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The Interpretation of Religious Liberty of John Courtney Murray, S.J. and John Paul II

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THE SAINT PAUL SEMINARY SCHOOL OF DIVINITY
UNIVERSITY OF ST. THOMAS

**The Interpretation of Religious Liberty of John Courtney Murray, S.J. and
John Paul II**

A THESIS

Submitted to the Faculty of the School of Divinity

Of the University of St. Thomas

In Partial Fulfillment of the Requirements

For the Degree

Master of Arts in Theology

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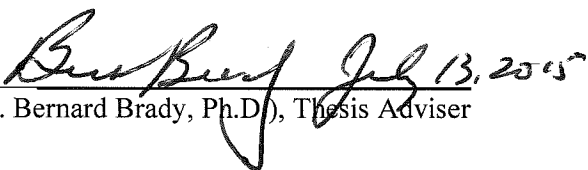
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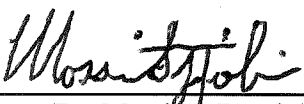
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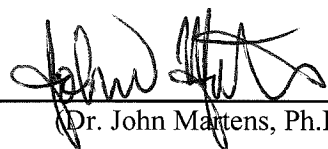
This thesis by Gina Bugliosi fulfills the thesis requirement for the Master of Arts degree in Theology approved by Dr. Bernard Brady, Ph.D. as Thesis Adviser, and by Dr. Massimo Faggioli, Ph.D. and by Dr. John Martens Ph.D. as Readers.



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In his book *John Paul II and the Legacy of Dignitatis Humanae*, Herminio Rico, S.J. reaches the conclusion that ultimately John Courtney Murray, S.J. and John Paul II hold differing views of the right to religious liberty as developed in the Declaration on Religious Liberty, *Dignitatis Humane* (hereafter, *DH*), at the Second Vatican Council. For Rico, the question ultimately boils down to how Murray and John Paul understand where the dignity of the person ultimately rests:

The basic issue at [the] level of the foundation of the right to religious freedom has to do with the kind of definitive answer [we give] to the following question: Where does human dignity ultimately rest in the person? Is that last layer human freedom, a freedom inherent to every person, which can be used well and fulfilled according to its intrinsic orientation, or not, but which, in either case, cannot be tampered with by any external power? Or is it the person's relationship with transcendent truth—truth to be accessed and embraced through freedom, but to which freedom is only instrumental? John Paul II is clearly more on the side of the latter (195).

And for Rico, Murray is clearly more on the side of the former. The question of how the differing interpretations of religious liberty between Murray and John Paul are illuminated when one considers how they affect their role in the abortion debate in America. The Catholic Church has frequently been a part of the debate surrounding the legalities of abortion in the United States. In this debate, questions commonly arise asking how the rights allotted to citizens by the First Amendment should or should not also grant them rights to obtain an abortion. Consequently, the participants in the abortion debate coming from a Catholic perspective have frequently cited *DH*, which declared the Catholic Church's belief in the right of persons to religious freedom.

The question remains to be answered, however, of what exactly is the place and proper interpretation of *DH* and religious liberties in general in the debate surrounding the legality of abortion. In order to offer a fresh look at this question and to attempt to further situate the interpretations of *DH* into a broader theological framework for both Murray and John Paul II, I will develop for both a theory of their respective “ecclesiology,” which helps to understand how they envision (or would have envisioned in the case of Murray) the Church’s engagement in the debate over abortion. Secondly, for each thinker I will analyze what they see as the relationship between truth and freedom, which as I have quoted above from Rico varies greatly between the two. Finally, I will show how for Murray and John Paul II their understanding of the nature of the Church as well as the relationship between truth and freedom enables one to have greater insight into their ultimate understanding of the right to religious liberty. From this more robust theologically developed perspective, I will show how several ambiguities exist both in regard to the debate surrounding abortion in America that make coming to the conclusion that the two thinkers are fundamentally at odds in their interpretation of the right to religious liberty and how it affects the proper form of Catholic engagement in the abortion debate problematic.

A (brief) history of the abortion debate in America

Pre-Vatican II

In order to provide context for the remainder of the paper, I will begin with a brief overview of the history of the abortion debate in America. In his book *Catholicism and American Freedom*, John T. McGreevy presents an exceptionally thorough overview of the history of Catholicism in America to which the following analysis is largely indebted. In this book, McGreevy spends considerable time looking closely at the life issues that confronted America beginning largely in the 1930s as evidenced by the authorship of the encyclical of Pius XI’s

Casti Connubii on December 31, 1930. In this document, Pius denounced the use of contraception as violation of natural law and consequently a grave sin (56) and abortion as a direct violation of the commandment “Thou shall not kill,” regardless of the threat the pregnancy posed on the mother (64). As this document’s content reveals, at this time the issues of contraception, sterilization, euthanasia, and abortion were routinely lumped into the same “abhorrent category” (McGreevy loc. 4001). The moral reasoning that formed the foundation for this understanding was straightforward and few Catholics dissented from the teaching.

McGreevy writes:

This cluster of Catholic beliefs became a tightly woven rhetorical package: an objective natural law existed, and contraception violated it; innocent human life deserved unconditional protection; God, not humans, should determine the purpose of sexual acts and the duration of human life; suffering possessed value (loc. 3997).

Before the Second World War and the years immediately following, this Catholic understanding remained fairly constant and largely accepted within the Church. According to McGreevy, the rise of feminism in the 1960s marked a sort of pivot in the debate, especially regarding abortion as it arose in the context of the rights of women to their bodies. The argument of the women’s right to choose, advocates contend, was “predicated on individual autonomy, and its contemporary legal equivalent, privacy” (loc. 4702). The feminist movement gained momentum in advocating for abortion and culminated in the most widely read scholarly article advocating for the legalization of abortion: Judith Jarvis Thompson’s “A Defense of Abortion” (1971). Jarvis gave a bold defense for abortion by arguing for a women’s “right to decide what happens in and to her body” (McGreevy loc. 4767).

This debate was distinct from that over contraception in that the contraception debate had become polarized with open dissenters even within the Catholic tradition. Conversely, at this time abortion resulted in a consistent condemnation by Catholics, unifying them with very few exceptions. “The Catholic answer,” explained John Ford twenty years later, “is the absolute inviolability of the right of an innocent human person to life, and the absolute intrinsic evil of the act by which he is deprived of life” (McGreevy loc. 3981).

As can be seen from this quote, the “right to life” became perhaps the most common line of logic used to defend the Catholic stance against abortion. This begs a deeper look at the development of the understanding of rights in America more broadly. Even as early as 1923, McGreevy cites a letter written by Father John A. Ryan to a friend that the “eighteenth-century French radicals had exaggerated the importance of rights, which were not autonomous and are justified and determined by their effects” (loc. 3979). By the 1960s, rights language dominated the debate around abortion. For Catholics, the right to life of the unborn child was to be upheld at all costs. For the pro-choice advocates of abortion, the right of a woman to control her body trumps the right of the unborn child to life. Thus, the debates around abortion were largely centered on varying understandings of rights and to whom those rights belong.¹

The priority of the right to life was deeply rooted in the Christian moral tradition’s emphasis on the natural law and its obligation to protect the lives of the innocent. Before the Second Vatican Council, the relationship between civil law and Christian morality was that “civil law applied the natural law to changing and particular cultural circumstances of different societies” (Walter 116; cf. *ST I-II*, Q. 95, A. 3). Civil law was not exactly the moral natural law,

¹ McGreevy explains that the abortion debate in Europe took a very different approach. The question was framed in a communal understanding of society rooted in the Social Democratic and Christian political parties found in France, West Germany, and other countries. Consequently, while legal access to abortion did increase, it was simultaneously restricted through not allowing abortions in later stages of pregnancy.

but they were closely related in that civil law was meant to promote the natural law. Civil law functioned to promote the common good and consequently it at times may have to tolerate moral evil to avoid harm or disorder of the greater good. The understanding was, as Walter explains, that “just laws never violate the true freedom of citizens, but anything that is contrary to the natural law will ultimately produce bad consequences” (ibid). When this belief was prevalent, civil authorities, particularly if Catholic, were obligated to pass laws to prohibit abortions in order to stay true to the natural law, thereby protecting the lives of the innocent.

Vatican II

McGreevy believes one of the greatest results of the Second Vatican Council was to replace a strict adherence to neo-Thomism with “a less philosophical or theological system” and a new openness to “historical development” and “the modern world” (loc. 4281). McGreevy writes, “The new vision was of the church moving through history always in need of self-reflection and purification” (loc. 4282). McGreevy understands the Declaration of Religious Freedom in 1965 to have marked the “most self-conscious recognition of doctrinal development” of the Council (loc 4272).

In *DH*, Vatican II created an alternative approach to that of the pre-Vatican II model that emphasized the priority of the natural law in the creation of civil law. This approach acknowledged a legitimate distinction between the secular and sacred orders of human life and also between the society and the state. The state’s responsibility is to maintain the public order in peace, justice, and basic morality. However, the foundational principle upon which the state must function is out of respect for freedom: “...people’s freedom should be given the fullest possible recognition and should not be curtailed except when and in so far as is necessary” (*DH* 7). According to one scholar, this means “the state can intervene through the passing of civil law to

limit the freedom of individuals when the rights of innocent people are being violated” (Walter 117). Thus, *DH* encompasses a twofold immunity from coercion. First, persons are to be free from coercion in religious matters, so long as “the just requirements of public order are observed” (*DH* 3). Second, no one should be coerced to act contrary to his or her conscience nor should he or she be restrained from acting in accord with conscience.

The promulgation of *DH* marked an effort by the Catholic Church to achieve a rapprochement with modern notions of freedom. For a long time, especially since Pius IX wrote *Syllabus Errorum* (1864), the Catholic Church was opposed to such understandings of freedom and rather held to the maxim commonly attributed to the *Syllabus*, though the phrase does not exactly appear there, namely that “error has no rights.” For example, Pope Leo XIII in his encyclical *Libertas Praestantissimum* (1888) defended the freedom of speech and press but only for “what things so every are true and honorable,” but denied such rights to “lying opinions” (23). Leo argued that “right is a moral power which...it is absurd to suppose that nature has accorded indifferently to truth and falsehood” (23). As can be seen, free speech for Leo, was limited to true opinions, a vision of free speech that most would say is a denial of free speech (Wolfe 139). Thus, this example reveals the extent of the development that occurred in *DH*, which acknowledged peoples right to religious freedom and freedom of conscience, even if they are in error, trusting in the power of truth, “which wins over the mind with both gentleness and power” (*DH* 1). However, the example for Pope Leo also serves to reveal a further point of *DH*, namely that persons are granted the right to freedom of conscience, even if their views are currently in error. The document does not state that these persons also have the right to spread or preach their erroneous views. Thus, the document is upholding the positive right to not be coerced, but at the same time, it does not grant people rights to spread incorrect beliefs.

Post Vatican II

The years following the Second Vatican Council were full of new developments both within the Church and in American society. Perhaps most notably for the latter were the developments regarding the abortion debate. The right in question in the non-Catholic world became the right of an autonomous person to make her own decision over what would happen to her body. Freedom was emphasized, especially freedom from the “doctrines of Christianity” (McGreevy loc. 4570). This mentality was reflected in the 1965 case *Griswold v. Connecticut*, when Justice William O. Douglas ruled that “zones of privacy” protected reproductive rights. McGreevy argues that this judgment paved the way for the acceptance of abortion as an individual right (loc. 4493). Simultaneous to the rise in rights talk was the rise in moral relativism or that the right decision in any situation was dependent on that particular situation rather than any objective norm. While these concepts may seem incompatible, their unifying concept was that of autonomy. The rights of the moral decision making agent were to be upheld in all situations.

The question of abortion was left in an awkward position after the debate on contraception, which had unfortunately diminished Catholic credibility. After *DH* acknowledged the right to freedom of conscience and the proper separation of church and state, it became common for Catholics to argue “their church should permit contraceptive use by non-Catholics, as a matter of religious freedom and a recognition that immoral actions need not be illegal” (loc. 4497). This became “ammunition” for supporters of “abortion on demand” who asked “if contraception...should be left to the individual conscience, why not abortion?” (loc. 4450). McGreevy provides a perfect example of this mentality by quoting John Gilligan, an Ohio Democrat legislator, who said he would make abortion legal if the majority of Ohioans voted for

it. Gilligan explained his reasoning: “As a Catholic, I follow the teaching of my Church as taught by the Vatican Council, that each individual is obliged to follow his own conscience” (McGreevy loc. 4507).

This interpretation of the Council and in particular of the “loyalty to conscience” emphasized in *DH* became emphasized by many, perhaps to the neglect of the document’s invocation of objective moral norms. McGreevy writes that “the distinction between following one’s own conscience and adapting one’s views to each new situation was subtle” (loc. 4640). Conservative Catholics, like Ford, jumped to action to defend against moral relativism, arguing that the Church must defend its duty and “apply the general principles she is entitled to teach to the individual situations which the Christian conscience must decide for itself” (McGreevy loc. 4646). At this time, the Church tolerated state law exceptions to abortion but continued “to teach the intrinsic evil of the practice” (Rainey, Magill, and O’Rourke 9).

