

JOHN PAUL II: THE QUINTESSENTIAL RELIGIOUS WITNESS IN THE PUBLIC SQUARE

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I. INTRODUCTION

Upon the death of Pope John Paul II, United Nations General Secretary Kofi Annan commented: “Quite apart from his role as spiritual guide to more than a billion men, women and children, he was a tireless advocate of peace, a true pioneer in interfaith dialogue and a strong force for critical self-evaluation by the Church itself.”¹ In so describing the late Pope’s inspired advocacy for human dignity, the General Secretary put it exactly backwards. Our late Pontiff engaged the world, and provoked the world in turn to engage with the Catholic Church and its teachings, not “quite apart from his role as spiritual guide,” but quite precisely because of it. John Paul, the Vicar of Christ and heir to Peter in the Apostolic Succession, and John Paul, the social activist and political statesman, were always and inextricably one and the same.

When John Paul II was consecrated as Bishop for the See of St. Peter nearly thirty years ago, political and legal scholars and commentators in the United States were about to enter into a vitally important intellectual debate on the proper place and appropriate comportment of religious voices in the public square. As that scholarly debate unfolded, John Paul offered through his papacy the model case example for the religious witness in public life. Over the past quarter-century, he left a broad and

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¹ Kofi Anan, Statement of the Secretary-General on the death of Pope John Paul II (Apr. 2, 2005), <http://www.un.org/apps/sg/sgstats.asp?nid=1379>.

meaningful legacy of social action with his catalytic role in bringing about the fall of communism, especially in his homeland of Poland; his prophetic critique of political and economic systems and cultural trends that undermine the innate dignity of each human person; his simultaneously reproachful and hopeful call to western societies to abandon the Culture of Death and heed the Gospel of Life; his heart for the poor and disenfranchised; and his words of peace in a troubled world. To be sure, more work remains to be done, as human dignity continues to be assaulted in diverse ways, while secularist societies and institutions continue to be uncomfortable with and insistent upon diminishing the religious element in public life. But, through John Paul's vital and faithful presence, the place in public discourse for the religiously prophetic voice is more secure now than it has been in many decades.

II. THE DEBATE ON THE RELIGIOUS VOICE IN THE PUBLIC SQUARE: A SUMMARY

The voices of the religious faithful have sounded in the public square throughout American history. As Michael McConnell observes, "America has enjoyed a pretty good democracy for over 200 years without any limitations on religious participation in politics"² Yet, with the turn in certain sectors of American society toward an aggressive and exclusionary secularism in the latter part of the twentieth century, we also saw the emergence of resistance and even some intolerance toward expression of religious sentiments on issues of public moment. A few even have suggested that invoking a religious motivation for policy claims, or at least articulating policy preferences in religious terms, should be sharply rebuked as displaying "bad taste" in polite company.³

By way of dismayed description, McConnell has identified a secularist "hold on mainstream thinking" about religion in the elite sectors of American society, such as the academy and the

² Michael W. McConnell, *Five Reasons To Reject the Claim that Religious Arguments Should Be Excluded from Democratic Deliberation*, 1999 UTAH L. REV. 639, 647 (1999).

³ See RICHARD RORTY, *Religion as Conversation-stopper*, in PHILOSOPHY AND SOCIAL HOPE 168, 169 (1999) (arguing that it should be seen as "bad taste to bring religion into discussions of public policy").

courts.⁴ He traces this attitude to the powerful influence of John Dewey, “the leading philosophical influence on American secular liberalism” and “a determined critic of traditional religion.”⁵ Writing early in the twentieth century, Dewey had dismissed religion altogether, asserting that there was “nothing left worth preserving in the notions of unseen powers, controlling human destiny to which obedience, reverence and worship are due.”⁶ Urging that religious dogma be left in the past, Dewey contended that social values should be derived through the scientific method which, in his view, was “open and public” and based on “continued and rigorous inquiry.”⁷

A generation after Dewey, his anti-religion platform appears to have prevailed—but only in certain sectors of society. By the 1960s, sociologist Peter Berger observed that if India is the most religious country in the world and Sweden is the most secular, the United States had become a nation of Indians ruled by Swedes.⁸ Although surveys continually reveal an intense and broad-based religious faith among Americans, the elite who dominate the worlds of academia, entertainment, news media, and government (other than elected government officials) are disproportionately non-believers or persons of marginal religious devotion.

In his ground-breaking book, *The Naked Public Square*, Richard John Neuhaus coined that famous phrase—“the naked public square.”⁹ Neuhaus has drawn attention to the increasing intolerance of the intellectual elite, saying that they were acting “to strip the public square of religious opinion that does not accord with their opinion.”¹⁰ He observed that “in the public arena . . . in order to gain admittance, we are told to check our deepest beliefs at the door.”¹¹ In this way, Neuhaus argued, “we have in recent decades systematically excluded from policy

⁴ Michael W. McConnell, *Religious Freedom at a Crossroads*, 59 U. CHI. L. REV. 115, 124 (1992).

⁵ *Id.* at 123.

⁶ JOHN DEWEY, A COMMON FAITH 7 (1934).

⁷ *See id.* at 26, 39.

⁸ PETER L. BERGER, THE SACRED CANOPY 30 (1967).

⁹ *See* RICHARD JOHN NEUHAUS, THE NAKED PUBLIC SQUARE vii (1984).

¹⁰ Richard John Neuhaus, *A New Order of Religious Freedom*, 60 GEO. WASH. L. REV. 620, 623 (1992).

¹¹ NEUHAUS, *supra* note 9, at 28.

consideration the operative values of the American people, values that are overwhelmingly grounded in religious belief.”¹²

Neuhaus further submitted that the idea of America as a secular society is “demonstrably false” and “exceedingly dangerous” as it leads to a decline in civic virtue.¹³ If religious voices are excluded, Neuhaus warned, then the public square will be left with “only two actors in it—the state and the individual. Religion as a mediating structure—a community that generates and transmits moral values—is no longer available as a countervailing force to the ambitions of the state.”¹⁴ As Neuhaus later wrote, “[t]he alternative to the naked public square is not the sacred public square; it is the civil public square.”¹⁵ All persons, drawing upon their deepest convictions, should be welcomed to the table.

In *The Culture of Disbelief*, a best-selling book by an academic author, Stephen Carter drew a similar portrait of a public square denuded of the religious witness, although attributing the cause less to outright hostility toward religion than to a trivializing attitude by the nation’s elite who regard religion as little more than a private “hobby.”¹⁶ He observed that a “cultural discomfort” emerges “when citizens who are moved by their religious understanding demand to be heard on issues of public moment and yet are not content either to remain silent about their religions or to limit themselves to acceptable platitudes.”¹⁷ In defending the religious voice in the public square against the critics, Carter complained that “we often ask our citizens to split their public and private selves, telling them in effect that it is fine to be religious in private, but there is something askew when those private beliefs become the basis for public action.”¹⁸ Carter further questioned the assumption that

¹² *Id.* at 37.

¹³ *Id.* at vii, 82.

¹⁴ *Id.*; see also Richard W. Garnett, *A Quiet Faith? Taxes, Politics, and the Privatization of Religion*, 42 B.C. L. REV. 771, 799 (2001) (speaking of the “hollowing out of civil society” by the exclusion of religious voices).

¹⁵ Richard John Neuhaus, *Rebuilding the Civil Public Square*, 44 LOY. L. REV. 119, 132 (1998).

¹⁶ STEPHEN L. CARTER, *THE CULTURE OF DISBELIEF* 51 (1993).

¹⁷ *Id.* at 52.

¹⁸ *Id.* at 8; see also Paul Weithman, *Religious Reasons and the Duties of Membership*, 36 WAKE FOREST L. REV. 511, 511 (2001) (arguing that “the achievement of liberal democratic citizenship for all requires the integration of as many people as possible into society’s political life,” which in turn “requires liberal

secular or philosophical methods of analysis are a sufficiently perfect or indisputable alternative so as to permit exclusion of religious justifications.¹⁹

At the same time, Carter warned “that religions . . . should be cautious about deciding when and how to involve themselves in public issues, for their religious integrity is at risk.”²⁰ The risk of involvement by the religious faithful in political activism is not to the lucidity of the public square, but rather to the faith itself, for fear that principle and truth may be prostrated before the idol of political victory.²¹ In particular, religions ought to “avoid the temptation to take sides in electoral contests,”²² because religions “will almost always lose their best, most spiritual selves when they choose to be involved in the partisan, electoral side of American politics.”²³ Instead, Carter urged the faithful toward the role of “prophetic religious activism,”²⁴ observing that “[t]he religious voice at its more pure is the voice of the witness.”²⁵ Democracy also “is best served when the religions are able to act as independent moral voices interposed between the citizen and the state.”²⁶

The exclusionist position—that religious arguments should be eschewed in political debate—has hardly been without prominent scholarly defenders. While generally not exhibiting a Deweyite hostility to religion itself, a number of leading American scholars have insisted that secular language is the *lingua franca* into which all other discourse should be translated for participation in the public forum. Although almost no one questions that freedom of speech protects religious expression on matters of public importance, the question is framed as to whether reliance upon religious precepts to make political choices or public expression of religious justifications for political

democracies to admit some moralizing by government and a great deal of moral and religious argument from ordinary citizens when they get involved in politics”).

¹⁹ See CARTER, *supra* note 16, at 224–26.

²⁰ STEPHEN L. CARTER, *GOD’S NAME IN VAIN* 113 (2000).

²¹ See McConnell, *supra* note 2, at 650 (“When groups identifying themselves with the gospel of Christ enter the political arena, and come to make political alliances and compromises, it is inevitable that they will blunt their religious witness.”).

²² CARTER, *supra* note 20, at 113.

²³ *Id.* at 1.

²⁴ *Id.* at 7.

²⁵ *Id.* at 31.

²⁶ *Id.* at 16.

positions is appropriate for the good and conscientious citizen participating in a liberal democracy.

