the citizens must always be brought and held together by some principal ideas.” Tocqueville, *Democracy in America*, Vol. II, part I, chap. 2, 433–34.

15. Murray, *We Hold These Truths*, 27.


19. Ibid., 153.


