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Volume II

Religion and Political Structures
From Fundamentalism to Public Service

edited by
John T. Ford, Robert A. Destro, Charles R. Dechert

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Introduction

George F. McLean

The issue of religion in contemporary life is marked by three major related problems, one is the perennial struggle to choose between God and Mammon, another is the struggle to broaden the horizons of one's concerns beyond self to God, a third is the manner of relating one's own religious commitment to that of others. As foundational decisions for life, they must be faced in every effort at modernization and indeed in all deeply human accomplishments.

The present form of the first problem—the choice between God and Mammon—has its roots in the individualistic character of modern culture, traceable to the disintegrative effect to nominalism from pre-modern times. Locke's attempt to fit individualism for modern democratic dialogue by limiting such speech to what was publicly available through the senses pointed inevitably in the direction of a materialistic self-centeredness. The result has progressively evolved into a consumerism which is consuming the very person—a kind of human black hole.

Against this stand the strong, if never unambiguous, concrete religious traditions of the people and of public life, as well as the basic fact that in the end mammon destroys all who enter its service. Faced starkly, as in the 20th century experience of Eastern Europe and Asia, a choice for the foundational importance of the spirit is clear. This is reflected as well in less overtly tragic circumstances on other continents by the emerging sense of the need for values.

The second problem compounds the first. The correlate of the above path from individualism to sensism, and thence to consumerism, is the claim that the intellect cannot reason to God and hence that religion is solely a matter of feeling or heart. Such faith without knowledge—in reality a voluntaristic fideism—can be lived authentically only by renouncing the relevance of faith to life in this world and in our times. Life then becomes secular in the fully negative sense of isolation from religion.

These foundational challenges to religion in our culture—individualism, consumerism and secularism—need to be faced jointly, in depth, and on an interdisciplinary basis. This should be done with a view not only to diagnosis, but to resistance. Indeed, if life is dynamic and progressive, the overriding concern must be not only to resist disintegrating forces, but to unleash the transforming power of being as the living unity or being, truth or consciousness and goodness or bliss—the Christian Trinity and the Hindu Saccidananda—which characterize the religious grounding of life.

Hence, for some time it was thought that religion was atrophying and that the world would be reduced to a secular state. This in fact seemed to be the project of modernity, to develop human control of all by employing only ideas clear to the human mind. Religion would be put in the separate category of faith, speculatively looked down upon, or even crudely repressed—all in the name of human enlightenment.

More recently, however, this has begun to be reversed. The modern period has employed its technical successes not only for, but against, human dignity and well being. The fascination with objective facts has left us without standards, meaning or dignity. People now speak of entering a post modern period in which meaning and motivation succeed pragmatic know-how as the main interests.

Samuel Huntington in his *Clash of Civilizations and the Remaking of the World Order* points to the dynamic whereby Islamic students coming to the university do not abandon their religion in

the face of the changes they experience around them, but are driven to take new interest in the religious bases of their identity. This, he sees, after the title of a work by Gilles Kepel, as the *Revenge of God*. As in Aesop's fable of the wind and the sun competing to get the traveler to remove his cloak, the more things change the more essential becomes the religious foundations of one's identity and the meaning of one's life.

One finds then an opening of mind and heart. What is important is not so much mechanical inventions, but nature and the environment with its beauty and variety; not the clear and limited, but the transcendent and infinite, not legal precision and rights, but harmonious coexistence.

Thus we return to the ancient question. The religious or proto religious was the earliest mode of living together, the thesis. That bond was broken in the modern search for power and control, the antithesis. What then is the proper mode of understanding the renewed role of religion in public life today, the synthesis?

Poorly understood this can generate a religious fundamentalism forgetful of man, replacing the earlier secular fundamentalist forgetfulness of God. When religious commitment substitutes rather than reinforces ethical and political concerns it injects energy without direction, thereby driving all to disaster. But to attempt to avoid this by excluding religion from public life shrinks able to a focus on conflicting human interests without meaning, norm or inspiration.

Hence, it is not enough to rejoice that the long secular night is passing. We must reflect carefully in order to be able to direct the religious sensibility capable of inspiring both a Mother Theresa and an Osama bin Laden. This volume continues the work of religion in public life initiated in Volume I *Religious Inspiration for Public Life* and turns especially to political structures.

Part I, "Islam, Christianity and the State," concerns the difficult interface of the sacred and the profane, the divine and the human, the Church and the state.

Chapter I by Muhammad Saïd al-Ashmawy, ex-head of the Supreme Court of Egypt, "The Sovereignty of God: From Tyranny to Fanaticism," examines the nature fanaticism which it attempts to contrast to a more appropriate understanding of Islam: the sovereignty of God the nature of justice in relation to Koranic exegesis of Koranic prescriptions. Thus he relates to Egyptian jurisprudence and the notions of fidelity and infidelity. As in his *Islam and Political Order* (volume I in the Islamic series of this series studies published by The Council for Research in Values and Philosophy) he is a main spokesman for the conciability of Islam with a modern parliamentary system and division of powers.

Chapter II by Richard K. Khuri, "Islamic Revolutionaries as Children of Modernity," interprets Islamic Fundamentalism as an understandable reaction to the harsh imposition of secularism and western-style economics in Muslim countries. It argues that Fundamentalist religious faith would become more 'open' and authentically orthodox if social conditions were to improve.

Chapter III by Gerald Bonner, "The Christianization of the Roman Empire: Inspiration or Warning for Contemporary Christianity?," recounts the problematic motives of Constantine in declaring Christianity the state-religion of the Empire; and traces the use of coercion by Constantine and his successors. Bonner shows how current missiology is learning to dissociate itself from national and global statism.

Part II, "Religion and Political Life," looks for a way to articulate the appropriate role of religion in relation to the state.

Chapter IV by John T. Ford, "Country, Church, and Conscience: John Henry Newman versus William Ewart," scrutinizes Newman's enormously influential *A Letter to the Duke of Norfolk*, which distinguishes in carefully-reasoned and nuanced terms the proper allegiance a Catholic owes to the Church and the proper allegiance a Catholic owes to the State.

Chapter V by John Kromkowski, "Exploring Catholic Participation," considers some of the special problems relating to the interface of religion and political life. The paper carries this further with special attention to the ritual aspects of religion in the classical Catholic model.

Chapter VI by Robert A. Destro, "Religion, Culture, Ethnicity and Inter-Group Tension: Meeting the Challenges of Nation-Building Through a Legal Policy of Non-Discrimination," examines American case-law as it has evolved in matters of religious, racial, and ethnic non-discrimination.

Chapter VII by Charles R. Dechert, "Culture, Value and Lifestyle: The Political Dilemma," maintains the connaturality of certain normative and institutional structures on the one hand and the nature of human beings on the other. It argues that societies violating human nature bring destruction upon themselves and others while successive orders of Providence confine and limit the consequences of moral evil while exercising the power of the God.

Part III, "Religion and Public Service in a Global Age," concerns the ability to understand and to work with others.

Chapter VIII by László Tengelyi, "Freedom and Evil," proposes reconsidering the mystery of evil no longer in terms of the classical notion of privation of the good, but as a contradiction in the historical unity of a life understood in terms of a narrative view of personal identity. There it remains an eternal 'enigma' within the boundaries of the 'phenomenon' of guilt.

Chapter IX by Karla W. Simon, "Religion, the Voluntary Sector, and the State: Some Reflections From Emerging Democracies," is an illustration of this through a description of the concrete web of interrelations between peoples and the role of religion therein.

Chapter X by Peggy J. Badra, "New Evangelization in Latin America: Some Introductory Ideas," first recounts how the 'Old Evangelization' of Latin America was stained by Spanish/Portuguese colonial interests. Then it demonstrates the authentic commitment of the 'New Evangelism,' to the poor, the exploited, and the marginalized.

Chapter I

The Sovereignty of God: From Tyranny to Fanaticism

Muhammad Saïd Al-Ashmawy

From Tyranny to Fanaticism

In the *Psychology of the Masses*, Gustave Le Bon shows how human collectivities, whatever be the value of the individuals of which they are composed, inevitably tend to allow themselves to be guided by words and symbols, even if these are manifestly erroneous. Sooner or later from this come the disasters and catastrophies witnessed by contemporary history both East and West. Based on this peculiar trait, adds Le Bon, the masses tend to allow themselves to be guided by tyrants who are deeply aware of how to awake dreams and illusions by manipulating language and symbols, without even proposing precise projects. The tyrant, he continues, employs the logic of propaganda, creating a slogan for every occasion. His language is brutal and exaggerated; to logical discourses he prefers rumors, to pardon he prefers threats. In his mouth defeat becomes victory, retreat becomes redeployment and all is taken in stride. He acts only to destroy, treating all troublemakers who unmask him as the agents of foreign powers, and those who oppose him as enemies of the nation.

If the politics of the tyrant are extremely dangerous for the people, they become even more so when, through recourse to religious discourse, he claims to speak in the name of God, to represent Revelation and to hold a monopoly upon religious exegesis. Whoever denounces this manipulation and trickery is no longer simply a traitor or an agent: he becomes an infidel, a heretic, an atheist renegade. Manifestly, as we shall see, all these procedures are at work among the modern practitioners of the politicization of religion through violence and terror. They specialize in confusing throne and pulpit; they barter the word of God and the prophetic tradition in order to nourish the treasury of their state.

In Egypt, political Islam was born at the end of the 1920s, but only recently has it begun to be inspired by similar ideology born on the Indian sub-continent. In that region of contradictions and on the basis of complex historical circumstances there emerged an Islamist trend through crossbreeding the inferiority and persecution complexes of minorities, the hate of colonialism and an erroneous understanding of Islam. Its best known representative was Abul-Ala al-Mawdudi, author of, among others, *The Islamic Government (Al-hukûma al-islâmiyya)*. This work is based upon a series of unexamined postulates the sole object of which is to provide a basis for the conclusions of the author. Its reasoning is entirely closed in upon itself, amounting more to an apology than to a reasoned analysis. On this basis he draws from the religious patrimony whatever serves his argument and skips the rest in silence. He prefers his own suspicious exegesis to that of authoritative writers, and third rate jurists to the masters of Islamic jurisprudence (*fiqh*). He twists verses from the Koran, citing them out of context, and passes mutely over the circumstances of Revelation when they contradict his interpretation. In the end, it amounts to exaggeration, fanaticism and a contrived conception, unchanging and imprisoned by his imagination.

These troubling theories were spread throughout Egypt in the 1960s where they were promoted by circumstances analogous to those in which they had been born in India. In *Signs of the Road (Ma'âlim fil-tarîq)*¹ one finds the same apology and, in a more palatable style, the same

conclusions. Finally, they were taken up by a group with the violence and extremism of their Indian predecessors. Though adapted to their own conditions, the theories remain totally contradictory to the Egyptian people and the tolerant and merciful spirit of Islam.²

A Fossilized Thought

This doctrine provides premises on which all is founded a priori, and which it is not permitted to discuss or verify. On that basis it constructs a predetermined edifice whose coherence is assumed to demonstrate its validity in advance. But the alert reader will not fail to notice that the construction collapses once its premises are discussed, and that its conclusions are unable to withstand even the most summary examination.

From another point of view readers of works in philosophy or jurisprudence are well aware that these doctrines generally are constructs of the spirit and quite distant from concrete considerations. Though in themselves coherent and well founded, critical comparison with other intellectual constructs of the same order raises questions. That is why the believer must read much and reflect broadly and deeply in order to sharpen his insight and form his judgment so as to accept critique and reject fanaticism.

Aware of the risks they would run in discussing their a priori positions, those engaged in political Islam employ the tools of tyrants, that is, propaganda and indoctrination. They allow their positions to be discussed rationally neither by their followers nor by their adversaries. Nor is it allowed to become interested in any other thought or logic than their own—if these be the correct terms. Like tyrants they reason in terms of the dictum "whoever is not with us is against us." That is, whoever does not behave within our objectives is a criminal outside the law; whoever blocks our way is an impious renegade.

Psychiatry characterizes schizophrenia as an abuse of logical discourse leading to affirmations according to one's special logic, rather than those which pertain to common sense. This incapacity to correspond to reality results in a dichotomy between the real world and oneself. If one transposes the pathology of schizophrenia from the personal to the collective level one has his finger on the nature of the sickness which taints the politicization of Islam with violence and terror.

Despite its multiple defects this ideology through manipulation and indoctrination appears in the eyes of many to be closest to the truth. Its followers believe that it is sufficient to continue without cease to hammer home slogans in order for their dreams and hopes soon to become reality. Despite, or rather because of that, the orientation they represent should be examined more closely, whatever be the dangers to which the researcher who dares to enter into this area exposes him or herself. If they want to reflect effectively they will understand that only by subjecting their ideas to the test of scientific examination will they be able to understand themselves and their doctrine. One can understand oneself or others effectively and be sure of the truth only on the basis of deep examination. To know the other's point of view, even if it be erroneous, is the only scientific manner by which to become convinced and thereby to have confidence in oneself and to have views which are true and strong. As said by 'Umar b. al-Khattâb: "One who ignores where error is located deserves to fall into it."

The principle slogans of political Islam are: "Sovereignty belongs only to God, the sole judge and legislator; and he who says or thinks otherwise is an infidel"—"Government must be according to divine Law solely and entirely; none of its provisions can be amended, suspended or considered relative or obsolete; if the texts are obscure one should refer them to the ulamas who alone are able to interpret them and pronounce judicial rulings, religious opinion (*fatwâ's*), and judgment."—

"Contemporary society is pagan and must be eliminated entirely"—"There are only two parties: that of God (*hizb Allah*), that is, the leaders of political Islam and their followers, versus the party of Satan (all their adversaries); the former should carry on a Holy War (*Jihâd*) everywhere and without quarter or mercy until the government of God is installed."

Let us discuss these slogans one by one.

God Alone Is Sovereign

When in the course of one of the battles against ‘Alî b. Abî Tâlib, Mu`âwiya b. Abî Sufyân felt that victory was slipping away, his men brandished their Korans on the ends of their lances, thereby calling for a cessation of combat and recourse to arbitration (*tahkim*). Giving in to the wishes of one part of his troops against his own preferences ‘Alî accepted arbitration. The other part of his troops, who opposed this decision, took up arms against him and the Moslem community, and thus came to be called Kharijites. On that occasion they first framed the slogan "God is the only sovereign" (*lâ hukm illâ lillâh*).

In that specific context the expression signified that recourse to arbitration was contrary to the divine will; that the war should have been carried through until the judgment (*hukm*) of God had designated a winner. To those who opposed him with this slogan he was accustomed to respond: "The statement is true, but you employ it erroneously." Today that response still remains best, for if no one, especially in these times of violent fanaticism, can contest that sovereignty (*al-hâkimiyya*) belongs only to God, this certainly is not so in the sense in which the Kharijites understood it. That would amount to denying the free will God had given to man, and to undermining the punishment due evil-doers in this world and in the next. Still more broadly, that erroneous conception can be traced to the philosophic-theological doctrine of divine predetermination (*al-quadâ` wal-qadar*), according to which to affirm that man can be the free author of his acts amounts to placing him on the same level as God—which would be a form of polytheism. If that be so then on what basis could man be judged here and in the life beyond?

Every being endowed with reason understands that beyond his own will there is that of God. But he understands also that the divine will does not abrogate his own free will and responsibility. This is according to all revealed religions: man decides what he wishes and if his will corresponds to that of the Almighty what he wishes will happen. But man remains responsible before God for his acts and choices; he cannot escape this under the claim that it is the divine will. When this discussion appeared at the time of the Prophet he forbade Moslems to engage in it, aware of the risks of division this quarrel among sophists would raise in his community. Certain persons once again evoked it in the time of ‘Umar, which provoked his anger and warnings against them.

One cannot keep from recalling here the defendant appearing in the criminal court of Upper-Egypt who said to the judge: "It is not I who killed, it is God. . . . If God hadn't wanted it, I wouldn't have done it. I was but an instrument of His will." What society could survive, what law could be applied in terms of such foolishness? Certainly, in the last instance sovereignty belongs only to God, the sole master of wills and of the final judgment; but in this world it belongs to man.

The History of the Idea of the Sovereignty of God

The slogan "God alone is sovereign" arose on the occasion of a political conflict where it served as a tyrannical political strategy for seizing power. Each time it has reappeared since then it has had the same meaning. Thus, numerous Kharijite sects have appeared in history: Azraqites

and Najadat, Ibadates and Sonfrites, etc., . . . All have always been looked upon by other Moslems as Kharijites, that is, as dissidents who by murder and terror have excluded themselves from Islam and from the unanimous consensus (*ijmâ`*) of the Moslem community. All this unfolds as if forgetting the origin of the designation in the conflict in which they opposed ‘Alî, which manifests their true nature as dissidents of Islam. In this sense, the term Kharijite is less a name designating a group of sects than a qualifier for all those who, by manipulating language and exploiting religion in order to arrive at their political ends, place themselves outside of Islam and its law.

The Kharijites have sometimes pretended that they have taken up arms against society because it was not governed by ‘Alî, but that was only a political maneuver on their part. In fact, throughout history they have remained opposed to ‘Alî as to all governments; they have denied any legitimacy to governments and refused to recognize any merit in them. They have done so because at the heart of their doctrine lies the rejection of any government which does not arise from their ranks. Thus, they authorize themselves to spread terror and violence in the community, to spill blood, to outrage every honor and to steal goods.

In reality, the doctrine of the sovereignty of God in its political derivations has nothing to do with Islam. It appeared first in ancient Egypt where the Pharaoh was considered the image of God on earth and the sole source of legitimate political and religious authority. Thus, when the courts condemned anyone to death, the sentence was deferred to the Pharaoh as the sole person who, in virtue of his priesthood, had the right to take the life of one of his subjects. If he confirmed the sentence it became literally a "judgment from God".

Julius Caesar, when occupying Egypt, was seduced by this concept of power and wished in turn to become a divinized sovereign. This provoked a revolt by his lieutenants and ultimately his assassination by his natural son, Brutus. Later in the middle ages philosophers and theologians turned to this same notion to legitimate the power of European princes and kings, explaining either that the prince is the shadow of God on the earth, or that they govern in virtue of a divine right, or that their accession to the throne and their acts are directed or supported by the will of God. In all these cases, the sovereignty of the prince was confused with that of God.

In contrast, one of the greatest achievements of Islam was precisely to free humanity from adoration of any human authority, whether prince, priest or some other chief. Islam neither recognized nor imposed upon man adoration of anyone other than God. It considered all servitude of man by man, whether freely consented to or imposed, as a renunciation of the Almighty and His law. For this reason, there is no verse or hadith concerned with organizing political power, granting specific rights to governors or endowing clerics with any competencies. Islam has an acute consciousness that political power based upon a religious right, tends toward a tyranny in which men substitute the adoration of a prince or cleric for the adoration of the one sole God.

Partisans of political Islam are the first to recognize this as the first effect of Islam. Their devotion begins once they require their followers and then the rest of humanity to fall in behind their chiefs and their interpretation of the religion. As ‘Alî saw very well, beginning from a true word one comes to an erroneous interpretation in which men are no longer the servants of God but of another man whom they call guide, imam, emir, etc.

Having appeared with the Kharijites, the notion of the exclusive sovereignty of God was subsequently exploited by the Caliphs in order to provide religious legitimation for their power. Mu‘awiya b. Abî Sufyân, the first Umayyad, said: "The world belongs to God and I am His lieutenant. Consequently, all that I take belongs to me, and all that I leave to men is purely the effect of my favor." One century later, Abû Ja’far al-Mansûr, the second Abbasid (754-755), said the same thing in other terms: "O people! We have become your chiefs and we command you in

terms of the right which God has conferred upon us and of the authority he has given us. I am the lieutenant of God on His earth, and the guardian of His property." The confusion arises, as is evident, from the fact that the Caliph (*khalîfa*) came to consider himself the lieutenant of God and not the fifth successor of the Prophet, according to the original sense of that term. Further, that formulation is only an Islamic version of the theories cited above, where they were described as foreign to the spirit and letter of Islam.

Only too naturally the doctrine against which 'Ali b. Abî Tâlib, good Moslem that he was, had struggled till death, became a key weapon by which the usurpers endowed their power with divine legitimation and which rebels against all manner of authority used to found their claims. Both these cases imply imposing upon God and a transgression against Islam in the name of Islam, for in reality it is only men who govern and who struggle to gain this power. Only during the reign of the Prophet was government that of the sovereign God, for according to Islamic dogma Mohammed acted under the control and direction of divine Revelation. After his death there remained only men, all equal, none of whom was, like him, inspired directly by Revelation. Their government is merely one of men: some gain merit when they follow the righteous path, others draw guilt upon themselves when they stray therefrom. Any other doctrine serves only to surround a government or its opposition with a halo of infallibility and with a sanctity whose effect is to relieve it of all responsibility.

Islam and Judaism

The instauration of a government of God would mean, it is claimed, the exclusive and integral application of His law, for he alone would hold title to the right to judge and to legislate. Upon analyzing this thesis we will see that it is strongly influenced by Judaic conceptions which penetrated Islam through what has come to be called the Jewish traditions (*isrâ'iliyyât*). In effect, of the five books of the Pentateuch (Genesis, Exodus, Leviticus, Numbers and Deuteronomy) which tradition attributes to Moses, the last three contain very precise rules of law. Due to the very pronounced juridical character of the Pentateuch, Moses was called the "legislator" and the Torah has been called the "Mosaic Law". Moreover, Judaism became especially concerned with relations between men (*mu`âmalât*)³ to the point where the term *sharî'a* signifies in Judaism the field of law and the jurisprudence related thereto. In contrast, in its primary sense as indicated by its root, *sharî'a* is the way or path laid out for us.

In contrast to that of Moses, the prophetic work of Mohammad is essentially in the moral order; only in an auxiliary manner does it have a juridical dimension. As he said himself: "I am the prophet of mercy" and "I have been sent for the development and perfection of moral virtues." The term mercy (*rahma*) and its derivatives are found 79 times in the Koran, in contrast to merely four occurrences of the term *sharî'a* and its derivatives. This shows clearly that mercy is at the heart and the source of the Islamic way:

Peace be upon you. Your Lord has prescribed for Himself mercy. For whosoever of you does evil and thereafter repents and acts rightly, God is forgiving, compassionate and merciful (VI, 54).

Of the 6000 verses which compose the Koran, hardly 700 involve legal prescriptions either in matters of practices of cult (*'ibâdât*) or in matters of relations between men (*mu`âmalât*). If one limits oneself to these latter one finds only 200, or one thirtieth of the Koran, and if of these one puts aside 200 which were abrogated by later revelations only 80 remain in force.

Nevertheless, neglecting that basic difference between the two prophecies, Islamic thought concentrated on the rare juridical questions treated by the Koran, elaborating around them reflexions, judgments and judicial rulings and fatwâ's. All of this became an integral part of the sharî'a or Islamic Law to the point that today by sharî'a is understood essentially Islamic jurisprudence (*fiqh*). Forgotten is its primary sense of the way or route laid out: "Then we placed you upon a road coming from our command; so allow it" (XLV, 18). This is an indisputable judgment upon Islam, namely that it is a deviation from the proper nature of Mohammad's prophecy.