Perhaps most prominently, the late philosopher John Rawls asserted that political decisions should be grounded on reasons accessible to all citizens, that is, policy arguments should be constructed on the basis of “public reasons.”²⁷ Public reasons include “presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial.”²⁸ Not included are those “nonpublic reasons of churches and universities and of many other associations in civil society.”²⁹ Thus, when engaged in public discourse, citizens should set aside, or at least subordinate, religious convictions (and other comprehensive worldviews) and generally should speak in neutral, utilitarian terms; religious expression, if it is to be offered at all, should support and not undermine public reasons.

For Rawls, the “exercise of political power is proper only when we sincerely believe that the reasons we offer for our political action may reasonably be accepted by other citizens as a justification of those actions.”³⁰ Similarly, although more directly proscriptive toward religious expression in public discourse, Robert Audi argues for “the principle of secular rationale”³¹ when he states that in a liberal democracy, “one has a prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless one has, and is willing to offer, adequate secular reason for this advocacy or support.”³²

Ronald Dworkin takes the exclusionist position to its extreme, contending that even fundamental questions about ultimate matters, such as the sanctity of human life, are beyond the proper disposition of the democratic state because of the

²⁷ See, e.g., JOHN RAWLS, *POLITICAL LIBERALISM* 214 (1993) (“[I]n a democratic society public reason is the reason of equal citizens who, as a collective body, exercise final and political power over one another in enacting laws and in amending their constitution.”). For a more complete discussion of the concept of “public reason,” see *id.* at 212–54.

²⁸ *Id.* at 224.

²⁹ *Id.* at 213.

³⁰ JOHN RAWLS, *POLITICAL LIBERALISM* xlvi (2d ed. 1996).

³¹ Robert Audi, *Moral Foundations of Liberal Democracy, Secular Reasons, and Liberal Neutrality Toward the Good*, 19 NOTRE DAME J.L. ETHICS & PUB. POL’Y 197, 217 (2005) (explaining that this principle means that limitations on society should be supported by reasons independent of, or in addition to, religious mores).

³² ROBERT AUDI, *RELIGIOUS COMMITMENT AND SECULAR REASON* 86 (2000).

inevitably religious foundation for such propositions and the supposed illegitimacy of religious premises for public policy.³³ Arguing that “a belief in the objective and intrinsic importance of human life has a distinctly religious content,” Dworkin insists “that a state has no business prescribing what people should think about the ultimate point and value of human life, about why life has intrinsic importance, and about how the value is respected or dishonored in different circumstances.”³⁴ For Dworkin, then, the only ultimate value that may be acknowledged is personal autonomy, which becomes for him the sum and substance of human dignity.³⁵

Taking something of a middle ground, Kent Greenawalt concedes that “[r]eliance on religious convictions is appropriate under any plausible model of liberal democracy much more often than is claimed by those who would have the good liberal citizen restrict himself in political decisions to shared nonreligious premises and common forms of reasoning.”³⁶ Nonetheless, Greenawalt contends that “[t]he common currency of political discourse is nonreligious argument about human welfare,”³⁷ that is, “public justifications for political positions.”³⁸ Greenawalt argues that to appropriately integrate religiously-generated viewpoints within the premises of liberal democracy, good citizens should not use the instrument of government to impose a particular view of the just society unless that view is connected to “shared forms of reasoning.”³⁹ Greenawalt concedes that “publicly accessible reasons may bear on assertions of religious truth” and that “the edges of publicly accessible reasons are themselves rather uncertain.”⁴⁰ Even so, he maintains “that claims about religious truth are outside the domain of publicly accessible reasons.”⁴¹

³³ RONALD DWORKIN, *LIFE'S DOMINION* 160–68 (1993).

³⁴ *Id.* at 166.

³⁵ *See id.* at 166–68.

³⁶ KENT GREENAWALT, *RELIGIOUS CONVICTIONS AND POLITICAL CHOICE* 203 (1988).

³⁷ *Id.* at 217.

³⁸ *Id.* at 215.

³⁹ *Id.* at 204–05.

⁴⁰ *Id.* at 74 (pointing out how people use different strategies, including their intuition, to ascertain truth in this respect).

⁴¹ *Id.* at 75.

As a forthright religious skeptic, Sanford Levinson emphasizes Greenawalt's point about public accessibility to reasoning, at least in terms of practical persuasive value in debates about public policy. While Levinson says "that people should be allowed to make whatever arguments using whatever epistemic discourse they find appropriate," he nonetheless argues that "religious discourse" cannot be accepted by those "who do not share [the] religious premises."⁴² In his opinion, one who is a secularist cannot help but "treat theologically based arguments as 'inferior'—in the operational sense of capacity to persuade."⁴³ By contrast, Levinson says, "[s]ecular arguments, even when offered by someone who is otherwise deeply religious, may in fact persuade the secularist and lead to changes of mind regarding important public issues."⁴⁴

Despite expressing a general preference for publicly-accessible reasons to support public policy proposals, Greenawalt allows that religious premises are appropriately relied upon in two circumstances, exceptions that appear to open the door rather widely to religious convictions. First, religious convictions and publicly-accessible reasons often are parallel or even intertwined; that is, both religious precepts and ordinary public norms lead in similar directions. In such cases, Greenawalt argues, "people should not have to try to slice their understanding into pieces, attempting to guess what they would think were it not for religious convictions."⁴⁵ Second, when shared forms of reasoning are "radically inconclusive," then Greenawalt acknowledges with some hesitation that it becomes difficult to deny the legitimacy of reliance upon religious convictions to reach a conclusion.⁴⁶ Given that secular analysis typically fails to establish an air-tight basis for making decisions about ultimate values, this exception would appear to open up a large field of public matters for cultivation of religiously-motivated justifications.

Greenawalt is somewhat more receptive to religious discourse in the public square when it is presented by religious

⁴² Sanford Levinson, *The Multicultures of Belief and Disbelief*, 92 MICH. L. REV. 1873, 1878–79 (1994).

⁴³ *Id.* at 1881.

⁴⁴ *Id.*

⁴⁵ GREENAWALT, *supra* note 36, at 208.

⁴⁶ *Id.* at 210.

leaders. While displaying a distinct lack of enthusiasm about the prospect, Greenawalt allows that he “suppose[s] that insofar as religious organizations should continue to participate directly in politics, part of their contribution should be to present religiously grounded reasons.”⁴⁷ After all, he suggests, religious leaders “have special competence to present a religious understanding.”⁴⁸ Still, Greenawalt suggests that churches ought to refrain from endorsing candidates or parties,⁴⁹ and he further emphasizes that legislators and public citizens ought not respond by invoking such religious justifications for political decisions in public discourse.⁵⁰ Moreover, Greenawalt is troubled that political involvement by religious groups makes “debate . . . more strident” on certain highly visible issues, such as abortion.⁵¹

As a self-described convert to the inclusionist position regarding religious voices in the public square,⁵² Michael Perry argues that “we should simply welcome the presentation of religiously grounded moral belief in *all* areas of our public culture, *including* public argument specifically about contested political choices.”⁵³ Indeed, one of the reasons that Perry defends unrestrained presentation of religious justifications in the public square is so that “we can test it there,” that is, religiously-based moral judgments may be questioned and explored as part of the debate.⁵⁴ Moreover, if the political community “aspires to be not merely democratic but *deliberatively* democratic,” Perry says this should work both ways; others ought to be willing to allow their

⁴⁷ KENT GREENAWALT, PRIVATE CONSCIENCES AND PUBLIC REASONS 179 (1995).

⁴⁸ *Id.*

⁴⁹ *Id.* at 178.

⁵⁰ *See id.* at 54–61, 179 (giving examples of the problems inherent in invoking religious justifications).

⁵¹ *Id.* at 177. For a critical re-examination in the context of the First Amendment, of the argument that religious participation in public life poses a unique potential for political divisiveness, reaching the conclusion that the exclusion of religious premises is a “misguided and quixotic” attempt “to smooth out the bumps and divisions that are an unavoidable part of the political life of a diverse and free people,” see Richard W. Garnett, *Religion, Division, and the First Amendment*, 94 GEO. L.J. 1667, 1670 (2006).

⁵² *See* MICHAEL J. PERRY, UNDER GOD? RELIGIOUS FAITH AND LIBERAL DEMOCRACY xi (2003) (saying that although he had “defended an exclusionist position in [his] two previous books on religion in politics,” Perry now offers a defense of an inclusionist position for bringing religious positions to bear on political questions).

⁵³ *Id.* at 43.

⁵⁴ *Id.*

own beliefs and positions to be tested against religiously grounded moral beliefs proposed by others.⁵⁵

Consistent with Greenawalt's concession that questions about ultimate values cannot be resolved by strict reference to shared forms of reasoning, Perry is quite openly sympathetic to religious expression about fundamental questions of human dignity and well-being. Perry agrees that for many believers, the proposition that "every person is inviolable" is "a religiously embedded tenet."⁵⁶ Perry then argues:

[I]n a liberal democracy, it is altogether fitting—it is altogether "liberal"—for religious believers to make political choices, including *coercive* choices—choices to ban or require conduct—on the ground of what is, for them, a religious claim: that each and every person is sacred, that all persons are subjects of justice.⁵⁷

Indeed, Perry says the very idea of human rights, which every civil society ought to uphold, "is ineliminably religious, because the conviction [that every human being is sacred] is an essential, even foundational constituent," of a commitment to human rights.⁵⁸

At the same time, Perry suggests that citizens of religious faith ought to exhibit a fair degree of humility and hesitate before imposing a religiously-derived rule of law upon other citizens who may not share the same value judgment. "Given the demonstrated, ubiquitous human propensity to be mistaken and even to deceive oneself about what God has revealed," Perry contends that the religious believer ought to be wary about relying upon a particular understanding of God's revelation, including scripture, as a justification for banning or disfavoring conduct when the belief is a matter of "increasingly widespread disagreement among Christians themselves" and when "no persuasive argument grounded on contemporary human experience supports the belief."⁵⁹ Perry thus encourages development of an "ecumenical politics," in which the person of religious convictions participating in public policy debate would enter into "open-minded engagement with religious beliefs different from

⁵⁵ *Id.*

⁵⁶ *Id.* at 51.

