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RELIGIOUS BELIEF AND PUBLIC MORALITY: A CATHOLIC GOVERNOR'S PERSPECTIVE†

MARIO M. CUOMO*

I would like to begin by drawing your attention to the title of this lecture: "Religious Belief and Public Morality: A Catholic Governor's Perspective." I was not invited to speak on "Church and State" generally. Certainly not "Mondale vs. Reagan." The subject assigned is difficult enough. I will not try to do more than I have been asked. . . .

Must politics and religion in America divide our loyalties? Does the "separation between church and state" imply separation between religion and politics? Between morality and government? Are these different propositions? Even more specifically, what is the relationship of my Catholicism to my politics? Where does the one end and the other begin? Are the two divided at all? If they are not, should they be?

Hard questions.

No wonder most of us in public life, at least until recently, preferred to stay away from them, heeding the Biblical advice that if "hounded and pursued in one city," we should flee to another.

Now, however, I think that it is too late to flee. The questions are all around us, and answers are coming from every quarter. Some of them have been simplistic, most of them fragmentary, and a few, spoken with a purely political intent, demagogic.

There has been confusion and compounding of confusion, a blurring of the issue, entangling it in personalities and election strategies, instead of clarifying it for Catholics, as well as others.

Today I would like to try to help correct that. I can offer you no final truths, complete and unchallengeable. But it is possible that this one effort will provoke other efforts, both in support and contradiction of my position, that will help us understand our differences and perhaps even discover some

† This text was delivered as a speech to the University of Notre Dame, Notre Dame, Indiana, September 13, 1984. Some peripheral introductory material has been deleted.

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basic agreement.

In the end, I am convinced we will all benefit if suspicion is replaced by discussion, innuendo by dialogue; if the emphasis in our debate turns from a search for talismanic criteria and neat but simplistic answers to an honest, more intelligent attempt at describing the role religion has in our public affairs, and the limits placed on that role. And if we do it right, if we are not afraid of the truth even when the truth is complex, this debate, by clarification, can bring relief to untold numbers of confused, even anguished, Catholics, as well as to many others who want only to make our already great democracy even stronger than it is.

The recent discussion in my own state has already produced some clearer definition. In early summer, an impression was created in some quarters that official Church spokespeople would ask Catholics to vote for or against specific candidates on the basis of their political position on the abortion issue alone. I was one of those given that impression. Thanks to the dialogue that ensued over the summer, only partially reported by the media, we learned that the impression was not accurate.

Confusion had presented an opportunity for clarification, and we seized it. Now all of us are saying one thing, in chorus, reiterating the statement of the National Conference of Catholic Bishops that they will not "take positions for or against political candidates" and that their stand on specific issues should not be perceived "as an expression of political partisanship."¹

Of course the Bishops will teach. They must [teach], more and more vigorously and more and more extensively. They have, however, said they will not use the power of their position and the great respect it receives from all Catholics, to give an imprimatur to individual politicians or parties.

Not that they could not if they wished to: some religious leaders do; some are doing it at this very moment.

Not that it would be a sin if they did: God does not insist on political neutrality. It is the judgment of the Bishops, and most of us Catholic lay people, that it is not wise for prelates and politicians to be tied too closely together. This consensus in New York was an extraordinarily useful achievement.

Now, with some trepidation, I take up your gracious invi-

1. Statement of Most Rev. James Malone, President, National Conference of Catholic Bishops (Aug. 9, 1984), *reprinted in* 14 *ORIGINS* 162 (1984).

tation to continue the dialogue in the hope that it will lead to still further clarification.

I do not speak as a theologian; I do not have that competence. I do not speak as a philosopher; to suggest that I could, would be to set a new record for false pride. I do not presume to speak as a "good" person except in the ontological sense of that word. My principal credential is that I serve in a position that forces me to wrestle with the problems you have come here to study and debate.

I am by training a lawyer and by practice a politician. Both professions make me suspect in many quarters, including among some of my own co-religionists. Maybe there is no better illustration of the public perception of how politicians unite their faith and their profession than the story they tell in New York about "Fishhooks" McCarthy, a famous Democratic leader on the lower East Side, and right-hand man to Al Smith.

"Fishhooks," the story goes, was devout. [He was] so devout that every morning on his way to Tammany Hall to do his political work, he stopped into St. James Church on Oliver Street in downtown Manhattan, fell on his knees, and whispered the same simple prayer: "Oh, Lord, give me health and strength. We'll steal the rest."