What rules of law does one find in the Koran? In penal matters there are only four Koranic penalties or punishments (*hudûd*): for theft (*sariqa*), for fornication (*zinâ*), for calumnious imputation of fornication (*quadhf*), and for brigandage (*hiraba*)—plus the law of the talon specified only for homicide (its application to assaults and personal damage is the result of the Judaic imprint). In civil matters there is one verse about selling: "Allah has permitted selling and forbidden usury" (II, 275), which does not determine the precise sense to be given to these notions, and another on obligations: "You who behave, write down the debt you incur along with its stated time . . ." (II, 282). Finally, regarding personal statutes the Koran fixes the rules of marriage, divorce and inheritance, all of which have occasioned important efforts at interpretation in Islamic jurisprudence.

If the legislative aspect had been more important than the ethical aspect for the Koran it would have contained much more numerous, precise and complete legal rules. Certainly, the prescriptions found there must be applied and in a proper manner; but there is no reason to focus upon them to the neglect of the most important part of the Koran, namely, ethical values and mercy. The Koran is concerned above all to form the conscience of the believer and to render him vigilant as regards his own behaviour, "Yes, God ordains justice, beneficence and liberality regarding one's relatives; He forbids indecency, dishonor and rebellion" (XVI, 90); "He will surely demand an account of all, namely hearing, sight and heart—all of those shall be examined" (XVII, 36); "Read your book! It is sufficient today for giving an account of yourself" (XVII, 14). Finally, it must be stressed that even the verses with a legal sense do not stop at stating rules, but always insist on faith and moral conscience which should have precedence over these rules:

If you divorce wives before you have touched them and you have already paid what is due them, give them one half of what you have appointed, unless it be they forego it or the one who holds the marriage contract does so. To forego is more in keeping with piety. Forget not to exercise generosity one toward the others. God sees perfectly what you do (II, 237).

The Notion of Hukm in the Koran

The term *hukm* in the context of the Koran does not mean political authority as it would in modern languages, but the judiciary in the sense of deciding instances of litigation ("God commands you to pay back deposits and to judge and in accord with justice when you judge between men" (IV, 58) and "God will judge between them and resolve their differences" (XXXIX, 3), or wisdom: "When Joseph attained maturity we gave him wisdom and knowledge" (XII, 22), or as regards the prophet: "Those are the ones to whom we have given the Book, Wisdom, and Prophecy" (VI, 89). The idea of political authority is expressed in the Koran by the term *amr* (authority, command), whence *amîr* (chief or "emir"). This designates the one who holds political authority, whence the title of *amîr al-mu'minîn* (commander of the believers) given to the Caliphs

since `Umar b. al-Khattâb. This is corroborated by the usage of these terms by the first Moslems as indicated by the words of Abû Bakar al-Siddîq, the first Caliph (632-634), a little before his death: "I would have preferred on the day of the saqîfat Bani Sâ`ida⁴ to abandon the Command (*hâdhâ l-amr*) to `Umar b. al-Khattâb or to Abû `Ubaydda b. al-Jarrâh so that he would have been the chief (*amîr*) and me his lieutenant (*wazîr*). In the same sense, when Abu Bakr wished to make `Umar b. al-Khattâb his successor he said to the Companions: "Deliberate among yourselves regarding the Commander (*hâdhâ l-amr*)." One finds this expression numerous times and always in the same sense in the proposals of `Umar b. al-Khattâb and of `Alî b. Abî Tâlib.

In a Koranic context then one cannot interpret the notion of hukm in the modern sense without gravely altering its meaning.

The Usurpation of the Dignity of the Prophet

Let us return now to the judiciary: if one claims that only God can judge disputes between men, we must note once again that the rules of law of divine origin found in the Koran are insufficient in number or precision to enable one to decide cases. Thus, one is forced to have recourse to elements drawn from human sources.

Those who follow political Islam always invoke the same verses in this regard, namely, "No! by the Lord! They will not believe till they make thee judge regarding their disagreement. Then they will not find in themselves the possibility of escaping what you have decided and will surrender totally" (IV, 65)—and "We have sent down on thee the Book with the truth, so that you mayest judge between people according as God has shown you" (IV, 105). In those two verses God addressed the Prophet and him alone. The first denies the name of believer to Moslems who do not make Mohammad the judge of their disputes, or who would not enforce his decision. There is nothing surprising there: the Prophet who received the revelation should be the sole arbiter of differences arising in the society of the first believers in order to guarantee its stability. One cannot say on that account, however, that one loses the character of being a believer if he does not hand over voluntarily to another man, no matter how wise and highly placed, the settling of his affairs. There would be in this a strange abuse of power indicating that one who suggested it had no sense of the field of justice. More gravely, it indicates that he would assume for himself a competency explicitly reserved by God for the Prophet. God addressed only the Prophet and no being endowed with reason could pretend to the vision that God declared he had given to Muhammed.

An analogical interpretation of verses exclusively concerned with the Prophet is an extremely grave matter, for it results in effect in usurping both the dignity of the Prophet and the prerogatives of God. What is remarkable here is that the preachers who use such a procedure consider themselves in a privileged relation to divine Revelation. Sometimes they suggest to their close associates that a new idea has been revealed to them through direct access to the heavenly spheres. At other times this appears indirectly through a slip which allows the claim to be seen explicitly. Thus, one of them wrote that once his group had won, "the warlike Surahs would come tumbling down and the clack of their verses would announce the rumbling of arms." Such implicit claims that the speaker has received or prepares to receive a new revelation closes off any further discussion.

Perhaps it was to such usurpers that the following word of God was destined—"Say: shall I tell you whose acts are the most useless and who will be the greatest losers in their life in the world although they think they acted well?" (XVIII, 103-104). The least offensive aspect of such an attitude is not that it is difficult to know whether such ignorance is pretended or real. Whichever it

is, it clashes with the attitude of the Prophet whom Islam has always considered to be in a permanent relation with Revelation but, nonetheless, who always affirmed that his judgment could not be likened to a divine judgment. As the hadith or prophetic verbal tradition specifies: "If faced with two positions, and I happened to judge wrongly in favor of the most eloquent person, he would not for that reason escape that part of hell which he deserves." In other words, the judgment of Muhammad, despite his dignity as a prophet, remains that of a man and not of God.

The Proper Method of Koranic Exegesis

Those who insist upon the thesis of the sovereignty of God refer constantly to a verse according to which "those who do not judge people according to what God has revealed" are "unbelievers," "unjust" and "perverse" (V 44-48). This is perhaps the most revealing example of the deception to which, for purely political purposes, they subject the meaning and purpose of the Koran. To understand the real meaning of a Koranic text one must attend to the circumstances of its revelation (*asbâb al-nazûl*). Specifically, those verses were revealed when the Jews of Medina, after having asked the Prophet to arbitrate a matter of fornication concerning one of their people, hid the penalty of stoning foreseen by Judaic law for such cases. As the best exegetes have seen clearly,⁵ the people of the Book are the sole referents of these verses. But when one cites those exegetes to those who wish to pervert the sense of these verses in order to excite the crowd, they try to escape by slight of hand or unknown glosses—if they do not purely and simply impose upon these verses their personal interpretation. But may one interpret the Koran and the Islamic Law (*sharî'a*) in this manner without any rule or method?

The first rule to respect in the exegesis of a Koranic verse is that it must be related to an examination of the circumstances of Revelation. The early Moslems understood that very well. It is reported that 'Umar in a moment of solitude asked himself why divergent opinions arose within the Islamic community (*Umma*) although it had only one Prophet and one qibla. He confided in Ibn 'Abbâs, who told him: The Koran was revealed to us and each time we read a verse we know what is behind the revelation. But after us will come peoples who will continue to read these verses while having forgotten the context. This will provoke divergent readings which will degenerate into internecine quarrels.

That is why the Companions and the followers were careful to record the circumstances of Revelation; when that was lost they preferred to refrain altogether from commenting on the passage. To those who would ask for clarification they would say, "fear God and be pious, because those who knew how the Koran was revealed to us are no longer of this world." Is there any better response than this to the conflicts which today divide the political scene in the name of religion?

What is taking place today in Egypt and in the whole Islamic world goes far beyond a simple quarrel regarding exegesis. It is really two visions, two radically opposed methods, which confront each other. The first method which has been recognized by famous exegetes is that of the Companions and Followers who had no other objective than to realize the true religion. The second is that of the schismatics and tyrants whose only concern is to upset people so as to seize power in the name of religion.

An essential characteristic of the second method consists precisely in detaching the verses from their context on the basis of the rule of Islamic jurisprudence (*fiqh*) in terms of which "the general sense of a Koranic term should take precedence over that suggested by its circumstances." On this basis they interpret a verse in an absolutist and historically developed manner on the sole basis of its internal semantic construction.

It should be noted that this latter approach is only a rule of Islamic jurisprudence (*fiqh*) posed by jurists and not a prescription of Islamic Law (*shari'a*) issuing from the Koran or the Islamic community (*Umma*). It began to be imposed with the birth of the literalist current which, in turn, it nourished. Today it has become the favorite exegetical method of preachers. Jurists who proposed this literalist rule, however, always neglect to specify that the Koran is one whole of which each part should be interpreted in the light of all the others. This contradicts the literalist approach which, were it to prevail, would reduce the Koran to no more than a conglomeration of scattered and often even self-contradictory verses. In sum, one would come to conclusions foreign to Islam and unintended by the Koran. The best example of this would be taking the term 'to judge' (*yahkum*) in V, 44-48 in the modern sense of governing.

The sole alternative to this exegetical method elaborated by classical jurists and now in favor among the extremist current is that of our pious ancestors and of the Koran itself. For if one responds to the extremists in like manner, one reinforces their argument and falls into the same impasse as those jurists (*ulema's*) whom they accuse of contradictions, abandoning the foundations of Islamic jurisprudence (*fiqh*) and being at the service of power. In fact, there is one element of truth in these accusations because the extremist preachers accept the principle of literal exegesis in order to isolate the verses from their context, so that they could be used in their political slogans with a broad meaning they do not possess. But just as the jurists who proposed the rule were not able to restrict its application within the limits of a proper exegesis, neither were they in position after the fact to oppose such twisted utilization by extremists.

The Temporal Relativity of Juridical Rules

Those who follow political Islam claim to follow an integral application of divine law and deny man all power for creating norms. They do not allow that any disposition of divine law can be amended, suspended or considered relative. Any such enterprise is considered by them to arise from infidelity (*kufir*), as are the laws of Egypt and the other Islamic countries. Such affirmations could come only from people ignorant both of Islamic jurisprudence and of Egyptian law.

In fact, as seen above, the prophecy of Muhammad is above all a prophecy of mercy; to limit it to its normative dimensions would be to make Islam an Arab version of Judaism. If God had wanted to leave man a definitive and atemporal Law, prescriptions concerning everyday life (*mu'amalât*) would have sufficed to fill the Koran. But in his great wisdom, he expressly left to the Islamic community (*Umma*) the work of legislating on the basis of reason in function of the needs of place and time. Because rules of law by their very nature cannot have that universal application characteristic of religion, the Koran is limited to general rules. This protects Islam from becoming, as did Judaism, a temporary tribal Islamic Law (*shari'a*) whose original rules needed to be corrected and amended in the Talmud in order to be able to continue to be applied.

When in the 9th century the Imam, al-Shâfi'î, left Iraq to take up residence in Egypt, he understood well the need to modify his legal doctrine and did not hesitate to do so. What transformation will be needed today then, some twelve centuries later, when Islam has come to be diffused throughout the entire world?

A Law Developed by Men and for Men

Muhammad, who understood perfectly the nature of his prophecy, himself practiced *ijtihad* or independent opinion⁶ and urged his companions to do so. The Islamic community (*Umma*) has

developed its laws through interpretations of jurists, governors and judges and on the basis of the general laws enunciated by the Koran: that body of legislation is none other than Islamic jurisprudence (*fiqh*), which is wrongly termed Islamic Law (*shari'a*).

Thus, in matters of personal law, original thinking or independent opinion (*ijtihad*) led to the intervention by a judge in divorce (which according to the Koran is pronounced only by the husband), to the ability of the spouse to declare divorce herself (whereas the marriage contract confers on her the *'isma* or marital rights), and to the legal definition of the reasons for divorce (material difficulties, harm suffered and absence). Similarly, 'Umar b. al-Khattâb made irreversible a divorce by a triple declaration making this the equivalent of three successive divorces. This rule was later inverted by the institution of *muhallil*,⁷ which is contrary to the spirit of the Islamic Law (*shari'a*) and the prescriptions of the Koran.

It was also on the basis of original thinking or independent opinion (*ijtihad*) by jurists that the rights to succession of a brother and half-brother were equalized and endowments (*waqfs*) initiated. Thereby an owner can unconditionally render his possessions inalienable, whereas the tradition regarding the Prophet foresaw only a charitable *waqf* based upon putting goods at the service of charitable works. In reality, private *waqfs* serve especially to escape the rules of inheritance.

In civil matters, because the Koran states only two general rules (the prohibition of usury and proof of debt) practically all civil and commercial relations have come to be structured on the basis of independent opinion (*ijtihad*) by jurists.

In penal matters the Koran prescribes only four penalties (for robbery, calumnious accusation of fornication against a married woman, fornication and plunder). Jurists have subsequently determined the conditions for the application of these penalties. They have extended the penalty for the calumnious imputation of fornication to cases concerning men. On the basis of the tradition regarding the Prophet (*Sunna*), they imposed the penalty of stoning for fornication whereas the Koran foresaw only scourging and theoretically Koranic prescriptions should prevail over those of the traditions regarding the prophet (*Sunna*). They also prescribed the conditions for the application of the legal penalty for apostasy mentioned in the two hadiths.

Lastly, it was 'Alî b. Abî Tâlib who set the penalty for taking alcohol. Though the Koran and the Sunna or tradition regarding the prophet had forbidden alcohol to Moslems they had not specified a penalty for one who broke the prohibition. This then is not a Koranic penalty (*hadd*) as is generally claimed, but a civil one (*ta'zir*). This last institution (*ta'zir*), itself a creation of the jurists, permits the Islamic community (*Umma*) and its rulers, without any reference to the religious Law, to penalize any act they judge dangerous to the community.

In other words, looked at from the point of view of Islamic jurisprudence, all the penal legislation actually in effect in Islamic countries comes from civil penalties.

There is nothing surprising here given the extreme practical difficulty of finding, realized simultaneously, all the conditions for the application of Koranic penalties. In fact, when the Koran applied the principle of the talon exclusively to injuries, wounds, blows and homicide, the jurists turned to the adage "the religious Law of our predecessors is valid also for us" in order to adopt the principle of the talon ("an eye for an eye, a tooth for a tooth") found in the Torah. In view of the above, who could pretend that the Moslem community does not set for itself its principles and rules of law, in other words, that it does not govern itself?

The Suspension of Koranic Prescriptions

Let us pass now to the thesis that to suspend a Koranic prescription or assert its relativity in time is equivalent to a profession of infidelity. That accusation is contradicted both by religion and by historical reality. The very principle of abrogation (*naskh*), which is stated in the Koranic rules relating to everyday life (*mu'âmalât*) in virtue of which a newly revealed rule abrogates its predecessor, attests to the relativity in time of certain provisions and that the supreme legislator sees the need that they be changed once the reason for their establishment ceases to exist. This holds true only for the verses which effectively have been abrogated. But instead of mechanically replacing the abrogated rules by new ones as do most jurists, there is need to reflect on the implications of this notion of abrogation. In this light it can be seen to support a principle of real evolution of norms. This means that in reality Islamic legislation is in perpetual movement which Moslems must constantly follow. In reality they have always done so through the intermediary of Islamic jurisprudence. Rather than state clearly its general theoretical basis, however, they have preferred often to take refuge in subterfuge and evasion.

One example concerns the Arab tribes which did not immediately convert to Islam. The Koran recommends that Moslems buy their neutrality and goodwill by giving them a part of the alms.

The alms are only for the poor and needy, those whose duty is to collect and dispense them, those whose hearts are to be enlisted, the ransoming of captives, debtors, for the fight for God's way, and the traveler. Thus God ordains, who knows and is just (IX, 60).

Muhammad and then Abû Bakr applied this law, but 'Umar b. al-Khattâb stopped paying these parts of the alms although the relevant verses were of divine obligation and no later verse could be considered to have abrogated them. Yet no one ever claimed that 'Umar was an infidel because he thought that a Koranic prescription might be tied to specific circumstances and consequently might cease to be applied. On the contrary, Islam should be proud of that initiative which clearly demonstrated the importance of independent opinion and showed that it could go as far as interrupting the application of a Koranic rule not abrogated by a later verse.

It was by an exercise of independent opinion (*ijtihâd*) also that 'Umar b. al-Khattâb decided during a year of famine to suspend the application of the penalty for theft. It has been claimed that he did not in fact suspend it, but only scrupulously respected the conditions for its application. That thesis is not seriously tenable, however, for it implies that 'Umar continued to examine case by case the instances of theft insisting in a more exigent manner that the condition for the application of punishment be scrupulously verified. But that was not at all the case. 'Umar simply proceeded to suspend the penalty. Since then and through the whole history of Islam that penalty has been applied only most exceptionally. This shows that under his influence Islamic doctrine itself veered toward a total suspension of that penalty. Nevertheless, no one pretends that 'Umar and after him the entire Islamic community had renounced the faith.

Finally, 'Umar forbade "marriage for pleasure" (*zawâj al-mut`a*), a form of temporary union which did not involve any of the ordinary effects of marriage. This did not impede the Shiites from authorizing such a marriage based on the verse: "Pay the marriage portion prescribed for women whom you have enjoyed" (IV, 24). Though 'Umar's interdiction constituted a suspension of an unabrogated Koranic rule, should this be considered as an act of infidelity on his part and all the Sunnites? Under the banner of an integral application of the Islamic Law should one reinstitute that form of marriage?

Another example is the initiation of private endowments (*waqfs*). It was noted above that this introduced a modification in the law of succession amounting to a suspension of a Koranic rule. The surprising thing is that Islamic thought considers this institution, though contrary to the rules

of Islam, to constitute one of its integral parts. Indeed, it has achieved such importance that in more than one Moslem country a government ministry has been constituted for this.

Finally, the Koran says that "God has permitted selling and forbidden usury" (II, 275). Though that authorization of selling is unequivocal, the Islamic jurisprudence has nonetheless forbidden certain forms of selling such as selling as a single unit the fruit from a tree (*muzâbana*), sale before harvesting (*muhâqala*), the sale of a set portion before the harvest (*muzâra'a*), etc. This has considerably restricted the authorization in the Koran, but has not caused any accusation of infidelity. Similarly, there is no doubt that the Koranic dispositions regarding slavery could avail only while slavery existed and should not survive its abolition. To offer the contrary would amount to saying that slavery must be forever a part of Islam, that its regulation is not subject to the circumstances of history and therefore that its abrogation (in Egypt by the decrees of August 4, 1877 and Jan. 21, 1896) was heresy.

All these examples show that the tendency to create norms by means of independent opinion (*ijtihâd*) is based on the Koranic notion of abrogation.

Egyptian Law Corresponds to Islamic Law (Sharî'a)

As we have seen, the term *sharî'a*, which in the Koran signifies "The Way", came to designate all Islamic jurisprudence as this has developed through history. Egyptian law is in conformity with the Islamic Law (*sharî'a*) and with the Islamic jurisprudence this involves. In regard to statutes concerning the person Egyptian laws affectively are borrowed directly from the rules of the Koran and the tradition regarding the Prophet (*Sunna*), along with the juridical principles our legislature has judged to be in accord with the needs of Egyptian society. Similarly, in civil and commercial matters all law is in conformity with Islamic jurisprudence (*fiqh*) and the Islamic Law (*sharî'a*), except on two points, namely, (a) the question of interest, which some liken to usury which was prohibited and (b) insurance contracts, which some claim are speculative contracts. Such questions need to be resolved by serious independent opinion (*ijtihâd*) on the foundations of justice and not by polemical quarreling. In penal matters all Egyptian legislation is based on what Islamic jurisprudence calls civil (*ta'zîr*) penalties for inability to fulfill all the conditions for the application of Koranic punishments.

In these circumstances to say that the Law of God ought to be applied integrally, and that to fail to do so—even in regard to one aspect—is to be an infidel, is but a low political maneuver to which the extremist theoreticians of political Islam turn when they are forced to move beyond generalities and to state just what they mean by "the application of the Islamic Law." It would seem they have no other plan than to brand as infidel Egyptian as well as any other society, and that in order to do so all means are good and any manner of attack is permitted.

In this regard a favorite argument for accusing the Egyptian legislature of infidelity is that it does not forbid the consumption of alcohol. Certainly, the Koran invites the believer to abstain: "Wine, games of chance, idols and divining rods are abominations and works of Satan; avoid them . . ." (V, 90). But neither the Koran nor the tradition regarding the Prophet (*sunna*) specify a sanction. Thus, in the eyes of Islam, it is a sin from which the believer is invited to abstain, and in this regard he is responsible before his soul, conscience and God. This is the best way to prohibit alcohol. As can be seen from the communal prohibition of alcohol earlier in the United States and of drugs now throughout the world, penalizing this type of behavior, rather than suppressing it, only intensifies criminality.

Faithful to the approach of the Koran, the Egyptian legislature considers the consumption of alcohol not as a bad act, but as a sin whose remedy it leaves to religious education and to the conscience of the believer. As we have seen, the penalty for the consumption of alcohol foreseen by Islamic jurisprudence is not found in the Koran, but is civil. It is set by the Islamic community (*Umma*) according to the circumstances, and is subject to modification or emendation by the legislature as it judges. This is exactly what Egyptian penal law did when it penalized public drunkenness and its related conduct.

Can Laws Themselves Be Infidel?

The thesis according to which Egyptian laws might be termed "infidel" and those who apply them "unbelievers" is an open appeal to revolt; moreover, it is absurd. Rules of law, in contrast to scientific laws or mathematical theorems, are pure norms. It would be absurd to qualify them as faithful or unfaithful any more than one could call the products of technological civilization (such as television) infidel or heretical. These norms, theories or structures are only neutral instruments which, according as they are correctly or incorrectly employed, can be conducive either to faith or to infidelity. Those who accuse of infidelity Egyptian laws and all who submit to them only hurl anathemas without advancing the least beginnings of proof. For Egyptian laws are in conformity with the Islamic Laws no matter what sense one gives it, except on some points where independent opinion suffices to resolve any inconsistencies.

If by the infidelity of Egyptian law one means the fact that it has been borrowed from the French legal system, then one manifests an ignorance and fanaticism which can only damage Islam. In truth, Egyptian law has borrowed only its form from the French legal system, while its basic positions are exactly those determined by the different schools of Islamic jurisprudence.

Islamic civilization has borrowed in many ways from preceding civilizations (Persian, Byzantine, Indian, Egyptian . . .) without Moslems ever considering such borrowing to be impious. The Koran itself has not hesitated to draw its norms from the common resources of civilization whenever it considers this helpful for Moslem society. Thus, the amputation of a hand, the Koranic penalty for theft ("cut off the hands of male and female; it will be retribution for what they have committed and a punishment from God" [V, 38]), was used in ancient Egypt against tyrants and rebels to dissuade them from taking arms. Later it was extended to forgeries of public or religious documents. One finds it again in the code of Hammourabi for one who raises his hand against his parents. Finally, it was practiced before Islam in the Arabian peninsula, notably at Mecca. In all those cases one finds the idea that to amputate the hand eliminates the instrument by which the crime was committed.