⁵⁷ *Id.*

⁵⁸ MICHAEL J. PERRY, *THE IDEA OF HUMAN RIGHTS* 29 (1998).

⁵⁹ PERRY, *supra* note 52, at 79.

one's own" and would be "inclined to tolerate ways of life, choices, and acts differing from those sanctioned by one's own religious views and conscience."⁶⁰

Finally, we must bear in mind that religious expression in the public square serves an additional and sometimes far more important purpose of motivation to the faithful, inspiration to the believer, and provocation to the public, beyond contributing to dialogue or reasoned public debate. Stephen Carter speaks of the "ability of the religions to fire the human imagination, and often the conscience, even of nonbelievers."⁶¹ As a powerful example, Carter recalls "the abolitionist movement, which was led by Christian evangelicals whose fiery and unapologetically biblical sermons ultimately moved a nation."⁶² In this regard, David Smolin observes that "[t]he point of much political rhetoric is to motivate those who already support a position, premise, or candidate to overcome inertia and *do something* about it."⁶³ Speaking about the proper use of religiously-based moralism in public debate, Smolin argues:

It is very nice for academics to talk about the dangers of making absolutist, divisive, sectarian religious statements in the political arena, but in fact those sorts of statements are necessary if people are going to be motivated to pay the cost of doing what is right, whether the subject is race, the poor, the environment, or abortion. The problem is not merely determining or debating the "right" course of action, but more broadly one of fighting the constant temptation to avoid paying the costs associated with doing what is right.⁶⁴

The place of religious thought in public life has not, of course, been a matter of concern only in the New World. Sadly, the question appears to have been resolved, and against acknowledgment of religious convictions, in the Old World. The draft constitution for the European Union deliberately elides any Christian foundations for Western culture and law.⁶⁵ Secularism

⁶⁰ *Id.* at 128–29; see also MICHAEL J. PERRY, LOVE AND POWER: THE ROLE OF RELIGION AND MORALITY IN AMERICAN POLITICS 83–115, 121–38 (1991).

⁶¹ CARTER, *supra* note 16, at 232.

⁶² CARTER, *supra* note 20, at 4.

⁶³ David M. Smolin, *Cracks in the Mirrored Prison: An Evangelical Critique of Secularist Academic and Judicial Myths Regarding the Relationship of Religion and American Politics*, 29 LOY. L.A. L. REV. 1487, 1496 (1996).

⁶⁴ *Id.* at 1501.

⁶⁵ Kenneth L. Woodward, Editorial, *An Oxymoron: Europe Without Christianity*, N.Y. TIMES, June 14, 2003, at A15 (saying that "the eliding of the Christian

appears to have won the day in most of Europe, as European leaders “jettison its Judeo-Christian heritage” in the misguided belief that faith traditions are an obstacle to modernity and freedom.⁶⁶ Thus, “what is occurring in Europe is nothing less than a sustained and systematic attempt to erase from official memory the important role played historically by Christianity in the development of Western law.”⁶⁷ Nor does the future in western Europe look promising, although the advent of a new papacy by a man deeply concerned with the future of the faith in Europe may reinvigorate efforts to reawaken religious sensibilities on the European continent.⁶⁸ By contrast, the scholarly debate in the United States is ongoing, and the witness of religious voices in this country remains robust, if not accepted in all quarters.

This debate about the appropriate role of religious voices in public affairs, while proceeding most vigorously in the United States and among American scholars and political leaders in the modern age, has ancient roots in the teaching of the Catholic Church. As the oldest international organization in the world, having the benefit of 2,000 years of experience in every culture, the Catholic Church brings a rich and indispensable perspective to the debate. As Jo Rene Formicola reminds us, “St. Augustine and St. Thomas Aquinas historically called for a prophetic church—one that would be free and independent and one that would be particularly willing to oppose government to establish a solidarity with the Gospel message in the midst of social and political propensities toward a godless world.”⁶⁹

foundations of Western culture is morally and intellectually dishonest”).

⁶⁶ George Weigel, Op-Ed., *The Spiritual Malaise That Haunts Europe: Continent Faces a Grim Future If It Turns Its Back on Its Religious Roots*, L.A. TIMES, May 1, 2005, at M5.

⁶⁷ Charles J. Reid, Jr., *The Three Antinomies of Modern Legal Positivism and Their Resolution in Christian Legal Thought*, 18 REGENT U. L. REV. 53, 53 (2005).

⁶⁸ See Benedict XVI, Address of His Holiness Benedict XVI to the Members of the European People’s Party on the Occasion of the Study Days on Europe (Mar. 30, 2006), available at http://www.vatican.va/holy_father/benedict_xvi/speeches/2006/march/documents/hf_ben-xvi_spe_20060330_eu-parliamentarians_en.html (saying that, to attain the goal of European unity, “it will be important to draw inspiration, with creative fidelity, from the Christian heritage which has made such a particular contribution to forging the identity of this continent,” and calling for “the defeat of a culture that is now fairly widespread in Europe, which relegates to the private and subjective sphere the manifestation of one’s own religious convictions”).

⁶⁹ JO RENEE FORMICOLA, POPE JOHN PAUL II: PROPHETIC POLITICIAN 5–6 (2002).

St. Augustine conceived of the faithful as being citizens of two cities, and, while our true devotion must be to the heavenly city, we as pilgrims in this mortal life have responsibilities as well to the earthly city.⁷⁰ When so engaging with the earthly city, the heavenly city serves as what Jean Elshtain calls “a reference point that is also, potentially, a resistance point.”⁷¹ St. Thomas Aquinas boldly offered his advice directly to the rulers of this world, defining the just society as that which “is ordered by the ruler towards the common good of the multitude.”⁷² In defense of the independence of the Church, Aquinas maintained that spiritual things must be distinguished from earthly things.⁷³ The ministry of the heavenly kingdom “has been entrusted not to earthly kings but to priests, and most of all to the chief priest, the successor of St. Peter, the Vicar of Christ, the Roman Pontiff.”⁷⁴

In this essay, I now turn to our late Pontiff’s engagement with diverse civil regimes or societies that have failed, in one way or another, to uphold human dignity.⁷⁵ In addition to speaking the truth about human dignity and the duty of temporal civil leaders to advance it, John Paul II always embraced a militant form of evangelism, asking the people to accept the transcendent Gospel message as a prerequisite to transforming society.⁷⁶ Thus, through John Paul, we have heard the insistent and firm religious voice in the public square, not only as that of an interlocutor, but also as that of the evangelist and of the prophet.

III. JOHN PAUL II’S PROPHETIC ENGAGEMENT WITH POLITICAL REGIMES AND SOCIAL CULTURES

A. *John Paul II and the Dignity of Man*

During the unprecedented engagement by a Pontiff (or for that matter any religious leader) with political regimes, economic systems, and cultures across the entire globe, Pope John Paul II

⁷⁰ See ST. AUGUSTINE, *THE CITY OF GOD* (John Healey trans., 1931) (426).

⁷¹ JEAN B. ELSHTAIN, *AUGUSTINE AND THE LIMITS OF POLITICS* 99 (1995).

⁷² ST. THOMAS AQUINAS, *ON KINGSHIP: TO THE KING OF CYPRUS (ON THE GOVERNANCE OF RULERS)* bk. 1, ch. I, at 7 (Pontifical Inst. of Mediaeval Studies of Toronto ed., Gerland B. Phelan trans., 1949) (1267).

⁷³ *Id.*, bk. 2, ch. III, at 61.

⁷⁴ *Id.*, bk. 2, ch. III, at 61–62.

⁷⁵ See *infra* Part III.

⁷⁶ See *infra* Part III.A.

stood as a prophetic statesman. Whether confronting the dehumanizing elements of totalitarian tyranny or challenging the decline of western democratic societies toward a materialistic and selfish ethos even to the degrading point of tolerating the death of innocents, the unifying theme of John Paul's witness to public governance and culture was his respect for human dignity and human life. Damian Fedoryka rightly says that, through his thought and teachings, John Paul "can be called 'the Pope of the Dignity of Man.'"⁷⁷

At the foundation of all Catholic social teaching, and central to Catholic anthropology, is the concept of *Imago Dei*, that we as human beings are created in the image and likeness of God.⁷⁸ John Paul's political and social activism always was grounded in this theological understanding of the dignity of the human person.⁷⁹ His Christian personalism looks at reality from the perspective of the person as a subject and not an object. Further, his campaign to advance human dignity was always openly, if not exclusively, religious in nature, applying the two-fold strategy that Jo Renee Formicola calls "prophetic criticism" and "militant evangelization."⁸⁰

First, when confronting political oppression, he offered a pastoral reprimand to leaders in private and highlighted human rights abuses and injustices in public. When addressing the cultural failings of the West, he spoke with candor in condemning the worst while always holding out hope for a restoration of the best.

Second, and always as the centerpiece, he called people to personal redemption, knowing as he did that liberation of the souls of the people is both of greater consequence than, and is an essential prerequisite to, transformation of societies.⁸¹

⁷⁷ Damian P. Fedoryka, *John Paul II as a Prophet of Life in a Culture of Death*, in 24-25 FAITH & REASON 67, 68 (1999-2000).

⁷⁸ See Genesis 1:26-27 (New American).

⁷⁹ See John J. Coughlin, *Pope John Paul II and the Dignity of the Human Being*, 27 HARV. J.L. & PUB. POL'Y 65, 71 (2003) (speaking of John Paul's theological understanding of the respect for human dignity as grounded in the creation of each person in the image of God).