"Fishhooks" notwithstanding, I speak here as a politician, and also as a Catholic, as a lay person baptized and raised in the pre-Vatican II Church, educated in Catholic schools, attached to the Church first by birth, then by choice, now by love, an old-fashioned Catholic who sins, regrets, struggles, worries, gets confused and most of the time feels better after confession. The Catholic Church is my spiritual home. My heart is there, and my hope.

There is, of course, more to being a Catholic than a sense of spiritual and emotional resonance. Catholicism is a religion of the head as well as the heart, and to be a Catholic is to say "I believe" to the essential core of dogmas that distinguishes our faith.

The acceptance of this faith requires a lifelong struggle to understand it more fully and to live it more truly, to translate truth into experience, to practice as well as to believe. That is not easy: applying religious belief to everyday life often presents difficult challenges.

. . . The America of the late twentieth century is a consumer society, filled with endless distractions, where faith is more often dismissed than challenged, where the ethnic and other loyalties that once fastened us to our religion seem to

be weakening.

In addition to all the weaknesses, dilemmas and temptations that impede every pilgrim's progress, the Catholic who holds political office in a pluralistic democracy, who is elected to serve Jews and Muslims, atheists and Protestants, as well as Catholics, bears special responsibility. He or she undertakes to help create conditions under which all can live with a maximum of dignity and with a reasonable degree of freedom; where everyone who chooses may hold beliefs different from specifically Catholic ones, sometimes contradictory to them; where the laws protect people's right to divorce, to use birth control and to choose abortion.

In fact, Catholic public officials take an oath to preserve the Constitution that guarantees this freedom. They do so gladly, not because they love what others do with their freedom, but because they realize that in guaranteeing freedom for all, they guarantee our right to be Catholics: our right to pray, to use the sacraments, to refuse birth control devices, to reject abortion, not to divorce and remarry if we believe it to be wrong.

The Catholic public official lives the political truth which most Catholics through most of American history have accepted and insisted on: the truth that to assure our freedom we must allow others the same freedom, even if occasionally it produces conduct by them which we would hold to be sinful.

I protect my right to be a Catholic by preserving your right to believe as a Jew, a Protestant or non-believer, or as anything else you choose. We know that the price of seeking to force our beliefs on others is that they might some day force theirs on us. This freedom is the fundamental strength of our unique experiment in government. In the complex interplay of forces and considerations that go into the making of our laws and policies, its preservation must be a pervasive and dominant concern.

Insistence on freedom is easier to accept as a general proposition than in its applications to specific situations. There are other valid general principles firmly embedded in our Constitution, which, operating at the same time, create interesting and occasionally troubling problems. Thus, the same amendment of the Constitution that forbids the establishment of a state church affirms my legal right to argue that my religious belief would serve well as an article of our universal public morality. I may use the prescribed processes of government, the legislative and executive and judicial

processes, to convince my fellow citizens, Jews and Protestants and Buddhists and non-believers, that what I propose is as beneficial for them as I believe it is for me; that it is not just parochial or narrowly sectarian, but fulfills a human desire for order, peace, justice, kindness, love or any of the values most of us agree are desirable even apart from their specific religious base or context.

I am free to argue for a governmental policy for a nuclear freeze not just to avoid sin but because I think my democracy should regard it as a desirable goal. I can, if I wish, argue that the State should not fund the use of contraceptive devices not because the Pope demands it but because I think that the whole community, for the good of the whole community, should not sever sex from an openness to the creation of life.

Surely I can, if so inclined, demand some kind of law against abortion not because my Bishops say it is wrong but because I think that the whole community, regardless of its religious beliefs, should agree on the importance of protecting life, including life in the womb, which is at the very least potentially human and should not be extinguished casually.

No law prevents us from advocating any of these things. I am free to do so. So are the Bishops, and so is Reverend Falwell. In fact, the Constitution guarantees my right to try. And theirs. And his.

But should I? Is it helpful? Is it essential to human dignity? Does it promote harmony and understanding? Does it divide us so fundamentally that it threatens our ability to function as a pluralistic community? When should I argue to make my religious value your morality, my rule of conduct your limitation? What are the rules and policies that should influence the exercise of this right to argue and promote?