If the Koran is not forbidden to borrow from "pagan" legal systems why should borrowing from the laws of a Christian country be considered infidelity if such borrowing would be technically more effective for the solution of extra-religious questions, and in ways that do not contradict the sharî'a?

The Notion of Infidelity (Kufr)

The original meaning of the term "*kafara*" was to cover or hide, whence its sense of ingratitude ("Some of you assign partners to [or treat other things equally with] their lord, showing thereby contempt [*kufr*] for what we have given them" [XVI, 54-55]). This means to deny God or ingratitude toward God, and thus though it could mean to be unfaithful or unbelief, its meaning is

not restricted to that. Thus, in the dictionary *Lisân al-'Arab* under the root *kufr* one reads that Muhammad said: I saw that the majority of the denizens of hell were women by reason of their ingratitude. When he was asked if this was ingratitude toward God (that is to say, unbelief or *kufr*) he responded: no, their ingratitude for the good done for them by their spouses.

Taken in this sense, the famous verse: "unbelievers are those who do not judge man according to what God has revealed" (V, 44) signifies that those people of the Book who do not judge according to the norms set by their Book are hiding or ignoring their own Book, but not that they are infidels before God.

Hence, taking account of the Koranic sense of the term, a true Moslem should proceed with the greatest caution. He should keep in mind the prophetic verbal traditions (*hadith*), according to which "when a Moslem treats his co-religionist as an infidel, he himself is the infidel (if the accusation is not justified)." Moreover, it is nonsense to say that laws, theories and other inanimate objects are "infidel" since one cannot demand that they believe in God; that term must be reserved to beings imbued with conscience.

From the dawn of Islam, kharijites have tended to employ this term wrongly and too freely. On the basis of divine commandments they feel justified in treating as infidels all their adversaries, and even more generally all those who according to them commit the slightest fault or the slightest violation of religious law. This is contrary to the word of God: "You who have fallen into excesses to your own detriment, do not despair of God's mercy; God forgives all sins; He is the All-forgiving and All-merciful" (XXXIV, 53) and God will not forgive associating anything at all with Him; of less serious sins he forgives whomever He wills" (IV, 48).

It is nonsense to call a law "infidel", but to say this of those who apply it and submit to it is to incite to crime and anarchy; it is a declaration of war on Moslem society. All such actions are the work of persons who know nothing about law and the Islamic Law. One can but regret that in their hands Islam, a religion of tolerance and of mercy, is transformed into an instrument of terror. It is that image of hate, which always attracts the most attention, that both Moslems and non-Moslems retain of Islam.

The Absence of Clergy in Islam

A central thesis of political Islam (found also among certain jurists who wish to arrogate to themselves a monopoly of the true religion and to institute a clergy in Islam) is that the only authoritative exegesis, religious opinions (*fatwâ*) and judgments are those of the experts in the religious sciences (*ahl al-dhikr*), that is to say, themselves. They say this in virtue of the verse, "Ask the experts in the religious sciences if you do not know" (XVI, 43 and XXI, 7).

In reality, what does this expression mean? In the Koran the term *dhikr* (remind or invocation) can have many meanings. Sometimes it means the divine word in general: "We who have sent down the Remembrance, and we are its guardians" (XV, 9). At this point it is the Koran itself: "We have made to descend upon you Remembrance so that you could make clear to mankind what was sent down to them" (XVI, 44). At still other times it is the Torah: "we have written in the Psalms, after Remembrance: 'Truthfully, my just servants shall inherit the earth'" (XXI, 105). In the two verses cited here it is the Torah or the whole set of books prior to the Koran which is referred to. There the verses say, in effect: "Earlier we sent men whom we inspired. Ask those to whom the Remembrance was addressed, if you do not know." That is, ask the Jews and the Christians about the prophets whom God has inspired. Naturally, at the time of Muhammad, religious jurists or ulamas did not exist who could be the ones referred to by those verses. Those who today twist their

sense in order to serve their personal ambitions can hardly hide their desire to corrupt the juridical and political orders of society.

Islam has always managed to avoid constituting a clergy under whatever form; for Islam, every pious Moslem is a cleric. Christianity, in contrast, does have a theology, that is, an ensemble of speculative thought constituting a dogmatic science in the study of which their doctors of religion are specialized. Islamic dogma is so clear and simple that it is available to each person without philosophical effort or theological theorizing. There is in Islam then no science/religion (theo-logy) of which the ulamas could be considered to be the proprietors. Instead, there are only some sciences relating to religion, such as Koranic exegesis, philology, Islamic jurisprudence (*fiqh*) and its theory (*usûl al-fiqh*), the science of the traditions of the prophetic verbal traditions (*hadîth*), etc. Only, through an incorrect use of language, could one be called a specialist in one of these sciences or a doctor of religion in general.

In Praise of Difference

The political Islamists claim that by integrating the opinions and doctrines of Islam around their own doctrine they will give it greater force. That idea is proven false by the entire history of Islam which shows, to the contrary, that very fortunately Islam always has been and always will be a crucible of the most varied schools, doctrines and ideas. From the dawn of Islam the first savants disagreed on questions whose evolution seems now so evident that it is difficult to imagine that they could be disputed. Today, some would have us believe that every dissident opinion is impious, whereas the Koranic expressions are not set immutably and for all eternity, but are composed of words which everyone tends naturally to understand and interpret according to his or her own outlook.

These divergences of opinion can concern the meaning of a term. Thus, in the verse "Be assiduous at prayers and at the middle prayer" (II, 238), "middle prayer" can equally well be understood as that of noon because it falls in the middle of the day, or that of the afternoon because it falls between the two morning and the two evening prayers, or that of sunset because it includes a median number of prostrations or, finally, that of evening which is situated between the two prayers and which must not be abbreviated, etc. Similarly, in the verse "The Spirit proceeds by the command of my Lord" (XVII, 85), "the Spirit" is understood by some as the spirit of man and of animals. But for Ibn `Abbâs, cousin of the Prophet, it meant Gabriel (because he is the Holy Spirit), whereas for his grandson, Hasan b. `Alî, it meant the Koran as in the verse "Thus we have revealed a Spirit which comes by our command" (XLII, 52).

Judicial prescriptions also have given rise to multiple controversies. To cite but one example, let us look at the prohibition of alcohol (*khamr*). When `Umar b. al-Khattâb resolved to punish a Moslem named Abû Jandal who admitted to having imbibed, Abû Jandal defended himself by invoking: "The food and drink of those who believe and do good does not involve sin," the verse "provided that they fear God, that they believe, and that they do good," and then "so fear God and believe" (V, 93). Feeling that he satisfied these conditions, Abû Jandal pretended he had not done anything illicit. However, on the basis of a disputed interpretation of this verse by Ibn Abbâs—according to which it applied only to Moslems who had consumed forbidden drinks prior to the revelation of the prohibition—`Umar decided not to accuse Abû Jandal of infidelity but to apply a civil penalty.

At the beginning of the second century of the Hegira the dispute took on greater breadth. A majority of jurists, on the basis of the etymology of *khamr*, interpreted the prohibition as covering

everything that obscures one's reason. They invoked the prophetic verbal traditions (*hadith*): "Everything that makes one drunk is illicit, just as it is illicit to consume a small quantity of that which inebriates when taken in large quantity." They disagreed in this with Abû Hanîfa for whom the meaning of *khamr* should be limited to "fermented drinks produced from grapes," the only type known to the Arabs at the time of Revelation. According to him no drink obtained by the fermentation of such licit materials as wheat, barley, corn, honey, figs or sugar cane qualified as *khamr* and should be declared illicit. Nevertheless, by analogy whatever inebriates should be punished by the same penalty. In other words, it is not the product itself which is illicit, but the drunkenness which results when it is abused.

That was the situation at the time of triumphant Islam: opinion against opinion, independent opinion against independent opinion (*ijtihâd*), even on the most delicate issues. The Islamic community (*Umma*) accepted this with a remarkable breadth of vision and openness of spirit, without anathemas or calls for anyone's murder. Such calls were heard only when the tyrants usurping power, or rebels coveting it sought to exploit religion for political goals. This is the case at present with those who would support by violence and terror the politicization of religion. Except for such situations, the Islamic community has always been a model of tolerance and freedom of expression.

Extra-Political Causes of Extremism

Today, extremism is a universal phenomenon, and one can consider Moslem extremism as a part of that world-wide wave. What constitutes its originality, however, is its aspirations to seize power, which, like Kharijism, is characterized by a confusion of religion and politics. Though the political element is decisive here, other essential factors of a cultural, social, intellectual or psychological order should not be neglected in explanations of this phenomenon.

Bedouin Islam Against Urban Islam

Currently, the Bedouin Islam of the first century of the hegira is contrasted to the urban Islam of the following two centuries. The contrast of these two successive models holds true when seen synchronically, and in the Islamic world today both models are found. On the one hand is the Bedouin type: introverted, tending to absolute sovereignty and stressing what are improperly called religious sciences; on the other hand is the urban type: extroverted and stressing humanist values and profane sciences. Each of these models is conducive to different comportments and attitudes.

In Egypt the minority Bedouin model has been reinforced by a massive emigration of its workers towards countries suddenly enriched by income from oil where that model predominates. Upon return to their country these expatriates bring back Bedouin values and behavior which they parade ostentatiously as a sign of social distinction. Thus, there exists now in Egyptian society one group whose customs are civilized, flexible and open, and another which is distinguished by its rude, even gross, comportment and its narrow spirit.

The norms and attitudes of the urban model seem quasi-identical (even including those aspects subject to criticism) to reconstructions of the classical Moslem ages based on such masterpieces as the *Book of Songs* of Abûl-Faraj al-Isfâhanî, or the *Collar of the Dove* of Ibn Hazm. In contrast, those who today adopt the "neo-Bedouin" model differ greatly from their ancestors of First Century Medina and the Hegira. They should be compared rather to the pre-Arab, pre-Islamic Arabs (*jâhiliyya*)⁸ whose behavior and conceptions they have adopted: tribal chauvinism, prodigality,

taste for ostentation, grossness of spirit, and verbal and physical violence which can be unleashed upon the least pretext. But though none are more pre-Islamic (*jâhili*) than they, they characterize all humanity, and especially Moslem society, as *jâhili*. In psychology this is called projection: the psychopath projects on others his own sickness. Thus, the "neo-bedouins" out of their inability to understand the urban model reject it and retreat behind primitive comportment; they pretend to practice the pure Islam of their ancestors when in reality they are steeped in the most pure pre-Islamism (*jâhiliyya*).

Upper Middle Class Against Lower Middle Class

The upper layer of the Egyptian middle class, who had access to the key posts after being formed in Western type educational institutions (often European universities), assimilated liberal political and democratic principles. Those who aspire to the same privileges without being able to achieve them shifted the debate to the religious terrain. They accuse the educational system of being lay, which for them means atheist, although it implies simply a separation between the profane and the sacred. They oppose liberalism and political democracy in the name of Islam and the Islamic Law). Islam, however, was one of the greatest liberal revolutions of history and through its notion of consultation the Islamic Law contains the best of all calls for democracy. Nevertheless, they prefer to play on words without attending to their real meaning. For them liberalism (*libirâliyya*) and democracy (*dîmûqrâtiyya*) signify colonialization and paganism; they are neologisms, foreign to the Arab language.

Since the 1950s the offspring of the lower layer of the dominant class have begun to accede to key positions. Having joined the class they had opposed, they assimilated its norms on the surface without attempting to eliminate the differences by which they were opposed to it. On the contrary, whether by weakness, lack of comprehension, or in order to defend their interests, more often they tended to exacerbate the conflict.

Oppression Accepted

In the XVIth century the Middle East, whose Islamic civilization had been in the decline for six centuries, fell under the Ottoman yoke, which imposed upon its subjects a pre-Islamic obscurantist regime. Regretting the intellectual and scientific achievements of their predecessors, in time Moslems came to believe that the Ottoman occupation was the guarantee of Islam and that the Caliph of Istanbul, though he did not even speak Arabic, symbolized the unity of the Islamic community. Confounding religion with the political regime imposed by the occupying power, they became defenders of obscurantism and of the pre-Islamic mores imposed on them in the name of Islam. This bound them to the past so that they refused all innovations which they considered to be an "intellectual invasion" and a "destruction of the heritage." In the end, those who lived too long in the shadows came to fear the light; those who had remained too long in prison came to refuse freedom. Nevertheless, the same people who refused every new idea fell avidly and precipitously upon all the new consumer goods without taking account of how profoundly these products influence and conspire to transform their life, whether they like it or not.

The Flight from Self

The Koran attaches essential importance to the formation of the will of the believer which ought to strengthen itself and become more sensitive in order to face the temptations of earthly life: "an account surely will be required of all: of sight, of hearing and of heart" (XVII, 36). This is not an easy task; on the contrary, constant work upon oneself is indispensable for one's spiritual, psychological and intellectual development. Many prefer to avoid the work of reflection and turn to the ready-made responses of clerics and institutions. The complexity of modern life reinforces this tendency and imposes a "ready-made-thought" that functions on the bases of manipulation of languages. This excites the emotions rather than stimulating work; it anesthetizes compliant spirits and spreads physical and intellectual terrorism.

Contemporary Applications of the Sharî'a

The Sudan provides the best example of the disastrous consequences which can result from a leader's politique of manipulating the Islamic Law. The crimes committed in its name by the regime of Marshal Numeiry are too well known to repeat the details. We would note here, however, that when Nemeiry celebrated the first anniversary of the application of the sharî'a in the Sudan all the Egyptian heralds of political Islam, accompanied by various religious dignitaries, rushed to Khartoum to praise the "just application" of the sharî'a and to praise to the heavens its inspired initiator. Hardly had he fallen and the application of the sharî'a or Islamic Law been suspended, however, than the chorus of praises ceased abruptly and those invited to the anniversary made themselves as inconspicuous as possible. Such hypocrisy raises many questions: what is the "just application" of the sharî'a? How can it be put into operation? Would those who once praised the Sudanese experience make it a model? All these questions are too important for one simply to accept their recantations and evasions.

Beyond that caricature, other Moslem countries claim to apply the Islamic Law and govern according to divine Revelation, supporting materially and morally the current of political Islam. By means of the sharî'a, it is said, these countries guarantee the security of persons and goods and develop a revolutionary Islamic economic system. Before taking all this at face value, however, a certain number of things must be clarified. First of all, the Islamic Law is not a few bloody penalties, but essentially a certain idea of justice on the political, social and judicial levels. Such justice has been lacking in all the Islamic countries, Egypt being perhaps the only country which for over a century has tried to realize this ideal. It has met with more or less success, but surely it is far in advance of others. While one may criticize the Egyptian efforts, at least they had the merit of existing, which was not the case in many other Moslem countries.

At the heart of the Islamic Law lies the idea that its property is the patrimony of the Islamic community, and that this should be disposed of through the intermediary of its representatives and in conformity with what the community considers to be its best interests. The idea that the governor is the sole owner of public goods and can, alone or with his associates, dispose of them freely is absolutely contrary to the sharî'a.

Has one ever seen the penalty of amputating a hand applied to a rich or powerful person in the countries which pretend to apply the sharî'a? Nevertheless, a prophetic verbal tradition says that: "In truth, your predecessors have perished because they let the rich steal while they chastised the poor." What is more important for the Moslem community: petty thievery or the embezzlement of the goods of the state and the payment of millions of dollars or dinars as "commissions"? In contrast to other masters of Islamic jurisprudence Imam Malik held that the theft of public goods was subject to the Koranic penalty. But only in Egypt can one evoke that opinion of Malik: it is

never mentioned in Moslem countries where embezzlement of public goods, commissions and bribes of all sorts are the rule.

Those countries, moreover, do not correctly apply the other Koranic penalties. Their jurists consider that the fornicator should not be stoned but guillotined or shot, while recognizing that such a penalty is not Koranic but civil. But if they are authorized to practice this type of substitution, why cannot Egypt substitute arrest and confinement in cases of theft as the Koranic penalty, especially when all the conditions for the application of that penalty are not fulfilled?

To claim that public safety is assured in such or such a country by the deformed application of one or two penalties is superficial and simplistic. The penalty is only one factor contributing to assuring safety, and a single infraction cannot serve as a measure of crime in society, for the forms of criminality vary greatly from one society to another. For example, in Upper Egypt there are many homicides but very few attacks upon a person's goods or honor, which is almost the inverse of the situation in Cairo and on the northern coast. Further, one must be circumspect with regard to official criminal statistics. As these are developed outside of any social control and with no international criterion, they can be deliberately falsified or can pass over in silence certain infractions—of morals, for example—which everyone knows to be common in those countries.

Those who admire the level of security enjoyed in those countries should remember that other countries, namely, the socialist ones, have obtained remarkable results in the same domain quite simply because they do not recognize freedom. It is a well-established law of criminal science that the criminality of a given society tends to grow in proportion to the degree of freedom it provides to its members.

As regards the so-called Islamic banks, they are not at all revolutionary. Therefore, they have developed only some juridical artifices by which their income from capital is now called *murâbaha* (sale followed by repurchase at a higher price) and the interest on debt is called indemnification (*ta'whîd*). What is more, those banks do not search out productive investments, but speculate on the European and American markets and return to their depositors only a small part of the profits realized. Another artifice for masking the nature of their dividends consists of modifying the tax each year in order that there not seem to be any interest. All these subterfuges enable them to drain considerable sums which, far from serving the interests of the Islamic community, is prejudicial thereto to the measure in which these funds, rather than being placed at the service of development, wind up in Western financial markets.

The Party of God Against the Party of Satan

The greatness of the prophets lay in withdrawing at the height of their prophecy from the societies in which they lived in order thereafter to endow them with solid values and maturely prepared projects, thereby transforming them step by step from within. Although it pretends to be inspired by this glorious model, the political current in Islam is befuddled by its own crude slogans and elaborate formulas which are a hundred leagues from any serious or reasoned program. Thus, it is incapable of transforming and elevating men. Thus far, it has only made attempts on the lives of its enemies and declared war on the national and international society. This, in turn, it presents as the "party of Satan," opposed to the "party of God," of which political Islam would be the representatives.

If for a time the national society could tolerate this current, the reactions of the international society risk being less peaceful. However, one should not say that it is the Western world which is aggressive as regards Islam, when in reality the West is constrained to defend itself against those

who have initiated these hostilities. This "world culture" diffused by the West is not basically bad; it defends a certain number of values such as order and precision, integrity and altruism. In addition it has a certain taste for research which, contrary to what one often hears, implies an authentic spiritual dimension. It merits not only respect, but being cultivated; its spirit should be absorbed no matter what one's race, religion or ethnic group.

The pretended cultural invasion can succeed only when it attacks intellectual and moral structures which are weak and in decline. Free and healthy thought has nothing to fear from such "invasions." On the contrary, contact with another strain of thought should be the spur and stimulant by which cultures consolidate and enrich themselves.

Only by a vice of the spirit can a determined person or group pretend to possess a superiority or tutorage over the rest of the world in virtue of which it can impose its convictions upon them by force. The same major vice gave birth to the fascist and Nazi movements which led to such horrors and destruction. All should meditate on the verse: "Should I tell you whose acts will be the most useless? And those whose effort is wasted in the life of this world while they think that they have acted well?" (XVIII, 104-105).

Notes

1. The key work of the Egyptian Islamist, Sayyid Qutb, who was executed in prison in 1966.
2. The author refers to the Islamist Egyptian groups responsible among other things for the assassination of President Anwar el-Sadat in 1981.
3. The sunna division of Islamic law contrasts practices related to cult (*'ibâdât*) from those related to the relations between men (*mu'âmalât*), the religious character of the first being naturally more marked.
4. The day after the death of Muhammad his companions met at a hall (*saqîfa*) of a Mdedanise clan, the Banû Sâ'ida, and after much discussion designated Abe Bakr as their chief.
5. Cf. Tafsîr al-Qurtubî, ed. Dâr al-Sha'b, p. 185; Abûl-Hasan al Wâhidî, *Asbâb al-nuzûl*, p. 131ff; al-Suyûtû, *Asbâb al-nuzûl*, p. 72ff; Tafsîr al-Baydâwî, p. 177ff; Tafsîr al-Nadafi, p. 220ff. Tafsîr al Tabarik, I, p.616.
6. The work of reflection by the believer in the interpretation of the religious law.
7. After a triple repudiation, the spouse becomes forbidden (*harâm*) for her ex-husband, that is, he can no longer remarry her. Certain jurists, however, authorized such a remarriage on the conditions that the rejected spouse has been in the meantime married to a third person and that this marriage has been broken. This would permit the husband who desired to recuperate his ex-spouse and legally remarry her to make her marry a figurehead, called *muhallil* ("the one who renders licit"), whom she in turn repudiates.
8. "Gentile," that is, the state of civilization of the Arabs before Islam.

Chapter II

Islamic Revolutionaries as Children of Modernity

Richard K. Khuri

I. Muslim fundamentalism is traditionally viewed as a strong reaction to modernity. Such a traditional view often holds that a latent fundamentalist tendency already exists in Islam, waiting to spring forth in times of crisis. This short study will not so much deny what traditional accounts about Muslim fundamentalism have been telling us as stress the partial nature of their truth. In particular, there is the intriguing possibility that Muslim fundamentalism may also be the creation of modernity, that it is indeed a fundamentally modern phenomenon. Moreover, we may come to see Islam not as a latent source of fundamentalism, but rather as embracing, among the several things that it has embraced over the centuries, a carefully wrought equilibrium between unity and multiplicity, and between orthodoxy and heterodoxy. We may then see modernity as threatening Islam with disequilibrating forces in the direction of an intolerant, unifying orthodoxy.

II. Let us begin with the reactive streak in Muslim fundamentalism. Even when we begin with the same emphasis that we find in the traditional accounts, there is room for further differentiation. When we hear about Muslim fundamentalists reacting to modernity, we usually think in terms of a reaction to its reality and virtues (or advantages). But the reaction that has partly engendered Muslim fundamentalism may in fact be not against the reality of modernity as such, but against a contradiction brought about by modernity with painful social and psychological consequences. We shall presently see the adumbration of an important contradiction that is part of the reality of modernity. Furthermore, while it is undeniable that modernity offers certain advantages and has its virtues, and while its disadvantages and vices have long been pointed out and discussed in the West, one does not see the treatment of the intolerance that characterizes Muslim fundamentalism as the child of another form of intolerance, no less real than the first for being more subtle. This will move us to the point where we can begin to think of Muslim fundamentalism as the creation of modernity, for the intolerance that finds its likeness in Muslim fundamentalism is one of modernity's less obvious and more ominous characteristics. A brief clarification of that dialectic of intolerance will follow the adumbration of the aforementioned contradiction and lead us into the second part of this paper.