⁸⁰ FORMICOLA, *supra* note 69, at 90-101.

⁸¹ See JOHN PAUL II, ENCYCLICAL LETTER *REDEMPTORIS MISSIO* ¶¶ 1, 3 (1990), available at http://www.vatican.va/edocs/eng0219/_index.htm (speaking of the "urgency of missionary activity" and calling for a "commit[ment of] all of the Church's energies to a new evangelization and to the mission *ad gentes*"). On evangelism in the modern era, and in the American constitutional order, see Richard W. Garnett,

Evangelism was vital to John Paul's engagement with oppressive regimes—and of greater eternal significance than the transitory prospects of a temporal regime. Jo Renee Formicola describes his style of public activism: “He believed that political, social, and economic liberation could be accomplished only *after* the spiritual liberation of the people.”⁸² Thus, the transcendent Gospel of Christ was both the more important thing as holding the promise of eternal life and also was the essential mode through which any authentic liberation in this present life would be realized.⁸³

B. John Paul II's Prophetic Engagement With Political Tyranny

In terms of unsettling tyrannical political regimes, John Paul II provided essential moral support for the workers' movement in Poland; fostered a dynamic and ultimately regime-changing atmosphere of hope among the peoples of eastern Europe captured by communist totalitarianism; unflinchingly, but often subtly, chastised dictators for suppressing the human rights of their subjects; and encouraged religious, non-violent resistance to injustice.

1. Poland

With respect to the downfall of communism, which had enslaved his homeland of Poland as well as the rest of eastern Europe, John Paul provided the “moral firepower for the revolution.”⁸⁴ Legendary, indeed, are the stories about the Pope as the beloved son of Poland and his heroic, but non-violent, and spiritual resistance to the succeeding tyrannies of Nazism and Communism. The non-violent revolution that eventually threw off the shackles that had bound Poland for decades was borne of the “awakened consciences”⁸⁵ of the Polish people, consciences that had been formed under the teaching of the Church. As

Changing Minds: Proselytism, Freedom, and the First Amendment, 2 U. ST. THOMAS L.J. 453 (2005).

⁸² FORMICOLA, *supra* note 69, at 89.

⁸³ See Kathleen A. Brady, *Catholic Social Thought and the Public Square: Deconstructing the Demand for Public Accessibility*, 1 J. CATH. SOC. THOUGHT 203, 221 (2004) (“Without the light of Christ, human communities would be cut off from the vital principles that enable true human progress and fulfillment.”).

⁸⁴ Clyde Haberman, *How Rome Worked Its Way Back into the Eastern Bloc*, N.Y. TIMES, Apr. 22, 1990, at E3.

⁸⁵ TIMOTHY GARTON ASH, *THE POLISH REVOLUTION: SOLIDARITY* 280 (3d ed. 2002) (1983).

George Weigel explains it, these “awakened consciences . . . had many mothers and fathers,” “[b]ut it was John Paul II . . . who sharpened those consciences to a particularly fine edge of purposefulness and gave them permission to exercise the right of moral judgment in public.”⁸⁶

Throughout his papacy, John Paul returned regularly to his mother country, during moments of great optimism as well as times of extreme crisis. His first triumphant return to Poland in 1979 fired the moral enthusiasm of the Polish people and inspired the Solidarity workers’ movement.⁸⁷ When the Pope returned for the second time, during a period of martial law, he spoke candidly and openly of his pain, saying that he stood “beneath the cross of Christ” with the Polish people, “especially those who are most acutely tasting the bitterness of disappointment, humiliation, suffering, of being deprived of their freedom, of being wronged, of having their dignity trampled on.”⁸⁸ Yet, as always, John Paul spoke primarily as an evangelist, seeking conversion of the culture through conversion of the people, and calling upon the people to “persevere in hope.”⁸⁹

In the darkest days, John Paul personally confronted General Wojciech Jaruzelski, the communist leader, while maintaining well-publicized meetings and correspondence with Lech Walesa, the leader of Solidarity.⁹⁰ Through John Paul’s “early guidance and moral protection” of Walesa and the Solidarity movement,⁹¹ the stage was set for the eventual transition to democracy in Poland. As a religious witness, John Paul recognized that the events unfolding in Poland were not merely political changes, but were of a “moral nature.”⁹²

Above all, John Paul II called for a new evangelism among the Polish people, reminding the millions that turned out wherever he went that the history of Poland is inextricably

⁸⁶ GEORGE WEIGEL, *WITNESS TO HOPE: THE BIOGRAPHY OF POPE JOHN PAUL II* 324 (2001).

⁸⁷ *Id.* at 300–25.

⁸⁸ *Id.* at 461 (quoting John Paul II’s remarks at St. John’s Cathedral in Warsaw, June 16, 1983).

⁸⁹ *Id.* at 462 (quoting John Paul II’s sermon in Czestochowa, June, 1983).

⁹⁰ FORMICOLA, *supra* note 69, at 94–98; WEIGEL, *supra* note 86, at 399–411, 430–34, 459–64, 527–30.

⁹¹ FORMICOLA, *supra* note 69, at 94.

⁹² *Remarks by Pope John Paul and the Polish Leader*, N.Y. TIMES, June 18, 1983, at A5.

intertwined with Christianity.⁹³ On Pentecost in 1979, during his first papal pilgrimage to Poland, John Paul explained that “[i]n this upper room of our Polish millennium,” the Polish people were gathered like the apostles to recall “the mystery-filled date . . . from which we start to count the years of the history of our motherland and of the Church that has been made part of it. The history of Poland ever faithful.”⁹⁴

2. Other Papal Journeys

While not possessing the same poignancy of a native son’s return home, other papal journeys included similar prophetic critiques of unjust regimes and evangelization to awaken the consciences of the people with similar transformative effects (or the potential thereof). By way of example, let me draw upon two further episodes, one near the beginning and the other about two-thirds of the way through his papacy.

3. The Philippines

In 1981, early in his papacy, John Paul II traveled to the only Catholic country in Asia, the Philippines.⁹⁵ Standing with Philippine President Ferdinand Marcos, who had arranged a formal reception with everyone in white gowns at the Malacanang Palace in Manila, the Holy Father spoke in solidarity with the poor and disenfranchised and did not hesitate to condemn human rights abuses.⁹⁶ Journalist Robin Wright, who was present, described the scene in this way:

In front of Marcos’ family, friends and more than a thousand members of the cabinet, military and judiciary, as well as millions on live television, John Paul declared, “Even in exceptional situations, one can never justify any violation of the fundamental dignity of the human person or of the basic rights that safeguard this dignity.” The state, he made clear, could never justify subverting human rights in the name of its own security or survival.

⁹³ FORMICOLA, *supra* note 69, at 91.

⁹⁴ JOHN PAUL II, *PILGRIM TO POLAND 84–85 (1979), reprinted in WEIGEL, supra note 86, at 308* (describing the open-air Mass in Gniezno in which this statement was made).

⁹⁵ FORMICOLA, *supra* note 69, at 102; WEIGEL, *supra* note 86, at 391–93.

⁹⁶ FORMICOLA, *supra* note 69, at 102; WEIGEL, *supra* note 86, at 392; Henry Kamm, *Pope, With Marcos Beside Him, Delivers Human Rights Talk*, N.Y. TIMES, Feb. 18, 1981, at A1.

.....
The papal speech was a wringing and humiliating rebuke of Marcos' dictatorship. During Marcos' 21-year rule, no other visiting chief-of-state, before or after the pope, was ever so publicly candid. The pontiff then reinforced the message in meetings with small farmers and sugar cane plantation workers, university students, professionals and slum-dwellers, in masses, and even to lepers.⁹⁷

The fall of the Marcos regime was now but a few years away, and the seeds had been sown for a harvest of change, not only by John Paul's visit, but by the ongoing witness of the Catholic Church in the Philippines, which was bolstered by that papal visit. Jaime Cardinal Sin, taking inspiration from the Pope's engagement in Poland and the Solidarity movement, later said that the Holy Father understood and always encouraged him to persevere in his witness for human dignity in the Philippines.⁹⁸ In the years following the papal visit, the Catholic bishops in the Philippines, led by Cardinal Sin, issued a series of pastoral letters charging the regime with violations of civil liberties, complaining of the increasingly violent character of the Marcos regime (a fact heightened by the assassination of opposition leader Benigno Aquino upon his return to the Philippines), declaring that voting in free elections was a Christian duty, and castigating vote fraud that disenfranchised the electorate.⁹⁹

Under the political leadership of Corazon Aquino, the widow of the murdered opposition figure, and with the consistent message from the Church about Christian responsibility for moral politics and ultimately a call to mass non-violent protest by Cardinal Sin, the People Power Revolution of 1986 culminated with the departure of Ferdinand and Imelda Marcos to exile in Hawaii and the inauguration of a legitimately-elected new president, committed to reform and restoration of human rights.¹⁰⁰

Consistent with the Pope's witness and message, previously in Poland and later in many locations, the Catholic Church in the Philippines insisted upon non-violent resistance to a repressive

⁹⁷ Robin Wright, Pope John Paul II and the Role of World Religions in Politics, Archbishop Gerety Lecture at Seton Hall University (Sept. 25, 1995), <http://theology.shu.edu/lectures/poperoleworld.htm>.

⁹⁸ WEIGEL, *supra* note 86, at 510.

⁹⁹ *Id.* at 507–10.

¹⁰⁰ *Id.* at 509–11.

regime and emphasized evangelistic Christian love as the key to transforming society.¹⁰¹ As George Weigel explains, even when the protests moved into the streets, this “was a religiously inspired movement of social reform, not a political party, and its appeal, like that of Cardinal Sin and the Philippine bishops, was explicitly religious and moral, not ideological and political.”¹⁰²

4. Cuba

In 1998, as he began what turned out to be the final third of his papacy and during the denouement of frequent-flying papal travel, John Paul II visited one of the few remaining totalitarian regimes in the world, Fidel Castro’s Cuba.¹⁰³ After more than a generation of communist rule, during which Castro had adopted atheism as official government policy, imposed a state monopoly on education and closed Catholic schools, and regularly purged dissidents by jailing, execution, or exile,¹⁰⁴ Cuba found itself in the grip of a stagnant economy, facing continuing sanctions by the United States without the relief of Soviet aid, and experiencing growing isolation from the world community.¹⁰⁵ In these desperate circumstances, Castro extended an invitation to the Pope to visit Cuba.