I believe I have a salvific mission as a Catholic. Does that mean I am in conscience required to do everything I can as Governor to translate all my religious values into the laws and regulations of the State of New York or the United States? Or be branded a hypocrite if I do not? As a Catholic, I respect the teaching authority of the Bishops, but must I agree with everything in the Bishops' pastoral letter on peace² and fight to include it in [political] party platforms? Will I have to do the same for the forthcoming pastoral [let-

2. National Conference of Catholic Bishops, *The Challenge of Peace: God's Promise and Our Response*, reprinted in 13 ORIGINS 1 (1983).

ter] on economics³ even if I am an unrepentant supply-sider? Must I, having heard the Pope renew the Church's ban on birth control devices, veto the funding of contraceptive programs for non-Catholics or dissenting Catholics in my state?

I accept the Church's teaching on abortion. Must I insist you do? By law? By denying you Medicaid funding? By a constitutional amendment? If so, which one? Would that be the best way to avoid abortions or to prevent them? These are only some of the questions for Catholics. People with other religious beliefs face similar problems.

Let me try some answers.

Almost all Americans accept some religious values as a part of our public life. We are a religious people, many of us descended from ancestors who came here expressly to live their religious faith free from coercion or repression. But we are also a people of many religions, with no established church, who hold different beliefs on many matters.

Our public morality, then, the moral standards we maintain for everyone, not just the ones we insist on in our private lives, depends on a consensus view of right and wrong. The values derived from religious belief will not, and should not, be accepted as part of the public morality unless they are shared by the pluralistic community at large, by consensus.

That values happen to be religious values does not deny them acceptability as a part of this consensus. But it does not require their acceptability, either.

The agnostics who joined the civil rights struggle were not deterred because that crusade's values had been nurtured and sustained in black Christian churches. Those on the political left are not perturbed today by the religious basis of the clergy and lay people who join them in the protest against the arms race, hunger and exploitation.

The arguments start when religious values are used to support positions which would impose on other people restrictions they find unacceptable. Some people do object to Catholic demands for an end to abortion, seeing it as a violation of the separation of church and state. Others, while they have no compunction about invoking the authority of the Catholic Bishops in regard to birth control and abortion, might reject out of hand their teaching on war and peace and social policy.

Ultimately, therefore, the question "whether or not we

3. National Conference of Catholic Bishops, Pastoral Letter on Catholic Social Teaching and the U.S. Economy (First Draft 1984).

admit religious values into our public affairs" is too broad to yield a single answer. "Yes," we create our public morality through consensus and in this country that consensus reflects to some extent religious values of a great majority of Americans. But "no," all religiously based values do not have an *a priori* place in our public morality.

The community must decide if what is being proposed would be better left to private discretion than public policy; whether it restricts freedoms, and if so to what end, to whose benefit; whether it will produce a good or bad result; whether overall it will help the community or merely divide it.

The right answers to these questions can be elusive. Some of the wrong answers, on the other hand, are quite clear. For example, there are those who say there is a simple answer to all these questions; they say that by the history and practice of our people we were intended to be, and should be, a Christian country in law.

But where would that leave the non-believers? And whose Christianity would be law, yours or mine? This "Christian nation" argument should concern, even frighten, two groups: non-Christians and thinking Christians.

I believe it does.

I think it is already apparent that a good part of this nation understands, if only instinctively, that anything which seems to suggest that God favors a political party or the establishment of a state church, is wrong and dangerous.

Way down deep, the American people are afraid of an entangling relationship between formal religions, or whole bodies of religious belief, and government. Apart from constitutional law and religious doctrine, there is a sense that tells us it is wrong to presume to speak for God or to claim God's sanction of our particular legislation and His rejection of all other positions. Most of us are offended when we see religion being trivialized by its appearance in political throw-away pamphlets.

The American people need no course in philosophy or political science or church history to know that God should not be made into a celestial party chairman.

To most of us, the manipulative invoking of religion to advance a politician or a party is frightening and divisive. The American people will tolerate religious leaders taking positions for or against candidates, although I think the Catholic Bishops are right in avoiding that position. But the American people are leery about large religious organiza-

tions, powerful churches or synagogue groups engaging in such activities, again, not as a matter of law or doctrine, but because our innate wisdom and democratic instinct teaches us these things are dangerous.