By the end of the 1960s, it started to become more obvious to Catholics that they were beginning to stand alone in their hard stance against abortion. By 1967, the question of the legalization of abortion became for many equated with the right to religious liberty. McGreevy quotes the director of the American Civil Liberties Union (ACLU) at that time as stating that he and his colleagues now equated “anti-abortion positions with anti– birth control ones, and the defenders [of restrictions on abortion] with an effort to enact theological positions into law” (loc. 4722). At the National Organization of Women (NOW) convention that same year, radical feminists attacked the Catholic hierarchy as “an institution guided by celibate men eager to regulate women’s reproductive rights” (loc. 4721). Words such as “privacy” and “autonomy,” and “abortion” became common legal rhetoric, such as in the 1971 case, *Lemon v. Kurtzman*. This case took a major step forward to the legalization of abortion by emphasizing the necessity

of religious neutrality and warning of the “hazards of religion’s intruding into the political arena” (McGreevy loc. 4777).

The same emphasis on religious neutrality shaped the abortion debate. If the federal government could not aid religious school and institutions, then it could not prefer a particular religious understanding of human life (McGreevy loc. 4778). This mentality became law in the 1970s with two legal cases: *Doe v. Bolton* and *Roe v. Wade*. While the court’s decisions were released on the same day, January 22, 1973, *Roe v. Wade* became more widely publicized. The ruling of the court proved shocking, prompting Fr. John Neuhaus to write that the decision made at *Roe v. Wade* was an “Astonishing thing...most of those who were on the side of what then called liberalized abortion law, now called pro-choice were astonished as everyone else by *Roe v. Wade*” (207). “*Roe v. Wade*,” explains Rainey, Magill, and O’Rourke, “represents one of the most sweeping acts of judicial power in American constitutional history” (11). *Roe v. Wade* defined abortion as a constitutionally protected privacy right, which McGreevy writes surprised even pro-choice activists. Catholics fell “into despair” and the Administrative Committee of the National Conference of Catholic Bishops responded quickly stating that the opinions were “erroneous, unjust, and immoral” (McGreevy loc. 5049) and a “flagrant rejection of the unborn child’s right to life” (Rainey, Magill, and O’Rourke 11).

What exactly did the document say that was so revolutionary and immense? First, Rainey, Magill, and O’Rourke argue that the resolution of the court “radically altered” the socio-political framework of the country. Justice Harry A. Blackmun, writing for the seven person majority, explained that “the right of privacy...founded in the Fourteenth Amendment’s concept of personal liberty...is broad enough to encompass a woman’s decisions whether or not to

terminate her pregnancy” (Rainey, Magill, and O’Rourke 10). In regard to the personhood of the unborn, Justice Blackmun stated:

We need not resolve the difficult question of when life begins. When those trained [in] medicine, philosophy, and theology are unable to arrive at any consensus, the judiciary, at this point in the development of [human] knowledge, is not in a position to speculate as to the answer (ibid.).

Thus, the court made its decision based on admitted uncertainty that the fetus is not a “person” within the meaning of the Fourteenth Amendment and that the “unborn have never been recognized in the law as persons in the whole sense” (ibid.). Because of this understanding, the constitutional principle became that personhood does not begin until birth. Consequently, “the court announced a rule that accordingly permitted abortion not only in the first few weeks of pregnancy but effectively on demand throughout the entire pregnancy” (ibid.). Thus, Rainey, Magill, and O’Rourke conclude:

The Supreme Court located the “right” of abortion in a tenuous admixture of privacy and liberty that is at best implicit in the Constitution and at worst has been grafted onto the Constitution and by the judicial fiat of the *Roe* majority. It then elevated this new right to equality with such explicit and venerated constitutional rights as the freedom of speech, of the press, and of *religious liberty*. What had been subject to criminal prohibition was now a fundamental right under the Constitution (11).

In *Roe v. Wade*, the liberty of a woman to her make own choice regarding terminating her pregnancy outweighed any other considerations for justice, including any considerations as to how the decision would impact the common good (Aroujo 114). “What the majority failed to grasp,” states Robert John Aroujo, S.J., “was that they exalted one common particular form of

liberty- the liberty to kill a child in the process of being born, insulating it from other vital consideration” (ibid). According to some like Aroujo, the Court had forgotten that the purpose of constitutional protection is not just for the benefit of particular individuals but rather to serve the common good (ibid). Thus, applying the principles of *DH* to the outcome became slightly ambiguous: was this a case of upholding the right of freedom of conscience, or on the other hand, was it an example of an injustice that required state intervention?

Interestingly, the former principle, the right to freedom of conscience and religious freedom seemed to prevail, even to some other religious groups that Catholics had hoped would stand behind them against abortion. When the decision of *Roe v. Wade* was announced, a news service for the Southern Baptist Convention stated in the first line of their report that the verdict advanced the cause of religious liberty (McGreevy loc. 4756). This was not an uncommon position. For example, McGreevy gives an example of one of the country’s most influential constitutional lawyers, Lawrence Tribe, who believed that the Catholic stance on abortion should be denounced as an effort to legislate religious faith. It was just another example of “religious political entanglement and fragmentation” (loc. 4800).

After the decision of *Roe v. Wade*, Catholics sprang into action. In 1974, the NCCB emphatically announced, before the Senate Judiciary Committee, its full support for a constitutional amendment protecting unborn life and the recognition of the unborn children’s full possession of rights (Rainey, Magill, and O’Rourke 12). Catholics became major figures in the debate of the emerging field of bioethics in hopes of discovering more about the personhood of the unborn (McGreevy loc. 4825). Finally, an interesting question arises in a statement by the bishops in their 1973 letter “Pastoral Guidelines for Catholic Hospitals.” In this document, the bishops stated:

The opinion of the Court is wrong and is entirely contrary to the fundamental principles of morality... Whenever a conflict arises between the law of God and any human law we are held to follow God's law... Catholic hospitals must witness to the sanctity of life, the integrity of the human person, and the value of human life at every state of its existence (Introduction).

As discussed briefly above, *DH* has been interpreted as allotting the state power to only step in when a serious violation is occurring to society's public order. In all other instances, freedom is to be respected insofar as possible. However, in stating that the "law of God" should be followed when any contradiction arises between human law and the divine law, is the church acting in a way contrary to the development of *DH*? This is the question that will be explored below by taking a closer look at how two prominent Catholic thinkers, John Courtney Murray and John Paul II, understand the Church, the relationship of freedom and truth, and how these affect each of their interpretations of the themes of *DH* and how this interpretation affects their understanding of the issue of the legality of abortion.

John Courtney Murray, S.J.

The Ecclesiology of John Courtney Murray

In a 1948 article entitled "The Roman Catholic Church²," Murray notes that "relatively few people today ask what the Catholic Church is, but a great many seem to be asking what the Catholic Church *wants*" (emphasis his). The reason for the primacy of curiosity regarding the will of the Church in comparison to inquiry into its essence is, in Murray's estimation, the result

² This article, as well as several others written by Murray and cited in this paper, is found in Georgetown's online archives and does not include page numbers. The URL at which all of these articles can be easily found is <http://www.library.georgetown.edu/woodstock/murray>.

of the newfound prominence of historical consciousness arising at that time in the 20th century and the questions resulting from this awareness. For example, rather than studying the Church itself, scholars began, although not for the first time, focusing primarily on questions such as, “What does the Church want in the temporal order of human society; what place does it want for itself in relation to the structures of the social order; what part does it want to play in the process of their reconstruction?” Murray points out, however, that these two questions are intimately related precisely in that the answer to the second is dependent upon the answer to the first.

Thus, while acknowledging the grandeur and impossibility of his task, namely to describe the nature of the Church (especially in just an article!), Murray outlines what he understands as the “essential character of the Church.” Using this article as a reference point, and several of Murray’s other publications to add nuance, I will attempt to capture the ecclesiology of John Courtney Murray. My framework will be largely indebted to the method employed by Avery Dulles in his classic and insightful book *Models of the Church*. The result, as we will see, is Murray’s ecclesiology emerging as dependent upon two major themes: first, Murray’s strong commitment to a Christian humanistic philosophy, and secondly to the ecclesial model Dulles has named “Church as Servant.” Therefore, in the first section of this section I will provide an overview of Murray’s understanding of Christian humanism and from there move on to how it undergirds his ecclesiology, which will be the topic of the following section.

Murray’s Incarnational Christian Humanism

Beginning the early 1940s and continuing until close to his untimely death in 1967, Murray wrote several articles, between his published works on religious liberty, on Christian

humanism and on how a Christian culture ought to function. Murray's Christian humanism rests on the fundamental Church doctrines of the first ecumenical councils:

I would take as the creative principle of our Christian culture the full, metaphysical theology of the Incarnation. The Incarnation, I mean, not as understood by Paul Elmer More or Mr. Middleton Murray, but as understood by Cyril of Alexandria and the Council of Ephesus, and by Leo the Great and the Council of Chalcedon. Hence the theology that regards Christ, not as the incarnation of the ethical ideals of humanity, but as the Incarnation of the Son of God, His subsistent Word and Image" ("The Construction of a Christian Culture 106).

The Chalcedonian definition of the Incarnation, "the fact of the Word made flesh," holds the place primary in importance for Murray's entire theological enterprise and, of course, for the Catholic faith. Murray understands these theological facts' ultimate significance to be that they have "lifted the goal of human hopes" ("The Roman Catholic Church"). This is done primarily through the work of the Holy Spirit, the agent of divinization, regeneration of new life, and the lofty goal higher than that of human life, which is reformation into the image of Christ ("Towards a Christian Humanism" 108). Human persons are, as a result of the Incarnation, exalted beyond what is worthy of human nature precisely because they now are able to have a share and partake in the divine nature. This fact, the fact of the Incarnation, and the call of human persons to have the image of Christ formed in them has major consequences according to Murray for humanity at large:

Think of the consequence: now Humanity can and must be adored. Let me put it thus strongly: the dreams of all idolaters have come true: a thing of flesh and blood has become so one with the divine that before it "every knee must bend, in heaven, on earth,

and under the earth" (Phil 2, 11). Chalcedon does not shrink before that conclusion; rather it smites with its anathema Nestorius, who would not adore the man, Christ Jesus... A human nature has become adorable and has launched, on metaphysical foundations, the cult of man" ("The Construction of a Christian Culture" 106-7).

This is, for Murray, the foundation upon which human dignity supremely rests and against which no philosopher's theory of human dignity can rival. The most significant accomplishments of the Incarnation are twofold. Firstly, the historical fact of the Incarnation "certified the eternal hope, somehow native to the human soul, of becoming like to God" by overcoming sin and death. And secondly, the Incarnation allowed humanity to claim the authentic and total freedom for which they had always striven by teaching them their "proper dignity" through "enfranchisement from all earthly servitudes" ("The Construction of a Christian Culture" 108). These historical facts of the Incarnation ought to lead Christians to a noble sense of Christian pride, Murray explains, as they are born in God's likeness and likeness to God and the role of mastery to all creation.

Even more than Christian pride, however, the fact of the Incarnation inspires within the Christian a "deep sense of his dignity as a man" and simultaneously humbles humanity by forcing him to acknowledge "his nothingness were he merely a man, apart from God who makes him all he is" ("The Construction of a Christian Culture" 109). Therefore, Murray concludes that the dignity of the Christian is the "most noble of human dignities" but at its roots, it is in fact a "dignity of a profound humility" (ibid.).

Notable is that Murray points to the "dignity of the Christian." For him, there is a sense in which only the Christian can attain full or whole personhood ("Towards a Christian Humanism" 109). According to Murray, the fact of the Incarnation, whether persons know it and accept it or

not, changed the “interior of humanity itself.” The change affected by the Incarnation is “the sanctification of human nature in its entirety *precisely* by its elevation to a higher, divine plane of being.” The fact that the Incarnation sanctified all things human reveals that Christ affirms the validity of all things human, destroying nothing authentic to human nature but only what diminishes it. In fact, because of Christ taking on humanity and making it his own, we may now, according to Murray, become persons in the word’s fullest sense and have been given extra motivation to do so since “God himself was and is a man.” “Integral humanism,” Murray concludes, “is henceforth a primal Christian law” (ibid.).

Finally, the Incarnation has revealed to us that our “affirmation of human nature must be equally total and sincere” (“Towards a Christian Humanism” 109). What is good for the human person must be, as Murray notes, the “summit of the hierarchy of human values.” Further, high among these values must be the free exercise of persons’ “spiritual powers,” which need to be protected from any form of dominance or “tyrannous encroachments.” Therefore, the human person must be “enthroned in a unique sacredness,” under the realization that it would be a “profanation of its immortal dignity” should the person be subject to “the dominion of matter or of mechanism” or devoted “exclusively to the creation of purely temporal values” (ibid.). God’s coming to humanity through the Incarnation has given us the blessing to strive incessantly to fulfill our great, our divine, potential and become stewards of our material environment. We are confident that since “matter touched divinity in the Person of Christ it is itself hallowed, and can sanctify” (ibid. 110).