As with so many dictators before him, Castro sought to orchestrate the papal visit in a manner so as to associate himself with this beloved figure, even trying to dominate the initial joint appearance so as to promote his own political message.¹⁰⁶ And, as on so many similar occasions before, John Paul II, while refraining from direct criticism or even explicit mention of the prevailing regime, spoke directly to the aspirations of the people for freedom. At both the welcoming and farewell ceremonies, John Paul called the people of this island nation to open their hearts to Christ and to appreciate that they were and should be the “agents” of their “own . . . history.”¹⁰⁷ He exhorted the people

¹⁰¹ *Id.*

¹⁰² *Id.* at 510.

¹⁰³ FORMICOLA, *supra* note 69, at 169–78; WEIGEL, *supra* note 86, at 790–92, 805–14.

¹⁰⁴ FORMICOLA, *supra* note 69, at 170; WEIGEL, *supra* note 86, at 805.

¹⁰⁵ FORMICOLA, *supra* note 69, at 169; WEIGEL, *supra* note 86, at 805–06.

¹⁰⁶ FORMICOLA, *supra* note 69, at 171–74; WEIGEL, *supra* note 86, at 790.

¹⁰⁷ John Paul II, Address at Welcome Ceremony, Pastoral Visit to Cuba ¶ 2 (Jan. 21, 1998), http://www.vatican.va/holy_father/john_paul_ii/travels/documents/hf_jp-ii_spe_21011998_lahavana-arrival_en.html (“You are and must be the

to “*return to your Cuban and Christian roots, and do all that you can to build a future of ever greater dignity and freedom!*”¹⁰⁸ He insisted upon the independence of a vital Catholic Church in Cuban society:

When the Church demands *religious freedom* she is not asking for a gift, a privilege or a permission dependent on contingent situations, political strategies or the will of the authorities. Rather she demands the *effective recognition of an inalienable human right* It is not simply a matter of a right belonging to the Church as an institution, *it is also a matter of a right belonging to every person and every people.*¹⁰⁹

And, with respect to the public square, the Holy Father insisted that “[t]he Catholic faithful, like all other citizens, *have the right and the duty to contribute to their country’s progress.*”¹¹⁰ Catholics, he said, “*have the duty and the right to participate in public debate on the basis of equality and in an attitude of dialogue and reconciliation.*”¹¹¹

As George Weigel observed, “[f]or the first time in forty years, Fidel Castro and his revolution were not the center of public attention.”¹¹² A dissenting voice, and a religious one at that, stood before the Cuban people (hundreds of thousands of whom attended in person and millions more of whom watched on television)¹¹³ and spoke forthrightly in words not scripted by the state.

The end to this tale remains to be told. Castro still lingers, the decrepit ideological revolution hangs on to power, and the Cuban people still do not have control of their own worldly destiny. However, as a foreign policy expert in the Vatican

principal agents of your own personal and national history.”); John Paul II, Address at Farewell Ceremony, Pastoral Visit to Cuba ¶ 4 (Jan. 25, 1998), http://www.vatican.va/holy_father/john_paul_ii/travels/documents/hf_jp-ii_spe_25011998_lahavana-departure_en.html.

¹⁰⁸ John Paul II, Message to the Young People of Cuba ¶ 4 (Jan. 23, 1998), http://www.vatican.va/holy_father/john_paul_ii/travels/documents/hf_jp-ii_mes_23011998_lahavana-youth_en.html.

¹⁰⁹ John Paul II, Address at Meeting with the Cuban Bishops, Pastoral Visit to Cuba ¶ 3 (Jan. 25, 1998), http://www.vatican.va/holy_father/john_paul_ii/travels/documents/hf_jp-ii_spe_25011998_lahavana-bishops_en.html.

¹¹⁰ *Id.* ¶ 5.

¹¹¹ John Paul II, Homily at Mass in Santiago de Cuba, Pastoral Visit to Cuba ¶ 4 (Jan. 24, 1998), http://www.vatican.va/holy_father/john_paul_ii/travels/documents/hf_jp-ii_hom_24011998_lahavana-santiago_en.html.

¹¹² WEIGEL, *supra* note 86, at 809.

¹¹³ *Id.*

quipped, John Paul's speeches were like "time bombs," and one can never know "when they'll explode."¹¹⁴ The Church in Cuba has obtained some greater freedom to carry out its charitable activities on the island nation and, concomitantly, has greater opportunities to offer a spiritual alternative to the political regime.¹¹⁵ The Christian heritage of the Cuban people is no longer hidden from them. On the day that the present regime passes away, the Cuban people may well recall the time when a prophet visited their land and told them of "a more excellent way."¹¹⁶ The prayers of hundreds of thousands for "*Libertad*"¹¹⁷ that were publicly offered on that day remain to be fully answered.

5. The World

Papal pilgrimages to, and witnesses to the people of, Poland, the Philippines, and Cuba are but three episodes among many for the most highly-traveled leader in the history of the world. The list of dictators that John Paul II personally confronted during his world journeys, and whose reigns came to an end thereafter, also includes Alfredo Stroessner of Paraguay,¹¹⁸ Augusto Pinochet of Chile,¹¹⁹ and Daniel Ortega of Nicaragua.¹²⁰ Nor was John Paul's impact upon the world limited to political regime change, as many nations experienced an awakening of conscience in the wake of his visits that manifested itself in other important ways. The Pope of course never acted alone, nor can it be said that his visit and words were the decisive factors for change in each case. But the cumulative effect across the globe and the particularly powerful impact in certain individual cases make clear that his faithful witness was an invaluable presence on the world stage. As the first president of an independent Lithuania, Vytautas Landsbergis, said of John Paul II, "[w]hat would the world be like without him?"¹²¹

¹¹⁴ Wright, *supra* note 97 (quoting Vatican source).

¹¹⁵ FORMICOLA, *supra* note 69, at 176–77.

¹¹⁶ See 1 *Corinthians* 12:31 (New American) ("But I [St. Paul] shall show you a still more excellent way [the way of God's love].").

¹¹⁷ WEIGEL, *supra* note 86, at 811–12.

¹¹⁸ See *id.* at 560–62.

¹¹⁹ See FORMICOLA, *supra* note 69, at 110; WEIGEL, *supra* note 86, at 531–36.

¹²⁰ See FORMICOLA, *supra* note 69, at 103–04; WEIGEL, *supra* note 86, at 452–56, 773–74.

¹²¹ Robin Wright, "What Would the World Be Like Without Him?," ATLANTIC

C. *John Paul II's Prophetic Engagement with Dehumanizing Culture in Western Democracies*

With respect to the western democracies, including the United States, John Paul II directed his attention to disturbing and dehumanizing cultural trends. This unsettling cultural drift not only endangers society but also tempts the Church toward compromise of fundamental values through cultural accommodation. As Richard John Neuhaus writes, the danger is that of “subordinating the Church’s self-understanding to other definitions of reality; it means becoming in the words of Jesus, salt that has lost its savor.”¹²² Among these cultural trends, the one most to be deplored is that which threatens “human life, a primordial value, which must be protected and promoted.”¹²³

As Archbishop Charles J. Chaput explains, our late Pontiff “understood and witnessed against the idolatries of the West: consumer greed, radical individualism, a distorted sense of personal freedom, dysfunctional sexuality, practical atheism masked by superficial religion, neglect of the world’s poor, and a growing contempt for human life.”¹²⁴ In what his successor, Pope Benedict XVI, has described as “a trilogy of social Encyclicals,”¹²⁵ John Paul II offered prophetic critiques of western democracies when speaking about the inherent dignity of work and the rights of workers in *Laborem Exercens* (“On Human Work”);¹²⁶ the

MONTHLY, July 1994, at 24, 32.

¹²² RICHARD JOHN NEUHAUS, APPOINTMENT IN ROME: THE CHURCH IN AMERICA AWAKENING 145 (1999); see also *Matthew* 5:13 (New American) (“You are the salt of the earth. But if salt loses its taste, with what can it be seasoned?”); *Romans* 12:2 (“Do not conform yourself to this age but be transformed by the renewal of your mind . . .”).

¹²³ SACRED CONGREGATION FOR THE DOCTRINE OF THE FAITH, DECLARATION ON PROCURED ABORTION ¶ 1 (1974), available at http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19741118_declaration-abortion_en.html.

¹²⁴ Charles J. Chaput, *Once in a Century: Remembering John Paul II*, CRISIS, May, 2005, at 9, 14 available at <http://www.crisismagazine.com/may2005/feature1.htm>; see also John J. Conley, *Narrative Act, Structure: John Paul II's Method of Moral Analysis*, in CHOOSING LIFE: A DIALOGUE ON *EVANGELIUM VITAE* 3, 4 (Kevin Wm. Wildes & Alan C. Mitchell eds., 1997) [hereinafter CHOOSING LIFE] (describing John Paul II’s critique of culture in *Evangelium Vitae* as “analyz[ing] and denounc[ing] the ideologies of contemporary society, especially those of the affluent West, which form the often hidden background to individual acts against the good of life itself”).

¹²⁵ BENEDICT XVI, ENCYCLICAL LETTER *DEUS CARITAS EST* ¶ 27 (2006) [hereinafter *DEUS CARITAS EST*].