Today there are a number of issues involving life and death that raise questions of public morality. They are also questions of concern to most religions. Pick up a newspaper and you are almost certain to find a bitter controversy over any one of them: Baby Jane Doe, the right to die, artificial insemination, embryos in vitro, abortion, birth control, not to mention nuclear war and the shadow it throws across all existence.

Some of these issues touch the most intimate recesses of our lives, our roles as someone's mother or child or husband; some affect women in a unique way. But they are also public questions, for all of us.

Put aside what God expects. Assume, if you like, there is no God; then the greatest thing still left to us is life. Even a radically secular world must struggle with the questions of when life begins, under what circumstances it can be ended, when it must be protected, and by what authority. It too must decide what protection to extend to the helpless and the dying, to the aged and the unborn, to life in all its phases.

As a Catholic, I have accepted certain answers as the right ones for myself and my family, and because I have, they have influenced me in special ways: as Matilda's husband, as a father of five children, as a son who stood next to his own father's death bed trying to decide if the tubes and needles no longer served a purpose.

As a Governor, however, I am involved in defining policies that determine other people's rights in these same areas of life and death. Abortion is one of these issues, and while it is one issue among many, it is one of the most controversial and affects me in a special way as a Catholic public official.

So let me spend some time considering it.

I should start by noting that the Catholic Church's actions with respect to the interplay of religious values and public policy make clear that there is no inflexible moral principle which determines what our political conduct should be. For example, on divorce and birth control, without changing its moral teaching, the Church abides [by] the civil law as it now stands, thereby accepting, without making much of a point of it, that in our pluralistic society we are not required to insist that all our religious values be the law of the land.

Abortion is treated differently.

Of course there are differences, both in degree and quality, between abortion and some of the other religious positions the Church takes. Abortion is a "matter of life and death," and degree counts. But the differences in approach reveal a truth that is not well enough perceived by Catholics and therefore still further complicates the process for us. That is, while we always owe our Bishops' words respectful attention and careful consideration, the question whether to engage the political system in a struggle to have it adopt certain articles of our belief as part of public morality is not a matter of doctrine. It is a matter of prudential political judgment.

Recently, Michael Novak put it succinctly. "Religious judgment and political judgment are both needed," he wrote. "But they are not identical."⁴

My church and my conscience require me to believe certain things about divorce, birth control and abortion. My church does not order me, under pain of sin or expulsion, to pursue my salvific mission according to a precisely defined political plan.

As a Catholic, I accept the Church's teaching authority. While in the past some Catholic theologians may appear to have disagreed on the morality of some abortions (it was not, I think, until 1869 that excommunication was attached to all abortions without distinction), and while some theologians still do, I accept the Bishops' position that abortion is to be avoided.

As Catholics, my wife and I were enjoined never to use abortion to destroy the life we created, and we never have. We thought Church doctrine was clear on this, and, more than that, both of us felt it in full agreement with what our hearts and our consciences told us. For me life or fetal life in the womb should be protected, even if five of nine Justices of the Supreme Court and my neighbor disagree with me. A fetus is different from an appendix or a set of tonsils. At the very least, even if the argument is made by some scientists or some theologians that in the early stages of fetal development we cannot discern human life, the full potential of human life is indisputably there. That, to my less subtle mind, by itself should demand respect, caution, indeed reverence.

But not everyone in our society agrees with Matilda and me.

4. M. Novak, *Religious Fundamentalism Arrives on the Left*, (July 20, 1984).

And those who do not, those who endorse legalized abortions, are not a ruthless, callous alliance of anti-Christians determined to overthrow our moral standards. In many cases, the proponents of legal abortion are the very people who have worked with Catholics to realize the goals of social justice set out in papal encyclicals: the American Lutheran Church, the Central Conference of American Rabbis, the Presbyterian Church in the United States, B'nai B'rith Women, the Women of the Episcopal Church. These are just a few of the religious organizations that do not share the Church's position on abortion.

Certainly, we should not be forced to mold Catholic morality to conform to disagreement by non-Catholics, however sincere or severe their disagreement. Our Bishops should be teachers, not pollsters. They should not change what we Catholics believe in order to ease our consciences or please our friends or protect the Church from criticism.

But if the breadth, intensity and sincerity of opposition to church teaching should not be allowed to shape our Catholic morality, it cannot help but determine our ability, our realistic, political ability, to translate our Catholic morality into civil law, a law not for the believers who do not need it but for the disbelievers who reject it.