III. What, then, is the contradiction to which Muslim fundamentalists have been reacting? How did it come about? We can trace its development over the following stages:

a. The first stage is more or less axiomatic. As is well known, much of the Arab-Muslim world is afflicted with poverty and authoritarianism. The need to overcome these has become so great and obvious, and has been so well before contemporary communications technology has exposed the politically and materially less fortunate *en masse* to better alternatives, that no-one among the ruled free to speak out can even seem to oppose the measures necessary to alleviate them. All rulers, however authoritarian, must acknowledge the urgency of the struggle against poverty. And quite a number of them are now forced to pay lip service to the need to devolve their authority.

b. Now more than ever, the solutions to the problems of poverty and authoritarianism are respectively identified with state of the art technology, and democracy.¹

c. The appeal of democracy and the latest technology is so magnified by the urgency of the problems for which they are believed to offer rapid solutions that well-intentioned and intelligent reformers lose sight of the centuries of thought, work and collective experience that have sustained Western technology and democracy.

d. Technology, and the organizational methods that go along with it (such as those involved in administrative streamlining), as well as the democratic process, when experienced and considered in isolation from their complex history, are no more than mechanisms. Given the foregoing, advocates of technological innovation and democratic principles in the Arab-Muslim world are therefore highly likely to relate to them mechanistically. The West itself is not immune to such reductionism, historically distanced as it has become from the cultural attitudes and values that underlie its most famous accomplishments. For instance, we often notice Western political or intellectual leaders identifying democracy, especially when introduced abroad, with free elections and other mechanisms rather than with the budding of a genuinely democratic culture.

e. Modernity itself is thus also seen in mechanistic terms; for rather than grasp its rational and scientific components in their variety and richness, not to mention the moral values underlying it, urgency and haste reduce modernity to its most visible aspects: technological and economic advancement, and democracy, themselves reduced, as we have just seen, to mechanisms. So mechanism comes to dominate the Arab-Muslim reformist spirit insofar as it strives towards revitalization along Western lines (regardless of whether this is accompanied with moral-religious conservatism or not).

f. Against a background of a modernity seen in mechanistic terms, composed mainly of mechanistic models for technical, administrative and political change, it becomes possible to accept, tacitly or explicitly, a theory according to which society itself is a mechanism. The temptation to do so issues from the neat correspondence between the mechanical lines of revitalization and a mechanically comprehensible society in which that revitalization is supposed to take effect. For example, it would be most expedient to see society as composed of an aggregate of atomized, rational individuals, who accordingly choose their goals and work to realize them (In this process, rationality itself is also reduced to its mechanistic dimension).

g. Society thus comes to be treated as a mechanism in practice by the reformers and their reforms.

h. However, an acquaintance with Arab-Muslim society, never mind several years of native experience or fieldwork, shows it to be rather incompatible with its own reformist perception to the extent that the perception is primarily mechanistically informed. For Arab-Muslim society is anything but a mechanism. It is held together by personal links that crisscross and form elaborate networks. These links are usually natural. They are not subject to reflection. They have been affirmed by the Muslim code, or *shari'a*, from its earliest beginnings. In the parlance of social science, they are organic. This is not only true of tribal or putatively tribal groupings, the numbers of which in any case are less than is usually supposed, even in Arabia. It is also true in the most Westernized neighborhood of the Arab-Muslim world's most Westernized city, namely the western tip of Beirut known as Ras Beirut. Between the limits of tribes and Ras Beirut lies a vast array of villages, towns and cities, among whose inhabitants we invariably find personal networks originating in the extended family at their social core. The two Arab regimes that have most systematically undermined traditional social relations are themselves largely based on family and kinship, for all their modernist rhetoric.²

The modernist Arab-Muslim drive hence adopts an outlook that at once is regarded as the harbinger of immensely popular reforms, and yet is in contradiction with the very nature of Arab Muslim society. When that outlook unfolds in a series of practices that treat a largely personally inter-linked society as a mechanism, these practices tear apart the very society that aspires to be revitalized and whose aspirations they are meant to fulfill. The pain and confusion may be such that the aspirations fulfilled pale before those thwarted. No one has manipulated that very real contradiction to greater effect than Ayatollah Khomeini. And no one continues to do so more successfully than the various groupings known in the West as Muslim fundamentalists, but who shall from here on be called "Islamic revolutionaries," at least in this study.³ Those wary of the Islamic revolutionaries, both within the Arab-Muslim world and in the West, must not let their wariness obscure the reality of the contradiction on which the revolutionaries thrive, nor imagine that the contradiction can be resolved through the elimination of its indigenous term, namely the organic character of Arab-Muslim society.

IV. The foregoing sequence can be illustrated, albeit not with perfect correspondence to each of its nine stages, with the help of an interpretive reconstruction of certain passages in Serif Mardin's *Religion and Social Change in Modern Turkey*.⁴ While Mardin's work deals exclusively with Turkey, its range of applicability often extends well beyond Turkish frontiers:

1. By the middle of the nineteenth century, a large segment of the Ottoman Turkish intelligentsia realized that their empire could not survive if the gap were not closed between itself and the European nation-states. However, the gap had become such that there simply was no time to emulate Europe's path to modernity, but only where that path had led. It was no longer possible to replicate Europe's slow evolutionary process at the everyday level, in which the outlook of Europeans and their socioeconomic setting had gradually changed and become substantial enough to broadly ground new political and legal directions. These new directions were the official consecration of what had already become part of European life and expectations. In Ottoman Turkey, it was therefore those new directions that were sought, in both their theoretical and practical implications, without regard for their context and history.

2. The urgency with which Ottoman-Turkish reformers perceived the need to recover lost time combined with several other factors to radically secularize them:

a. Exasperation with obscurantism and conservative backlashes, crude but understandable signs of a deeply rooted Ottoman-Turkish particularity on the defensive.

b. The progressive alienation of bureaucrats from the Islamic clergy and folk (both urban and rural) disrupted the continuity between high and low culture traditionally kept in place by Islam, unhinged high culture from its religious moorings, and thus freed it to drift into the secularist orbit.⁵

c. Secularism was reinforced by an abstraction based on what limited earlier reforms (within the bureaucracy and the military) had accomplished and speculation over the result of extending such reforms to all spheres of Ottoman life. Such speculation held optimistic visions before reformers in which all problems will have been solved. The conceptual framework that sustained such visions, namely secularism, was therefore thought superior to what seemed to hold Ottoman-Turkish society in the present and had let it bask in an eschatologically guaranteed universal harmony and order. It was thought superior to Islam.⁶

d. It is also possible that a disproportionate number of reformers were predisposed against the obligations that counterbalanced the security of family and community life.⁷ They might have been the kind more inclined to an impersonal individualism both at work and in their choice of friends and associates than to a network of personally inter-linked officials and submission to the authority of parents, uncles and neighbors. Their inclination would have found secular thought to be congenial.

3. Secularism among several reform-minded Ottoman Turks quickly took on a mechanistic aspect for several reasons, all having to do with the lack of time for change to have followed its natural course. For example, there are limits to how much cultural history could in any event have been (or can ever be) accelerated. While it is possible, say, for students from the Arab-Muslim world to excel at advanced studies in every field, it is not possible for their intellectual or cultural history to be accelerated towards its Western counterpart.⁸ The time factor is not the only obstacle, nor perhaps the overriding one. For there is also the fact of particularity. Whatever is particular to the West cannot wear the universalist cloak well for very long. This is sufficiently known by now. Conversely, whatever is particular to the Arab-Muslim world, when we consider the full extent of its grounding, to the extent that it seems innate, will not yield with mirth to universalist pressures. Thus the only dimensions of the European reality that could be transplanted were those that had the dual quality of desirability (on account of their effectiveness) *and cultural neutrality*. Just such a dual quality can be found in mechanism. Ottoman Turks had experienced its effectiveness over decades of military and administrative reforms.⁹ They could then come to see it as an overall philosophy that would render their entire society more efficacious as such. Mechanism travels extremely well when the values that underlie it are invisible. Witness baccalaureate students from Cambodia to Lebanon to Senegal to Haiti solving the same mechanically designed problems of physics without feeling the least bit alienated.

4. The spread of secularist-mechanistic ideals, attitudes and practice was spurred by bureaucrats who were able to leave their mark on the educational system. They convinced the younger generation that the new outlook was the only road to imperial salvation. Whatever stood in the way was ignorant or backward.¹⁰ The new graduates were subsequently better positioned to take over top administrative posts in the new system and increase the number and power of secularists. This process has culminated in a unique cleavage that has appeared in modern Turkish society between higher education and government on the one hand and religious sentiment on the other.

5. The growing circle of secular reformers, whose orientation towards secularism grew more radical with the promise of a future utopia and frequent reminders of weakness through the military confrontations with Europe (in addition to what has already been mentioned in #2 above), thus found itself intellectually and existentially prepared to see the society that needed to be mechanically reorganized as a machine, in the same way that the army and administration had come to be regarded as machines. The growing distance of those reformers from much of the society around them became such that they could no longer see it for what it was and so, besides being prepared to think in social-mechanistic terms, they could *act* accordingly. They had cultivated an elaborate blindness to whatever begged to differ among those for whom the reforms were intended. The latter helped them along, for they no longer had the means to express their reserve effectively, not least because they could not see themselves as subverting imperial (or later

Turkish republican) well-being. So the traditional sector of society had its heart and mind in different places. Even its heart became divided between the imperial/national good and the patterns of life thereby undermined. So long as those divisions remained unconscious, repressed (often *voluntarily*) or inarticulate, mechanistic reformers could see a clear road ahead.

6. So the reformers of Ottoman Turkey—with the complicity of many who could not countenance resistance to what would revitalize their realm, and who would become the victims of that revitalization—came to think of their society as an aggregate of individuals whose social behavior could be determined and output planned according to natural, mechanical laws as relentless and impersonal as the laws that had been discovered to govern planetary motion. The new social and political institutions would replicate that theoretical understanding.¹¹ Such a transition from physics to social and political thought, or from a physics of nature to a *social physics*¹², was made easy by the growth in Europe of a "universal conceptual currency"¹³ (Some additional remarks on the "universal conceptual currency" will be made when we turn to the question of how modernity, through the reductionism and intolerance that permeate it, has helped create the Islamic revolutionaries): A logico-rational continuum grew along with European modernity and gave it intellectual support and flexibility. The same rules of reasoning were applied in various disciplines and the language in which they were expressed was unified. This language, in its crudest and simplest form, is a sequence of propositions each of which has a truth value.¹⁴ This reduction of language, logic and reason in all fields of inquiry allowed for mapping from one field to another through analogy. Thus the establishment of mechanism in physics allowed the postulation of a mechanistic frame of analysis in social science (The use of 'science' in 'social science' is itself an example of mapping through analogy - if nature can be studied scientifically, then, by analogy, so can society, and human feelings for that matter, applying exactly the same rules). There was neither the time nor the will to anticipate self-fulfilling theoretical prophecies, whereby prolonged theoretical practices in clear violation of their intended phenomena eventually made it seem as though the phenomena were pliable to those practices (usually at the cost of ignoring phenomena or aspects thereof that were obviously unyielding). In other words, a mechanistically inspired social science and practice fostered and sustained a sufficient degree of mechanically analyzable social relations, mechanisms, expectations and actions that these seemed to constitute a social reality that vindicated the mechanistic approach. Meanwhile, all the social (and personal) phenomena that eluded the mechanistic net were theoretically forgotten and practically suppressed. To the extent that this latter practice ran contrary to an enduring individual and social reality, the potential for upheaval, violent if need be, was always there.

7. Mainstream Western thought and socio-politico-economic practice, which the Ottoman Turkish reformers wished to emulate, had also been allowed to regard society mechanistically because the very use of the concept "society" indicated an abstraction from the individuals who formed it. The subdivisions of society were also abstractions. Social classes, the educational system, the government and even the family could be described without any reference to the persons who were their members.¹⁵ With the personal dimension out of the way, it became possible to construct theories and formulate policies according to the interplay between abstract entities. These touched on human nature rather coarsely, if at all. Such abstraction, once it had become habitual, made it possible to regard whatever resisted practical application as an aberration or atavism that time must be helped to erode.

8. But it so happens that human beings are the exact opposite of the fundamental forces of nature in that while the latter are everywhere the same, each human being has a unique personality.¹⁶ At certain levels, this makes the very enterprise of social theory impossible. It becomes possible only when human beings have certain practices in common, such as work, learning or religion. Even these can be said to have a standardized or ritualized aspect and a personal aspect that varies with every individual. What is being stressed here, however, is a Western criticism of a Western tendency. The impersonalism of abstraction has led to the avowal of individual uniqueness. This is a well-known historical sequence. Less known is how the foregoing contrasts with the Arab-Muslim situation.

Islam, which has traditionally abstracted neither society nor its subdivisions, did not give rise to romantic-existential protest either. In Islamic culture, society has always been composed of persons inter-linked in personal ways: teacher to student, master craftsman to apprentice, mother to daughter, father to son, craftsmen to one another in their guild, the neighborhood community through their mosque and to their local scholar, *qadi* or saint, the lower ranking bureaucrat to his family and locality, and so on, in a series of overlapping human networks so simple for those directly involved and so complicated and intractable for those who attempt to formulate them in abstract theoretical terms. The bonds cementing those networks are the antithesis of the legalism that governs contemporary social relations in the United States. They remain personal, as in "filial piety," "keeping one's engagements," "the sacredness of an oath," "establishing bonds of friendship," "fitting into the neighborhood," and "trying to establish a respectable status as a member of a (partly) religious community."¹⁷ Such a culture is more likely to be appreciated and understood now that Western intellectual circles are more receptive to holism.

9. Imagine such a close-knit community, say in eastern Anatolia, whose links with some government officials are also personal, perhaps to the point of officials genuinely belonging to it, suddenly forced to deal with officials who are foreign to the region and govern according to rules abstracted from the locality to the point of incomprehensibility. Imagine people accustomed to relate personally to one another, and this includes how they relate to the officials assigned to oversee some of their affairs, forced to interact according to a rigorously impersonal scheme defined by those abstracted rules. Imagine education and the application of the law subject to the same (perceived) abstraction. Imagine the consequences of the imposition of values - entailed by compliance with the new rules, in government, education and the legal system - so much at variance with Islamic values as to undermine the frame of reference that had given a social, moral and religious anchor for the links that had held society together. Imagine how people accustomed to relate to the world through non-propositional means might react when forced to live under a new system of relations between the individual and the world entirely supported through propositional means.¹⁸ We have in all this the elements of a multi-layered disorientation, certainly in regions away from the centers of the reformist Ottoman Turkish drive. This has been the legacy of reforms abstracted from life in those areas. The effects of those abstractions were felt all over the Ottoman Turkish domains. They can best be described as contradictory, for people were literally pushed to be what they emphatically were not - for how else does one describe a set of overlapping networks of persons linked in personal ways treated as a machine?

V. We shall later see how Mardin's insights concerning the Ottoman Turkish experience are often relevant to other parts of the Arab-Muslim world. Now, however, it is necessary to lay out some further considerations regarding the "universal conceptual currency" that has been mentioned

in the course of the illustration just concluded (section IV.6). For these considerations will serve as our entry into the manner that modernity has created the Islamic revolutionaries.

The books that have been written about the monolithic strain that runs through modernity can by now fill a library. There is no need to review this rich and important literature here. It is enough to cite a couple of apposite works that offer us a clear view of the genesis and anatomy of that monolithic strain.

Ernest Gellner correctly identifies the emergence of that strain with the rise of nationalism, or, more precisely, with the preponderance of those changes that made nationalism a logical outcome. The changes from agrarian to industrial (and by extension post-industrial) society have been marked by many features. Of special importance to us is the following transition: In agrarian society, peasants usually made peasants, artisans artisans, and clerics clerics (whose written skills also qualified them for the bureaucracy). In general, sub-units could reproduce themselves (and the skills necessary for their occupations). In industrial society, however, people from several walks of life needed to understand the signs with which they had to operate. This has become drastically accelerated in contemporary post-industrial society (Bill Clinton recently said that the average person who starts work today must expect to change his job an average of seven times over a career of average length). People must be able to read manuals, operate machines (computers today), and so on. This requires the standardization of education and language. In other words, language can no longer depend on its local or occupational context. It must be context-free over the entire region where certain skills are widely required and occupational mobility obtains. To begin with, these regions in Europe coincided with the emergent nation states. Now, of course, the area where a standardized education or language are necessary is extending rapidly over the entire globe.¹⁹

Nationalism is then partly characterized by the official consecration of the foregoing developments, namely the institution of a standardized education, over which the state assumes a monopoly (which Gellner believes it must since there is no other power that can oversee the wide diffusion of a standardized education while ensuring its concord with the emergent market economy). The vehicle of that standardized education is what Gellner calls the "universal conceptual currency", which he describes as a common measure of fact ... for the general characterization of things. . . . [A]ll facts are [thereby]located within a single continuous logical space, . . . statements reporting them can be conjoined and generally related to each other, and . . . in principle one single language describes the world.²⁰

This single language, or universal conceptual currency, helps to spread the high culture that the state wishes to promote uniformly over its jurisdiction in order to ensure broad competence and competitiveness. Nationalism, then, is, essentially, the general imposition of a high culture on society, where previously low cultures had taken up the lives of the majority, and in some cases of the totality, of the population. It means that generalized diffusion of a school-mediated, academy-supervised idiom, codified for the requirements of reasonably precise bureaucratic and technological communication. It is the establishment of an anonymous, impersonal society, with mutually substitutable atomized individuals, held together above all by a shared culture of this kind, in place of a previous complex structure of local groups, sustained by folk cultures reproduced locally and idiosyncratically by the micro-groups themselves. This is what really happens [as opposed to 'what nationalism affirms and what nationalists fervently believe'].²¹

This is what has really happened in the Arab-Muslim world as well. For there, it is the onrush of modernity that has reduced a hitherto pluralistic world to whatever modern nations are able to sustain and tolerate. That pluralistic world was replete with folk cultures within a plethora of

assorted micro-groups, mostly held together by Islam, but nevertheless autonomous in their ways and sensibility. For more than a hundred years, it has been under pressure to conform with the possibilities allowed by the universal conceptual currency. Both the secular national regimes *and their Islamic revolutionary enemies* have been party to that reductionism. The diverse cultural possibilities that Islam has always been able to accommodate have been compromised by both parties to that conflict.

We may pick up one thread of this story through the work of Clifford Geertz. He correctly points out that one of Islam's remarkable successes has been the durability of an equilibrium between two opposite currents within it:

On the one hand, [Islamization] has consisted of an effort to adapt a universal, in theory standardized and essentially unchangeable, and unusually well-integrated system of ritual and belief to the realities of local, even individual, moral and metaphysical perception. On the other, it has consisted of a struggle to maintain, in the face of this adaptive flexibility, the identity of Islam not just as a religion in general but as the particular directives communicated by God to mankind through the preemptor prophecies of Muhammad.²²

Geertz speaks mainly from his first-hand knowledge of Morocco and Indonesia. What he says here can nevertheless be extended to the whole Arab-Muslim world. The most recent and comprehensive scholarship, which include many references containing insights gained through years of fieldwork, confirm this. Lapidus' *A History of Islamic Societies*²³ and Hodgson's *The Venture of Islam* ²⁴ are cases in point. How did modernity affect that equilibrium?

Modernity has brought about both fragmentation and uniformization. Just as societies and economies have become more complex in their composition, and individuals are more conscious of the choices available to them, so has the globalization of the world economy facilitated (and necessitated, as we have seen at the beginning of this section) the oversimplification of culture and civilization. This oversimplification has followed the imposition of high culture by means of the single kind of language now in use for the description of the world. So from one point of view, once solid and coherent communities are falling apart and people are increasingly clustered around their varied individual interests. From another, the global dissemination of cultural conformist has become possible and the clusterings are taking on a worldwide sameness. Communal fragmentation and worldwide cultural conformist (based on truncated world views and propagated by the universal conceptual currency) have equally eroded the sway of older traditions and lifestyles.

These changes have contributed to the tendency to oversimplify Islam and spread it uniformly throughout the Arab-Muslim world in the face of the forces of fragmentation, now much more highly visible than before. Such is the soil that has first nurtured scripturalism, then revolutionary Islam (that Geertz also calls "fundamentalism"). What we refer to by 'Muslim fundamentalism' is a late stage of an ongoing retrenchment in the name of maintaining Islamic identity (the second of the opposing currents just cited within the Islamic equilibrium delineated by Geertz). It is a retrenchment that ironically bulldozes a hitherto variegated notion of Muslim identity into a simplified standard version that can be easily transmitted, thanks to the sameness of the universal conceptual currency into which Islam is being unwittingly translated and the readily available media of ultra rapid propagation, from Indonesia to Morocco to North America.

The pre-modern equilibrium has been upset by modernity for two reasons. First, to be sure, Muslims have always been concerned with the identity of their faith. Essential to this identity was

that their faith not be riven by schisms nor be interpreted too differently in different places. But when self-consciousness was relatively dormant and different communities that called themselves Islamic were hardly in touch with one another, it was easier to tolerate a situation in which Islam was far more variegated than its official articulations indicated. Within the last century, however, this discrepancy became much more apparent, so that it alarmed those more concerned with the maintenance of an Islamic identity. This is the indirect manner in which modernity has upset the pre-modern equilibrium, one that has a lot to do with a latent tendency within Islam itself. But modernity itself has directly contributed to the growing disequilibrium because of a new rhythm of life that did not generally favor careful, subtle, broad and variegated cultural self-articulations. This new rhythm pushed the drive to maintain an Islamic identity towards the only Islam that could be sustained at a fast tempo: Some kind of liberalism (or fundamentalism), to become everywhere the same because the scriptural sources and the universal conceptual/ currency are the same. The ascendant narrow views of Islam are thus a reflection of both the centripetal and centrifugal tendencies in modernity. Social fragmentation, heightened self-consciousness, modern communications, the universal conceptual currency and the traditional Islamic concern with their unity and identity have all contributed to the narrow view of Islam for which the Islamic revolutionaries have been agitating throughout the Arab-Muslim world.

Geertz himself provides detailed examples of the rise of Islamic currents that had no patience with Islamdom's traditionally broad civilizational horizons. Before the middle of the nineteenth century, heterodoxy had been an outstanding feature of Indonesian cultural and religious life, as the country had become a meeting place for Islam and a home-grown Hinduism. The influence of Muslims who had taken Islam to mean certain legal, moral and ritual demands had been limited. But then, much improved transportation accelerated traffic in two directions: More could make the pilgrimage to Mecca; and religious ideas dominant in Mecca could spread more quickly to Indonesia. It so happened that a revivalist Muslim group had become dominant in Mecca. Their ideas, which were austere, extremely conservative and often fanatical, were transmitted to a number of religious scholars and students who then returned to Indonesia determined to refashion its Muslim life in their image. They built schools and hospices. Their social network attracted peddlers who then took revivalist Islam into the interior much as merchants had first brought Islam to the archipelago's shores. The base of revivalism expanded. Its hostility to heterodoxy grew. Eventually, the hostility encompassed all foreign influence. The xenophobia was fed by the increased violence with which the Dutch, who ruled Indonesia at the time, put down a stream of insurrections. What finally emerged early in this century was a kind of scripturalist Islamic nationalism.²⁵

In Morocco, there was the same dual aspect of the emergent scripturalist Islamic nationalism: Local heterodox Islamic traditions were declared to be worn out and heretical; and war was being waged against colonialism and the rise of European power and influence.²⁶ Geertz goes on to tell us how this tendency (temporarily) lost out in both Morocco and Indonesia, because they both, respectively in Muhammad V and Ahmad Sukarno, had brilliant national leaders whose credentials were also solid from the standpoint of their old traditions.