¹²⁶ JOHN PAUL II, ENCYCLICAL LETTER *LABOREM EXERCENS* ¶¶ 4, 6, 16–23

priority of human development across the globe and the trend toward materialism and immediate gratification in affluent nations in *Sollicitudo Rei Socialis* (“On Social Concerns”);¹²⁷ and the dangers of “radical capitalistic ideology” while recognizing the advantages of a market economy, together with the need for “authentic democracy” as founded “on the basis of a correct conception of the human person” in *Centesimus Annus* (“The Hundredth Year”).¹²⁸

Figuring most prominently in the Pope’s prophetic witness to western societies, and in the Church’s longstanding teaching, is a proclamation of the sacredness of life and a condemnation of the modern perversion of law and medicine to facilitate the destruction of human life. A decade ago, the bishops in the United States collectively expressed the singular importance of protecting human life:

Any politics of human dignity must seriously address issues of racism, poverty, hunger, employment, education, housing and health care *But being “right” in such matters can never excuse a wrong choice regarding direct attacks on innocent human life.* Indeed, the failure to protect and defend life in its most vulnerable stages renders suspect any claims to the “rightness” of positions in other matters affecting the poorest and least powerful of the human community.¹²⁹

John Paul’s Encyclical *Evangelium Vitae* (“The Gospel of Life”) contains a particularly strong condemnation of the resort to, and tolerance of, the imposition of death at the beginning and end of life, placed in the context of the affirmative duty of all Christians to preserve the command of the Decalogue not to commit murder. The Pope wrote:

The deliberate decision to deprive an innocent human being of his life is always morally evil and can never be licit either as an end in itself or as a means to a good end. It is in fact a grave act of disobedience to the moral law, and indeed to God himself,

(1981).

¹²⁷ JOHN PAUL II, ENCYCLICAL LETTER *SOLLICITUDO REI SOCIALIS* ¶¶ 8, 11–16 (1987) [hereinafter *SOLLICITUDO REI SOCIALIS*].

¹²⁸ JOHN PAUL II, ENCYCLICAL LETTER *CENTESIMUS ANNUS* ¶¶ 42–46 (1991).

¹²⁹ U.S. CONFERENCE OF CATHOLIC BISHOPS, *LIVING THE GOSPEL OF LIFE: A CHALLENGE TO AMERICAN CATHOLICS* ¶ 23 (1998), available at <http://www.usccb.org/prolife/gospel.htm>.

the author and guarantor of that law; it contradicts the fundamental virtues of justice and charity.¹³⁰

The Encyclical further reminded the faithful that the obligation to respect innocent life plainly includes a prohibition on aborting an unborn human being:

[T]he Church has always taught and continues to teach that the result of human procreation, from the first moment of its existence, must be guaranteed that unconditional respect which is morally due to the human being in his or her totality and unity as body and spirit: “The human being is to be respected and treated as a person from the moment of conception; and therefore from that same moment his rights as a person must be recognized, among which in the first place is the inviolable right of every innocent human being to life.”¹³¹

In upholding the sanctity of human life and declaring abortion to be an inherent evil, John Paul’s teaching reaffirmed and solidified longstanding Church teaching. What made *Evangelium Vitae* “new’ in a quite important way,” as Helen Alvaré observes, was “that abortion was not treated as a solitary issue but also as a paradigm of the ‘culture of death.’”¹³² John Paul recognized that, in addition to the “violence against life” long manifested in war, poverty, and hunger, new dangers to life had emerged, “another category of attacks, affecting life in its earliest and in its final stages.”¹³³ Underneath this deformation of crimes against humanity into something that “assume[s] the nature of ‘rights’” and that now is described with “innocuous medical terms” lies a “profound crisis of culture.”¹³⁴

As yet another insight in *Evangelium Vitae*, the Pope appreciated that exacting a penalty of death upon a convicted murderer, when unnecessary to preserve public order, also unravels the fabric of human dignity and coarsens our culture.¹³⁵ Through the regular resort to killing, whether of the innocent unborn or the far-from-innocent death row inmate, it has become frighteningly common in this society for one person or group of

¹³⁰ JOHN PAUL II, ENCYCLICAL LETTER *EVANGELIUM VITAE* ¶ 57 (1995) [hereinafter *EVANGELIUM VITAE*].

¹³¹ *Id.* ¶ 60 (citations omitted).

¹³² Helen M. Alvaré, *Responding to Leslie Griffin*, in *CHOOSING LIFE*, *supra* note 124, at 179, 180.

¹³³ *EVANGELIUM VITAE*, *supra* note 130, ¶¶ 10–11.

¹³⁴ *Id.* ¶ 11.

¹³⁵ *Id.* ¶ 56.

persons to exercise power to dispose of fellow human beings whose continued existence inconveniences or offends in some way.

Looking at all of these trends—this “larger reality, which can be described as a veritable structure of sin”—John Paul somberly identified the emergence of a “culture of death.”¹³⁶

Some observers were greatly unsettled by this language regarding a “struggle between the ‘culture of life’ and the ‘culture of death.’”¹³⁷ They questioned the use of “dark, polar terms” to describe these moral disagreements,¹³⁸ complained that a pejorative label was being unfairly applied to a society of “moral pluralism,”¹³⁹ and argued that the metaphor of a war against the “culture of death” was an oversimplified and unduly monolithic depiction.¹⁴⁰ Others argued that, while cultural defects in American society are patent, negative rhetoric about a “culture of death” was too pessimistic and more hopeful appeals were preferable, lest many members of society be offended and pushed away.¹⁴¹

As Damian Fedoryka writes, however, “[s]ilence about the evil of the age will not lead to unity or solidarity, but only collusion in evil.”¹⁴² In the Encyclical, the Holy Father wrote, “we need now more than ever to have the courage to look the truth in the eye and to call things by their proper name, without yielding to convenient compromises or to the temptation of self-deception.”¹⁴³

We are not addressing here an isolated point of mild moral difference among persons otherwise of similar frame of mind, but rather observing the emergence of sharp divisions on a related series of the most fundamental questions of human existence.

¹³⁶ *Id.* ¶ 12.

¹³⁷ *Id.* ¶ 21.

¹³⁸ PERRY, *supra* note 52, at 122.

¹³⁹ Editorial, *Culture of Death?*, COMMONWEAL, Apr. 21, 1995, at 4.

¹⁴⁰ James F. Childress, *Moral Rhetoric and Moral Reasoning: Some Reflections on Evangelium Vitae*, in CHOOSING LIFE, *supra* note 124, at 21, 31, 35.

¹⁴¹ See David Hollenbach, *The Gospel of Life and the Culture of Death*, in CHOOSING LIFE, *supra* note 124, at 37, 43–44 (agreeing that the “cultural mentalité [of ‘skepticism and sullen tolerance’] is deadly,” but approving of what he saw as John Paul’s more hopeful approach in a visit to America in which “he dropped his references to ‘the culture of death’ and repeatedly appealed to the better angels of American culture”).

¹⁴² Fedoryka, *supra* note 77, at 70.

¹⁴³ *EVANGELIUM VITAE*, *supra* note 130, ¶ 58.

We are seeing here a pattern of societal dehumanization and collective subjugation of human dignity for the weak, helpless, and unwanted. Nor have these cultural trends arisen in a random and unrelated manner, but rather reflect an integrated anti-ethos of isolated, selfish, and radical autonomy. Through this culture of death, grounded on extreme individualism, we are seeing what Jacques Maritain called “the tragic isolation of each one in his own selfishness or helplessness.”¹⁴⁴

The common theme in the culture of death is the conscription of the language of legal rights and charity, even benevolence, in the service of the killing business. When a culture has so deformed the language of humanity and compassion as to describe the purging of the unborn as medical services and necessary health care, to characterize the elimination of the dependent aged as exhibiting compassion and respect for dignity, and to label human embryos as mere cell material, then plain speaking in response is essential.¹⁴⁵

William Brennan rightly endorses the Pope’s insistence upon plain language as the rightful response to the use of linguistic gymnastics in the promotion of death:

The Holy Father has created an indispensable linguistic framework—calling things by their proper name—for contesting the lexicon powering the culture of death and supplanting it with a vocabulary of humanization and divinization. The challenge remains for us to become conversant with and to apply his rich and profound discourse of truth telling in the monumental task of evangelizing culture during the third millennium.¹⁴⁶

When the world has gone mad, the clear and sober voice of the sane man may appear extreme and disturbing. Such is the typical response to the words of a prophet in any age.

Nor was *Evangelium Vitae* unrelentingly negative in its expressions, for always set opposed to the culture of death was

¹⁴⁴ JACQUES MARITAIN, THE PERSON AND THE COMMON GOOD 92–93 (John J. Fitzgerald trans., 1966). For further discussion of Maritain and his advocacy of a civil society founded on the common good and how that conception of the common good applies to the abortion question, see Robert J. Araujo, *Abortion, Ethics, and the Common Good: Who are We? What Do We Want? How Do We Get There?*, 76 MARQ. L. REV. 701, 735–54 (1993).

¹⁴⁵ See William Brennan, *John Paul II on the Language Empowering the Culture of Death*, 3 NAT’L CATH. BIOETHICS Q. 731 (2003).