At this point we reach another central emphasis of Murray’s Christian Humanism, namely, that since Christ has awakened the “splendor of humanity,” he remains the way to achieve this splendor in persons: Christ is the way to perfect humanity (“Towards a Christian

Humanism” 111). Consequently, Murray writes, “All our hopes of that grand achievement are conditioned by our willingness to abdicate our own proud self-sufficiency, and to recognize that He is our fulfillment.” This is the great paradox and great truth of Christianity: “For whoever would save his life will lose it, but whoever loses his life for my sake will find it” (Matt. 16:25). For Murray, this Christological dictate provides the basis for his program of an integral, Incarnational, Christian humanism. Persons must, with the aid of the Holy Spirit, go out of our humanity by consenting to be made divine. For, as Murray writes, it is when “Christ is formed in us” that “we shall be men” (ibid. 112).

The final points I would like to make regarding Murray’s Christian humanism is to briefly elaborate upon the notion of the Christian paradox, whose importance to Murray cannot be overstated. That is, the idea that it is in following the path of Christ, that humanity too will find their ultimate and most perfect mode of being. For Murray, this notion is fundamentally rooted in the Trinitarian mystery, which is a communion of persons who, while remaining distinct, exist in a perfect unity of perpetual self-giving. By praying in the name of the Father, Son, and Holy Spirit, Murray believes that not only is the Christian professing his or her belief in the Trinity, but also in the human persons his or herself and the unity of all persons. By praying in the name of the Trinity, Christians call all people brothers and sisters and strive to be in community with them through the giving of his or herself. Paradoxically, Murray writes, “it is in communion with other that one finds oneself” (“Construction of a Christian Culture” 115).

Therefore, Murray elaborates on the “holiest task” of the Christian humanist:

Have you ever seen that image— tearstained, bloodstained, defiled with spittle, whitened and drawn beneath the anguish of pain, injustice and loneliness, but a holy Face? For it is the face of the Son of Man, as it shall be until the end of time. Perhaps if we withdrew

into thoughtful prayer long enough, we could catch the vision of the Face of the suffering Son of Man reflected in the world. It would illuminate for us the highest and holiest task of the Christian humanist—to share something of the sufferings of the sons of men, to seek some measure of union with their age-long crucifixion—that thus made over into the image of the Son of Man crucified on Calvary, he may have some share in the world's redemption, Man's passage into the possession of God (“The Construction of a Christian Culture” 123).

This passage provides a perfect transition into the main purpose of this section, which is to attempt to draw out of Murray’s abundance of writings his ecclesiology or theory of the Church. The passage quoted above gives a preview of what the ecclesiology will be founded upon; namely, the role of the Church, which is the ultimate sign of Christ as “servant” to the world.

Before moving into Murray’s understanding of the Church as servant, first it must be noted that Murray begins his article on the Church, “The Roman Catholic Church,” similarly to the way Dulles begins his book. Murray, like Dulles, acknowledges that ultimately the “Catholic Church is a mystery in the strict theological sense of the word” (“The Roman Catholic Church”). He writes of the Church, “Her children know that the Catholic Church is a mystery... her existence is not ultimately explainable in terms of human design and action” nor “sheer philosophical and historical research.” In fact, Murray continues, the church depends on “a sovereignly free divine choice” and God alone possess as “a secret” what the church intimately is” (ibid.). What we do know is that God gave us, especially through his son Incarnate, this “particular form for the religious life,” which is summarized in the Creed. Murray writes, “When the Catholic says: “I believe...in the one, holy, catholic, and apostolic Church,” he has indeed

evidence in the orders of philosophic truth and historical fact sufficient to let him know with certainty that his act of faith is reasonable.” Consequently, while understanding that ultimately the Church in which they believe is a mystery, Catholics can know that their “act of faith is reasonable” and “explain why [they] believe the church to be what it is,” even while it transcends the power of their reasons to entirely comprehend (ibid.).

For Murray, people also transcend even their own comprehension insofar as they are called and endeavor to become images of Christ. As we have seen above, the way Murray describes this occurring is through allowing the Holy Spirit to work in us and through human self-giving. Thus allowing the spirit to work in oneself to become simultaneously more human and more divine, and to use one’s perfected humanity in service to other persons. From here, we can begin to explore the servant-emphasis of Murray’s ecclesiology, however, as we proceed it will become clear that this model is closely connected to other ecclesial models as categorized by Dulles in the mind of Murray.

Dulles, calling upon the method of *Gaudium et Spes*, explains the Church as servant as follows:

The Church should consider itself as part of the total human family, sharing the same concerns as the rest of men. Thus in Article 3, after asserting that the Church should enter into conversation with all men, the Constitution teaches that just as Christ came into the world not to be served but to serve, so the Church, carrying on the mission of Christ, seeks to serve the world by fostering the brotherhood of all men (Dulles 83).

He continues by explaining that the theological method accompanying this model may be termed “secular-dialogic” because the Church takes the world as a properly “theological locus”

and because “it seeks to operate on the frontier between the contemporary world and the Christian tradition” (ibid. 84).

For Murray, greater emphasis is placed upon the model of self-gift by the Trinity over the suffering and servant acts of Christ, however, this theme is not completely absent from Murray’s works as we saw above. The reason for the difference in emphasis is, in my opinion, that Murray favors the communal dimension inherent to Trinitarian imagery. Murray writes, “each of the divine persons is himself by being wholly "for" the others, and each of the divine persons is one "with" the others because wholly "for" the others.” He continues by explaining the consequence of the perpetual divine self-giving: “the perfection of personality and the perfection of community are achieved by one and the same movement, an active self-giving of each to the other” (“The Construction of a Christian Culture” 115). From this quote we can see that for Murray, the Church is formed itself as a community through the mutual self-gift of its members. Simultaneously, it helps to shape and heal the broader human community through its members self-gift to all people, under the realization that they too are children of God, a theme from his Christian humanistic philosophy. In fact, Murray writes that this is the goal of all human history:

The spiritual unity of all men with each, with the Father, through the Son, in the Holy Spirit, that is the goal of history. In the collective destiny of humanity, each human person has a share and toward it each individual and each nation has a responsibility. The realization of that universal human unity is the proper role of personality (ibid.).

While Murray does not explicitly name the Church as having a greater role than other institutions in this process of creating “universal human unity,” we can deduce based on his Christian humanism and the fact that Christians are called to possess and can possess a divine dignity, that the Church’s responsibility to promote unity is great.

As can be seen by the emphasis on “community” in the preceding paragraph, Murray’s understanding of the Church as servant is closely linked to the “Church as Communion” model as named by Dulles. Dulles describes the communion model as follows: ecclesiological models that emphasize “the communion of the members with one another and with God in Christ” (48). Dulles explains that a certain caution is necessary for theologians employing this model as it has a tendency to treat the Church as nothing more than a social union among members. Murray also noted the importance of avoiding this misinterpretation. He writes that if the church were “simply a social and juridical union, into which men had gathered themselves for their own reasons, and the structure of which they themselves had determined, one could quite adequately understand and explain what it is” (“The Roman Catholic Church”).

However, Murray continues by explaining that “precisely in this regard” the Church escapes human comprehension as it “her unity that is her mystery.” For Murray, the nature of the Church, which makes it what it is and has to be ultimately a mystery, is “found neither in the will of man nor in his nature: it is a supernatural principle” (“The Roman Catholic Church”). Rather Murray writes:

Briefly, it is the Holy Spirit Himself, as given to the church, dwelling in her as in His temple, and by His presence and action making her the Body of Christ, whose members are united; not merely by the moral bond of love or by the juridical bond of law, but by the mystical bond of a common sharing in the one Holy Spirit. As the classic formula has it, the Holy Spirit is the "soul" of the church, the hidden, inner source of her life and unity, her very "is-ness" (ibid.).

It is at this point, when Murray describes that action of the Holy Spirit, that a more direct connection between the Church as communion and the Church as servant is found. Murray

understands the unifying power of the Holy Spirit to be found not “in the form of a dove,” but rather the Spirit comes “only in the endlessly energetic spirit of justice and love that dwells in the man of the City, the layman” (“The Role of Faith in the Renovation of the World”). From this passage a few insights into Murray’s ecclesiology can be observed. First, the Church’s own unifying principle is the same principle that exists in the temporal order, the “city of man,” wherever “justice and love” dwell. Thus, we learn that for Murray the Church cannot be defined as existing only in its baptized members, but rather the possibility is opened for the Church existing more broadly.

Further, the fact that Murray particularly calls upon lay people to bring the Holy Spirit into the “city of man” through their work for love and justice unearths another aspect of his ecclesiology that again emphasizes his fundamental understanding of the Church as servant. It is based on the essential nature of human life as “relationship between persons,” which is “precisely the end and purpose of the social order” (“The Roman Catholic Church”). At this point, we gain greater insight into how Murray views the interaction and relationship between the society and the church. Murray understands society as a “rational process,” whose rationality consists “essentially in its progress...towards an ideal of human community.” This community will be structured for social justice, human equality, and social charity. “Moreover,” writes Murray, “this rational process and its ideal goal is the object of a divine will.” Thus, we can see that for Murray as he himself explains, that “God wills not only the eternal salvation of man, but his perfection here on earth as man- the perfection of his intellect...his power over the material world and its energies...his social living” (ibid.).

Murray fully subscribes to the understanding that laity, as members of the Church, “have indeed a share in her whole redemptive mission and are divinely called to participate in her

apostolate” (“Towards a Theology for the Layman” 340). However, Murray further explains that “they participate in her apostolate as they participate in her priesthood analogously, and in a manner proper to themselves” (ibid.). We see that Murray believes that the laity, while they do have a role in the redemptive mission of the Church, hold a fundamentally different role than those in the ministerial priesthood. However, for Murray this role is not less important and in fact grants to the laity a lofty mission. Murray writes:

The Church well knows that her own sheer possession of the truth of Christ and a social doctrine embodying its implications will not of itself save the world. She looks to her children to develop and perfect the techniques whereby Christian ideas may be effectively introduced into public life (ibid).

From this understanding of the role of the laity, one can gain insight into Murray’s understanding of the role of the priest. In Murray’s interpretation, one of the major tasks of priests is to inspire the faith of the laity as a “force for the renovation of society” (“The Role of Faith in the Renovation of the World”). The task is, Murray writes, “to make the mission of the laity not simply a doctrine, but a movement, a moving force in the world...” (ibid.). To accomplish this task, Murray believes that the “harmonious effort of bishops and priests” will be required to lift the interior life of the laity. Primarily, this will be accomplished by encouraging and promoting of “more intensive participation in the thought and prayer and sacrifice of the Church in her theology and liturgy,” and through intensifying the laity’s apostolic spirit. If these tasks are accomplished well by the clergy, then the laity will be equipped to shape the institutions in which they participate- including economic, family, and social institutions- and renovate society at large in the Christian culture.

From this emphasis on the necessity of restoring as far as possible the temporal order, we can see that Murray understands the role of the Church is to be wholly involved at all levels of secular society. While the temporal will never be fully restored in our earthly city due to the divisiveness of sin, Christians are called to assert their own “supernatural ideal of human unity” insofar as possible (“The Roman Catholic Church”). Murray writes:

However, though Christian faith sanctions no myth about the city of God as realizable on earth, it allies itself strongly with the human hope for unity in the city of man. And for no mere sentimental reason. The Greek Fathers taught that the process of realizing mankind's "given" unity made a new beginning, on a plane higher than nature, in the fact of the incarnation: in asserting His oneness with man, Christ asserted the oneness of all men in Him (“The Roman Catholic Church”).

Thus, we can see that the ultimate mission of the church holds redemptive significance for all humanity, not only Christians; namely, that “all may be one (John 17:21; “The Roman Catholic Church”). This goal of unity is the “obsession” of the Gospel, according to Murray, as it is the very purpose of the Paschal Mystery. Murray writes, “What permanently remains, as an exigence of Christian faith itself, is the enlistment of the energies of faith in the perfecting of the city's own unity, under new and due respect for the city's presently achieved autonomy” (“The Roman Catholic Church”). Thus, Murray concludes that the ultimate wish for the city in the temporal order is to achieve “civic friendship,” which he defines as “the spirit of charity that is the primary expression of her faith” (ibid.). Murray writes, “There is no society, national or international, without civic friendship as its soul” (ibid.). The reason for this is twofold: promoting a spirit of charity is essential to the good of the city, and charity is the necessary

expression of the church's faith. This is the point of synthesis of the value of the Church for the eternal order and the temporal order: "Love of the city's common good."

This form of love for common good is nothing less than, for Murray, the "inchoative form of the love of the true God who is Goodness itself," even though existing in secular society ("The Roman Catholic Church"). Based on this understanding of society's principle of love or "civic friendships," Murray poses a question: "How shall Christian faith in Christ, the Son of God and one-time of citizen of earth, not be the dynamic principle of a great love of the city's common good?" Thus, Murray's Incarnational Christian humanism re-enters as the source and summit of not only his ecclesiology, but also arguably his political theory as well, although this theme understandably does not come to the fore in those writings. This Church is a "sign", a "sacrament, most particularly of charity," or as Murray puts in secular terms, "civic friendship" ("The Roman Catholic Church").