The modern history of Algeria reveals the influence of similar currents, but the outcome is dramatically different. Islam in Algeria, prior to the French invasion and occupation of 1830, had been rural. It was centered around saints who had played a number of roles among the various tribesmen, from regulating the use of land for grazing and settling political disputes to instilling an immediate (and colorful) sense of participation in Islamic life by illiterates and near heretics. The saints did not ascribe great importance to political events. They treated the French attempt to

fully incorporate their land benignly, sometimes cooperating with the colonial authorities. The French colonization, for its part, served to urbanize the Algerian population at a fast rate. With greater access to literacy, Algerians came into contact with the revivalist current emanating from Mecca, and the reformism of modernist religious thinkers such as Afghani and 'Abdu. The Islamic nationalists of Algeria then rejected the rural saints and their culture on two grounds: They were unfit to advance the cause of national liberation; and their Islam was questionable.²⁷ The ferocity of the French encounter with Algeria ensured that the latter's traditional culture would not survive the drive for independence. The only alternative in Algeria henceforth was between Islamic and secular nationalism. The latter appears to be in steep decline. Both have shown no tolerance for genuine dialogue.

VI. Geertz's illustrations have led us to yet another dimension of the problem, which is the role of the struggle for independence against the European powers in narrowing down *local cultural*

possibilities. This ties in to other local factors, some of which have nothing to do with modernity, that have contributed to the monolithic tendencies shared by both secular nationalist regimes and Islamic revolutionaries. But to consider these factors here will lead us too far afield. We must instead turn to the question of intolerance since there have been various suggestions of the intolerant aspect of modernity from the moment that the discussion of the universal conceptual currency was taken up. After all, we have just ended with the lack of tolerance shown by both secular nationalists and Islamic revolutionaries in Algeria.

The Gellner quotation with which we began the discussion of the universal conceptual currency in earnest has led us to intimations of the reductionism characteristic of modernity, especially in its later stages. Whatever cannot be described and analyzed by means of that currency simply fades from view, to the extent that real and compelling phenomena seem no longer to exist. It is only in a climate of massive, systematic obfuscation that the introduction of the concept of the person to philosophy or that of micro-structures to sociology take on the guise of originality. Persons and micro structures have, of course, been around since time immemorial. It is only in the context of a modern attitude, supposedly informed by impartial observation, that they have not been observed for so long that they must now be "discovered".

Gellner's definition of the universal conceptual currency ends with the intolerant aspect of its reductionism:

[T]here are no special, privileged, insulated facts or realms, protected from contamination or contradiction by others, and living in insulated independent logical spaces of their own. Just this was, of course, the most striking trait of pre-modern, pre-rational visions: the coexistence within them of multiple, not properly united, but hierarchically related sub worlds, and the existence of special privileged facts, sacralized and exempt from ordinary treatment.²⁸

Whatever appears contradictory within the new logical continuum must be reformed. No inconsistencies with that continuum can be tolerated. No social or individual reality, however resonant, can be left untouched by the drive either to recast it in a form accessible to the universal conceptual currency and consistent with it, or to cast it aside:

Equalization and homogenization of facts is incomplete unless accompanied by what may be called the separation of all separable, the *esprit d'analyse*, the breaking up of all complexes into their

constituent parts (even if it can be only done in thought), and the refusal to countenance conceptual package deals. . . . These package-deals, and the discontinuous conceptual spaces, are the equivalents, in the sphere of ideas, of the stable groupings and structures at the level of men. Likewise, the unified and standardized, as it were metric world of facts, as conceived in the philosophies of Hume or Kant, is the analogue of the anonymous and equal collectivities of men in a mass society.²⁹

Gellner's "package deals" include all that is personal, idiosyncratic and micro-structural about human life. And this *cannot be countenanced* by the *esprit d'analyse* that seeks to break up all complexes into their constituent parts, real or imagined, in the course of universal homogenization. Thus the moderns have become extremely intolerant of whatever they are unable to place on the operating table of analysis. Some, like the positivists or radical empiricists, have gone so far as to say that what escapes the universal conceptual currency is meaningless or *does not exist*. Dissent thus is no longer opposition to the universal use of that currency or emphasis on its severe limitations (for these are indeed severe if persons and micro structures appeared not to exist for generations), but, officially, disagreement over the variety of permutations that are possible *within* that currency.

There are those who attribute the reductionism and intolerance that have followed the wide application (and intrusion) of the universal conceptual currency to reason and rationality. This is not necessarily the case. Jurgen Habermas explicitly diagnoses the problem in terms of the usurpation of rationality by *subject-centered reason*.³⁰ Subject-centered reason is the use of reason according to the principle of subjectivity, which Habermas defines as including the self-relating, self-knowing subject bending back upon itself as object and the installation of reason as the supreme seat of judgment before which anything that makes a claim to validity has to be justified.³¹ This cognitive and instrumental moment of reason was favored because at the outset of modernity, reason and the imperatives of economic-bureaucratic subsystems were simultaneously freed. Thus, other moments of reason were suppressed. One incongruity that has helped clarify these events is the attempt to canvas the whole domain of reason exclusively by means of subject-centered reason, which of course was doomed to failure. As certain areas within the domain of reason resist the intrusions of subject-centered reason more insistently, the limitations of the latter become better known. That personal and micro structural phenomena have finally come to the fore in several fields of study is a sign not only that subject-centered reason could never account for them, but of the persistent attempt to account for everything through subject-centered reason. And so serious and sustained reflection has begun on why a single language for all things was willed in the first place.

Habermas realizes that once a culture is immersed in the ideal of (subject-centered) reason's unassailability and the practice of subjects who regard as much as they can in objective terms, an objective realm of study and action subject to rationality begins to take on a reality, validity and vastness that makes it easier to exclude all other approaches. Dissent takes place officially within the sphere of acceptance of the principle of subjectivity. Arguments are then over different ideas about the same world approached in the same way. More serious dissent, that which questions the principle itself, drifts further from sight. The outward success in the reduction of the world to the objective, in scientific discovery, medical cures, a (materially) much higher standard of living and the sheer power of modern states, contributes to this process of marginalization. What Habermas stresses in the course of discussing post-Hegelian thought is how the crossing of a threshold in modernity's reverence for the principle of subjectivity effectively made that principle immune to

criticism and its domination invisible.³² From then on, according to Habermas, modernity's major problem has been the constant resistance of life and the world as they *really* are to the expectation that they must be within the reach of the principle of subjectivity (which has given us the universal conceptual currency). In effect, this expectation, the result of the extrapolations made from great early strides, has severely restricted the world in which individuals could now be free.³³ It has even diminished individuals internally, inasmuch as it also regarded the self, now taken as object, to be transparent to objective study. This led to a twofold distortion: What is not really objective was made to appear so; and what cannot be given even the appearance of objectivity vanished. Individuals were trapped in an intellectual framework thoroughly incompatible with their concrete existence (their selves, personalities, emotions, beliefs and values). And for a long time, the human sciences, which were always potentially a massive act of intellectual redress, were in fact ruthlessly furthering the illusion of objectivity and pushing that incompatibility to its breaking point. They were actually founded to extend the territories conquered by the principle of subjectivity.

VII. The reductionism and intolerance built into modernity have shaped the various Islamic revolutionary movements that have appeared throughout the Arab-Muslim world. As we shall presently see, these have quite literally informed the many among them whose studies have been in the *applied* sciences. For it is there that the universal conceptual currency truly comes into its own. No field of study has traveled better than the applied sciences, a field that has made significant inroads into the social sciences as well. And no field has more forcefully instilled the idea that all major human affairs are problems for which there are definite solutions. It is not accidental that "Islam is the solution" has become a rallying cry (and campaign slogan where elections open to the Islamic revolutionaries are held).

The intolerance ingrained in modernity, which excludes whatever eludes the universal conceptual currency, has been passed on to the Islamic revolutionaries through their studies and their interaction with global currents. In their hands too, as in those of secular-minded reformers and their Western brethren, this "universal conceptual currency" becomes the unique way for valid expression. Everything expressed through different means is either false, backward, vague, obscure or otherwise worthy of dismissal. This includes whatever *must* be expressed through other means, as a result of which it became possible for those Western thinkers and academics who spearheaded such intellectual and spiritual intolerance to profess the meaninglessness of religion, ethics and art.

In an important sense, the old Arab-Muslim order was a lot *more* tolerant, since several studies respectively in different fields could go on simultaneously which, if translated into the universal language, would appear contradictory or invalidate one another.³⁴ The trouble with this new language, as has been mentioned several times, is that whatever does not lend itself to expression in terms of its calculus must simply be left by the wayside. Thus, what has the appearance of truth and uniformity is in reality a partial view, among all that exists, of those aspects of existence that can be captured by such truth and uniformity. Hence, for instance, the comedy of one European writer after another who, believing that they were explaining religion, were actually explaining it away.

The intolerance that surfaces in the Arab-Muslim world through modernity's catalytic effect is but one aspect of a composite intolerance that is actually encountered in the Islamic revolutionaries. For there is the reality of a society and culture dear to their hearts, which they and their ancestors have lived for a long time. Yet time and again, in the course of university life, they are confronted with a modernist discourse that at best has no room for the reality that grounded

and gave meaning to their lives (and may deny it outright). On the other hand, they need to acquire the very intellectual tools that *cannot* be used to express their basic reality. This acquired inarticulacy makes it easier (and maybe necessary) to express that reality crudely. The sophisticated tools characteristic of the great centers of Islamic learning, ever capable of renewal, are far too removed from the simpler and more limited methods to which the revolutionaries have become accustomed for the latter to have any patience with the argumentative process essential for the refinement of their crude vision of Islam. In Turkey, this gap has been compounded by the Republic's severance of all ties between Turks and the Arabic language. It is less extreme in the Arab world because the Arabic language is of course in use and remains a natural bridge to the traditional world view. But the schism there exists at the level of conceptual tools, the modern among which are biased against tradition. Arab Muslim revolutionaries have a rich language to turn to, but lack the conceptual ability to avoid the need for blind adherence to (what they imagine to be) tradition in the face of undermining forces. Related to this is what has already been mentioned with regard to the rhythms of modernity intrinsically causing the collapse of sophisticated outlooks, under the additional impulse of rapid global communications, into simpler, cruder versions.

There are thus two levels of intolerance at work among the Islamic revolutionaries:

1. The language that has become the vehicle for modernity is structured along scientific lines which in turn have been dominated, until this century, by a mechanistic form of reasoning. To someone immersed in the use of this language and the attitude that supports it, what comes from the heart or the soul appears to be nonsense. A great diversity of subjects may be explored, but the exploration always erodes the non-mechanical aspects of each subject. This is not too great a loss when the subject deals with such matters as air conditioning or which antibiotic to prescribe for a bacterial throat infection. The case is otherwise with family life, music appreciation or religious experience. The power of modernity's reductionistic language lies in the assurance of certainty that it gives. One is always impressed by the correspondence between exact calculations in a design or medical diagnosis and the respective successful applications. The sense of certainty around which Muslim society had crystallized - the certainty that God exists, that Mohammad is His prophet, that the Qur'an is His word - is not of the sort that a calculus can confirm. The new certainty, under the illusion that its language is relevant to every sphere of human life, thus appears to render traditional Muslim certainty extremely doubtful. With neither the time nor the cultural-historical opportunity to consider the limitations of the discourse that appears to cast doubt over their traditional world view - hence the inability to conclude that the leading language of modernity has little relevance to what it appears to undermine - the reaction can only be to restrict the use of that language to the applied sciences. However, there is no articulate case for viable alternatives, which pressures those wary of reductionistic language to turn to illusory media, comprising a language and symbols that have lost their contemporaneity, and, in general, a crude and quasi mythical notion of Islamic tradition.

2. On the other hand, there are those in the Arab-Muslim world who take the reductionistic language of modernity to heart and conclude that what it can not express must indeed have an inferior status. They consider the obvious results of the neomechanistic mentality, particularly the speed with which they have come about, and become very impatient with a more considered approach. They want roads to be built, populations to stabilize, telecommunications to be more efficient, and public health improved as quickly as possible. They see such goals as self-evident

(which they are) and the mentality that accelerates their realization as superior (which it is *only relative* to what it realizes, but may actually be inferior overall). They then deride the mentality that impedes the realization of self-evident material goals and wish it away. They look at the Arab Muslim world from the standpoint of certain induces, see their world as far behind others, and associate the lag with traditional culture (or directly with Islam). Secular reformers in the Arab Muslim world thus find themselves inadvertently launching a frontal assault on the very society in which their lives have had their meaning (as we have seen in the general description of this contradictory development and its illustration through the work of Mardin). They unwittingly disorient, humiliate and marginalize those who do not share the same alacrity in disowning their past. Such intolerance can be brazen and it can also be extremely subtle. Once again, the only reaction that does not make one the object of public scorn for standing in the way of modernity's promise is to affirm the promise while strictly denying the general cultural and metaphysical conclusions drawn from extending the modernist mentality to spheres of life where, so the Islamic revolutionaries believe, it has no business intruding. The intolerance of Islamic revolutionaries is thus partly the result of hasty associations. They believe that the world view behind the necessary reforms seems to naturally lend itself to godlessness and social fragmentation. Hence, if these reforms are to be adopted, there can be no compromises when it comes to religious and social practice.

VIII. The Islamic revolutionaries are hence caught up in a web of intolerance, reductionism and intolerably disorienting transformations. We have begun with the contradiction generated by the voluntary assumption of reforms that carry presuppositions and a subsequent practice detrimental to the Arab-Muslim social fabric and the prevalent sense of meaning and identity. Since the reforms are widely perceived to be necessary, they have been taken up by the Islamic revolutionaries, who often enthusiastically study fields at the cutting edge of technology. But in compensation, they seek support from the great classical past. Not only do they adopt foreign methods in establishing facts and texts, but they also believe they can balance this borrowing by a vengeful nostalgia for the great "legacy", or *turath*.³⁵ Thus they invoke invariance in certain domains to compensate . . . Belief, language, family status, sexuality, and other spheres will thus be affected by distorting values. Thus a "traditional sector" will be set up in opposition to the "modern sector" of the individual, group, and landscape. Cosmopolitanism on one side, self-obsession on the other.³⁶

Jacques Berque characteristically pulls together all the strands of a complex phenomenon in a short passage, which we can now proceed to unpack in the context set for it. For not only is the compensatory turn to Islam mentioned, but also how it is fashioned. The Islam of the revolutionaries is itself the product (and victim) of the methodological and practical reductionism and intolerance that have become built into modernity to the extent that its sweep has been governed by the universal conceptual currency. There is reaction and fear in the face of a contradiction, brought on by that reductionism and intolerance, which threatens many in the Arab Muslim world with the dissolution of the world wherein they have long been able to find their bearings. But there also is a systematic approach, faithfully adopted by the revolutionaries from their encounter with modernity, indeed *their authentic allegiance to it*, that has a definite reductionistic and intolerant strain. It is thus that the Islam of the revolutionaries has been wrought.

Thus the Islamic revolutionaries were led to an inadequate picture of their own religion. This has been compounded because they had been led *away* from (traditional, conservative) religious orthodoxy. How this occurred is a long and complicated process that has to do with the gradual

ossification over the centuries of the once vital exposition and instruction of Islam. That process combined with the image of traditional Muslim religious leaders as subservient to inefficient, corrupt, repressive or anachronistic regimes to distance the revolutionaries from those who alone could steep them in their own religion. Without the proper religious grounding to come up with an equally profound alternative Islamic worldview, driven by their anti-Western zeal, and limited by the reductionism and intolerance that we have been discussing, the Islamic revolutionaries have hardly been in a position to add constructively to Islam:

. . . [T]he greatest weakness of neo-revivalism, and the greatest disservice it has done to Islam, is an almost total lack of positive effective Islamic thinking and scholarship within its ranks, its intellectual bankruptcy, and its substitution of cliché-mongering for serious intellectual endeavor. It has often contended, with a real point, that the learning of the conservative traditional *ulema*, instead of turning Muslims toward the Qur'an, has turned them away from it. . . . The traditionalist *ulema*, if their education has suffered from a disorientation toward the purposes of the Qur'an, have nevertheless built up an imposing edifice of learning that invests their personalities with a certain depth; the neo-revivalist is, by contrast, a shallow and superficial person - really rooted neither in the Qur'an nor in traditional intellectual culture, of which he knows practically nothing. Because he has no serious intellectual depth or breadth, his consolation and pride both are to chant ceaselessly the song that Islam is "very simple" and "straightforward", without knowing what these words mean.³⁷

There is one last consideration that cannot be left out of an account that emphasizes modernity's contribution to the emergence, behavior and character of the Islamic revolutionaries.³⁸ It is the sense brought on in modern times, and because of the direction that modernity has taken (probably from the outset), that people are no longer held by the beliefs that they cherish and therefore are more desperate than ever to hold them. The shift, as Geertz puts it, is one from religiousness to religious-mindedness:

A few untroubled traditionalists at one pole and even fewer radical secularists at the other aside, most Moroccans and Indonesians alternate between religiousness and what we might call religious-mindedness with such a variety of speeds and in such a variety of ways that it is very difficult in any particular case to tell where one leaves off and the other begins. In this, as in so many things, they are, like most of the people of the Third World, like indeed most of those of the First and Second, rather thoroughly mixed up. As time goes on, the number of people who desire to believe, or anyway feel they somehow ought to, decreases much less rapidly than the number who are, in a properly religious sense, able to . . . ³⁹

The doubt that afflicts Muslims in countries like Morocco and Indonesia is not directed at the *validity* of religious belief, but at "its depth, its strength, its hold upon them."⁴⁰ The response to such doubt is much greater emphasis on the celebration and appeal of belief, rather than its content. The response is to transfer the validity of beliefs from their "intrinsic coerciveness" to "their hallowedness - their spiritual reputation rather than their spiritual power."⁴¹ It is very difficult to illustrate this shift in order to appreciate its effect on individual Islamic revolutionaries, whose devotion to their own distorted sketch of Islam is at times almost painful to watch. It would be useful for us to imagine the gap between immersion in a musical work and the will to be immersed, say in the event that someone suddenly loses his sensitivity to music but remembers

what it was like before (or a less musical person who compares himself and his experiences of music with those of a more musical person). We must also imagine that it would mean everything for that person to immerse himself in music. But no amount of willing that immersion, however passionately one seeks it, can begin to substitute for the actual experience. The intuited elusiveness of an immersion desperately willed, given its continuous absence, may shift to a desperate cry for the various remembrances one has of it. These will continue to prove unsatisfactory. And the cry will grow more desperate.

Something similar may be taking over the hearts and minds of contemporary Islamic revolutionaries. Their sense of the value of religion is sincere. But modernity has exiled them from the ease and immediacy of true religious immersion. Islam is so rich with reminders of religiousness that they can not fail to have an inkling of what they miss. So they try, hopelessly, to realize themselves religiously by means of the *symbols* of religiousness: veils, fasts, scowls, dark theatres and vice squads. The desperation with which these symbols are called up renders them a parody of religiousness. We have before us the Muslim revolutionary pathos: They mock that on which they must live.

Today's Islamic revolutionaries are terrified when confronted with serious questions (in a manner that traditional scholars and Sufis would not be), because the meaning of their lives rests not on a whole in which they fully participate, but on their idea of that whole. Such instability is not to be taken lightly. For the longing to be religious in a Muslim milieu is deeply felt and widespread. And in the absence of the true fulfillment of that longing, the tragic consequences of the Sisyphan struggle to hold on to its residual images will remain a fact of life throughout the region.

Notes

1. This can be gleaned from a great variety of references, from the speeches of officials to written accounts of symposia on the question of democracy in the Arab-Muslim world or the future of that region, including its economic development (The Center for Arab Unity Studies based in Beirut has put out a number of publications in Arabic to that effect, some of which are being translated into English). Almost every major newspaper or periodical that originates from the Arab-Muslim world or is published abroad on its behalf has numerous articles that directly or indirectly affirm an unquestioned faith in the introduction of democracy (wherever it is relatively free to say so) and the latest technology. Several periodicals dealing with economic or technological affairs maintain an axiomatic stance towards the latter's prowess with regard to effecting economic and indeed cultural revitalization.

2. The reference is, of course, to the rival "Ba'thist" regimes of Syria and Iraq.

3. 'Fundamentalists' is an inaccurate word to describe the current generation of Muslim activists. As has often been pointed out, to describe a group of people whose Book is literally held to be the word of God by all members of the faith as "fundamentalists" is at best redundant. At worst, it evokes the simplemindedness of Christian fundamentalists when it is recalled that Christianity is anything but a religion dependent on texts whose literal meaning must be sacrosanct. 'Activists' is inaccurate because it denies the possibility that other Muslims can also be activist. 'Revivalists' does not convey much when it is remembered that the Muslim world has had many generations of revivalists throughout its history, and not just in the last two centuries or so. 'Extremists' has automatically negative connotations that are not always deserved. 'Islamic

revolutionaries' may be better, since those to whom the term refers do seek an Islamic revolution however their program differs from one group to another.

4. S.U.N.Y. Press, 1989.

5. S. Mardin, *Religion and Social Change in Modern Turkey*, S.U.N.Y. Press, 1989, p. 10.

6. *Ibid.*, pp. 119,120.

7. *Ibid.*, p. 169.

8. Many have moreover asked whether such acceleration, even if possible, is desirable.

9. See S. Mardin, *The Genesis of Young Ottoman Thought*, Princeton, 1962, pp. 133-155, *passim*.

10. Mardin, *Religion and Social Change in Modern Turkey*, pp. 120-121.

11. *Ibid.*, pp. 10-13.

12. See paper of Arunas Sverdiolas and Tomas Sodeika, "Life in the Retort and Soon After," in the collection of papers from the seminar in Freedom and Choice in a Democracy, Washington, D.C, The Council for Research in Values and Philosophy.

13. Mardin borrows the expression from Ernest Gellner. See *Religion and Social Change*, p. 119.

14. It must either be true or false, just as "Chess is Played in China" or "Water drains in clockwise fashion in the southern hemisphere" are respectively true and false, or "Sandcastles are built by the shores of underground lakes in Pluto" must either be true or false even though we do not yet know which.

15. Mardin, *Religion and Social Change*, p. 163.

16. Gravity is gravity whatever its magnitude. Thus laws can be formulated that are universally applicable. It is entirely otherwise with human beings insofar as they are persons. For a powerful statement in that vein, see A. Schopenhauer, *The World as Will and Representation*, Dover, 1958, vol. 1, pp. 131-3. The Persian philosopher Mulla Sadra (1580?-1641) put this fact differently, but to similar effect: The closer one gets to inanimate nature, the more the essence of the thing that one considers stands out. Not much argument is generated over what the essence of helium or water are. On the other hand, the closer one gets to human nature, the less essences matter. Human beings have been described as, say, "rational animals" by Aristotle, but that hardly tells us anything about a particular human being; whereas the essence of helium or water as defined by physical chemistry tells us a great deal, if not everything, about every particular instance of its presence. From that, Mulla Sadra went on to conclude that essence and existence are in inverse proportion: The more a thing can be said to have an essence, the lower it can be located on the rungs of existence. See Fazlur Rahman, *The Philosophy of Mulla Sadra*, S.U.N.Y., 1975, p.36.