¹⁴⁶ *Id.* at 746.

the hopeful Gospel of Life: “We are asked to love and honour the life of every man and woman and to work with perseverance and courage so that our time, marked by all too many signs of death, may at last witness the establishment of a new culture of life, the fruit of the culture of truth and of love.”¹⁴⁷ Toward that end, the closing paragraphs of the Encyclical were devoted to media for transformation of culture, including “personal witness, various forms of volunteer work, social activity and political commitment.”¹⁴⁸ The Pope called for “a patient and fearless work of education aimed at encouraging one and all to bear each other’s burdens,” that is, “a continuous promotion of vocations to service, particularly among the young.”¹⁴⁹ All were called to participate in the renewal of culture: families,¹⁵⁰ health-care personnel,¹⁵¹ civil leaders,¹⁵² Christian communities,¹⁵³ educators,¹⁵⁴ and Catholic intellectuals.¹⁵⁵

The Pope also appreciated that the “culture of life” cannot be built in a single day or formed by a single creative act. Speaking directly to elected political leaders facing formidable legal limitations on democratic measures to protect unborn human life, the Pope showed the way out of the dark woods:

[W]hen it is not possible to overturn or completely abrogate a pro-abortion law, an elected official, whose absolute personal opposition to procured abortion was well known, could licitly support proposals aimed at limiting the harm done by such a law and at lessening its negative consequences at the level of general opinion and public morality.¹⁵⁶

In his writing about human life, as in his public prophetic interventions on behalf of human dignity during his international journeys, John Paul’s understanding of the sacredness of human life and the essential nature of human dignity is forthrightly religious, recognizing from whence we come and in Whose image we were created. Nearly every point in

¹⁴⁷ *EVANGELIUM VITAE*, *supra* note 130, ¶ 77.

¹⁴⁸ *Id.* ¶ 87.

¹⁴⁹ *Id.* ¶ 88.

¹⁵⁰ *Id.* ¶¶ 88, 92, 93.

¹⁵¹ *Id.* ¶ 89.

¹⁵² *Id.* ¶ 90.

¹⁵³ *Id.* ¶ 95.

¹⁵⁴ *Id.* ¶ 97.

¹⁵⁵ *Id.* ¶ 98.

¹⁵⁶ *Id.* ¶ 73 (emphasis added).

Evangelium Vitae is embedded in scripture and religious doctrine. It is a thoroughly theological document. John Paul II identified the roots of the “culture of death” in the tragic loss of a sense of God, which in turn produces a loss of “the sense of man, of his dignity and his life.”¹⁵⁷

Yet, his words remained accessible and understandable to “all people of good will who are concerned for the good of every man and woman and for the destiny of the whole of society,” who, along with the “sons and daughters of the Church,” are those to whom *Evangelium Vitae* was addressed.¹⁵⁸ John Paul’s Encyclical, thus, is bilingual in this important sense, such that “though he quoted chapter and verse, he simultaneously expressed his message in a universal ethical discourse.”¹⁵⁹ While John Paul stated that “faith provides special light and strength,” the “value at stake,” that is, the defense of life, “is one which every human being can grasp by the light of reason.”¹⁶⁰ When, for example, the Holy Father outlined the dangers inherent in “a self-centered concept of freedom,” decried the “hedonistic mentality” of the present age, and the tragic consequence that life, and death, are “deprived of any prospect of meaning or hope,”¹⁶¹ those words should resonate with any person concerned about civic virtue. Likewise, the Pope spoke plainly to all hearers about the dangers inherent in a distorted conception of human freedom:

If the promotion of the self is understood in terms of absolute autonomy, people inevitably reach the point of rejecting one another Thus society becomes a mass of individuals placed side by side, but without any mutual bonds In this way, any reference to common values and to a truth absolutely binding on everyone is lost, and social life ventures on to the shifting sands of complete relativism. At that point, everything

¹⁵⁷ *Id.* ¶ 21.

¹⁵⁸ *Id.* ¶ 5.

¹⁵⁹ Cf. Robert J. Lipkin, *Reconstructing the Public Square*, 24 CARDOZO L. REV. 2025, 2043 (2003) (describing Martin Luther King as being both “deeply committed to Christianity’s specific text and message” and able “to motivate and persuade other Christian, non-Christian, and even atheistic citizens”).

¹⁶⁰ *EVANGELIUM VITAE*, *supra* note 130, ¶ 101; *see also* JOHN PAUL II, ENCYCLICAL LETTER *FIDES ET RATIO* (1998) (“Faith and reason are like two wings on which the human spirit rises to the contemplation of truth”); Brady, *supra* note 83, at 206 (“Revelation strengthens human reason; it does not contradict reason or dispense with it.”).

¹⁶¹ *EVANGELIUM VITAE*, *supra* note 130, ¶¶ 13, 15.

is negotiable, everything is open to bargaining: even the first of the fundamental rights, the right to life.¹⁶²

In sum, by speaking for the sanctity of human life, John Paul II sought neither to impose theological dogma on the public nor present a vision of the common good that can be seen only through the eyes of faith.¹⁶³ Rather, the fundamental right of life possessed by all human beings from the moment that a unique genetic organism is formed at conception is as much the ineluctable conclusion of right, reason, and natural law as is the demand for equality of persons of different races or the prohibition on genocide waged against people of a certain ethnic, religious, or cultural background. With respect to a transformative “culture of life,” while this “vision . . . [is] put forward by the Church, . . . [it is] also part of the patrimony of the great juridical traditions of humanity.”¹⁶⁴

The still early indications about our society’s response to John Paul’s prophetic words are encouraging. No longer are those supporting protection of life on the defensive, left to argue feebly against “rights” and “medical care.” The contrast between a “culture of life” and a “culture of death” resonates with the public and empowers the pro-life cause. Even those who generally support the “abortion right” acknowledge that the “culture of life” is now among “the competing symbols and images” that have become prominent in constitutional controversies.¹⁶⁵

Although poll results are often difficult to interpret, given wide variations in how questions are asked, most seem to agree that there has been a decline for several years in support for unrestricted availability of abortion in America. At the beginning of this very year, a new poll conducted for CBS News found that the overwhelming majority of Americans, some

¹⁶² *Id.* ¶ 20.

¹⁶³ See Benedict XVI, Address on Study Days on Europe, *supra* note 68 (confirming that the principles of human dignity, including “protection of life in all its stages,” are “not truths of faith,” and “[t]he Church’s action in promoting them is therefore not confessional in character, but is addressed to all people, prescind[ing] from any religious affiliation they may have”).

¹⁶⁴ *EVANGELIUM VITAE*, *supra* note 130, ¶ 71.

¹⁶⁵ See Laurence H. Tribe, *The Treatise Power*, 8 GREEN BAG 2d 291, 301–02 n.2 (2005) (noting that the anti-abortion movement is “increasingly calling itself the ‘culture of life,’” and observing that recent abortion cases are “symptomatic of the increasing prominence in constitutional controversy of competing symbols and images”).

seventy percent, would like to see greater restrictions placed on abortion.¹⁶⁶ A majority, fifty-five percent, opposed abortion in all circumstances or would permit it only in extraordinary cases such as rape, incest, and to save the woman's life.¹⁶⁷

The reawakening of a "culture of life" in the United States, and other western democracies,¹⁶⁸ may be the most important jurisprudential legacy of John Paul II.

IV. REMEMBERING THE HIGHER THINGS: THE CHURCH'S PRIMARY SALVIFIC ROLE

In his very first pastoral journey in January, 1979, the new pontiff, John Paul II, visited the Conference of Latin American Bishops (Consejo Episcopal Latinoamericano) in Puebla, Mexico.¹⁶⁹ Far from praising the increasingly partisan and radical political activism of some bishops and clergy in Latin America, who were loosely gathered under the banner of "Liberation Theology," the Holy Father wholly rejected the reconception of Jesus as a political, even violent, revolutionary, rather than being the divine Son of God with a "redemptive mission."¹⁷⁰ He sharply reprovved the reductionist and debasing anthropology of Marxist theory, as contrasted with the Christian recognition that "man is God's image and cannot be reduced to a mere portion of nature or to a nameless element in the human

¹⁶⁶ Angus Reid Consultants, *Mixed Views on Abortion Availability in U.S.*, Jan. 16, 2006, <http://www.angus-reid.com/polls/index.cfm/fuseaction/viewItem/itemID/10559>.

¹⁶⁷ *Id.*

¹⁶⁸ The trend against unlimited access to abortion is by no means confined to the United States, as polls in Great Britain show that a majority of women there want further restrictions on abortion. Denis Campbell & Gaby Hinsliff, *Women Demand Tougher Laws to Curb Abortions: Poll Reveals Growing Concern Over Late Terminations: Blair Under Pressure To Agree Review as MPs Urge Change*, THE OBSERVER (England), Jan. 29, 2006, at 1.

¹⁶⁹ See FORMICOLA, *supra* note 69, at 11; WEIGEL, *supra* note 86, at 281–87.

¹⁷⁰ John Paul II, Address Given at the Opening of the Third General Conference of the Latin-American Bishops in Puebla, Mexico ¶ I.4 (Jan. 28, 1979) [hereinafter John Paul II, Address to Latin American Bishops]. In his paper for this symposium, Father Gerald Twomey describes how John Paul became more open to the message of Liberation Theology, as "liberation theologians sought to move away from an earlier, more Marxist-influenced phase, with its accompanying, revolutionary rhetoric, to direct their focus to more biblical and ecclesial themes, located explicitly within the mainstream of official Catholic social thought." Gerald S. Twomey, *Pope John Paul II and the "Preferential Option for the Poor,"* 45 J. CATH. LEGAL STUD. (2006) (current issue).

city.”¹⁷¹ In the spirit of the Second Vatican Council, the Pope offered the higher spiritual vision “[t]hat to attain a life worthy of man, it is not possible to limit oneself to *having more*; one must aspire to *being more*.”¹⁷²

In his Puebla address, John Paul emphasized that the Church’s prophetic voice on behalf of the poor and oppressed must be grounded in the Good News of Christ Jesus.¹⁷³ By restoring the Church’s spiritual mission, “we are able to serve men and women, our peoples, and to penetrate their culture with the Gospel, to transform hearts, and to make systems and structures more human.”¹⁷⁴ Priests are ordained to preach the Gospel of salvation, not to be political activists. Their “principal duty is to be teachers of the truth. Not a human and rational truth, but the truth that comes from God . . .”¹⁷⁵ The truly revolutionary role of the Church is evangelism, changing the culture by changing the hearts of men and women through a transformative encounter with the Living God through His Son, Jesus. “[E]vangelization is the essential mission, the distinctive vocation and the deepest identity of the church.”¹⁷⁶

As John Paul later explained in his Encyclical, *Sollicitudo Rei Socialis* (“On Social Concerns”), to achieve an authentic advancement of human dignity, bishops and priests must focus upon their pastoral vocation of teaching and service, that is, sharing the saving message of Christ, reminding the faithful of the social doctrine of the Church, and exercising Christian charity to feed the hungry, house the homeless, and minister to the sick.¹⁷⁷ “For the Church does not propose economic and political systems or programmes, nor does she show preference for one or the other, provided that human dignity is properly respected and promoted, and provided she herself is allowed the room she needs to exercise her ministry in the world.”¹⁷⁸

For those of us who sometimes think that we live, work, and have our being¹⁷⁹ in systems of law and politics, we need to be

¹⁷¹ John Paul II, Address to Latin American Bishops, *supra* note 171, ¶ I.9.