In a certain sense, Murray's ecclesiology as has been described until this point is consistent with the "Church as Sacrament" model as defined by Dulles. Dulles, quoting *Lumen Gentium*, defines the sacramental model as follows: the Council declared that by virtue of its relationship to Christ "the Church is a kind of sacrament of intimate union with God and of the unity of all mankind; that is, she is a sign and instrument of such union and unity" (Dulles 56; *Lumen Gentium* 9). Dulles explains that this model is particularly helpful in allowing one to embrace the church as an institution, primarily as it allows the church to be an outward, visible sign, while simultaneously embracing the church as communion, whose members are internally linked by bonds of charity. Murray also subscribes to this view and touches upon it in a 1941 article when explaining the fulfillment of personhood made possible by baptism. Murray writes that the baptized person is

...baptized into Christ, fashioned in His image, made a member of the Body of which He is Head, brought into the human community that is animated interiorly by His Spirit and organized visibly under the hierarchs to whom His prophetic, priestly, and kingly mission has been historically communicated (“Towards a Christian Humanism...” 108).

As we can see, Murray is endorsing both the idea of the Church as the “Body of Christ,” while also pointing out the visible structured of the organized hierarchy. Thus, we can see themes of the Church as sacrament in Murray, yet it remains a notion of the Church as is one that Murray never fully developed. He wrote to his Superior General in 1967 that he was going to attempt to take as his basic systematic concept the church as a *sacramentum Christi*, a “‘sign’, which at once reveals and also somewhat conceals the mystery of Christ, the mystery of the divine salvific action in the world” (Pelotte 104). However, Murray’s untimely death prevented him from ever finishing this project.

As stated above, however, I believe that one could make an argument, even though I will not do so in any complete sense here, that Murray, by emphasizing so heavily the Incarnational nature of the Church, understood the Church as a sacrament, at least implicitly, throughout his corpus of writings. For instance, Murray writes:

Furthermore our affirmation of human nature does not fall only on its spiritual part; we reverence, too, the animal element in our organism.... We recognize that historically the Church's first great doctrinal combat was in defence of matter against Gnostics. *Materia capax salutis*, we assert with Irenaeus, for God is the Creator of visible things as well as invisible things, and Christ was *visibilis in nostris*... We are not enemies of material progress as such, for we know that it can be integrated into the total purpose of the

Incarnation, and we are conscious that since matter touched divinity in the Person of Christ it is itself hallowed, and can sanctify (“Towards a Christian Humanism” 110).

Again, we see Murray’s humanism coming forth as the ideal way to live the Christian life, and it is all based upon the fact of the Incarnation. Therefore, I would hypothesize that since for Murray the human person him or herself deserves the utmost “reverence” as he or she represents the “nature God has taken as His own,” how much more so does the Church understood as the union of the Christians who together only more fully and concretely reflect the image of Christ? Therefore, to embody Christ ever more perfectly, the Church must again become the servant, going out of itself, “like Abraham, that we may come into the land that we view from afar as our heritage, wherein we shall find humanness as last, our humanity realized by a union with God, through Christ, in His Holy Spirit, as the humanity of Christ was realized...by its union with Person of the Word” (“Towards a Christian Humanism” 112).

The “paradox” of the Christian faith, namely that one must go out of oneself to find oneself, as particularly emphasized in Murray’s Christian humanism, is again important for his understanding of church membership. In this passage from his article “The Roman Catholic Church,” Murray refers to the “dual teaching of the church,” which is essentially a series of paradoxes one faces being a member of the “eternal city” at the same time as a member of the “earthly city”:

Christian faith is a value in itself, to be lived for its own sake, independently of any repercussions it may have in the temporal order; on the other hand, they are being taught that their faith is also a value in the temporal order.... They are being urged to seek simply and solely the kingdom of God in the heavens, and they are being urged to collaborate towards a Christian civilization on earth. It is impressed on them that it profits

a man nothing to gain the whole world, if he lose his own soul; and it is likewise impressed on them that they must gain the whole world on peril of losing their souls...

They are enjoined to work out their own salvation, keeping themselves immaculate from the world; and they are enjoined to immerse themselves in the world and work at its salvation. These two sets of injunctions are seemingly opposed; but their principle of synthesis is in the nature of Christian faith itself. (“The Roman Catholic Church”)

Again, we can recall Murray’s implementation of the Chalcedonian definition as his foundational principle to illuminate this passage further. Because Christ is a perfectly unified person of two seemingly opposing natures, divine and human, the fact that Christians are called to this seemingly paradoxical form of worldly engagement is perfectly logical to Murray. He believes that living in this paradox is truly living the mystery of the Incarnation, and this the “cardinal” lesson the Church has and must continue to teach to the modern people.

The Church acts, in Murray’s interpretation, as a sort of prophetic sacrament: while working for social justice, the Church must also and always be acting as “herald,” a herald most especially proclaiming and teaching the message of eternal life. Dulles defines the ecclesial model of “Church as Herald” as follows: “The Church is the congregation that is gathered together by the word— a word that ceaselessly summons it to repentance and reform... The unity of the whole Church will be seen as consisting in the fact that all are responding to one and the same gospel” (Dulles 70, 74). For Murray, the Church this church is acting most in accordance with its duty to be a herald when it is proclaiming the message of eternal life.

The message of eternal life is, Murray explains, the “pearl” and “treasure” the Church has to offer the world, and in a sense, it becomes nothing if it fails to preach this message. It is here that Murray draws on themes from Dulles’ description of the herald church in that the

Church's mission is, in Murray's own words, to "announce...the good news" of eternal life. "She would cease to be herself were she to teach or enjoin anything not related to [the hope of eternal life]" ("The Roman Catholic Church").

Again, the Holy Spirit plays a great role in the Church's ability to accomplish its task as herald. Murray writes that the Holy Spirit is "energy of the Most High," which on the level of the individual functions as an indwelling power to heal human nature and to carry humanity through to their appointed end of eternal life. Humanity, because of their spiritual, transcendent nature, has always been entitled to hope for eternal life as Murray notes many philosophers of human nature had observed. However, it took the Incarnation to make this entitlement a reality. Murray writes, "The eternal life now put within the reach of man by the Word made flesh is the possession of God as He is in Himself, in a vision face to face, without the distorting...of creatures interposed" ("The Roman Catholic Church").

While this may not seem like anything too innovative in terms of Catholic theology of the Incarnation, what is significant about Murray's interpretation is the emphasis he places on the paradoxical relationship between human activity in the temporal sphere and its relationship to eternal life, which is consistent with his Christian humanism. While the temporal life is extremely significant for Murray, even more so than for many Catholic theologians, he is clear that compared to eternal life "all the values of earth and time pale into shadows. The world is well lost, if this eternal life be gained" ("The Roman Catholic Church"). Thus, it must be noted in order to situate Murray's corpus of works in an sort of coherent theological or in the ecclesiological system, Murray writes that this mission of Church, which also is one of its ontological aspects, can never be "perverted by subordination to any other end, even the end of peace and justice and love here on earth" (ibid.). He writes:

There is the temptation to make the Christian faith itself simply a means to an earthly end- social change and progress toward an ideal of human brotherhood. All this would be to make the leaven simply part of the dough. And against all these temptations the doctrine of the *pearl* needs emphasis (ibid).

The kingdom of God, Murray emphasizes, must never identified with a just temporal social order.

On the other hand, Murray notes that this doctrine of the priority of eternal life “cannot be made a pretext for disengagement from the world’s problems.” Rather, he points out that the sacrament of baptism, while it may make a person a “new creature endowed with new life” does not transplant him or her into a new or alternative world. Christians must continue to live in this world, the fallen world, and as citizens must be members of the world’s imperfect and unstable institutions. However, as Murray points out, while these institutions fail in many ways, they are “capable of transformation” and “subject to free human action.”

In general, Murray is quite critical of institutions insofar as sinful persons create and sustain them. However, he is also willing to admit their necessity to maintain a smoothly functioning public order. As far as understanding the “Church as Institution,” as in Dulles’ ecclesial model, it is difficult to say exactly what Murray believed to be the Church’s proper role is as an institution since he mostly concerned with the Church, as in the people of the Church, working to make the function of existing institutions more in line with the Kingdom of God.

While institutions will always be imperfect in the temporal kingdom, Murray notes that they are necessary. Humans need them to be just and “ordinarily charitable” in order to support them in life. However, because humans fail to be just and charitable, institutions will do the same and will therefore hinder human’s prospering rather than help it. Murray writes of institutions

that violate justice and charity are “a manner of institutionalized sin and a force for personal sin” (ibid). It is at this point that the church needs to enter into the temporal order- political, social, and economic- *ratione peccati*, by reason of the sin found there (“The Roman Catholic Church”).

By pointing out the church’s role in the temporal order and the institutional element necessary to participate in this order well, Murray insists that he is not defending “clericalism,” but is rather promoting the responsibility and duty of all Christian to take part in this role of the church. Christians, to be Christian and to acknowledge that the church has a mission in the temporal order must not assume, according to Murray, that their “virtualities of Christian faith are...exhausted by personal piety.” Rather, “they demand an attack on organized injustice in all its forms; they demand positive action to establish and secure such institutions in the temporal order as will be favorable to the growth of the seed of eternal life planted in baptism” (ibid).

However, one must note that while Murray strongly advocates for Christian’s participation in transforming secular society, he takes extreme care to distinguish between the secular and sacred orders. For instance, he writes: “The church does not and cannot want her own unity, much less the structures that preserve it, to be reflected in the earthly city” (“The Roman Catholic Church”). Rather, Murray writes what the Church does want:

The church does want the city to have its own proper unity-its own juridical structure wherein the equal rights and freedoms of citizens will be safeguarded, and its own spirit of civic friendship whereby the high values of human living-together will be ensured. And to this end she is urging her children, as citizens, to employ the *mystique* of unity that is inherent in their faith. There is no more effective weapon against the divisive factors within the city (ibid.).

Thus, while Christians are called to apply their own “mystique of unity” in society, the secular order has value in itself. For Murray, this value demands Christians’ engagement in it. The value is twofold: first, although the earthly city is temporary, while it remains it must be made “a city of justice and friendship” for “the value that its order has in freeing man for the pursuit of his eternal destiny;” second, “for the value that its order has in itself, as a realization, always imperfect indeed, of a rational ideal of human unity” (“The Roman Catholic Church”). What is extremely important to note from the previous quote is that, in Murray’s thought, the secular order itself has value in providing citizens with a “freedom” to pursue their own “eternal destiny.” As we will see in the following section, the right to this freedom is extremely important for Murray’s entire theological enterprise: for it is the right to freedom, especially religious freedom, that enables persons to pursue not only their authentic personhood, but also the Christian truth, which is necessary to attain the most full and perfect freedom. In order to understand this principle more clearly, we will now examine how Murray conceives of the relationship between freedom and truth.

Murray on the Relationship between Truth and Freedom

In a series of lectures given at St. Joseph’s College in 1940, Murray noted that his talks had been “inspired by one conviction, namely that the Christian truth is the guardian of human life, so a return to the full Christian truth is the only remedy for the inhumanities of the present world” (“The Construction of a Christian Culture” 118). Authentic freedom is also found only in the Christian tradition for Murray. One can see the roots of his theory of Christian humanism in his belief that it is because of the Incarnation and the *semen Dei* that has consequently entered their nature that humans are free: “free to develop all of the hidden possibility of [their]

nature...to shatter its limitations and make himself over in the image of Christ, “perfect in humanity”” (ibid. 108-9). Murray writes:

Beside those ringing words, how cheap and vacuous sound the voice of the modern liberal humanitarian, shouting of his freedom and his individual dignity. The Christian man has a reason in history to believe in his dignity and his spiritual freedom (“The Construction of a Christian Culture” 108).

As can be noted from the quote above, Murray does accept the version of freedom advocated by secular post-enlightenment thinking. Rather, he wants to make clear that freedom is the absolutely necessary element for the assurance of a stable society in that it enables society to create authentic and dynamic communities:

Truth, justice, and love assure the stability of society; but freedom is the dynamism of social progress toward fuller humanity in communal living. The freedom of the people ranks as a political end, along with justice; it is a demand of justice itself. Freedom is also *the* political method whereby the people achieve their highest good, which is their own unity as a people. A society of men achieves its unity (*coalescit*) by freedom, that is, by methods that are in keeping with the dignity of its citizens, who are by nature men of reason and who therefore assume responsibility for their own actions. Society is bound to the usages or methods of freedom (*libertatis consuetudinem teneat*) in its constant effort to base itself on truth, govern itself with justice, and permeate itself with civic friendship. When the freedom of the people is unjustly limited, the social order itself, which is an order of freedom, is overthrown” (PRF 82).

At the outset, this quote provides insight into how Murray envisions the relationship between freedom and truth. Freedom, it seems, is the always the first and primary principle upon

which Murray believes society must be built in order to function and exist most strongly and virtuously. For, it is freedom that Murray believes enables society to “progress toward fuller humanity.” When society possesses the freedom, Murray seems to insinuate that it will be able to work toward basing itself on truth, which insures its stability.