17. Mardin, *Religion and Social Change*, p. 163.

18. *Ibid.*, pp. 11-13, 16 and 117,118.

19. This account has been elaborated from Ernst Gellner's *Nations and Nationalism*, Basil Blackwell, 1983, especially pp. 30-5. I have rendered explicit his implied extensions of what marked the transition at the industrial stage to post-industrial society.

20. *Ibid.*, p. 21.

21. *Ibid.*, p. 57.

22. C. Geertz, *Islam Observed*, Chicago, 1971, pp. 14-5.

23. Cambridge, 1988.

24. Chicago, 1974.

25. See Geertz, *op. cit.*, pp. 65-70.

26. *Ibid.*, p. 72.
27. For more details, see E. Gellner, *Muslim Society*, Cambridge, 1981, pp. 40-1, 120-121, 122-3, 133, 148, 158, and 150-166 in that order.
28. Gellner, *Nations and Nationalism*, p. 21.
29. *Ibid.* 1., p. 22.
30. J. Habermas, *The Philosophical Discourse of Modernity*, Tr. Frederick G. Lawrence, MIT, 1990, pp. 315-6.
31. *Ibid.*, p. 18.
32. *Ibid.*, 1., pp. 55, 56.
33. I discuss this aspect of the problem extensively in my forthcoming book: *Freedom and the Arab-Muslim World*.
34. *Mardin*, pp. 121-122.
35. The Arab-Islamic Heritage.
36. J. Berque, *Cultural Expression in Arab Society Today*, Tr. R. W. Stookey, Texas/Austin, 1978, p. 330.
37. F. Rahman, *Islam and Modernity*, Chicago, 1982, p. 137.
38. This, of course, has been the emphasis all along. But in a full account, one must also recall and give proper emphasis to local developments that have given rise to the Islamic revolutionaries. These include the widespread perception that the old, traditional ways have failed to stem the colonialist expansions, even to the extent that some in the Arab-Muslim world feel that their past failings have made them "ripe" for colonization, so that they have in fact "deserved" it. The weakness that Arab-Muslims feel in the face of Western preponderance has gained great emphasis since the creation of the state of Israel. So is the argument that only Islam will restore the balance in their favour. There is also a widespread disgust with endemic corruption, with which few of the secular regimes in the Arab-Muslim world have been untainted. This too has fueled revolutionary Islamic sentiment. But this side of the story, while true and very important, belongs to a longer format than a paper, one that allows for the full unfolding of revolutionary Islamic sentiment. Here I have chosen to emphasize the less known and more interesting side of the story.
39. Geertz, *op. cit.*, p. 18.
40. *Ibid.*, p. 61.
41. *Ibid.*

Chapter III
**The Christianization of the Roman Empire:
Inspiration or Warning for Contemporary Christians?**

Gerald Bonner

It is a truism to say that, throughout history, religion has constituted an important bonding element in those units of human association that we call states. More significant, and more worthy of discussion, is the *character* of the relationship between the state and the religion which helps to give it cohesion. In the Roman Republic and early Empire the official cult was essentially a department of state—a foreign ministry, one might say, for relations with the gods on the characteristically Roman principle of *do ut des*. In early Islam, religion and the state were different sides of the same coin, with religion the determinant, with the result that when, through its conquests, Islam acquired non-Moslem subjects, it chose to deal with the individual through his religious affiliation, his *millet*. In medieval Europe a distinction was made between the religious and the secular kingdoms, exemplified by the existence of two legal systems: canon law on the one hand, and the national code of each individual country on the other, but this did not mean that the subject was any less a member of the Church than he was of the state. If he was not born into the Church, as he was into the state, he was baptised into it at an age when he was unable to offer any objection, and if he subsequently attempted to leave it, his action constituted ecclesiastical high treason and was rewarded with appropriate penalties. The grim story of the repression of the Cathars of Languedoc in the thirteenth century bears eloquent testimony to the union between Church and state in the Middle Ages. The Reformation, although it divided the Western Church, did not end the alliance between the sacred and the secular; secular rulers continued to enforce religious obedience on their subjects for their own advantage. The Founding Fathers of the American Constitution might proclaim the separation of Church and state, but they had no thought of dispensing with religion and we have the edifying spectacle of those unlikely liturgical reformers, Thomas Jefferson and Benjamin Franklin, compiling a prayer-book which could be used by all Americans who were not ‘papists’, Jews or Quakers—a line had to be drawn somewhere. The French Revolution, although hostile to Christianity, briefly entertained the notion of introducing a religion of Reason. Only relatively recently, in the twentieth century, have we seen the emergence of states like Soviet Russia and the Albania of Enver Hoxha which were avowedly atheist, and even there, in the case of Soviet Russia, the official ideology of Communism was given a religious character—the crowds which filed past the embalmed body of Lenin bore a remarkable resemblance to the devotees who, in an earlier generation, had venerated the relics of saints.

My theme is the transformation of the Roman Empire in the fourth century A.D. from a relatively tolerant, polytheistic society into a monolithic Christian state which demanded conformity from all its citizens who were not Jews. This forcible conversion was brought about by a succession of Christian emperors, but it provoked no protest from the Church which was, in general, delighted by the actions of its godly rulers in the pious enterprise of suppressing paganism. In view of the fact that during the first three Christian centuries, Christian Apologists had protested against the unreasonableness of pagan persecution, this change of outlook might seem strange to anyone unfamiliar with the workings of the human mind. Nevertheless, although the attitude of the victorious Christians may seem inconsistent, it is possible to see in Christianity,

even in the days of the persecutions, a spirit which could well become itself a persecutor, once it had obtained political influence; for there was in Christianity, as there was in its rejected ancestor Judaism, a natural intolerance which was alien to the mind of the pagan Greco-Roman world.

Before Constantine

The Romans, as a race, were religiously tolerant and turned to repression only when a cult seemed destructive of civic order and morality, as in the so-called Bacchanalian Conspiracy of the second century B.C., or served as a focus of opposition to Roman rule, as in the case of Druidism in Britain. The Jews, in particular, benefited from Roman religious policy. Despite their two major revolts against Roman rule they were allowed to practise their exclusive religion and excused from participation in the Roman state cult and from service in the Roman army. Given this general religious toleration on the part of the Roman government, the problem of why a similar concession was not extended to Christianity has long been a matter of discussion among historians. A remark of Tacitus suggests that by the time of the Neronian Persecution of A.D. 64 the Christians were already unpopular, at least at Rome, because they were suspected of abominations (*flagitia*) and hatred of the human race (*odium generis humani*), but gives no reason for the cause of their unpopularity. From the second-century Christian Apologists we know that Christians were commonly accused of atheism, incest and child-murder. These last two are the sort of accusations easily brought against an unpopular and exclusive minority—one has only to think of the allegations of unnatural vice leveled against the Albigenses and of child-murder against the Jews in the Christian Middle Ages—but the really significant charge was probably that of atheism. The polytheistic Greco-Roman world could readily accept a multitude of gods and one cult could easily equate its gods with those of another, but a religion which denounced all other gods but its own and permitted no images or representations of its deity could easily appear to deny the existence of *any* god. This was, of course, also the case with the Jews; but they had the excuse of being a nation with a long religious tradition. The Christians were a rabble of yesterday, disowned by the faith from which they sprang. Furthermore they were, by their own actions, religious pariahs, abstaining from the common practices of society which, however innocent they might be in themselves, had for the Christians pagan implications.

There has been much debate about the legal basis of the Roman persecution of Christianity. In the nineteenth century historians tended to be divided between those who believed in the existence of a general law against Christianity and those who saw persecution as being essentially a local phenomenon, arising from popular hostility and the power of life and death enjoyed by a provincial governor over all those who were not Roman citizens—the *coercitio* theory. Today it may be said that the latter view has prevailed and is supported and well illustrated by the famous correspondence between the younger Pliny and the Emperor Trajan in about A.D. 112. Pliny, as governor of the unruly province of Bithynia, had had brought before him certain persons accused of being Christians. Although, by his own admission, he had had no personal experience of cases involving Christians, he knew what to do: he executed those who persisted in their profession of Christianity if they were provincials and sent them to Rome for trial by the Emperor or the Urban Prefect if they were Roman citizens. However, his investigation produced no evidence of any criminal tendency in Christianity, but only what he called "a perverse and extravagant superstition." This, did not, however, cause him to entertain any doubts about the propriety of his earlier condemnations, "because I had no question that whatever it was they committed, in any case obstinacy and unbending perversity deserve to be punished." Trajan fully endorsed Pliny's

procedures and laid it down, as a general principle, that although Christians were not to be deliberately sought out, if they were detected and refused to apostasize they were to be executed. This decision appeared to Tertullian, at a later date, to be completely muddle-headed—if Christians were not to be hunted down, why execute them if discovered?—but it was, from the official point of view, perfectly reasonable: no witch-hunts, but equally no defiance of properly-constituted authority by otherwise law-abiding individuals. *Disciplina* was an essential Roman virtue, and it was a virtue which Christians were all too ready to disown if it touched upon their religious commitment.

A paradigm of the situation is provided by the case of the Scillitan martyrs—an undistinguished group of Christians from the unidentified town of Scilli or Scillium in Africa Proconsularis in A.D. 180. Brought before the proconsul, Vigillius Saturninus, their spokesman Speratus denied any accusation of wrong-doing and claimed that they paid their taxes as required. In his own words: I do not recognise the empire of this world, but rather I serve that God *whom no man has seen or can see* (I Timothy 6:16). I have not stolen, but if I buy anything, I pay the tax, because I recognise my Lord, the King of kings and Emperor of all peoples.

In this simple declaration we have effectively an epitome of what made the Christians unacceptable to the official Roman mind: they might be law-abiding, but their obedience was based upon allegiance to a ruler other than the emperor. Not, of course, that all Christians stopped there. Some went further and sought to proclaim their allegiance to an alien ruler in such a way as deliberately to provoke martyrdom, and one can sympathize with one exasperated Roman governor who, faced with the whole Christian population of one Asian city demanding to be martyred, executed a few and said to the rest: "You miserable lot, if you want to die can't you jump off a cliff or hang yourselves!"

It is not my intention to disparage martyrdom and the heroism of those who died for their faith. A believer must be hard indeed not to be moved by the courage displayed by the martyrs in a work like *The Passion of St Perpetua and St Felicity*; but this need not prevent us from recognizing that there is in pre-Constantinian Christianity an element which had no desire to come to an understanding with the existing secular order and which lived in a state of continual mental rebellion, even if it offered no active opposition. Indeed, the Great Church, aware of the practical advantage of co-existence, had to discourage deliberate provocation and urge Christians, so far as might be possible, to live in peace with the earthly government.

It was this latent hostility to the Roman order on the part of many Christians which helps to explain the three great centralized and state-directed persecutions of the mid-second and early third Christian centuries: those of Decius (250); Valerian (25-258) and Diocletian (303-311). Decius, although fervently anti-Christian, did not, in his demand that all Roman citizens should offer sacrifice to the official Roman gods, specifically discriminate against the Christians. He required that all his subjects should offer sacrifice, even if they were devout and practicing pagans like Aurelia Arnmonoos, the priestess of Petecouchos, the hippotamus god, who could not, by any stretch of the imagination, be regarded as a crypto-Christian; but Decius was well aware that only the Christians would be compelled, on grounds of conscience, to have to choose between refusal of his order and death, or compliance and apostasy. Valerian's motives seem, in the first instance, to have been pecuniary—he needed money, which some Christians possessed in large quantities, a testimony to the increasing social status of the faith, and only later did he seek to destroy it by ordering the execution of Christian clergy, in the hope of ruining the Church by depriving it of its leaders. It is, however, the Diocletianic Persecution which illustrates the degree to which Christianity had become a menace to the Roman order in the eyes of a traditionalist like Diocletian.

For twenty years the emperor had been tolerant of, indeed favourable to, Christianity. His outlook seems to have been altered by the rise of Manichaeism which, in its pacifism and asceticism, seemed to constitute a menace to the security of the Roman Empire. In 297 Diocletian issued a savage edict against Manichaeism. Between 303 and 304, a series of imperial edicts commanded the destruction of the Scriptures, the demolition of Christian churches, the imprisonment of clergy; and, finally, universal sacrifice.

The Diocletianic Persecution has always been reckoned the last, and the worst, of the Christians in the Roman Empire and Diocletian regarded as a persecuting monster (which he was not); but it is more than that. Consciously or unconsciously Diocletian, a remarkable man by any standards, had come to realize that Christianity had become too powerful for the security of the pagan Empire. Either it had to go, or else the Roman Empire had to change. For eight years Diocletian and his colleagues sought to eradicate Christianity, and they failed. The toleration edict of Diocletian's successor, Galerius, confessed, in the dignified language of the imperial Chancery, the failure of the government's hopes: the Christians were too numerous and too obstinate to be constrained, with the result that neither did the gods of Rome receive due worship, nor did the Christian God, because His followers were hindered in worshipping Him. In the circumstances Galerius decided that Christians might exist again—*ut denuo sint Christiani*—to worship their God and to offer intercession for the Roman Empire and for its rulers. There is no reason to read into this document any expression of penitence. If anything the mood is one of regret that the Christians should have successfully persevered in their obstinacy.

Constantine

In the light of this confession of failure by Galerius, the decision by Constantine to throw in his lot with the Christian Church and to make it the religion of the imperial family (though not of the official state *cultus*, which for the time being continued as the religion of the Roman people) makes political sense. This is not to question the sincerity of Constantine's conversion, or to see him, as some have done, as a political master-mind who appreciated the potentialities of the Christian Church as an instrument for furthering his own ambitions. Nevertheless, there is a logic in Constantine's decision. Even if the Christians did not yet constitute a majority in the Roman Empire—and there is no reason to suppose that they did—they represented an organized movement, led by men of ability—the Church offered a career to individuals who, in an earlier age and a differently-organized society, would have made politicians and statesmen. Indeed, it drew off talent which might otherwise have been placed at the service of the state, thereby anticipating a development which would become common in the Middle Ages. In short in 312, when Constantine made himself master of the Western part of the Roman Empire, the Christian Church resembled a modern political party, organized and equipped to take over power.

Let it be clear: the political triumph of the Church was the work of the emperors. If Constantine's sons had shown the same tendencies as Julian the Apostate, instead of following their father's commitment to the faith, whatever their personal theological inclinations might be, or if Theodosius I had perished at the battle of the Frigidus in 394, the history of Europe—and perhaps of the world—would have been different. This is not to say that Christianity would necessarily have perished and paganism revived, but that the triumph of Christianity would have been slower, though perhaps surer. As it was, the period from the death of Constantine in 337 to the end of the fourth century witnessed a steady campaign against paganism by the emperors,

without any protest from and, indeed, with positive approval by, the Christian population and its leaders.

The reasons for this campaign are many. So far as the emperors were concerned, one can see it, leaving aside any factors of personal piety, as a continuation of their traditional duty as heads of the national religion under new patronage—Jupiter and company had been found wanting, so now let us see what the God of the Christians can do. Such sentiments were certainly shared by many of their subjects. No one can miss the vengeful and decidedly unchristian note of triumph which marks the conclusions of Lactantius' *De Mortibus Persecutorum* and Eusebius' *Ecclesiastical History*, and one Christian writer went further, and urged upon the emperors both the desirability and the duty of forcing the true faith upon the pagans. This was the converted astrologer Firmicius Matenus. In the strange work called *On the Error of Profane Religions*, which he offered in 346 to the sons of Constantine, in which he argued that, since conversion to Christianity would be to the advantage of the pagans, whatever objections they might offer against imperial compulsion could rightly be disregarded. The logic of Firmicius' reasoning was destined to have a long currency in Christian theology.

In the event the Constantinian dynasty responded nobly to the urging of Firmicius Matenus, Constantine, as long as he lived, remained faithful to the promise of religious toleration offered in the so-called "Edict of Milan," issued by his colleague Licinius in the East in 313, though his patronage of Christianity became steadily stronger as he advanced in years. His sons, however, had no inhibitions.

As early as 354 an edict was issued by Constans and Constantius ordering the closure of pagan temples, and although this was soon repealed, it made clear the direction which imperial policy was taking. Nor was ecclesiastical support lacking. George of Cappadocia, the bibliophilic Arian supplanter of Athanasius of Alexandria, made his own feelings plain when he paused before the temple of the Genius of Alexandria one day in 360 and demanded in a loud voice: "How long shall this sepulchre stand?"

After Constantine

On the death of Constantius in 361, pagans and Nicene Christians in Alexandria made common cause to lynch George, and Julian the Apostate showed little concern at this rioting, only taking good care to lay hands on George's library, in which he himself, as a small and nominally Christian boy, had read and become entranced by the genius of Greek philosophical paganism.

Julian's short reign (361-363) was followed by the return of Christian emperors in the persons of the short-lived Jovian (d. 364) and then of Valentinian I and his brother Valens, who divided the administration of the Empire between them. In general, their policy as regards paganism was one of toleration. Sacrifice to the gods—a practice which had not always been approved in pagan Rome when performed by private individuals, who might use it for purposes of political divination or sorcery—was forbidden, but the temples remained open for prayer and the burning of incense. This policy of toleration continued in the early years of the reign of Theodosius I (378-395), a devout Nicene Christian, but initially characterised by a leniency towards paganism which won for him the applause of the pagan orator, Libanius of Antioch.

Behind the scenes, however, it appears that Christian forces were mustering for an assault on paganism independent of imperial legislation, and Libanius speaks with bitterness of the black-clad Christian monks who assaulted and destroyed temples, without any authorisation by the provincial governor.

What turned Theodosius from his initial toleration? It seems likely, though unprovable, that it was regret for the massacre of citizens at Thessalonica, which he had authorised in 390 to punish them for the murder of a German officer of the imperial army. The story of St Ambrose's intervention and Theodosius' penance has become legendary in Church history, but its consequences seem to be clear. In February 391 Theodosius issued the edict *Nemo se hostiis polluat* addressed to Albinus the Urban Prefect of Rome, outlawing sacrifices and forbidding any state official to worship in a pagan temple under the penalty of a heavy fine. There was, however, a deeper significance in the law: it was concerned, not only to prevent pagans from holding government office, but also to bring to an end the sacrifices of the official Roman religion, which had been offered 'for more than a millennium and which had not been affected by the previous measures against private sacrifice. Four months later, in June 391, the provisions of *Nemo se hostiis polluat* were extended to Alexandria, the other great pagan centre of the Roman world, which had hitherto enjoyed privileges denied to other cities. Theodosius had been apparently persuaded that the continuance of pagan worship was an offense to God and had decided that he was sufficiently powerful to enforce his will upon the Roman world.

The official policy of the Emperor was both supported and anticipated by Christian action. The Patriarch Theophilus, the future enemy of John Chrysostom of Constantinople, was responsible for the destruction of the Serapaeum at Alexandria in 391, after a spirited pagan defence at which the rhetorician Helladius later alleged that he had killed nine Christians with his own hand. At an earlier date, in Gaul, St Martin of Tours—by temperament, a kindly soul—had destroyed temples, despite local pagan opposition. Other examples of similar Christian initiatives could be cited. The truth is that both Emperor and Church were uniting to destroy paganism and to require that, in the future, all Roman subjects—the Jews alone excepted—would have to be Christians, and orthodox Christians at that, whether they liked it or not. The revolt of the heathen general Arbogast, who had elevated his Christian protege Eugenius to the purple at Rome in August 392, gave Theodosius the opportunity to attack paganism openly and uncompromisingly. By the law *Nullus omnino*, issued at the end of 392, every kind of pagan worship—sacrifice, burning incense, domestic devotion—was forbidden. The defeat and death of Arbogast and Eugenius at the battle of the River Frigidus in the autumn of 394 meant that Theodosius was now able to extend the attack on paganism which he had been conducting in the East for the previous two years to the West as well. Christianity was established in the Roman Empire and Theodosius' sons, Arcadius and Honorius, and their successors, continued to legislate and to enforce the laws against paganism. There was no immediate and dramatic conversion of the Empire as a whole. In Gaul, for example, in the sixth century, Caesarius of Arles found it necessary to continue the missionary activities of Martin of Tours; in the East in 542 (the year of Caesarius' death) it was necessary to appoint John of Ephesus as an official missionary to the pagans still surviving in Asia Minor. The eradication of paganism was a slow business.

It is not the intention of this paper to provide a detailed account of the end of Roman paganism. The facts which have been given are intended to provide evidence for discussing the significance of the destruction and its relevance for Christian thinking of the present day about relations between Christians and non-Christians in the states of which they are members.

One fact that must strike any observer must be the extraordinary rapidity of the Christian takeover. In less than a century a religious system which had inspired the Roman people and Empire for more than eleven hundred years was brought legally to an end, with relatively little active pagan opposition (passive resistance, in the form of the illegal continuance of pagan worship in country districts was another matter). As a positive force Roman paganism had clearly ceased to provide a

unifying bond for the Empire—Christianity replaced it and provided a new bond, which enabled the Empire in the East, in its lineal descendant the Byzantine Empire, to endure until the fall of Constantinople to the Turks in 1453. In the West, Christianity, although it did not prevent the dissolution of Roman rule and the establishment of the various Germanic kingdoms—Visigoths, Franks, and Vandals—nevertheless provided a bond of union for secularly independent jurisdictions until the Reformation of the sixteenth century, this was no small achievement. At the same time this triumph was bought at a cost: the enforcement of religious conformity by legislation and not by internal conviction, and by an increased dependence by the Church on physical constraint as a means of making and keeping converts. It is in the second half of the fourth century that imperial legislation begins increasingly to be leveled against schismatical and heretical Christians, as well as against pagans. Here, we need to be careful in our judgments. The legislation by the secular rulers was at least as much in the interest of the state as it was of the Church and may be said to have been determined by considerations similar to those of the pagan Diocletian, when he issued his edict against the Manichees in 298; but it is clear that, from a worldly point of view, it was to the advantage of the Church to have religious conformity enforced by the state. It is true that these laws, like other legislation in the later Roman Empire, do not seem to have had much effect upon the dissidents; but a principle had been established. A notorious example is that of the eccentric Spanish ascetic Priscillian of Avila, executed at Trier by the Emperor Maximus in 386. Technically Priscillian was executed for sorcery, a capital offence in Roman law, but the charges against him were initiated by clerics, and distinguished churchmen like Pope Siricius, St Ambrose and, especially, St Martin of Tours, were shocked by the execution. Yet, within a century, no less an ecclesiastic than Pope Leo the Great, while deploring the execution, would nevertheless recognise the value of the severity of secular law, which restrained men from error by the wholesome fear of bodily punishment.