It is here, in our attempt to find a political answer to abortion, an answer beyond our private observance of Catholic morality, that we encounter controversy within and without the Church over how and in what degree to press the case that our morality should be everybody else's, and to what effect.

There is no Church teaching that mandates the best political course for making our belief everyone's rule, for spreading this part of our Catholicism. There is neither an encyclical nor a catechism that spells out a political strategy for achieving legislative goals.

And so the Catholic trying to make moral and prudent judgments in the political realm must discern which, if any, of the actions one could take would be best.

This latitude of judgment is not something new in the Church, not a development that has arisen only with the abortion issue. Take, for example, the question of slavery. It has been argued that [failing] to endorse a legal ban on abortions is equivalent to refusing to support the cause of abolition before the Civil War. This analogy has been advanced by

the Bishops of my own state.⁵

But the truth of the matter is, few if any Catholic Bishops spoke for abolition in the years before the Civil War. It was not, I believe, that the Bishops endorsed the idea of some humans owning and exploiting other humans; Pope Gregory XVI, in 1840, had condemned the slave trade. Instead it was a practical political judgment that the Bishops made. They were not hypocrites; they were realists. At the time, Catholics were a small minority, mostly immigrants, despised by much of the population, often vilified and the object of sporadic violence. In the face of a public controversy that aroused tremendous passions and threatened to break the country apart, the Bishops made a pragmatic decision. They believed their opinion would not change people's minds. Moreover they knew that there were southern Catholics, even some priests, who owned slaves. They concluded that under the circumstances, arguing for a constitutional amendment against slavery would do more harm than good, so they were silent, as they have been, generally, in recent years, on the question of birth control, and as the Church has been on even more controversial issues in the past, even ones that dealt with life and death.

What is relevant to this discussion is that the Bishops were making judgments about translating Catholic teachings into public policy, not about the moral validity of the teachings. In so doing they grappled with the unique political complexities of their time. The decision they made to remain silent on a constitutional amendment to abolish slavery or on the repeal of the Fugitive Slave Law was not a mark of their moral indifference: it was a measured attempt to balance moral truths against political realities. Their decision reflected their sense of complexity, not their diffidence. As history reveals, Lincoln behaved with similar discretion.

The parallel is not between or among what we Catholics believe to be moral wrongs. It is in the Catholic response to those wrongs. Church teaching on slavery and abortion is clear. But in the application of those teachings, the exact way we translate them into action, the specific laws we propose, the exact legal sanctions we seek, there was and is not one, clear, absolute route that the Church says, as a matter of doctrine, we must follow.

The Bishops' pastoral letter, "The Challenge of Peace,"

5. Bishops of the State of New York, *Statement on Public Officials and Abortion*, reprinted in 13 ORIGINS 759 (1984).

speaks directly to this point. "We recognize," the Bishops wrote, "that the Church's teaching authority does not carry the same force when it deals with technical solutions involving particular means as it does when it speaks of principles or ends. People may agree in abhorring an injustice, for instance, yet sincerely disagree as to what practical approach will achieve justice. Religious groups are entitled as others to their opinion in such cases, but they should not claim that their opinions are the only ones that people of good will may hold."⁶

With regard to abortion, the American Bishops have had to weigh Catholic moral teaching against the fact of a pluralistic country where our view is in the minority, acknowledging that what is ideally desirable is not always feasible and that there can be different political approaches to abortion besides unyielding adherence to an absolute prohibition.

This is in the American-Catholic tradition of political realism. In supporting or opposing specific legislation, the Church in this country has never retreated into a moral fundamentalism that will settle for nothing less than total acceptance of its views.

Indeed, the Bishops have already confronted the fact that an absolute ban on abortion does not have the support necessary to be placed in our Constitution. In 1981, they put aside earlier efforts to describe a law they could accept and get passed, and supported the Hatch Amendment instead.⁷

Some Catholics felt the Bishops had gone too far with that action, some not far enough. Such judgments were not a rejection of the Bishops' teaching authority: the Bishops even disagreed among themselves. Catholics are allowed to disagree on these technical political questions without having to confess.

Respectfully, and after careful consideration of the position and arguments of the Bishops, I have concluded that the approach of a constitutional amendment is not the best way for us to seek to deal with abortion.