¹⁷² *Id.* ¶ III.4 (emphasis added).

¹⁷³ *Id.* ¶ III.2.

¹⁷⁴ *Id.* ¶ I.5.

¹⁷⁵ *Id.* ¶ I.

¹⁷⁶ *Id.* ¶ I.7; *see also* notes 81–83 and accompanying text.

¹⁷⁷ *SOLLICITUDO REI SOCIALIS*, *supra* note 127, ¶¶ 41–42.

¹⁷⁸ *Id.* ¶ 41.

¹⁷⁹ *Cf. Acts 17:28* (New American) (saying that it is God in whom “we live and

reminded that while we should always be guided by the Church's teachings, especially those concerning the dignity of all persons, we may never insist that the Church endorse any particular political agenda.¹⁸⁰ Furthermore, we must never delude ourselves into believing that what we may accomplish by way of legal reform or political success can ever substitute for the way of salvation offered through Jesus Christ. To paraphrase our Lord's words, what would it profit a man to gain social justice in the world but then lose his soul?¹⁸¹

During his one-month papacy, Pope John Paul I insisted that "[i]t is wrong . . . to state that political, economic and social liberation coincides with salvation in Jesus Christ, that the *Regnum Dei* is identified with the *Regnum hominis* . . ."¹⁸² Pope John Paul II, in the words quoted above, adhered to that admonition. As evidence of steady continuity, Pope Benedict XVI, in his first Encyclical, *Deus Caritas Est* ("God is Love"), likewise affirms that the role of the Church is to form the conscience and "reawaken the spiritual energy," while appreciating that "[a] just society must be the achievement of politics, not of the Church."¹⁸³

The Gospel of Jesus, the message that God so loved the world that he sent His only Son to die for us, must always be at the center of our lives as Catholic Christians. Salvation is our goal, and the working out of our salvation should inspire all that we do.¹⁸⁴ Returning to John Paul's spiritual exhortation in *Sollicitudo Rei Socialis*,

the Lord unites us with himself through the Eucharist—Sacrament and Sacrifice—and he unites us with himself and with one another by a bond stronger than any natural union; and thus united, he sends us into the whole world to bear witness, through faith and works, to God's love, preparing the

move and have our being").

¹⁸⁰ On the public role of the Catholic Church, see Robert J. Araujo, *Contemporary Interpretation of the Religion Clauses: The Church and Caesar Engaged in Conversation*, 10 J.L. & RELIGION 493, 522–28 (1994).

¹⁸¹ Cf. *Mark* 8:36 ("What profit is there for one to gain the whole world and forfeit his life?").

¹⁸² John Paul I, *The Virtue of Christian Hope* (Sept. 20, 1978).

¹⁸³ *DEUS CARITAS EST*, *supra* note 125, ¶ 28a.

¹⁸⁴ Cf. *Philippians* 2:12 (New American Bible) ("work out your salvation with fear and trembling").

coming of his Kingdom and anticipating it, though in the obscurity of the present time.¹⁸⁵

This is not to denigrate those of us who discern a call to political and social activism and legal reform, which probably includes most of us attending this conference. Indeed, the Second Vatican Council affirmed that Catholic laity have the affirmative duty to transform the world. Thus, the decree *Apostolicam Actuositatem* (“Apostolate of the Laity”) declares:

The laity must take up the renewal of the temporal order as their own special obligation. Led by the light of the Gospel and the mind of the Church and motivated by Christian charity, they must act directly and in a definite way in the temporal sphere. As citizens they must cooperate with other citizens with their own particular skill and on their own responsibility. Everywhere and in all things they must seek the justice of God’s kingdom. The temporal order must be renewed in such a way that, without detriment to its own proper laws, it may be brought into conformity with the higher principles of the Christian life and adapted to the shifting circumstances of time, place, and peoples. Preeminent among the works of this type of apostolate is that of Christian social action which the sacred synod desires to see extended to the whole temporal sphere, including culture.¹⁸⁶

Catholic Christians are encouraged to participate in the political order and thereby to transform it. The Pastoral Constitution, *Gaudium et Spes*, also from the Second Vatican Council, teaches: “All Christians must be aware of their own specific vocation within the political community. It is for them to give an example by their sense of responsibility and their service of the common good.”¹⁸⁷ We as Catholic intellectuals have a special responsibility. As John Paul said in *Evangelium Vitae*,

[a]llowing their talents and activity to be nourished by the living force of the Gospel, they [Catholic intellectuals] ought to place themselves at the service of a new culture of life by offering serious and well documented contributions, capable of

¹⁸⁵ *SOLLICITUDO REI SOCIALIS*, *supra* note 127, ¶ 48 (emphasis omitted).

¹⁸⁶ SECOND VATICAN COUNCIL, DECREE *APOSTOLICAM ACTUOSITATEM* ¶ 7 (1965); *see also DEUS CARITAS EST*, *supra* note 125, ¶ 29 (“The direct duty to work for a just ordering of society . . . is proper to the lay faithful.”).

¹⁸⁷ SECOND VATICAN COUNCIL, PASTORAL CONSTITUTION ON THE CHURCH IN THE MODERN WORLD *GAUDIUM ET SPES* ¶ 75 (1965).

commanding general respect and interest by reason of their merit.¹⁸⁸

The conference at which this essay is presented is dedicated toward that very end.

In his address to a group of American bishops on the occasion of their *ad limina* visit to the Holy See in 2004, Pope John Paul II accentuated both the responsibility of the laity for transforming the world and the duty of bishops to provide pastoral guidance to the laity in fulfilling this responsibility.¹⁸⁹ The Pope concluded that the American bishops “must do everything possible to encourage the laity in their ‘special responsibility’ for ‘evangelizing culture . . . and promoting Christian values in society and public life.’ ”¹⁹⁰

Thus, while prophets among the leaders of the Church, such as John Paul II, will extend a call to awaken the conscience of the people, it remains for us in the laity, including those of us in the professions of law, politics, and academics, to convert that call into a well-ordered and human-centered civil society. At the same time, we must have a sense of proper priority, as the temporal is always subordinate to the transcendent. As Richard John Neuhaus writes:

Whether the political dimension is major or minor in our vocations, we will all do our work much better if we understand that we are not doing the most important thing in the world. It may be the most important thing for *us* to do because it is what we believe we are called to do, but not because it is the most important thing in the world.¹⁹¹

However worthy our ventures, we must never expect the Church to dilute its spiritual mission to support any worldly goal.

For this reason, we are, and should be, different from our secular colleagues in our attitude and devotion to matters of public life. When unbelieving academics, political figures, or leaders in the legal profession contemplate and speak about

¹⁸⁸ *EVANGELIUM VITAE*, *supra* note 130, ¶ 98.

¹⁸⁹ John Paul II, Ad Limina Address of Pope John Paul II to the Bishops of the Church in Colorado, Wyoming, Utah, Arizona, New Mexico, and Western Texas ¶ 5 (June 4, 2004).

¹⁹⁰ *Id.* ¶ 5 (quoting JOHN PAUL II, APOSTOLIC EXHORTATION *PASTORES GREGIS: ON THE BISHOP, SERVANT OF THE GOSPEL OF JESUS CHRIST FOR THE HOPE OF THE WORLD* ¶ 51 (2003)).

¹⁹¹ RICHARD JOHN NEUHAUS, *AMERICA AGAINST ITSELF: MORAL VISION AND THE PUBLIC ORDER* 23 (1992).

important political questions, they understandably and sincerely may believe they are engaged with the most important things that could occupy the attention of a human being. Without any sense of triumphalism, as we know our faith is a gift, we simply know better—even if we do not always act or speak as if we do and even if we too sometimes forget the higher things. As Catholics, we must never forget that the Church is about salvation; that our friends, neighbors, and fellow citizens are beings of eternal significance; and that souls are at stake.

V. CONCLUSION

Most of what I have outlined in this essay with regard to the legacy of Pope John Paul II as a religious witness in the public square will and should be seen as plainly evident, that is, simply rehearsing yet again the well-established and documented record. Likewise, I have added little or nothing original to the already rich literature, at least in the American academy, about religious expression on public issues and participation of the faithful on questions of public interest. Nonetheless, restating the obvious and retelling the story has value in itself, both because what is obvious is sometimes overlooked or underappreciated and because regularly passing along stories renews their vitality to additional and future audiences.

I am reminded of the old chestnut about an elderly gentleman who when asked whether he believed in infant baptism replied, “Believe in it? I’ve seen it!” We chuckle about that gentleman’s failure to appreciate the inquiry about belief as directed not to the outward act of pouring water over a baby, but to its underlying spiritual meaning of washing away sins and joining the child to the community of believers. Likewise, if one were to ask whether we believe in the religious witness in the public square, we might cite to John Paul II and also say, “Believe in it? We’ve seen it.” But, we should understand fully what we mean by that profession of belief. Yes, we affirm that the religious witness can be powerful, even to the point of bringing down governments, and just as efficacious in reframing the cultural debate within a society; however, we also should recognize that the prophetic power flowing through John Paul II had its source in something greater than himself and without which he would have been able to accomplish little. Thanks be to God!