Murray also grounded his theory of civil freedoms in his argument about the service character of limited, constitutional government, in his assertion that “the freedom of the people is also the higher purpose of the juridical order, which is not an end in itself. Furthermore, freedom is the political method *per excellentiam*” (PRF 31). In fact, Murray notes that the first right owed to a “civilized people is freedom” (“The American Proposition”). According to Murray, freedom is an essential, if not the essential, provision offered by a just society and represents the government fulfilling its political duties. If one can answer in the affirmative to the question of whether or not people are free, Murray says that then “you have an achievement to some relative extent of what is the highest political end, namely peace...” (ibid.).

This great emphasis on freedom is not to say that for Murray the truth is unimportant. Rather, Murray insisted that “anyone who really believes in God must set God and the truth of God above all considerations” (“The American Proposition”). However, Murray does believe that a “basic distinction” has to be made “between the truth of the theological and religious order,” since people are “radically divided” regarding them, and “the political community which if it is to be a political community at all, must somehow be one” (ibid.). In terms of the theological and religious order, which here Murray refers to as the “spiritual order,” Murray describes the relationship of freedom to truth as follows:

The spiritual order of society is founded on truth—on the true view of man, his dignity, his duties and rights, his freedoms and obligations. This order must be brought into being

under fidelity to the precepts of justice, whose vindication is the primary function of the public power as well as the primary civic duty of the citizenry. This order needs to be animated and perfected by love; for civic unity cannot be achieved by justice and law alone; love is the ultimate force that sustains all humans living together. Finally, this order is to achieve increasingly more human conditions of social equality, without any impairment of freedom (*Problem of Religious Freedom* 82).

From this quote, we can see that for Murray, in order for justice to be achieved most fully in a society, freedom must be allotted to all persons insofar as possible in order to achieve “human condition of social equality.” It is in this way that the “truth,” which Murray notes is found in the “spiritual order of society” can “be brought into being” in the secular order. Therefore again, we see how freedom functions as the primary principle upon which truth can thrive, but only after freedom has been established.

One must note that for Murray there is a basic truth on which society can agree. He believes that behind this truth in fact lies a greater truth that supersedes a political purpose.

Murray writes:

The truth to which customarily refer by saying in Lincoln's words "that this is a nation under God"—that political life has a premise beyond itself, a premise that is theological, the existence of God, and then joined with that there is the other truth about man, the essential truth about man, namely that man is a sacredness. . . . (“The American Proposition”).

For Murray, this “sacredness of man” is respected only when given the appropriate freedom. In his 1965 commencement speech at St. John’s University in Collegeville, Minnesota, Murray claimed that “for all its dangers, freedom remains the first truth about man” (Schuck 87).

As can be seen from this quote, Murray was aware that risk is associated with name freedom as the “first principle” of human life. However, for Murray, freedom remains not only the basic right necessary to have a just and well-function society, but also to reach knowledge of truth.

Truths, according to Murray, are situated, like freedom, in history. Murray wholeheartedly accepted the existence of a universal, eternal natural law. However, the natural law must be understood as constantly expanding and undergoing scrutiny in order to meet people’s contemporary demands. Murray saw that the demand of natural law in the present moment of history was a demand of freedom in regard to the goods of the human spirit: “the search for truth, the free expression and dissemination of opinion, the cultivation of the arts and sciences, free access to information about public events, adequate opportunities for the development of personal talents and for progress in knowledge and cultures” (PRF 19).

For Murray, there has to be a natural law, or “right reason,” but for him to speak of “right reason implies that reason has some sort of historical dimension” (“The American Proposition”). This body of reason is continually growing as it continues to be found when people freely attempt to develop answers to fundamental human problems, that these answers are “right in terms of truth,” and that they have been proven right by experience (ibid.). Murray concludes this thought by stating that this body of “right reason” comes to us in the form of tradition, which is never complete, always in need of refinement, and continually developing. It is found in what Murray calls the “public mind,” which is the only “proper depository of the tradition of reason at any given moment” (ibid.).

One cannot access this “public mind” as such. Thus, Murray explains that the best way in which one can assess the current thought of the public is through the current public exchange and argument. As Murray famously wrote at the beginning of *We Hold These Truths*: civilization

depends on “men locked together in argument.” Because we “hold certain truths, we can argue about them” (6-10). However, this argument can only occur, at least in any authentic manner, when humans are able to engage in it with complete freedom. Thus, “Murray believed the whole church needed to recognize the centrality of history and freedom for the discovery and growth of truth” (Schuck 88).

What Murray essentially rejects is the “classicist” notion of objective truth, which holds objective truth, to borrow Lonergan’s descriptive phrase, as existing “already out there now” (Rico loc. 3102). This truth exists apart from possession by anyone and apart from history. As Rico explains, “If there is to be talk of development of doctrine, it can only mean that the truth, remaining itself unchanged in its formulation, may find different applications in the contingent world of historical change” (ibid.).

In contrast, Murray strongly advocates for the view of historical consciousness, as also described so well by Lonergan. Rico explains Murray’s adoption of Lonergan’s historical consciousness as follows:

While holding fast to the nature of truth as objective, is concerned with the possession of truth, with man's affirmations of truth, with the understanding contained in these affirmations, with the conditions-both circumstantial and subjective-of understanding and affirmation, and therefore with the historicity of truth and with progress in the grasp and penetration of what is true (Rico loc. 3105).

This process of knowing the truth through argument and discernment in specific historical circumstances was precisely what Murray understood to be the primary goal and achievement of the Second Vatican Council. Murray does not deny that the “pastoral concern” of

the Council was “a doctrinal concern.” Rather he insists that it is doctrine “illuminated by historical consciousness.” Rico explains this understanding as:

...concern for the truth not simply as a proposition to be repeated but more importantly as a proposition to be lived; by concern, therefore, for the subject to whom the truth is addressed; hence, also, by concern for the historical moment in which the truth is proclaimed to the living subject; and, consequently, by concern to seek that progress in the understanding of the truth demanded both by the historical moment and by the subject who must live in it. In a word, the fundamental concern of the Council is with the development of doctrine (Rico loc. 3112).

It was precisely this process of becoming aware of the signs of the times and the changing historical climate that led, according to Murray, to *Dignitatis Humanae*, a topic which will be discussed below.

Therefore, Murray’s foundational principle in terms of the relationship of freedom to truth to which he stayed faithful for the whole of his career is that freedom is “the first truth about man, a positive value, both personal and social, to be respected even when it involves man in error and evil” (“Freedom in the Age of Renewal” 323). Murray explains that history is a process by which humanity is undergoing a process of liberation, a process which is never complete and is always “precarious, subject to deflection or defeat” (ibid.). In fact, Murray writes “man is never more than an apprentice in the uses of freedom. Their mastery eludes him... the possession of freedom, like the possession of truth, is the term, always only proximate, of an arduous education.” Murray continued by explaining that this education of freedom comes from secular experiences, and those who have not learned can only blame themselves because “they have been absent from class, truant from the school of history” (ibid.).

Thus, for Murray, freedom is “truthfulness,” or perhaps better said the basis upon which any knowledge of truth must rest. Freedom, in its “inwardness” and “spontaneity” gives to humanity the capacity to find within themselves “the reasons and motives of [their] own right decisions and action, apart from external coercion” (“Freedom in the Age of Renewal” 324). For Murray, this freedom is experienced as a duty and responsibility: namely, to pursue the truth and adhere to it once found. However, Murray continues by explaining that in its “intimately Christian sense...freedom is love. To be free is to be-for-the-others. The Christian call to freedom is inherently a call to community, a summons out of isolation, an invitation to be-with-the-others, an impulse to service of the others” (ibid). This specific kind of freedom, true freedom, became available only through the gift of Christ’s Incarnation: And if we have it [Christian freedom], it is because of Him who said: "If you remain in my word, you will truly be my disciples and you will know the truth, and the truth will make you free" (Jn 8, 32).

Murray’s view of the State and the Right to Religious Liberty based on His Interpretation of *Dignitatis Humanae*

Let us now take a look at how these foundational principles of Murray affect his theory of the state and the right to religious liberty before finally applying them to what he may say regarding the question of the legality of abortion. For Murray, who played a major role in the authorship of *Dignitatis Humanae* (henceforth, *DH*), the document represents one of the most important texts of the Council and was an exercise in *aggiornamento*, bringing the Church “abreast to the developments that have occurred in the secular world” (“The Declaration on Religious Freedom”). In adopting this development, Murray believes “the Church assembled in Council also took a step forward, matching the step already taken by the civilized world” insofar as they had already accepted the universal right to religious liberty (ibid.).

For Murray, the right to religious liberty is found most clearly in the very dignity of the human person. And therefore, the church's acceptance of the first secular experience of religious liberty represents a "more fully disclosed" understanding of human dignity itself. Murray writes, "The dignity of the human person requires that a man should act on his own judgment with freedom" (PRF 18).

Murray was highly critical of the arguments put forward by *DH* that were not juridical and political, which he understood as the "two essential doctrinal components" of the document. The juridical component, according to Murray, is "that every man has a right to religious freedom- a right that is based on the dignity of the human person and is therefore to be formally recognized as a civil right and protected by an armature of constitutional law ("The Declaration on Religious Freedom"). The political component is "that the powers of government are to be employed in the safeguard of this right and are not to be used to limit its free exercise, except in cases of proved necessity" (ibid.). This is an important point in Murray's thought as a whole and reflects again the primacy of freedom in his thinking, namely that the government should only intervene in the personal affairs of citizens when the just public order is seriously being threatened. This notion is echoed in *DH* paragraph number seven, which states that "...people's freedom should be given the fullest possible recognition and should not be curtailed except when and in so far as is necessary."

When then, one may ask, might the state have the right to assert authority or coercion over the people? Murray answers this question by distinguishing between two types of morality, public and private. Essentially, matters of private morality lie beyond the scope of the law and should be left for the personal conscience to decide. Matters of public morality, on the other hand, concern the basic foundation of society or threaten grave damage to the moral life of the

community, and consequently legal prohibition is necessary to safeguard the moral order. Thus, the state can use its coercive powers in matters that threaten the just ordering of society.

In a letter he wrote to Cardinal Cushing, Murray reveals how he applies this understanding of public versus private morality. In the case of contraception, Murray argued that the proper stance was dependent upon whether contraception was an issue of public or private morality. Murray argued that contraception was an issue of private morality for three main reasons: 1) the practice is widespread and was so even when contraception was illegal; 2) many people do not consider the use of contraceptives to be wrong; 3) numerous other religious groups and people of goodwill approve it as both legally and morally acceptable (Segers 295). Thus, it would not be appropriate, in Murray's judgment, for the government to intervene or attempt to legislate against contraception for these three reasons.

For Murray, the right to religious liberty is ultimately a negative right, namely, immunity from coercion in religious matters. The right is not meant to be claims upon government or society, but as Murray points out, rather to provide citizens with immunities or "assurances against government and society" ("The Declaration on Religious Freedom"). Essentially what the declaration and a right to religious liberty in general is accomplishing according to Murray is to

define the outside limits of a sphere of human activity and guarantee the integrity of this sphere against coercive intrusion from without, but that it should not enter, as it were, into the sphere itself, there to pass moral or theological judgments or the beliefs expressed, or on the actions performed, within the sphere (ibid.).

The reason for the governments' inability to enter into these "spheres" is due to their fundamental incompetence beyond the matters of a purely political, juridical order. Essentially,

the immunity provided by the right is twofold: “First, no man is to be coercively constrained into belief or action contrary to his own convictions; second, no man is to be coercively-restrained from action—that is, from public witness, worship, observance and practice—according to his own convictions” (ibid.). Murray therefore concludes that the

only matters of juridical relevance are, first, the definition of the limits beyond which the exercise of freedom is socially unacceptable and unlawful and, second, the duty of others, including government, to respect the integrity of action that goes on within these limits (ibid.).

In Murray’s interpretation, at the foundation of this entire teaching is the foundational principle of the dignity of the human person, which is known by reason and more fully illuminated by Christian revelation. In this way, Murray writes, “the Declaration makes contact with the Catholic tradition” (ibid.).

Because Murray held so strongly to this juridical, political understanding of the right to religious liberty, he was highly critical of the arguments developed in *DH* regarding the rights to freedom of conscience since he does not believe that others’ erroneous conscience can impose any duties on others. He also questions the legitimacy of giving “prominence” to “man’s moral obligation to search for the truth, as somehow the ultimate foundation of the right to religious freedom” (“The Declaration on Religious Freedom”). Murray acknowledges that there was a pastoral concern laying the root for the inclusion of this notion, namely a fear that the Council’s endorsement of religious liberty be misinterpreted to mean a “freedom from the claims of truth” (ibid.).

However, Murray believes the “real difficulty” with the argument from humanity’s duty to search for the truth, is that “it fails to yield the necessary and crucial political conclusion,

namely that government is not empowered, save in the exceptional case, to hinder men or religious communities from public witness, worship, practice, and observance in accordance with their own convictions” (ibid.).

We can see Murray’s understanding of the relationship between freedom and truth coming out clearly when he writes on the importance of persons’ autonomy, which he believes is a constituent aspect of his or her dignity. Murray believes that “resident” in a person’s dignity is “the exigence to act on his (or her) own initiative and on his (or her) own responsibility (“The Declaration on Religious Freedom”). This “exigence” according to Murray, is of the objective order, and simply signifies the demand the people should act according to their nature. The exigence essentially demands that every person is given the freedom and rights necessary to pursue and fulfill their personhood. Thus, Murray concludes:

And this exigence is the basic ontological foundation, not only of the right to religious freedom, but of all man's fundamental rights—in what concerns the search for truth, the communication of opinions, the cultivation of the arts and sciences, the formation and expression of political views, association with other men for common purposes, and, with privileged particularity, the free exercise of religion (ibid.)