Clearly, there had been an immense change in the religious character of the Roman Empire brought about by Christianization. The pagans had persecuted, but spasmodically and in particular circumstances; there was no intention of enforcing one particular style of worship upon society as a whole. The reason for this toleration is clear: Roman polytheism was prepared to see other people's gods as its own, under a different name,—requirement of universal sacrifice was essentially a patriotic gesture, which any reasonable person might be expected to make, before returning to his or her particular rites (we remember Aurelia Ammonoos, priestess of Petesouchos). For the Christians, on the other hand, the gods of the heathen were at best nothing, at worst, demons, and their worship would procure the worshipper's damnation. It was true that Tertullian, writing in the days of persecution, could tell the persecuting proconsul Scapula that religion should be received voluntarily and not imposed by force, but that was special pleading—once in a position to exercise power, Christians were perfectly willing to impose their creed on others by law, happy in the argument used by Firminius Matenus: it is for the emperors to whom God has committed supreme power to set men free from idolatry, even if they are unwilling, rather than leave them to perish by their own free will.

The difference between the Roman pagan and the Christian view of religious conformity sprang from different attitudes towards religion. The pagan was very far from being irreligious—indeed, one of the problems for pre-Nicene Christians had been to avoid committing idolatry by accident, in a world where almost everything and every activity was under the patronage of some god or godling—but paganism was not a theological religion. Its beliefs were, by Christian standards, vague and amorphous (one distinguished authority, writing on the religion of ancient Greece, has questioned whether we ought not rather to speak of Greek *religions*) and its unity was

essentially a unity of rite, rather than of belief. Christianity, on the other hand, like the other great monotheistic religions, demanded that rite should be determined and validated by pre-existing beliefs. It was not simply the action, but a common belief, inspiring and conditioning the action, that was essential.

One might contrast Roman paganism and Christianity by saying that, for paganism, religion was an element of life—an essential element, but one which left the individual free, in many matters, to choose for himself what he would believe and do. For Christianity religion constituted and conditioned life—everything had to be referred to the will of God revealed in Jesus Christ and proclaimed in the Scriptures. The fourth-century pagan apologist Symmachus, in a phrase which has become famous, declared that "by no one way alone do we come to so great a mystery," that is, true religion (*uno itinere non potest perveniri ad tam grande secretum*)." This was exactly what the Christians would not allow: "Christians are right, pagans are wrong!" Centuries later the notorious Nazi judge, Roland Freisler, when trying Count Helmut von Moltke, delighted Moltke by his shrewd observation: "National Socialism and Christianity have one thing in common: both claim to command the whole man." This was certainly true, but the question remains: is the decision to accept the commands of Christianity a matter for the individual, or is it to be imposed upon him or her by the state (or any other body) acting on behalf of the Church?

The Christian emperors of the fourth century and their successors made the decision to impose Christianity by force, and the Christian Church not only accepted but encouraged that decision. It would be unjust to claim that this association of Church and state did not produce any moral betterment in society: the gladiatorial exhibitions were suppressed; exposure of infants—long a blemish on the Ancient World—was prohibited, together with abortion (a measure which, until quite recently, would have been regarded in most western societies as an advance in civilization), while the Christian Church, as Julian the Apostate disgustingly admitted, became a dispenser of charitable relief, rivaled only by the Jews who kept their philanthropy for their own people. There was, however, a price to be paid for this association with the state: a denial of spiritual freedom to the individual which could, on occasion, lead to physical restraint and, eventually, to the imposition of the death penalty. Enemies of Christianity, from the Encyclopedists onward, have had no difficulty in supplying lists of atrocities committed in the name of religion. There is, indeed, a cynical saying that the only Christian group which has never persecuted is the Quakers—and they have never had the opportunity!

What conclusions may be drawn from the history of the Christianization of the Roman Empire? One very obvious conclusion is that early Christianity possessed an extraordinary vitality. Without any assets, apart from the devotion of its members, aided, let it be admitted, by the relative tolerance of Roman society, it contrived, in three centuries, and immediately after eight years of centrally-inspired persecution, not only to survive, but to emerge victorious as the obvious successor to a paganism which had clearly failed to inspire enthusiasm among its adherents (it is significant that during the Diocletianic Persecution Maximin Daïa, the most intelligent of the persecuting emperors, had seen that the situation demanded, not simply a suppression of Christianity but a revival of paganism). By the fourth century Christianity had the initiative in almost every intellectual field, and so great was its self-confidence that it was cheerfully borrowing from a pagan system like Neoplatonism to provide a philosophical framework for its theology. Even without Constantine, it may be suspected that Christianity would have triumphed in the Roman world simply on its merits and been spared the consequences of an alliance with a system of government which was an autocracy, reluctant to allow its subjects any initiative in public affairs and even in their private lives.

Again, the Roman Empire and its successor kingdoms in Western Europe benefited from the alliance with a religion which preached submission to constituted authority. The Christian bishop became as necessary to the secular order as the secular official—more necessary, perhaps; for he could inspire a veneration by his cloth in a way that a secular official could not. Moreover, unlike a secular official, his orders prevented him from making any bid for supreme power. Thus, the alliance of a Church to which every subject had to belong, with a state of which every subject was a member, whether he liked it or not, produced a very strongly-bonded ecclesiastico-secular society. The citizen of the Byzantine Empire called himself a *Romaios*—a Greek-speaking, Orthodox-Christian subject of a Roman Emperor. The Western Christian had the Pope as his overlord as well as the king who claimed his temporal allegiance and who hardly less than the Byzantine emperor, enjoyed a quasi-sacerdotal status conferred by his ‘coronation anointing’—one of the more politically useful liturgical innovations of the Frankish monarchy. The bond between the sacred and the secular was more than a mere mutual alliance.

Undoubtedly, the Roman Empire gained from its alliance with the Christian Church. Indeed, it is a reasonable hypothesis that, without such an alliance, it would have broken down completely under the pressure of the barbarian invasions. But what about the Church? It certainly benefited in a temporal sense from its alliance with the state, by which it was able to call upon the secular arm to enforce its decisions; but a price had to be paid in the moral order: the Church appealed to, and relied upon, the arm of flesh. It used force, rather than persuasion, to retain its members, without their consent. This forcible incorporation reached its climax in Charlemagne’s campaigns in Northern Germany, when the heathen were given the choice between baptism and death, in a fashion which can hardly be said to reflect the spirit of the Gospels.

There was another gain from the revolution of the fourth century: the development of the great Christian culture which we call the Middle Ages, which has contributed so much to Western civilization. This positive achievement must be set against the cruelty, ignorance, and intolerance, so often urged against the medieval period by people who are often themselves ignorant of history. It is certainly not my desire to disparage a period of human history which particularly moves and attracts me; but the historian must be honest and depict his subject warts and all. There was much goodness, and also much that was evil, in the Middle Ages, and much of the evil stemmed from religious intolerance. The massacre of the Moslems at the taking of Jerusalem in 1099; of the Jews at York, England in 1142; and of the Albigenses at Montsegur, Languedoc, in 1244; are not episodes which give modern Christians any cause for pride.

What lessons (if any) are to be learned by Christians of the present day regarding relations between Church and state from the history of the Christianization of the Roman Empire? It is unlikely that any similar conversion will occur again, to produce a state which is wholly committed to Christian principles; but even if one were to occur—and the Constitution of 1937 certainly set out to make the Irish Republic a Roman Catholic state—it would, unlike the Roman rulers of the fourth century, have to take into account the existence of religious, and irreligious, groups among its citizens, which would not share its own convictions, and whose opinions could only be disregarded by a discrimination which would be unacceptable in world opinion. Modern Western states are generally pluralistic and the experiences of twentieth-century history should make governments and electors wary of ignoring or overriding what are deemed by world opinion to be the natural rights of citizens of a civilized state.

What, however, are these natural rights? It would generally be agreed that they include the right of individuals not to participate in the generally accepted religion of the country if they do not care to do so, to practice the religion of their choice, or to eschew religion altogether. It would

also be commonly agreed that individuals should have the right to proselytize and to defend their own ideology, even if this involves attacking the beliefs of the majority. But how much further may they be permitted to go? Ought they to be allowed, not merely to attack but also to blaspheme the beliefs of others? Should they be permitted to advocate and to practice activities which are contrary to the moral principles of the dominant religion? (An obvious example would be that of abortion, to which Christian morality has traditionally been opposed but which is now acceptable to large numbers of persons in all nations and societies.)

It is not the intention of this paper to attempt to answer these questions. Let me merely record, as my own opinion, that Christians ought not, in general, to attempt to impose upon others moral principles which are exclusively Christian, like those relating to the admissibility of divorce or of homosexual liaisons, where those are formed by adults capable of making a reasoned decision. In the matter of abortions, since two parties are involved, and one of them is helpless to attempt his or her own defense, then it is not unreasonable for Christians to attempt to secure legal enforcement of their own moral principles. In general, however, I would myself be opposed to enforcing Christian moral principles on those who are not themselves Christian.

Furthermore I would maintain, from the evidence provided by a study of the Christianization of the Roman Empire, that in a fallen world Christian churches should bear in mind the limitations any secular society, and not allow themselves to become too deeply committed to a particular type of government, even if that government professes to be Christian. It is one of the merits of Robert Markus's book *Saeculum* that he pointed to the need, in the present world, for the acceptance of some neutral area in which Christian and non-Christian could work together with a common measure of agreement. During the 390s, when Theodosius and his successors were imposing Christianity on their subjects, many Christians, including for a time Augustine of Hippo, hailed the new order as *tempora Christiana*—the age in which Christianity had come into its own as the counselor and director of the secular state. No area of neutrality was any longer to be permitted. This notion continued to inform the mind of the East Roman Empire down to its fall in 1453. Augustine, however, was wiser than most of his contemporaries. After a brief period of enthusiasm he came to recognise that the state, by its very nature, can never be more than an interim arrangement, designed to facilitate human life in an age which is passing away and will finally be wound up. The Church, however, although some of its members are living temporarily in this present age, has its real home in eternity, a home to which Christians must direct themselves as they travel through their lives. It is therefore both bad theology and wasted labour to imagine that a state can be so affected by the Church that it becomes an aspect of the Church, as if it were a group of Christians discussing secular matters. It is very proper that Christians should seek to create states which will be inspired, as far as may be, by Christian principles; but this should not be at the cost of forcing others into an undesired conformity, and not in the belief that secular perfection can be achieved in the present world by imposing specifically Christian moral principles upon non-Christians against their will. This, if anything, is our warning from the history of the Christianization of the Roman Empire in the fourth century.

Chapter IV
Country, Church and Conscience:
John Henry Newman Versus William Ewart Gladstone

John T. Ford

The Gospel of Matthew records a memorable confrontation between Jesus and a group of Pharisees and Herodians. Their questioning of Jesus was not that of honest inquirers, but a "plot" to "trap Jesus in speech" (Mt. 22: 15-22).¹ After a mock display of respect—"Teacher, we know you are a truthful man and teach God's ways sincerely. You court no one's favor and do not act out of human respect."—they asked his opinion: "Is it lawful to pay tax to the emperor or not?" Jesus asked his interrogators to show him the money used to pay the tax; when they handed him a Roman coin, he asked: "Whose head is this, and whose inscription?" When his adversaries replied that it was Caesar's, Jesus admonished them: "Then give to Caesar what is Caesar's, but give to God what is God's."

This reply is remarkable for its simplicity yet problematic in its applicability: the dividing line between the domains of government and religion is notoriously difficult to draw. Indeed, Christian history is filled with instances of Church-State conflicts, such as those between Thomas Becket and Henry II,² Boniface VIII and Philip the Fair,³ and Pius VI and Napoleon.⁴ If one cannot possibly study every case of Church-State conflict, it is instructive to sample a few. One of the most notable Church-State controversies in nineteenth century England involved William Ewart Gladstone (1809-97),⁵ four-times prime minister of Great Britain, and John Henry Newman (1801-90),⁶ who spent the first half of his life as a member of the Church of England and the second half as a Roman Catholic.

In 1874, Gladstone published a small book on *The Vatican Decrees in their bearing on Civil Allegiance: a Political Expostulation*.⁷ While it might seem strange today for a prime minister to be writing about religious matters, Gladstone had maintained an avid interest in theology since his student days at Oxford. Moreover, he had the time for such writing; he recently had been forced out of office, in part as a result of the influence of the Irish Roman Catholic bishops on parliamentary affairs. Gladstone thus had reason to be concerned about Roman Catholic manipulation of the ship of state.⁸ In addition, he had just returned to England from a visit with Ignaz von Döllinger, the renowned German priest-historian, who had been excommunicated in 1871 by the Roman Catholic Church for refusing to accept the teaching of the First Vatican Council on the primacy and infallibility of the pope (1870).⁹ Gladstone had additional grounds for feeling that the pope could effectively coerce Roman Catholics to obey his decrees.¹⁰

Newman too had long been concerned about the implications of the Vatican decrees. Before the Council, he privately expressed his concern about what might be decided; during the Council, he manifested his fear that the Council might issue a declaration about infallibility; after the Council, he felt that its decrees were being interpreted in an exaggerated fashion, as if every decision made by the pope came under the aegis of infallibility and thus was binding in conscience. Yet for Newman to have spoken out against these ultramontane exaggerations would have brought him into conflict with Henry Edward Manning (1808-92), the Archbishop of Westminster, who, like Newman, was a graduate of Oxford and a convert to Roman Catholicism.¹¹ In effect, Newman had been biting his tongue until Gladstone's "expostulation" appeared.¹²

Newman was an author who needed a "call" in order to write.¹³ His *Apologia pro vita sua* appeared in response to a cavalier insult that gave him the opportunity of making public his "religious opinions."¹⁴ His *Idea of a University* was written while he was Rector of the Catholic University of Ireland as part of what might be called a public relations campaign.¹⁵ His *Essay on the Development of Christian Doctrine* was the result of his effort to decide whether to leave the Church of England for the Church of Rome.¹⁶ Even his *Grammar of Assent* incorporated material which he had previously used in his sermons and letters.¹⁷ As in the case of his other major works, Newman felt "called" to write *A Letter Addressed to His Grace the Duke of Norfolk on occasion of Mr. Gladstone's Recent Expostulation*.¹⁸

Similar to his other works, Newman's approach in his *Letter to Norfolk* is pragmatic, inductive, and illative. First, his writings habitually had a pragmatic bent; his essays were frequently addressed to a specific situation, even a specific group of people. Obviously, his *Letter to Norfolk* was intended for Gladstone and other Anglicans who were suspicious of Roman Catholics; but Newman's *Letter* was also designed to remind his co-religionists that they had duties to their State as well as to their Church. In dealing with pragmatic issues, Newman was like a homilist trying to make his audience appreciate the transcendent implications behind even the most mundane realities.

Secondly, Newman's methodology was almost always inductive; he usually began with the facts of a situation; accordingly, his *Letter to Norfolk* can be somewhat formidable reading for those not acquainted with the historical events woven into the text. Yet Newman was not the chronicler interested in telling a story for its own sake, but rather the historian who wanted to teach a lesson, or more accurately a set of lessons; in effect, Newman's series of historical examples are a set of instructions, independent but inter-related. Thus, in isolating one lesson, one should be aware that a particular issue is part of a larger picture.

But most of all, Newman was an "illative" writer, a persuasive apologist who realized that historical data as such can be given more than one interpretation; accordingly, he aligned the facts so that his readers would come to see what he saw. In his *Letter to Norfolk*, Newman realized that the "facts" of both British and Papal history could be read in divergent ways and so he wanted to make his interpretation as cogent as possible. Necessarily, Newman was a rhetorician—and a masterful one at that—who could devastate an opponent while captivating his audience and persuading it to share his views.

Newman's rhetorical talent is evident in the title chosen for his reply to Gladstone: *A Letter to the Duke of Norfolk*. Henry Fitzalan-Howard, the fifteenth Duke of Norfolk (1847-1917), was a student of Newman at the Oratory School and later was instrumental in obtaining Newman's elevation to the cardinalate.¹⁹ By dedicating his *Letter* (really a small book) to the Duke (with the latter's readily granted permission), Newman almost *a priori* silenced both Gladstone and Manning: Prime Minister Gladstone could not press his charge that the loyalty of British Roman Catholics was suspect without attacking the Duke of Norfolk, the ranking peer of the realm. His Grace, Archbishop Manning could not question Newman's orthodoxy without impugning the integrity of the leading Roman Catholic layman, His Grace the Duke of Norfolk.²⁰ Newman's choice of title was a pre-emptive *coup de grace*.

Newman's *Letter* had to take into account the fact that Gladstone's "expostulation" was a compendium of conventional charges against Roman Catholicism: by proclaiming papal primacy and infallibility, Rome had allegedly changed the faith and "repudiated modern thought and ancient history"; moreover, "Rome requires a convert, who now joins her, to forfeit his moral and mental freedom, and to place his loyalty and civil duty at the mercy of another"—the pope (p. 3).

Yet Gladstone's attack was a broad-side: his approach was diffuse, incorporating a catena of diverse sources of varying theological merit; in addition, the number and diversity of his accusations made reply difficult, though in the event, dozens of Roman Catholic writers published replies, but none with the success of Newman.

Right from the beginning of his *Letter*, Newman focused on what he considered the "main question which Mr. Gladstone has started . . . Can Catholics be trustworthy subjects of the State?" (p. 78) In his answer, Newman treated a variety of topics broached by Gladstone: the teaching of the Ancient and Medieval Church, Pius IX's encyclical *Quanta cura* (1864), the *Syllabus of Errors* (1864), the (First) Vatican Council (1869-70) and its definitions, etc. And while each of these topics is interesting in itself, in a sense, they are variations on the "main question": the loyalty of Roman Catholics to the country in which they live. In response, Newman focused his attention on three main issues: civil allegiance, papal authority, and personal responsibility; in other words, citizenship, church and conscience.

Citizenship

Well before addressing the issue of a citizen's "divided allegiance" (pp. 110-126), Newman made his own position crystal clear: "I see no inconsistency in my being at once a good Catholic and a good Englishman" (p. 76).

Newman's approach to the question of civil allegiance was conditioned by Gladstone's charge that "every convert and member of the Pope's Church places his loyalty and civil duty at the mercy of another" (p. 111). Newman began his reply by asking:

Is there such a duty at all as obedience to ecclesiastical authority now? or is it one of those obsolete ideas, which are swept away, as unsightly cobwebs by the New Civilization? (p. 111)

Newman's reply initially pointed out that obedience to God is taught by Scripture and that the Pope is the "only person" who has the authority to interpret Scripture definitively: "If we give him up, to whom shall we go?" (p. 112)

Where Gladstone considered the pope's authority "either a slavery to his subjects, or a menace to the Civil Power" (p. 112), Newman emphasized that in both Church and State, "the Law *directs* our conduct under the manifold circumstances in which we have to act, and must be absolutely obeyed . . .". In other words, law has a parallel role in both Church and State:

The State, as well as the Church, has the power at its will of imposing laws upon us, laws bearing on our moral duties, our daily conduct, affecting our actions in various ways, and circumscribing our liberties; yet no one would say that the Law, after all, with all its power in the abstract and its executive vigour in fact, interferes either with our comfort or our conscience. (p. 113)

Theoretically of course, given the "numberless laws" that constitute a "shadow that cleaves to us, go where we will," one might agree with Gladstone that "Three-fourths of my life are handed over to the Law" (pp. 113f). Such a situation would presumably be intolerable were it not for the "glorious uncertainty of the Law" (p. 113). Just as citizens may avail themselves of a variety of legal advice, similarly "in difficult questions a variety of opinions are given, with plain directions, when it is that private Catholics are at liberty to choose for themselves whatever answer they like best, and when they are bound to follow some one of them in particular" (p. 114). And since such discussions may become exceedingly complex, Newman insisted: "So little does the Pope come

into this whole system of moral theology by which (as by our conscience) our lives are regulated, that the weight of his hand upon us, as private men, is absolutely unappreciable" (p. 115).

In other words, to Gladstone's assertion that "the Pope virtually claims to himself the wide domain of conduct, and *therefore* that we are his slaves," Newman replied that "the amount of the Pope's authoritative enunciations has not been such as to press heavily on the back of the private Catholic" (p. 116).

Yet where did Gladstone get the impression that the "political and civil life" of Catholics is "at the Pope's mercy" (p. 117)? Gladstone had found support for his views in the constitution, *Pastor Aeternus* (1870), issued by the First Vatican Council:

pastors and people of whatsoever rite or dignity, each and all, are bound by the duty of hierarchical subordination and true obedience, not only in matters which pertain to faith and morals, but also in those which pertain to the *discipline* and the *regimen* of the Church [p. 117].²¹

This extension of papal authority, not only to "faith and morals" but also to "discipline and regimen," provided the grounds for Gladstone's polemical claim that three-quarters of Catholic life came under papal control; Newman conceded that "*disciplina* and *regimen* are words of such lax, vague, indeterminate meaning, that under them any matters can be slipped in which may be required for the Pope's purpose in this or that country . . ." (p. 118).

Nonetheless, Newman's reply minimized papal authority in these areas. Yet in so doing, he was taking issue not only with Gladstone, but also with Manning, who had previously extended the scope of papal authority as far as possible. For Newman, "discipline is in no sense a political instrument, except as the profession of our faith may accidentally become political;" rather, *disciplina* properly referred to "divine worship, sacred rites, the ordination and manner of life of the clergy" and like matters (p. 118). Similarly, though "There are indeed aspects of the Church which involve relations toward secular powers and to nations, as, for instance, its missionary office," *regimen* "has a definite meaning, relating to a matter strictly internal to the Church" (p. 119). Ultimately, for Newman, the issue was not political, but theological: "the Gospel is no mere philosophy thrown upon the world at large, no mere quality of mind and thought, no mere beautiful and deep sentiment or subjective opinion, but a substantive message from above, guarded and preserved in a visible polity" (p. 120).

In sum, Newman argued that papal authority in *disciplina et regimen* is ordinarily an internal ecclesiastical concern; thus, a collision between Church and State is possible, but only accidentally and indirectly. Manning, in contrast, felt that papal authority extended to a wide range of cases, including civil and political matters, thereby making Church-State conflicts much more likely. On the one hand, Newman emphasized to Gladstone that Manning's opinion need not be accepted; on the other hand, Newman insisted that collisions between Church and State are most likely to occur when either tries to enhance its power at the expense of the other. In effect, Newman brandished a double-edged sword against both Manning and Gladstone.²²

Church

In treating the relationship of "the Pope's supreme authority . . . in its bearing towards the Civil Power all over the world," Newman did not hesitate to acknowledge: "That collisions can take place between the Holy See and national governments the history of fifteen hundred years teaches us; also, that on both sides there may occur grievous mistakes" (p. 120). Yet if the State is

frequently the aggressor and the Church the victim, Newman pointedly acknowledged that some of the conflicts in British-Vatican relations were the responsibility of his ultramontane co-religionists:

There are those among us, as it must be confessed, who for years past have conducted themselves as if no responsibility attached to wild words and overbearing deeds; who have stated truths in the most paradoxical form, and stretched principles till they were close upon snapping; and who at length, having done their best to set the house on fire, leave to others the task of putting out the flame. The English people are sufficiently sensitive of the claims of the Pope, without having them, as if in defiance, flourished in their faces (p. 76).

But how can Church-State conflicts be avoided in the future? As a preliminary step towards conflict-avoidance, Newman recommended that the Civil Power "should treat the Holy See as an independent sovereign" (p. 120): "if the Holy See were frankly recognized by England, as other Sovereign Powers are, direct quarrels between the two powers would in this age of the world be rare indeed" (p. 121).