I believe that legal interdicting of abortion by either the federal government or the individual states is not a plausible

6. National Conference of Catholic Bishops, *supra* note 2, at 26.

7. 1 *Constitutional Amendments Relating to Abortion: Hearings Before the Subcomm. on the Constitution of the Senate Comm. on the Judiciary*, 97th Cong., 1st Sess. 413 (1981) (statements of Most Rev. James Roach and Terence Cardinal Cooke for the National Conference of Catholic Bishops), *reprinted* in 11 *ORIGINS* 360, 370 (1981).

possibility and even if it could be obtained, it would not work. Given present attitudes, it would be "Prohibition" revisited, legislating what could not be enforced and in the process creating a disrespect for law in general. And as much as I admire the Bishops' hope that a constitutional amendment against abortion would be the basis for a full, new bill of rights for mothers and children, I disagree that this would be the result.

More likely, a constitutional prohibition would allow people to ignore the causes of many abortions instead of addressing them, much the way the death penalty is used to escape dealing more fundamentally and more rationally with the problem of violent crime.

Other legal options that have been proposed are, in my view, equally ineffective. The Hatch Amendment, by returning the question of abortion to the states, would have given us a checkerboard of permissive and restrictive jurisdictions. In some cases people might have been forced to go elsewhere to have abortions. That might have eased a few consciences but it would not have done what the Church wants to do: it would not have created a deep-seated respect for life. Abortions would have gone on, millions of them.

Nor would a denial of Medicaid funding for abortion achieve our objectives. Given *Roe v. Wade*,⁸ it would be nothing more than an attempt to do indirectly what the law says cannot be done directly; worse, it would do it in a way that would burden only the already disadvantaged. Removing funding from the Medicaid program would not prevent the rich and middle classes from having abortions. It would not even assure that the disadvantaged would not have them; it would only impose financial burdens on poor women who want abortions.

Apart from that unevenness, there is a more basic question. Medicaid is designed to deal with health and medical needs. But the arguments for the cutoff of Medicaid abortion funds are not related to those needs. They are moral arguments. If we assume health and medical needs exist, our personal view of morality ought not to be considered a relevant basis for discrimination.

We must keep in mind always that we are a nation of laws, when we like those laws, and when we do not.

The Supreme Court has established a woman's constitutional right to abortion. The Congress has decided the fed-

8. 410 U.S. 113 (1973).

eral government should not provide federal funding in the Medicaid program for abortion. That, of course, does not bind states in the allocation of their own state funds. Under the law, the individual states need not follow the federal lead, and in New York I believe we cannot follow that lead. The equal protection clause in New York's constitution has been interpreted by the courts as a standard of fairness that would preclude us from denying only the poor, indirectly, by a cutoff of funds, the practical use of the constitutional right given by *Roe v. Wade*.

In the end, even if after a long and divisive struggle we were able to remove all Medicaid funding for abortion and restore the law to what it was, if we could put most abortions out of our sight, return them to the backrooms where they were performed for so long, I do not believe our responsibility as Catholics would be any closer to being fulfilled than it is now, with abortion guaranteed by the law as a woman's right.

The hard truth is that abortion is not a failure of government. No agency or department of government forces women to have abortions, but abortion goes on. Catholics, the statistics show, support the right to abortion in equal proportion to the rest of the population, despite the teaching in our homes and schools and pulpits, despite the sermons and pleadings of parents and priests and prelates, despite all the effort at defining our opposition to the sin of abortion. Collectively we Catholics apparently believe, and perhaps act, little differently from those who do not share our commitment.

Are we asking government to make criminal what we believe to be sinful because we ourselves cannot stop committing the sin?

The failure here is not Caesar's. This failure is our failure, the failure of the entire people of God.

Nobody has expressed this better than a Bishop in my own state. Bishop Joseph Sullivan, a man who works with the poor in New York City, is resolutely opposed to abortion and argues, with his fellow Bishops, for a change of law. "The major problem the Church has is internal," the Bishop said last month in reference to abortion. "How do we teach? As much as I think we're responsible for advocating public policy issues, our primary responsibility is to teach our own people. We have not done that. We're asking politicians to do what we have not done effectively ourselves."

I agree with the Bishop. Our moral and social mission as Catholics must begin with the wisdom contained in the words

"Physician, heal thyself." Unless we Catholics educate ourselves better to the values that define, and can ennoble, our lives, following those teachings better than we do now, unless we set an example that is clear and compelling, we will never convince this society to change the civil laws to protect what we preach is precious human life.