Thus, we can once again see how freedom forms for Murray the basis upon which truth can be cultivated and taken as a life-guiding principle of people. Further, if we recall his emphasis on Christian’s engagement in the world as necessary for the fulfillment of the Church’s mission, we can see how freedom is necessary in order for Christians to fulfill this duty. To prove this point Murray again returns to *DH* paragraph number seven (“The usages of society are to be the usages of freedom in their full range. These require that the freedom of man be respected as far as possible, and curtailed only when and insofar as necessary”), which he attributes directly from

the “conception of the human person as a moral subject, who can achieve his perfection only by love of the truth and by free obedience to its demands, not by coercive constraints or restraints” (“The Declaration on Religious Freedom”). Again, Murray is emphasizing the necessity of freedom as the first principle to fulfill the mission of not only the Church but also each and every human person. Rico summarizes the connection between Murray’s overarching theological enterprise and his insistence on the juridical foundation of the right to religious liberty well in the following passage:

Now, this understanding of the...juridical foundations of religious freedom corresponds to a responsibility for transcendent truth, once it is discovered. Moreover, Murray grants that once this truth has been discovered, it will imply a deeper, theological basis for freedom: “The authorities and faithful of the Church are indeed conscious that their freedom is of divine origin—a participation respectively in the freedom of the Incarnate Word and in the freedom of the Holy Spirit.” From a Christian point of view, then, juridical immunity allows the individual to actualize his freedom —freedom as such—in this theologically and humanly richer way (Rico 199).

This passage illuminates and serves to culminate many of the points made throughout this section on Murray. Freedom remains the first and most primary principle upon which society must function. However, freedom is meant to enable persons to pursue and grasp onto the truth, which is ultimately “of divine origin” and represents, as Murray’s Christian humanism showed us, a participation in the freedom of Christ’s Incarnation. Therefore, the provision of the right to religious liberty represents no less than an opportunity for each person to “actualize” his or her freedom and participate ultimately in his or her divinely ordained call: to work as “servants” to the world.

What would Murray say about abortion?

Murray did not speak directly to the abortion debate, but because his influence is so great on how some of those involved in the debate today formulate their arguments, some speculation can be valuable. In her article “Murray, American Pluralism and the Abortion Controversy,” Mary C. Segers uses Murray’s political theory to speculate how he would have approached the controversy over abortion. She poses two questions to which she will attempt to answer by applying Murray’s argument: 1) Were Murray with us today, would he favor the use of coercive law to prohibit or severely restrict abortion? And 2) How might he advise American Catholics to approach the question of abortion policy in the United States? (Segers 292). The answer, she responds, is largely based on whether abortion is categorized as a matter of public or private morality. She also believes that the same three criteria Murray used to conclude that contraception was a matter of private morality applied to abortion, especially given that there is neither consensus on how to regard fetal life in terms of personhood nor a consensus on the immorality of abortion. Thus, in order to respect the religious and civil liberties of non-Catholics and others, Segers believes that Murray would have recalled his principles that the government should only maintain a minimum level of morality and that not every sin should be made a crime. Consequently, rather than encouraging anti-abortion activity, Murray would have been encouraging Catholics to take a positive role in shaping a more restrictive abortion policy (Segers 297). In this way, they could act as prophets encouraging women through dialogue and example to have a genuine respect for life over using coercive law and politics to outlaw abortion (ibid).

While the above example is useful to allow one to consider how Murray would respond to the abortion question, it is also purely conjecture. As Segers admits, it could be entirely

possible that Murray would have found the issue of abortion one of public morality and would have become active in the anti-abortionist lobbying activities. In comparison to Segers argument, Stephen M. Krason took an entirely different approach to how Murray's argument would apply to the abortion debate today. In his article, "The Murray Thesis, Abortion, and America," he argues that Murray believed too strongly in the American Proposition, namely that American's first principle is "the sovereignty of God over all nations as well as over individual men" (Krason 195). While this may have been true for the founding fathers who also believed in the existence of a natural law (although not exactly the same as the Catholic understanding), Krason argues that the interpretation of the American Proposition is no longer the same and has in fact, through several modern phenomena such as secularization and relativism, "departed sharply" from the original American consensus (Krason 208). To some extent Krason believes Murray was aware of this departure. However, what Murray missed was "the modern rebellion against the Church as a major influence in the public life of nations," more starkly, modernity's complete rejection of "any authoritative interpreter of the Natural Law" (ibid 209). While Krason does not put forward any direct conclusions regarding how Americans should proceed in the abortion debate, he does put forward a somewhat radical suggestion that "our nation, Catholics and non-Catholics alike" should "look to the Vicars of Christ to do what Our Lord commissioned them to do: provide the authoritative interpretation of His Law for men" (210). Thus, he seems to be turning away from the suggestion Murray endorsed in *DH* for dialogue and even freedom of conscience.

Krason's view that the source of authority for the people in the contemporary state has become the Supreme Court rather than the Papacy and thus the decisions made have been "unaided by the Holy Spirit" (209). Thus, he argues a return to obedience to the papacy not only

for Catholics but for all people. While this suggestion is more or less impossible given our current post-modern situation, Krason's contribution is useful in that it represents a rejection of several of the principles of *DH*, including the freedom of conscience. It provides a useful lead into a look at the thought of John Paul II, who in a way, attempted to bridge the pre-Vatican II emphasis on freedom only being found in the church to that of *DH*, that persons have the right to religious liberty and freedom of conscience, but this freedom must always be first subject to the authentic pursuit of truth.

John Paul II

The Ecclesiology of John Paul II

In a second edition of his book *Models of the Church*, Avery Dulles added an appendix on the ecclesiology of John Paul II. Because of the comprehensiveness of Dulles' chapter, the following analysis will be largely indebted to his work as well as several of the late pope's encyclicals. Similarly to my section on the ecclesiology of John Courtney Murray, this section will be largely based on the five ecclesial models as categorized by Dulles, paying particular attention to the ways in which John Paul II's employment of these models contribute or affect his understanding of religious liberty from the perspective of the Church. Generally, I have found that the pope's ecclesiology can be best described as the Church as mission, which employs as its foundation a combination of two of Dulles' models; namely, "Church as Herald" and "Church as Servant."

Dulles begins his chapter by pointing out that John Paul II is "preeminently a pope of the Second Vatican Council" (217). Dulles explains that for the pope, the fundamental question the Council sought to answer was "*Ecclesia, quid dicis de teipsa?*" which required the Church to

“articulate its own identity” and “advance in ecclesial self-consciousness, corresponding to the present phase of human history.” In the pope’s particular personalistic, phenomenological perspective, this would require the church, understood as a “believing subject” rather than an “object of faith,” to “advance in maturity by taking responsibility for the faith it professes” (ibid.).

The primary way in which the Church is able to accomplish this task happens to also be the primary way it constitutes itself, namely through its missionary activity. It is to this task, the missionary duty of the Church, that John Paul II dedicated his 1990 encyclical *Redemptoris Missio* (hereafter, RM), which gets at the heart of his ecclesial understanding. In this encyclical John Paul II is concerned that the Church’s “missionary thrust” is being weakened, which to him is revelatory of a simultaneous “crisis of faith” (2). Thus, the pope calls for a renewal of the Church’s missionary thrust at all levels, which will have the effect of renewing the Church both *ad intra* and *ad extra*.

When reading John Paul II through the lens of Dulles, one can see that in order for the Church to be successful in its missionary activity, it must act simultaneously as a herald and servant. For John Paul II the Church as herald cannot be separated from the Church as servant. In fact, in both ecclesial understandings the Church is really accomplishing the same task. Dulles notes, “In the thinking of John Paul II there is no sharp dichotomy between the herald and the servant functions of the Church. Because the gospel is a force for the renewal of society, the work of evangelization, which we have just considered, flows over into the reconstruction of the social order” (loc. 3621). For example, in *Redemptoris Missio*, John Paul II explains:

Through the gospel message, the Church offers a force for liberation which promotes development precisely because it leads to conversion of heart and of ways of thinking,

fosters the recognition of each person's dignity, encourages solidarity, commitment and service of one's neighbor, and gives everyone a place in God's plan, which is the building of his kingdom of peace and justice, beginning already in this life... That is why there is a close connection between the proclamation of the Gospel and human promotion (59).

As can be seen from this quote, John Paul's understanding of the Church as herald and servant is closely linked to his social teaching, whose keystone, as Dulles points out, is the dignity of the human person (Dulles loc. 3621). Beginning with his first encyclical *Redemptor Hominis* (1979) and expressed most strongly in *Evangelium Vitae* (1995), John Paul II staunchly, and consistently, defended the principles of human rights adopted by the United Nations' Universal Declaration of Human Rights (1948). The pope argues that "human life...is the primary good that underlies all other rights," the first among which as we will see in the following section, is the right to religious liberty (Dulles loc. 3621).

"Upon the recognition of this right [to life]," writes the pope, "every human community and the political community itself is founded" (*Evangelium Vitae* 5). Upon human dignity and the resulting fundamental right to life, rest the other human rights, and all of these rights, according to John Paul, have corresponding duties and rest upon a theological foundation, "since they stem ultimately from God" (Dulles loc. 3621). Consequently, Dulles explains that according to John Paul II "the Church...has a mission to call attention to the obligation of all human societies to implement these rights" and "when it seems human rights being violated...utter a prophetic protest" (ibid.). In fulfilling this mission as a staunch defender of human rights, the Church makes itself a force for advancing human freedom and the promoting of the common good" (*Redemptoris Missio* 39; Dulles loc. 3621). Therefore, the Church's "contribution to the

political order is precisely her vision of the dignity of the persons revealed in all its fullness in the mystery of the Incarnate Word” (*Centesimus Annus* 47).

The fullness of human dignity is realized only when Christians are participating in the missionary activity of the Church. Dulles explains that because John Paul II does not believe that any separation between being and acting is possible, the entire Church is in a state of mission; the Church, in a way, is its mission, which is precisely to transform society through the proclamation of the gospel (Dulles loc. 3672). Therefore, evangelization is not only an outward activity of the Church, but rather something that must be “constantly and intensely” renewed also from within in order to be effective in its mission (*Familiaris Consortio* 51).

John Paul II is clear that the “urgency” of the proclamation of the Gospel is rooted in the fact that persons are only able to “realize the fullness of their vocation in conformity to Christ” (*Redemptoris Missio* 7). He writes, “salvation in Christ, as witnessed to and proclaimed by the Church, is God’s self-communication” (ibid.). The pope continues by asking a series of questions:

God offers mankind this newness of life. "Can one reject Christ and everything that he has brought about in the history of mankind? Of course one can. Man is free. He can say 'no' to God. He can say 'no' to Christ. But the fundamental question remains: Is it legitimate to do this? And what would make it legitimate?" (7).

Therefore, John Paul II, after citing the passage from *Dignitatis Humanae* on the right of all persons to freedom of conscience, writes, “Proclaiming Christ and bearing witness to him, when done in a way that respects consciences, does not violate freedom” (8). He concludes by also citing *Dignitatis Humanae* 2, which states that persons are “bound by a moral obligation to seek truth” and “to hold truth once it is known, and to regulate their whole lives by its demand”

(*Redemptoris Missio* 8; *Dignitatis Humanae* 2). The pope writes, “All forms of missionary activity are marked by an awareness that one is furthering human freedom by proclaiming Jesus Christ” (*Redemptoris Missio* 39). Thus, the pope is able to state that the Church is “the social subject of responsibility for divine truth” (*Redemptor Hominis* 19).

Evangelization, therefore, must emphasize that salvation, while available to all, is obtained through Jesus Christ, in whose name alone we can be saved. In fact, he notes again and again that dialogue and activity to promote the common good can never become an alternative to authentic proclamation of the gospel: “salvation comes from Christ and...dialogue does not dispense from evangelization” (*Redemptoris Missio* 55). Confirming again the fundamental connection between the Church as herald and servant, John Paul writes:

It is not the Church's mission to work directly on the economic, technical or political levels, or to contribute materially to development. Rather, her mission consists essentially in offering people an opportunity not to "have more" but to "be more," by awakening their consciences through the Gospel. Authentic human development must be rooted in an ever deeper evangelization (*Redemptoris Missio* 58).

Thus, we can see that for John Paul II, for the health and continuation of the Church itself as well as the good of the human persons who either constitute the Church actually or potentially, the Church must work constantly to fulfill its duty to be a missionary Church. However, while this is an extremely important aspect of his ecclesiology, this is not everything the Church is for John Paul. Following the Second Vatican Council, he employs Dulles' sacramental model under the notion of the Church as a “universal sacrament of salvation” (*Redemptoris Missio* 9). Under the understanding of the Church as sacrament, Dulles explains how the pope is able to explain the importance of both the communal and institutional models of the Church.

For John Paul II, the best analogy for the communion of the Church is that of the Christian family. In fact, he believes “the Christian family constitutes a specific revelation and realization of ecclesial communion, and...should be called “the domestic Church” (*Familiaris Consortio* 21). He writes that the “Christian family is...called to experience a new and original communion which confirms and perfects natural and human communion” (ibid.). The bond of the communion of both the family and the Church is the Holy Spirit, who is accessible most fully through participation in the sacraments and is the “living source and inexhaustible sustenance of the supernatural communion that gathers believers and links them with Christ and with each other in the unity of the Church of God” (ibid.).

The institutional aspect of the Church is important, according to the pope, insofar as it is necessary to preserve and promote the more spiritual, communal dimension of the Church, and in this sense, the institutional dimension is secondary. In Dulles’ interpretation, John Paul II’s understanding of the institutional dimension of the Church has its roots in the gospel itself. In the eyes of the pope, events such as the utilization of certain forms of prayer and rituals styles of worship by Jesus in his ministry, as well as the appointment of the twelve apostles, reveal a certain institutional character (Dulles loc. 3425). These practices remain fundamental aspects of the life of the Church through the tradition of ordained ministers and in “the rituals whereby members of the Church are baptized, absolved of their sins, and nourished with the Eucharist” (ibid.). Sacraments, however, are an example of how John Paul understands the institutional elements to be important as it provides support and structure for the Church’s communions. Dulles explains this well: “The sacraments as institutions belong to the Church’s visible order, but they also signify and communicate divine life, thereby pertaining to the invisible dimension of the mystery of the Church” (ibid.).

Dulles points out that John Paul had a lot to say about the papacy and episcopacy. According to the pope, they belong to “the hierarchical constitution given to the Church by its divine founder” (Dulles loc. 3425). These offices, according to the pope, have both institutional and juridical as well as communal and spiritual dimensions. In terms of his own Petrine ministry, John Paul is highly conscious of his great responsibility as Vicar of Christ that necessitates his continual conversion and his unwavering witness to the truth- the truth as in Jesus Christ, the living Truth (ibid.). Likewise, bishops “must become men of creative coordination because they are the ‘meeting point’ of Christ and the Church” (Pope John Paul II, “Bishops as Servants of the Faith,” *Irish Theological Quarterly* 43 (1978), 270– 71). Finally, in terms of papal primacy’s relationship to collegiality, John Paul believed the relationship to be one of mutual sustentation. The collegiality of the bishops is meant to support and assist the pope, while the pope in his primacy as Bishop of Rome, is at the service of the college of bishops (Dulles loc. 3442).

All of these roles of the Church, including its role as mission, institution, and builder of the supernatural community, work together in the understanding of John Paul II to promote the “integral salvation” that Jesus came to bring to the world” (*Redemptoris Missio* 11). Therefore, “No believer in Christ, no institution of the Church can avoid this supreme duty: to proclaim Christ to all peoples (*Redemptoris Missio* 3). Through this proclamation of Christ, all persons, clergy and laity, believers and unbelievers, are able to become more perfectly and “integrally” human, which John Paul II often characterizes as more fully and completely free. This understanding leads the pope to state that “all forms of missionary activity are marked by an awareness that one is furthering human freedom by proclaiming Jesus Christ” and again, it is through this proclamation and resulting freedoms that “the common good of individuals and peoples” are ensured (*Redemptoris Missio* 39).

John Paul II on Religious Liberty and the Relationship between Truth and Freedom

During the deliberations at the Second Vatican Council over the schema that would eventually become “The Declaration on Religious Liberty,” *Dignitatis Humanae*, the young archbishop from Poland, Karol Wojtyla, made an intervention that expressed concern over the documents focus on “Church-state theory.” In his opinion, the focus on the juridical/political right to religious liberty for all people risked, if exercised improperly, leading people into a relativistic worldview that included religious indifferentism and atheism. Thus, Wojtyla set out in the years immediately following the Council to give an explicit theological foundation for the Church’s teaching on religious liberty, a task that he would continue to pursue as pope. I propose that this theological foundation was, for Wojtyla and later Pope John Paul II, deeply rooted in the Council itself, specifically the Constitution on the Church in the Modern World, *Gaudium et Spes*, and even more particularly, on paragraph numbers 22 and 24 from that document.

The essential theological theme of the Council was, for the pope, *Gaudium et Spes* 22, which states: “It is only in the mystery of the Word made flesh that the mystery of humanity truly becomes clear...Christ the new Adam, in the very revelation of the mystery of the Father and of his love, fully reveals humanity to itself and brings to light its very high calling... [and] all this holds true, not only for Christians, but also for all people of good will in whose hearts grace is active invisibly.” According to the Pope’s most famous biographer in America, George Weigel, “This was the treasure the Church had to offer to the modern world: a humanism enriched by the human encounter with Christ, who, far from alienating humanity, reveals to it the full truth of its dignity and glorious destiny” (Weigel 169). To understand the importance of this

text to the pope, it can be noted that throughout his pontificate, John Paul II either referenced or quoted this text over two hundred times in his encyclicals and several of his apostolic exhortations.

While *Gaudium et Spes* 22 may provide the theological linchpin for the Council, coming in close second place and cited more than one hundred times is *Gaudium et Spes* 24, which John Paul considered the “moral linchpin,” and a necessary component to complete the Christocentric anthropology expressed by *GS* 22. This paragraph states, and I quote: “It follows, then, that if human beings are the only creatures on earth that God has wanted for their own sake, they can fully discover their true selves only in sincere self-giving.” This statement, the “law of gift” represented for John Paul II the only way by which humans can attain fulfillment- a way that for Christians, was definitely confirmed by Christ (Weigel 169). For him, the two passages constitute an authentic anthropology that is both theological and sufficiently steeped in Christology.

In order to understand how the passages from *GS* form for John Paul the foundation of his understanding of religious liberty, we must first investigate how he interprets them as a foundation for authentic human freedom that results in true human flourishing. In his encyclical, *Veritatis Splendor*, John Paul II, following *GS*, defines “genuine freedom” as “an outstanding manifestation of the divine image in man. For God willed to leave man “in the power of his own counsel,” so that he would seek his Creator of his own accord and would freely arrive at full and blessed perfection by cleaving to God” (*Veritatis Splendor* 34). Thus, as John Paul II wrote on the occasion of the World Day of Peace in 1981, “freedom is always the freedom of man made in the image of his Creator” (11).

In his encyclical *Centesimus Annus*, John Paul II explains how this “primordial freedom” is completed through the Incarnation, which both enables humanity to participate in the divine life and reveals to them their supreme calling. He writes in paragraph 86, “Within that freedom there is an echo of the primordial vocation whereby the Creator calls man to the true Good, and even more, through Christ’s Revelation, to become his friend and to share his own divine life. It is at once inalienable self-possession and openness to all that exists, in passing beyond self to knowledge and love of the other. Freedom then is rooted in the truth about man and it is ultimately directed towards communion” (86).

This passage reveals many important points regarding John Paul II’s understanding of freedom. First, we can see the way John Paul uses *GS 22* to reveal to humanity our own “divine life” through Christ’s Revelation. Secondly, the pope cites *GS 24* to explain how humanity’s ability to make a gift of self, or move to the point of “love of God and other” is what leads to human fulfillment. Finally, and this is a crucial point, we see that for John Paul II, for freedom to be authentic, it must always be based in truth. As he states in his first encyclical, *Redemptor Hominis* an honest relationship with regard to truth is a condition for authentic freedom (*RH 12*).

This truth of which John Paul II speaks is not an abstract principle, but rather is the revelation of Jesus Christ and can be fully realized only in relationship to him. In *Fides et Ratio*, the pope writes “At this point,” when a relationship with the person Jesus of Nazareth-Truth itself- has been realized, “the relationship between freedom and truth is complete, and we understand the meaning of the Lord’s words: “you will know the truth, and the truth will make you free.” Thus, in *Veritatis Splendor*, he writes only the freedom that submits to the Truth leads the human person to his true good. The good of the person is to be in the Truth and to do the Truth” (*VS 84*). Paradoxically, it is when “submitting” oneself to the Truth, that one is truly free.

A further look into the final line from the passage taken from *Centesimus Annus* 86 will be enlightening: “Freedom then is rooted in the truth about man and it is ultimately directed towards communion”. The truth about man, is of course, referring to “the supreme rule of life,” namely, God’s enabling humanity to share in the divine life. Again, we can turn to John Paul II’s Christology to gain a deeper insight into what this means for human freedom. As John Paul II understands it, the ultimate act of freedom is Christ’s death on the cross as it represents a total gift of himself for the sake of humanity. In this interpretation, we can see how *GS 22*’s dictum- that it is only in the mystery of the Word made flesh that the mystery of humanity truly becomes clear- is completed by that of *GS 24*- that human beings can only fully discover their true selves through sincere self-giving. Human beings find true freedom in their ability to enter into the mystery of their own being by entering into a relationship with Christ, who enables them to fully embody and live their own freedom both by his total self-gift and by enabling them to do likewise.

The final point to take away is that freedom then is completed by human beings entering into relationships with one another. Thus, while freedom is rooted in the truth of humanity, John Paul writes in *Centesimus Annus*, “it is ultimately directed towards communion” (*CA 86*), and it is in communion that it is perfected. “Human perfection, then,” writes the pope, “consists...in a dynamic relationship of faithful self-giving with the other” (*Fides et Ratio 32*). Human fulfillment is achieved by persons living in genuine freedom following the “supreme rule of life” and forming communities built upon relationships of self-giving love.

Now we can move on to see how John Paul II’s understanding of *GS 22&24* provides for him the foundation upon which he builds his teaching on religious liberty. The key for understanding John Paul II’s conception of religious liberty is that human persons have a

capacity for transcendence. This transcendence is essentially a result of what we discussed above, namely the persons' creation in the image of God and "revealed in all its fullness in the mystery of the Incarnate word" (*CA 47, cf. GS 22*). Further, drawing on *GS 24*, John Paul II writes that this capacity is lived when persons are giving themselves to other persons, and ultimately to God. From this analysis of transcendence, John Paul II defines religious liberty as "The right to live the truth of one's faith in conformity with one's transcendent dignity as a person" (*CA 47*).

The pope continues by explaining that while religious freedom is a right rooted in the transcendence of humanity's being, this right entails a duty. In fact, the only way that humanity can be "genuinely free" is by recognizing and living the transcendence of their being in relationship to God. Thus, John Paul II writes that religious freedom is "a right as a function of duty...the most fundamental of the rights in the function of the first of the duties; which is the duty to move towards God in the light of truth..." (Rico, loc. 2144). In fact, John Paul II understood the right to religious liberty as a fundamental human duty to represent an "apex" in human development. He writes: "The apex of development is the exercise of the right and duty to seek God to know him and to live in accordance with that knowledge (*CA 29 cf. GS 22*)... The recognition of these rights represents the primary foundation of every authentically free political order" (*CA 29*).

This interpretation of the right to religious liberty directly influences how John Paul II understands the role of the state. In some ways, it seems that John Paul suggests that the state will not be able to effectively provide its citizens with the right to religious liberty unless it possesses a theological understanding of the foundation of human rights and dignity. Returning once again to *Centesimus Annus*, when discussing the state's ability to promote a coherent vision of the common good, the pope writes that "ultimately," such a vision "demands a correct

understanding of the dignity and the rights of the person” (CA 47). He explicitly connected this duty of the state to the objective truth in his 1981 message on the Day of Peace, stating that “the state will play this positive role,” again the role of seeking the common good, when doing it “in accordance with the demands of the moral law” (6). When we consider the pope’s understanding of human fulfillment discussed above, we can see that it is only when granted the right to religious freedom that human persons are able to fulfill their *telos*: their ultimate objective.

Finally, we learn also in *Centesimus Annus* that the right to religious liberty forms for John Paul II the foundation upon which the other human rights rest. After listing several human rights in *Centesimus Annus*, including the right “to develop one’s intelligence and freedom in seeking and knowing truth,” John Paul II goes on to say that “In a certain sense, the source and synthesis of these rights is religious freedom,” again, “understood as the right to live in the truth of one's faith and in conformity with one's transcendent dignity as a person” (CA 47, cf. DH 1-2). It is the “primary and inalienable” right to religious liberty that enables persons to pursue their essential relationship with God, in whose image and likeness they were created and in whom only they will find true fulfillment. The pope makes a similar claim in *Veritatis Splendor*. After voicing support of the modern desire for freedom and the protection of that freedom through rights, he states, “In particular, the right to religious freedom and respect for conscience on its journey towards the truth is increasingly perceived as the foundation of the cumulative rights of the person” (VS 31, cf. DH). Religious freedom is then, for John Paul II, a translation into institutional/juridical form the rule of life ordained by God: that humanity can know and accept God’s eternal offer of relationship, and be able to respond to that offer as free and responsible persons.

As we can see from the preceding paragraphs, for John Paul II, truth forms the absolutely necessary foundation upon which the only authentic forms of freedom can be found.