Better than any law or rule or threat of punishment would be the moving strength of our own good example, demonstrating our lack of hypocrisy, proving the beauty and worth of our instruction.

We must work to find ways to avoid abortions without otherwise violating our faith. We should provide funds and opportunity for young women to bring their children to term, knowing both of them will be taken care of if that is necessary; we should teach our young men better than we do now their responsibilities in creating and caring for human life.

It is this duty of the Church to teach through its practice of love that Pope John Paul II has proclaimed so magnificently to all peoples. "The Church," he wrote in *Redemptor Hominis*, "which has no weapons at her disposal apart from those of the spirit, of the word and of love, cannot renounce her proclamation of 'the word . . . in season and out of season.' For this reason she does not cease to implore . . . everybody in the name of God and in the name of man: Do not kill! Do not prepare destruction and extermination for each other! Think of your brothers and sisters who are suffering hunger and misery! Respect each one's dignity and freedom!"⁹

The weapons of the word and of love are already available to us: we need no statute to provide them.

I am not implying that we should stand by and pretend indifference to whether a woman takes a pregnancy to its conclusion or aborts it. We should in all cases try to teach a respect for life. And I believe with regard to abortion that, despite *Roe v. Wade*, we can, in practical ways. Here, in fact, it seems to me that all of us can agree.

Without lessening their insistence on a woman's right to an abortion, the people who call themselves "pro-choice" can support the development of government programs that present an impoverished mother with the full range of support she needs to bear and raise her children, to have a real

9. John Paul II, *Redemptor Hominis*, reprinted in 8 ORIGINS 626, 636 (1979).

choice. Without dropping their campaign to ban abortion, those who gather under the banner of "pro-life" can join in developing and enacting a legislative bill of rights for mothers and children, as the Bishops have already proposed.

While we argue over abortion, the United States' infant mortality rate places us sixteenth among the nations of the world.¹⁰ Thousands of infants die each year because of inadequate medical care. Some are born with birth defects that, with proper treatment, could be prevented. Some are stunted in their physical and mental growth because of improper nutrition.

If we want to prove our regard for life in the womb, for the helpless infant, if we care about women having real choices in their lives and not being driven to abortions by a sense of helplessness and despair about the future of their child, then there is work enough for all of us. Lifetimes of it.

In New York, we have put in place a number of programs to begin this work, assisting women in giving birth to healthy babies: this year we doubled Medicaid funding to private-care physicians for pre-natal and delivery services.

The state already spends 20 million dollars a year for pre-natal care in out-patient clinics and for in-patient hospital care.

One program in particular we believe holds a great deal of promise. It is called "new avenues to dignity," and it seeks to provide a teenage mother with the special service she needs to continue with her education, to train for a job, to become capable of standing on her own, to provide for herself and the child she is bringing into the world.

My dissent, then, from the contention that we can have effective and enforceable legal prohibitions on abortion is by no means an argument for religious quietism, for accepting the world's wrongs because that is our fate as "the poor banished children of Eve."

Let me make another point.

Abortion has a unique significance but not a preemptive significance.

Apart from the question of the efficacy of using legal weapons to make people stop having abortions, we know our Christian responsibility does not end with any one law or amendment. That it does not end with abortion. Because it involves life and death, abortion will always be a central con-

10. Statistical Office, Dep't of Int'l Economic and Social Affairs, United Nations, *DEMOGRAPHIC YEARBOOK* 1982, 330 (1984).

cern of Catholics. But so will nuclear weapons, and hunger and homelessness and joblessness, all the forces diminishing human life and threatening to destroy it. The "seamless garment"¹¹ that Cardinal Bernardin has spoken of is a challenge to all Catholics in public office, conservatives as well as liberals.

We cannot justify our aspiration to goodness simply on the basis of the vigor of our demand for an elusive and questionable civil law declaring what we already know, that abortion is wrong.

Approval or rejection of legal restrictions on abortion should not be the exclusive litmus test of Catholic loyalty. We should understand that whether abortion is outlawed or not, our work has barely begun: the work of creating a society where the right to life doesn't end at the moment of birth; where an infant isn't helped into a world that doesn't care if it's fed properly, housed decently, educated adequately; where the blind or retarded child isn't condemned to exist rather than empowered to live.