John Paul II on the State and the Abortion Debate

At the social and political level, Rico points out that in issues of public morality, John Paul II thinks that the role of authority and the civil law should be the “promotion of a greater observance to moral norms” (Rico 169). Consequently, the democratic process not firmly grounded in the objective moral law, which lead John Paul to be extremely critical of the system of democracy, as he understands “the ideas that tolerance and respect for everybody necessarily imply that democracy has to succumb to ethical relativism” (170). The only way to prevent this, John Paul argues, is to have a democracy grounded in values. The pope writes in *Evangelium Vitae*:

It is therefore urgently necessary, for the future of society and the development of a sound democracy, to rediscover those essential and innate human and moral values which flow from the very truth of the human being and express and safeguard the dignity of the person: values which no individual, no majority and no State can ever create, modify or destroy, but must only acknowledge, respect and promote (71).

In order for this to happen, John Paul believes that the basis of these values cannot be subject to change even if a consensus is reached through the democratic process. “The natural law written in the human heart,” John Paul concludes, “is the obligatory point of reference for civil law itself” (*Evangelium Vitae* 7). While *DH* unquestionably accepts the existence of an objective moral order to which the whole world is subject (*DH* 3), John Paul’s interpretation of the state’s responsibility to enforce this order calls into question the Council’s understanding of the proper authority of the state. It is important to note that John Paul II does acknowledge that

the civil law is different and “more limited in scope” than the moral law (EV 71). However, at its roots, he writes that “the real purpose of civil law is to guarantee an ordered social coexistence in true justice” (ibid.). It is “precisely for this reason,” writes the pope, that “civil law must ensure that all members of society enjoy respect for certain fundamental rights...rights which every positive law must recognize and guarantee” (ibid.). The first of these writes, continues the pope, is the “inviolable right to life of every innocent human being.”

The pope continues by explaining the role of public authority in the safeguarding of these fundamental writes:

While public authority can sometimes choose not to put a stop to something which-were it prohibited- would cause more serious harm, it can never presume to legitimize as a right of individuals-even if they are the majority of the members of society-an offence against other persons caused by the disregard of so fundamental a right as the right to life. The legal toleration of abortion or of euthanasia can in no way claim to be based on respect for the conscience of others, precisely because society has the right and the duty to protect itself against the abuses which can occur in the name of conscience and under the pretext of freedom (ibid.).

From this quote we can see that for John Paul II, the democratic process means nothing if it does not uphold the fundamental rights, and therefore the dignity, of every human person. Consequently, his interpretation *DH 7* reflects his belief of this view. *DH*, especially in number 7, is especially concerned not that the civil authority upholds the moral order as is understood by the Catholic Church, but rather that the state provides citizens with the necessary freedom for them to come to truth freely and without coercion insofar as this is possible, meaning as long as a just and peaceful civil order is maintained. However, John Paul II believed that this

understanding, namely that freedom was given only in connection with truth, is how he understood *DH* to have been developed in the first place. Thus, this conviction becomes critically important for his interpretation of the document.

Now that his own interpretation of *DH* has been outlined, it is possible to look into how John Paul II conceptualized the abortion debate. On this issue, John Paul II does not believe that persuasion is an adequate means of resistance. Rather, when it comes to abortion, John Paul II advocates for a resort to coercion either directly or indirectly, a mentality that typically is associated with the confessional state (Crosby 154). Crosby writes, “it is then, according to this objection, not all Catholic teaching, but only large parts of it, that John Paul is ready to entrust to the way of persuasion” (ibid). However, for John Paul II, to advocate for the criminalization of abortion and to try to stop abortion, even if through coercion, is not to limit another’s rights, but rather a way of protecting the rights of the victim of abortion. In this way, John Paul II’s way of objecting to abortion is consistent with Murray’s understanding of the responsibility for the state to protect the lives of the innocent in order to preserve a just civil order. It is for him an example of an appropriate time for the state to “curtail” persons’ right to freedom. Crosby conjectures that for John Paul II, “the criminalization of abortion and of all other forms of killing the innocent is as fundamental an act of human law as the act of securing the religious freedom of all citizens” (154).

Father Herminio Rico, S.J describes John Paul’s position following the legalization of abortion as follows:

Overall, in the outlook of his teaching on issues of the relationship of the church with society, generally sensed is a certain regression vis-à-vis the overture to the spirit of

modernity and the attitude of openness to the contemporary world characteristic of the progressive vitality of Vatican II (Rico 178).

Rico believes that John Paul II's distrust or pessimism towards modernity arose largely out of the consensus on abortion, which he believes is the result of allowing freedoms, especially of conscience, without enforcing a belief in objective morality (Rico 169). Thus, his points of contention with modern society are indirectly connected to *DH*, and Rico believes they are revelatory of John Paul's interpretation of the document (152). This assessment leads Rico to be critical of John Paul II's interpretation of *DH* as being too similar to that of the pre-conciliar church, cloistering itself from the secular world because the secular world endorses evil and consequently has nothing to offer the church. The reason for this similarity, according to Rico, is John Paul's skepticism of modernity, especially western liberal democracy, which he believed acknowledged the right to "some kinds of 'freedom'" that "do not really deserve the name" (151). Rico writes, "The concrete illustration with which he concludes the denunciation of this mistaken idea of freedom is the generalized acceptance of abortion" (ibid). For John Paul II, abortion represents a "conspiracy against life" (*Evangelium Vitae* 68) that ends up giving juridical recognition to the absurd cultural constructing of "crimes against life as legitimate expressions of individual freedom, to be acknowledged and protected as actual rights" (Rico 170; *Evangelium Vitae* 18). The "absurdity" of this "culture of death" led John Paul to a heightened sense of the dangers and evil of modernity at the cost of the openness to dialogue and rapprochement endorsed by Vatican II. Rico writes of *Evangelium Vitae*:

The focus of John Paul II's proposal in this encyclical is not the patient formation of consciences, progressively changing the predominant values in culture and, through that change, achieving the transformation of the social consensus. His aim right now is the

search for a protection and promotion of traditional Catholic morality by civil law, even if against the grain of the positions of the majority” (175-76).

The result, according to Rico, is that John Paul II “approximates himself a view that slide too easily into a black-and-white kind of analysis overlooking distinctions and nuance, as if there were only two non-overlapping extremes with all the good on one side and only evil on the other” (179). This is, for Rico, a rejection of the principles that had overturned this mentality in *DH* in favor of the church and other institutions’ responsibility to “paternalistically govern the masses” (176). While Rico does not question the legitimacy of the pope’s argument against abortion, but rather questions:

Whether the tone and the intensity of the condemnations and the strategies for promoting alternatives do not actually, induce less receptivity for the message of the church in society and, thus, hinder the successful attainment of its social mission in the present circumstances (179).

Conclusion: Are their visions irreconcilable?

The ecclesiologies of both Murray and John Paul II reveal, I think, a lot about their understanding of not only the right to religious liberty but also how the Church should respond to and engage in the abortion debate. Recall that for Murray, it is the task of the laity to be the “force for the renovation of society” (“The Role of the Laity in the Renovation of the World”). Priests and other clergy members are meant to encourage this task through the promotion “more intensive participation in the thought and prayer and sacrifice of the Church in her theology and liturgy,” and through intensifying the laity’s apostolic spirit. Of course, neither of the tasks would be possible, according to Murray, if the people were not provided first with the necessary freedom in which to accomplish them. When this freedom is provided, especially through the

provision of rights, then society can effectively and efficiently in its “rational process,” namely the process in which it moves towards its idea form as a human community. The Church, especially through the engagement of the laity, plays a special role in this process as it asserts insofar as possible its own “supernatural ideal of human unity” (“The Roman Catholic Church”). Again, to be successful in fulfilling this goal, the Church itself must be given full freedom from any hindrance by the government to enter into secular society at every level and work for its authentic renovation. Therefore, the Church acts as servant to society through its renovation at all levels, especially through the work of the laity.

For John Paul II, the Church’s role as a “herald” of the gospel to the world is important for understanding how he envisions the Church’s ideal engagement in secular society. One of the primary evangelical notions the pope believed that Church must constantly and unwaveringly herald is the principle of the fundamental right to life. Recall that for John Paul II this is the truth, and it is only when they have an accurate grasp of this truth that people can be authentically free. Therefore, it is the responsibility of the government, or civil law, to legislate in accordance with these fundamental human rights even if that legislation goes against the majority opinion of the members of society. It is at this point that one recalls the limits Murray sees as applying to both the Church and the State as each possesses their own legitimate sphere of authority. The question remains, then, of whether or not the State is competent to enforce these human rights as they are often in the form of “moral norms”? And simultaneously, is it the proper role of the Church to advise the state on how to operate in this regard?

John Paul II’s “constant insistence” that “freedom can only spring from the experience of the truth” leads Rico to conclude that this idea is in “clear tension with the view of Murray and other inspired by him, that, invoking the support of the text of *DH*, defends the primacy of the

principle of human freedom, a value to be respected always, even when it regards people in error and evil” (Rico 221). Rico is also critical of the way in which John Paul II handled the abortion controversy, especially insofar as he interprets the pope going back on the developments made in *DH*. Consequently, he implies that John Paul II’s involvement in the abortion debate would contradict that of Murray. While Rico’s conclusion does give insight as to the different emphases in interpretations of Murray and John Paul, I believe that are many ambiguities and uncertainties involved in the abortion debate at large that make such a judgment, at least in terms of the two figures stances on abortion, extremely difficult.

The first ambiguity I note goes back to the historical analysis of the decision made at *Roe v. Wade*. It is important to remember that many legal scholars question the decision made by the Supreme Court as being true to the democratic process. Recall the statement of Rainey, Magill, and O’Rourke above: “The Supreme Court located the “right” of abortion in a tenuous admixture of privacy and liberty that is at best implicit in the Constitution and at worst has been grafted onto the Constitution and by the judicial fiat of the *Roe* majority” (11). This is important to keep in mind when discussing how to interpret *DH* in light of the legalization of abortion. If the decision was not the result of an authentic exchange of dialogue and consensus, as is suggested by several scholars, then the strong critique of democracy as necessarily leading to relativism that John Paul II suggested may not be warranted. *Roe v. Wade* may not necessarily be revelatory of the failing nature of democracy if not rooted in objective morality, but rather a particular case in which the state exhibited power beyond that allotted to it in *DH*, and whose decision did not accurately represent the will of the people but rather an exhibit of power by the Supreme Court. This form of democracy, or lack thereof, would have been deemed unworthy of human dignity in the eyes of Murray.

The recognition of this ambiguity has two purposes. First, if *Roe v. Wade* did not do justice to the authentic democratic function of the state, then perhaps John Paul II's extremely negative assessment of modern democracy can be re-evaluated. Secondly, it can also provide a point of dialogue in the current abortion conversations regarding public policy by showing that the decision to legalize abortion was not necessarily based on the consensus of Americans.

The second ambiguity arises in that it is not entirely clear that the question of abortion is directly a question of religious liberty. For John Paul II, while at times he himself is ambiguous in the distinction between claims based on an objective moral order and specifically religious claims, it seems that abortion becomes much more than a debate over religious freedom or the freedom of conscience. For John Paul, abortion is in fact a crime, punishable by law, and consequently must be fought against from the top-down, meaning the state ought to use its coercive power to end the practice of abortion. His reason is that abortion represents a complete violation of the rights of the unborn children. Consequently, if John Paul were to state his case in terms of religious liberty, he would say that the true violation is the complete denial of justice and respect for the right of religious liberty of the unborn child.

As seen by the argument presented by Segers as to how Murray would have responded to the abortion debate, we can see that it would largely depend on whether or not he viewed the case of abortion to be one of private versus public morality. If Murray would have conceded that abortion is properly considered an issue of private morality, I think Segers is correct in arguing that he would have followed the same line of reasoning that he used regarding contraception. However, if Murray understood abortion to be a matter of public morality, I believe it is entirely possible that he would have considered it an appropriate use of the state's coercion to legislate to stop the practice. The reason would be that abortion poses a large enough threat on the peaceful

and just order of society that it legitimizes state involvement, even if this involvement imposes upon some persons' other rights. If this second argument were true and Murray saw the issue of abortion as a public issue, then I do not think that he would necessarily oppose the strong stance taken by John Paul II against abortion under the understanding that the order of society was under threat.

Given these ambiguities that lead me to have reservations about assuming a necessary conflict between the stances of Murray and John Paul II regarding abortion, I do believe that Rico is correct in his assessment of how the Church should proceed in the abortion debate in such a way that is true to *DH*. The historical analysis above reveals the Catholic Church's consistent upholding of the right to life and inherent dignity of all life since the development of the Catholic social tradition has always been met by polemic controversy from secular society. Consequently, while I do not disagree with the John Paul II's judgment of the moral impermissibility of abortion, I think a more effective strategy (and I think Murray would agree) would be as Rico suggests:

The Church is more effective (in the long run!) when it resists the easy temptation of trying to pressure governments and increase appeals to arguments of authority, and opts, instead, for persuading people by dialoguing with their culture, denouncing its wrongs but also engaging its progresses (222).

If this strategy were implemented in terms of abortion, the result could be that Catholics gain greater insight into the reason why women may at times have no other option than to receive an abortion. Conversation regarding legislation could then be directed toward creating a more hospitable society for expecting mothers rather than being consumed with efforts to overturn current abortion legislation. By doing this, the Church would be staying true to the

principles of *DH*, especially by taking seriously the issues of modernity and making them our own for which the Council advocated.

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