The Bishops stated this duty clearly in 1974, in their statement to the Senate subcommittee considering a proposed amendment to restrict abortions. They maintained such an amendment could not be seen as an end in itself. "We do not see a constitutional amendment as the final product of our commitment or of our legislative activity," they said. "It is instead the constitutional base on which to provide support and assistance to pregnant women and their unborn children. This would include nutritional, prenatal, child birth and post-natal care for the mother, and also nutritional and pediatric care for the child through the first year of life. . . . We believe that all of these should be available as a matter of right to all pregnant women and their children."¹²

The Bishops reaffirmed that view in 1976,¹³ in 1980,¹⁴

11. Joseph Cardinal Bernardin, Address at Fordham University (Dec. 1983), reprinted in 13 ORIGINS 491 (1983).

12. 1 *Abortion: Hearings Before Subcomm. on Constitutional Amendments of the Senate Comm. of the Judiciary*, 93d Cong., 2d Sess. 153 (statements of John Cardinal Krol, Timothy Cardinal Manning, Humberto Cardinal Medeiros and John Cardinal Cody for the United States Catholic Conference), reprinted in 5 ORIGINS 620, 627 (1974).

13. Administrative Board of the United States Catholic Conference, *The Church's Role in the '76 Election*, reprinted in 5 ORIGINS 567 (1976).

14. Administrative Board of the United States Catholic Conference, *Political Responsibility: Choices for the 1980s*, reprinted in 9 ORIGINS 351 (1979).

and again this year¹⁵ when the United States Catholic Committee asked Catholics to judge candidates on a wide range of issues, on abortion, yes, but also on food policy, the arms race, human rights, education, social justice and military expenditures.

The Bishops have been consistently "pro-life" in the full meaning of that term, and I respect them for that.

The problems created by the matter of abortion are complex and confounding. Nothing is clearer to me than my inadequacy to find compelling solutions to all of their moral, legal and social implications. I, and many others like me, are eager for enlightenment, eager to learn new and better ways to manifest respect for the deep reverence for life that is our religion and our instinct. I hope that this public attempt to describe the problems as I understand them will give impetus to the dialogue in the Catholic community and beyond, a dialogue which could show me a better wisdom than I have been able to find so far.

It would be tragic if we let that dialogue become a prolonged, divisive argument that destroys or impairs our ability to practice any part of the morality given us in the Sermon on the Mount, to touch, heal and affirm the human life that surrounds us.

We Catholic citizens of the richest, most powerful nation that has ever existed are like the stewards made responsible over a great household: from those to whom so much has been given, much shall be required. It is worth repeating that ours is not a faith that encourages its believers to stand apart from the world, seeking their salvation alone, separate from the salvation of those around them.

We speak of ourselves as a body. We come together in worship as companions, in the ancient sense of that word: those who break bread together, and who are obliged by the commitment we share to help one another, everywhere, in all we do, and in the process, to help the whole human family. We see our mission to be "the completion of the work of creation."

This is difficult work today. It presents us with many hard choices.

The Catholic Church has come of age in America. The ghetto walls are gone, our religion no longer a badge of irredeemable foreignness. This new-found status is both an op-

15. Administrative Board of the United States Catholic Conference, *Statement on Political Responsibility*, reprinted in 13 *ORIGINS* 732 (1984).

portunity and a temptation. If we choose, we can give in to the temptation to become more and more assimilated into a larger, blander culture, abandoning the practice of the specific values that made us different, worshipping whatever gods the marketplace has to sell while we seek to rationalize our own laxity by urging the political system to legislate on others a morality we no longer practice ourselves.

Or we can remember where we come from, the journey of two millennia, clinging to our personal faith, to its insistence on constancy and service and on hope. We can live and practice the morality Christ gave us, maintaining His truth in this world, struggling to embody His love, practicing it especially where that love is most needed, among the poor and the weak and the dispossessed. Not just by trying to make laws for others to live by, but by living the laws already written for us by God, in our hearts and our minds.

We can be fully Catholic, proudly, totally at ease with ourselves, a people in the world, transforming it, a light to this nation, appealing to the best in our people, not the worst. Persuading, not coercing. Leading people to truth by love. And still, all the while, respecting and enjoying our unique pluralistic democracy. And we can do it even as politicians.