Next, Newman considered the implications of the "divided allegiance" of Catholics, who "are not only bound to allegiance to the British Crown, but have special privileges as citizens"; accordingly, 'till there comes to us a special, direct command from the Pope to oppose our country, we need not be said to have "placed our loyalty and civil duty at the mercy of another",' as Gladstone claimed (p. 122). Nonetheless, a "collision of jurisdictions" is still possible (p. 123). In such instances, should Catholics obey the Pope or the Civil Power?

On the one hand, Newman considered the case of Parliament passing a law "bidding Catholics to attend Protestant service every week"; if "the Pope distinctly told us not to do so, for it was to violate our duty to our faith:—I should obey the Pope and not the Law" (p. 123). This case was not as hypothetical as it might seem today: mandatory attendance at Anglican services was part of the Elizabethan Reformation and there were still instances in the nineteenth century when Irish Catholics in the British military were practically prevented from attending mass. In effect, Newman suggested that the State could be wrong in coercing religious practice.

On the other hand, Newman questioned: "could the case ever occur in which I should act with the Civil Power, and not with the Pope?" (p. 123) Newman considered a possible case: could "members of the Parliament, or of the Privy Council, take an oath that they would not acknowledge the right of succession of a Prince of Wales, if he became a Catholic" (p. 123)? Newman felt that a Catholic, while remaining in office, could not obey a papal command favoring the Catholic succession (though Newman allowed that a Catholic official might work for the repeal of anti-Catholic legislation). Again, Newman's example had a rhetorical edge: on the one hand, Gladstone had criticized Roman Catholics for being less than loyal citizens, on the other hand, Roman Catholics were legally barred from highest positions in the realm.

Newman, perhaps with tongue in cheek, asked: "What is the use of forming impossible cases?" His response proposed a *modus vivendi*:

When, then, Mr. Gladstone asks Catholics how they can obey the Queen and yet obey the Pope, since it may happen that the commands of the two authorities may clash, I answer that it is my *rule*, both to obey the one and to obey the other, but that there is no rule in this world without exceptions, and if either the Pope or the Queen demanded of me an "Absolute Obedience," he or she would be transgressing the laws of human nature and human society. I give an absolute obedience to neither.

Further, if ever this double allegiance pulled me in contrary ways, which in this age of the world I think it never will, then I should decide according to the particular case, which is beyond all rule, and must be decided on its own merits (p. 125).

In such a dilemma, Newman declared that he would consult theologians and bishops, clergy and friends, but "if, after all, I could not take their view of the matter, then I must rule myself by my own judgment and my own conscience" (p. 125).

Conscience

For Newman, conscience is innate: "when He [the Supreme Being] became Creator, He implanted this Law, which is Himself, in the intelligence of all His rational creatures" (p. 127). Basing himself on Augustine and Aquinas, Newman eloquently asserted: "Conscience is the aboriginal Vicar of Christ, a prophet in its informations, a monarch in its peremptoriness, a priest in its blessings and anathemas . . ." (p. 129).²³

Yet Newman was well aware that "words such as these are idle empty verbiage to the great world of philosophy now" (p. 129):

When men advocate the rights of conscience, they in no sense mean the rights of the Creator, nor the duty to Him in thought and deed, of the creature; but the right of thinking, speaking, writing, and acting, according to their judgment or their humour, without any thought of God at all (p. 130).

However, since "in this age, with a large portion of the public, it is the very right and freedom of conscience to dispense with conscience, to ignore a Lawgiver and Judge, to be independent of unseen obligations," Newman felt that conscience had been "superseded by a counterfeit," namely, the "right of self-will" (p. 130).

Accordingly, Newman took issue with Gladstone's contention that papal authority as "absolute" violated the liberty of conscience as the justifiable prerogative of each person. In contrast, for Newman, conscience is first "a dutiful obedience to what claims to be a divine voice, speaking within us"; secondly, in the words of Aquinas, conscience "is the practical judgment or dictate of reason, by which we judge what *hic et nunc* is to be done as being good, or to be avoided as evil"; consequently, insofar as conscience is "a practical dictate, a collision is possible between it and the Pope's authority only when the Pope legislates, or gives particular orders, and the like"; such a collision seems unlikely in practice, insofar as "a Pope is not infallible in his laws, nor in his commands, nor in his acts of state, nor in his administration, nor in his public policy" (p. 134).²⁴

In practice, Newman felt that in case of doubt, obedience must be given the pope: "Unless a man is able to say to himself, as in the Presence of God, that he must not, and dare not, act upon the Papal injunction, he is bound to obey it, and would commit a great sin in disobeying it" (p. 136). This is not to say that "the Pope is ever to be obeyed," nor is it to say that there are no exceptions to obeying the pope, "for exceptions must be in all concrete matters" (p. 138).

Newman summarized his teaching on citizenship, church and conscience with a rhetorical flourish that reflected the British custom of saluting the monarch at banquets:²⁵

Certainly, if I am obliged to bring religion into after-dinner toasts, (which indeed does not seem quite the thing) I shall drink,—to the Pope, if your please, still to Conscience first, and to the Pope afterwards (p. 138).

Reflections²⁶

The boundary-line between the realm of Caesar and the Kingdom of God continues to be difficult to draw. Some have tried to erase the line entirely: theocratic regimes by trying to subsume the political under the divine; agnostic and atheistic governments by attempting to ignore or deny the existence of the divine. Although radically different in their premises, neither type of endeavor has been particularly successful, apparently because both fail to achieve an appropriate balance between two important dimensions of the human: the religious and the political.

Yet as this study of Newman's *Letter to Norfolk* suggests, finding such a balance is a perennial challenge. On the one hand, Gladstone felt that Roman Catholics had deliberately excluded themselves from the British political scene by accepting the teaching of the First Vatican Council on the "infallible magisterium" of the Pope. Manning, on the other hand, pushed papal authority to the limit by insisting that practically every papal utterance was tantamount to an exercise of infallibility. Newman undertook the ever-difficult task of constructing a mediating position which recognized the claim of religious principles, but saw them, not as imposed from above, but as "realized" in concrete situations—if the principles are transcendental, their realization partakes of all the limitations and imperfections of the human condition.

For Newman, every citizen has duties to both Caesar and God. Both are lawgivers and the challenge is to work out a way of "obeying two masters." Sometimes, as Newman readily admitted, this can not be done; one sometimes must obey one, rather than the other. But the choice is not always clear: laws have a "glorious uncertainty." (If either the laws of Caesar or God were unequivocally clear, then there would be no need for either lawyers or theologians.)

The lack of clarity in utilizing general norms in specific situations can and does lead to "collisions" between Church and State. Some of these collisions are inadvertent. But other collisions occur because the State or the Church refuses to yield the right-of-way: a government may intrude into the sphere of religion; the church may usurp political powers to which it has no justifiable claim. In Newman's view, most collisions between Church and State could be avoided, if the State respected the sovereign powers of the Church, and if the Church acknowledged the legitimate authority of the State.

Yet however neatly Church-State conflicts may be diagrammed from a theoretical viewpoint, what are Roman Catholics to do when they find themselves caught between Caesar and God's representative, the Pope? Newman attempted to spell out some practical norms for the proverbial person in the pew. First, Newman insisted that neither Caesar nor Pope are *a priori* entitled to "absolute obedience." Rather each conflict must be adjudicated on its own merits. Accordingly, Newman was prepared to concede that sometimes a Roman Catholic ought to obey the Pope, but in other instances, ought to obey the State.

In coming to such a decision, a Roman Catholic might well appeal to the opinions of theologians, just as in similar quandaries, a citizen might well seek the counsel of a lawyer. Ultimately, however, the responsibility for making a decision rests on the individual's conscience. Newman, of course, was well aware that an appeal to conscience opens a Pandora's box to all sorts of individualism. Thus, Newman was quite careful to categorize conscience as the "voice of God within"—in contrast to various brands of self-indulgence that are counterfeited as "conscience."

Nonetheless, there is an Achilles' heel to Newman's appeal: how could any self-respecting Victorian gentleman admit that he had no conscience? In other words, Newman's appeal to conscience was made at a time when, despite their other differences in doctrine and practice, Anglicans and Roman Catholics acknowledged a set of absolute truths and shared a common standard of morality. In effect, Newman's appeal to conscience as a basis for civic loyalty presumed a commonality of religious belief. By implication, if an appeal to conscience is to be made today, can one find a common basis, however minimal, of belief?

First of all, it is obvious that society has changed enormously since Newman's day. However, one of the reasons that Newman can still be read with profit is that he was open to change: "In a higher world it is otherwise, but here below to live is to change, and to be perfect is to have changed often."²⁷

However, even if one grants with Newman that conscience is "the voice of God within," one must acknowledge that this voice has difficulty in making itself heard above the cacophony of the mass media. Moreover, the *sensus fidelium*—the "awareness" of a set of shared religious values—was already waning in Newman's day. Certainly such a *sensus* is less apparent—and some would say non-existent—in a multicultural and pluralistic world. Even if one postulates a substratal level of common human values, today it is difficult to find a common vernacular to explore their existence and, presuming a successful exploration, to announce their discovery.

One has good reason to believe that Newman would have engaged in such a dialogue with zest as well as perception; after all, his *Grammar of Assent* is in part a dialogue with the non-belief of his age.²⁸ Nonetheless, Newman recognized that there are limits to dialogue: on occasion, he refused to continue in dialogue when he felt that his conversation-partner was insincere; on other occasions, he regretfully felt compelled to abandon dialogue when he could find no common ground to serve as a basis for communication.

Were Newman alive today, one suspects that he would actively engage in the issues of religion and politics (as he did in his own day). Yet in seeking to find common ground with his dialogue-partners, he would assuredly demand sincerity of them. Certainly Newman would avoid extremes in rendering to Caesar what is Caesar's and to God what is God's. Although the conditions that prompted Newman to write his *Letter to Norfolk* have long passed, those presently seeking to balance the religious and the political would do well to follow his example in sincerely seeking to discover a common ground with others whose views are different than their own.

Notes

1. Text from the Saint Joseph Edition of *The New American Bible* (New York: Catholic Book Publishing Company, 1970).

2. Cf. M. Knowles, "St. Thomas Becket," *NCE (New Catholic Encyclopedia)* 2:212-214.

3. Cf. B. Tierney, "Pope Boniface VIII," *NCE* 2:671-673.

4. Cf. A. Latreille, "Pope Pius VI," *NCE* 11:398-400.

5. Cf. V. McClelland, "William Ewart Gladstone," *NCE* 6:503.

6. The biographical material on Newman is immense; in addition to the treatment by J. Whalen and F. Connolly, "John Henry Newman," *NCE* 10:412-419, see the definitive biography by Ian Ker, *John Henry Newman: A Biography* (Oxford: Clarendon Press, 1988); a more popular biography is that of Meriol Trevor, *Newman's Journey* (Glasgow: Collins, 1974).

7. London: John Murray, 1874; republished with an introduction by Alvan Ryan in *Newman and Gladstone: The Vatican Decrees* (University of Notre Dame Press, 1962), pp. 1-72; references

to Gladstone's work will be given in the text using Ryan's pagination. For a useful summary of the historical background, cf. Josef Altholz, "The Vatican Decrees Controversy, 1874-1875," *The Catholic Historical Review* LVII (1971-72) 593-605. For an extended treatment, cf. John Page, *What Will Dr. Newman Do? John Henry Newman and the Definition of Papal Infallibility, 1865-1875* (Ann Arbor: UMI, 1991, #9135869).

8. Cf. Hilary Jenkins, "The Irish Dimension of the British *Kulturkampf*: Vaticanism and Civil Allegiance 1870-1875," *Journal of Ecclesiastical History* 30 (1979) 353-377; David Nicholls, "Gladstone, Newman and the politics of pluralism," in *Newman and Gladstone: Centennial Essays*, edited by James Bastable (Dublin: Veritas, 1978), pp. 27-38; J. P. Parry, "Religion and the Collapse of Gladstone's First Government, 1870-1874," *The Historical Journal* 25 (1982) 71-101.

9. Cf. S. Tonsor, "Johannes Joseph Ignaz von Dillinger," *NCE* 4:959-960. For an extended treatment of the differences between Dillinger and Newman, cf. Wolfgang Klausnitzer, *Ppstliche Unfehlbarkeit bei Newman und Dillinger* (Innsbruck-Vienna-Munich: Tyrolia, 1980).

10. Cf. Victor Conzemius, "Acton, Dillinger and Gladstone: A strange variety of Anti-infallibilists," in *Newman and Gladstone*, pp. 27-55.

11. Cf. V. McClelland, "Henry Edward Manning," *NCE* 9:168-170. For Manning's position on infallibility, cf. Robert Ippolito, "Archbishop Manning's Championship of Papal Infallibility 1867-1872," *The Ampleforth Journal* LXXVII/2 (Summer, 1972) 31-39.

12. Cf. C. S. Dessain, "What Newman taught in Manning's Church," *Infallibility in the Church*, by A. Farrer *et al.*, (London: Darton, Longman & Todd, 1965) pp. 59-80. J. Derek Holmes, "Liberal Catholicism and Newman's *Letter to the Duke of Norfolk*," *Clergy Review* 60 (1975) 498-511.

13. *John Henry Newman, Autobiographical Writings*, edited by Henry Tristram (New York: Sheed and Ward, 1957), p. 272.

14. An edition of the *Apologia pro vita sua* with useful notes and supplementary articles has been edited by David DeLaura (New York: Norton, 1966),

15. An edition of *The Idea of a University* with a helpful introduction and notes has been prepared by Martin Svaglic (University of Notre Dame Press, 1982).

16. The original (1845) edition of *An Essay on the Development of Christian Doctrine* with a useful introduction has been prepared by J. M. Cameron (Baltimore: Pelican, 1974); there are many republications of the third (1878) edition; for a critical and comparative analysis of this work and its different editions, cf. Nicholas Lash, *Newman on Development: The search for an explanation in history* (Shepherdstown, WV: Patmos, 1979).

17. An edition of *An Essay in Aid of A Grammar of Assent* has been published with an introduction by Nicholas Lash (University of Notre Dame Press, 1979); for an analysis of the background of the *Grammar*, cf. Edward Enright, *Faith and Reason in Newman's Anglican and Roman Catholic Correspondence as Historical Background to An Essay in Aid of a Grammar of Assent* (unpublished S.T.D. dissertaton, The Catholic University of America, Washington, DC, 1990).

18. London: B. M. Pickering, 1875; reprinted in Ryan, *op. cit.*, pp. 73-228; references to Newman's *Letter* will be given in the text using Ryan's pagination. Cf. J. Derek Holmes, "Factors in the development of Newman's political attitudes," *Newman and Gladstone*, pp. 57-87.

19. Cf. N. Williams, "Norfolk," *NCE* 10:495.

20. Both dukes and archbishops were addressed as "Your Grace."

21. The latin text is given by H. Denzinger and A. Schnmetzer, *Enchiridion Symbolorum* 1827/3060: ". . . cuiuscumque ritus et dignitatis pastores atque fideles, tam seorsum singuli quam

simul omnes, officio hierarchicae subordinationis veraeque oboedientiae obstringuntur, non solum in rebus, quae ad fidem et mores, sed etiam in iis, quae ad disciplinam et regimen Ecclesiae per totum orbem diffusae pertinent; . . ."

22. One wonders whether Newman knew when writing these lines that Gladstone, who purportedly feared the intervention of Rome in British affairs, had as Prime Minister at the time of the First Vatican Council proposed to his cabinet that the British government intervene in the affairs of the Council? Cf. Ward White, "Lord Acton and the Governments at Vatican Council I," in *Lord Acton, the Decisive Decade, 1864-1874*, edited by Damian McElrath (Louvain: Publications Universitaires, 1970) 157-158.

23. Newman's idea of "conscience" loomed large in his discussion of "Belief in One God" in his *Grammar of Assent*, Chapter 5, Section 1 (pp. 95-109); cf. John Jago, "John Henry Newman and Freedom of Conscience," *Shadows and Images: The Papers of the Newman Centenary Symposium, Sydney, August, 1979*, edited by J. Cross (Melbourne: Polding, 1981), pp. 61-74.

24. Newman implicitly seems to have been challenging Manning's view that infallibility extended to all sorts of matters; such an ultramontane extension made "collisions" between conscience and authority much more likely.

25. Cf. the toast to "Church and King," Ryan, p. 140.

26. In formulating these reflections, I am indebted to the participants in the Seminar on Religion in Public Life for their comments.

27. *An Essay on the Development of Christian Doctrine*, (1878 edition) Part 1, Chapter 1, Section 1, Paragraph 7 (Garden City, NY: Image, 1960), p. 63.

28. Cf. William Fey, *Faith and Doubt: The Unfolding of Newman's Thought on Certainty* (Shepherdstown, WV: Patmos, 1976).

Chapter V

Understanding Religion and Political Participation

John A. Kromkowski

The Issues

Here the problematic of the relationship of religion to political participation will be explored first by focusing on the need to clarify the general terms of relationship between religion and political participation. The first section of this paper attempts to meet the need for recovering and establishing certain theoretical findings. The rationale for the subsequent sections of this paper emerges from these findings. It affirms and demonstrates the discovery and documentation of specific instances and particular types of religion and political participation.

Reviewing theoretical findings is especially significant in light of academic and scholarly disciplinary fragmentation and the attendant breakdown of explanations related to a range of important scholarly and public matters. Fragmentation about central and essential features of religion and politics has spilled-over into the processes that shape public discourse, political and religious opinions and popular beliefs and sentiments. Various misunderstandings, contentions and mainstream confusion have created a climate of public and academic urgency.

The initial review of theoretization will reveal that religion and politics can be more clearly understood and explained as types of participation in social realities. The review of the theoretization of process, participation and social realities provides an ontological and epistemological framework for knowing the political and the religions and for explaining their relationships in specific instances. Moreover, the tasks of a science of social realities developed from such an ontology and epistemology include: describing the types of ordering and explaining the consequences of various types of ordering that emerge from within social realities. A science of governing addresses the dynamics of interactions within, between and among social realities. A philosophy of culture and values emerges when profound questions and the sharpened search for meaning erupt in social realities. This typically occurs when social realities collapse and the processes of reconstruction of social realities and new forms of participation struggle to emerge and to reconstitute social reality. Understanding social realities as arenas or space within which political and religious participation are found is the beginning proposed in the first section of this paper. The thesis of this section is that political and religious participation within social realities are expressive of modes of being that are definitive of the types of human substance and the historical interaction of social realities with each other constitutes the ongoing process of participation in the totality of all modes of being.

The second aspect of this enquiry will broach a few salient aspects of the relationship of religion and politics within the American experience. Unlike the review of the macro approach to re-theoretization of the problematic in the first section of this paper, the American materials will present micro level details that reveal significant religious and political contours and events especially the foundation of the American reality, electoral data and value orientations of political parties. Such indicators reveal the ongoing process of participation across time. This more modest exercise includes recapitulating the broadest outline of two aspects of religious and political participation that are discernable in the specifics of the demographic and electoral findings.

Both aspects of the problematic are intertwined on various levels. In fact, the timeliness of macro level reconstruction of theoretical finding about between religion and political participation is occasioned by certain impasses in public discourse related to the boundaries of religious and political participation. This knowledge gap is, in part, due to the general fissures in historical, philosophical and the social, religious and political sciences. Breakthroughs in our understanding of issues at the intersection of religion and politics may depend on our ability to apply appropriate theoretical findings that have been eclipsed by the specialization and consequent fractured character of knowledge. Re-theoretization and a meta-methodological approach may resolve the attendant explanatory gaps. Such work is needed for the development of a science of cultures and the institutions of human order.

Our focus on the American experience is indicative of the need to localize the problematic to the particularities of demography, religion, the types of regimes, processes of governance and specific interactions that are determinative of existential relationships. Moreover, enquiry into the American situation is especially timely because religion and politics in America apparently have been dissociated and simultaneously have become especially intertwined and apparently significantly salient. This is due to historical and foundational legal doctrines of religious freedom and non-establishment and to the traditional articulation of another type of dictum found in the popular political and religious evocation: the wall of separation between church and state. Both critiques of, and supports for, these political doctrinal dimensions of religion and politics are emblematic of the American reality. Popular understanding and of political rhetoric are substantive of religious and political participation that are essentially constructed by religious and political relationships that constitute social realities. In similar ways in various countries and cultures parallel problematics are manifest in the increasing emergence of passionate advocacy discourse and intensive political action of religious partisans and their putative opponents, the secularists and proponents of rigorous separations between these realms. The problematic requires fuller discussion at the micro level of regimes and contextual specificity. The macro level of re-theoretization regarding social reality ought to address larger questions.

The Recovery of Social Realities

The larger questions of recovering a science of social understandings and the regime specific tasks of understandings and applications are intertwined. The need for understanding the theoretic and practical recovery of social realities has become urgent as countries; cultures and specific regime problems and tension spin out of control. The pioneering work of Eric Voegelin suggests an approach to thinking about and explaining these aspects of human affairs. The matter can be addressed by focusing on the primary givenness of social experiences and the attendant discovery of social realities as experientially human and divine substances. Thus the recovery of primary experiences of religion and politics within social realities, an insight that has become dimmed by past practices of narrow methodologies and academic disciplinary specialization, is a central aspect of the relocation of the subject being investigated. The subject of inquiry is relocated in lived experiences and data and observations of social realities that are radically and inclusively empirical. Thus our capacities to understand and to reconstruct social order depend on our theoretic and practical competencies to discern and to participate in the ongoing process of interactions that constitute orders. The sciences that enable us to recover such fundamental ways of knowing social realities and influencing them are well beyond disciplinary boundaries. Transcending them requires understanding that social realities are human-divine substances and that they are the

subjects under investigation. Social realities have beginnings, forms and purposes. Social realities are processes of communication that included creative and imaginative rearticulating of founding traditions and the elaborations of them across time. They include modes of religious and political participation required to sustain them. Such recoveries and renewals of relationships constitute social realities and are formative of the social substances found and shared in the process of their particular being. Such ongoing work of offered access to tradition and rearticulating social relationships engages both theory and practices related to continuity and change. Such work usually does not address fundamental and foundational questions, except in times of crisis, breakdown and expansion and growth, which create the climate within which essential clarification of the terms of religious and political participation are required. The global reach of such matters and the implicit existence of breakdown and growth as well as heightened interest and declining concerns about the substances of social realities pose two challenges: the rethorization of social realities and a large-scale project of analysis and synthesis of social realities. The reconstitutions of the centrality of social realities to the sciences of human affairs should be a diachronic and cross-cultural. Social realities are constituted by relationship among persons. They collaboratively manifest a shared ontology of our common humanity as well as a discernable range of particularity, variety and localism. Research on the recovery of social realities should explore both the constants and discontinuities discernable in the development and intersection of the political and religious orders. This work must ask the following questions:

What range and type of activities constitute political participation? What types and levels of political participation are related to what types of religiosity? Does a phenomenology of some types of religious and political experience suggest that some of these forms of human action and organization are essentially the same? If this is true then do the conflation and differentiation of such groups engaged in constructing mediation to the divine and conveying meaning to participants through forms of social articulation constitute a common arena? Is a conceptual or an essentialist approach to understanding religion and government adequate to the task of understanding the relationship between religion and politics? Would more thorough explications of this relationship be fostered by a frank recognition of how important historicity and contextuality are to the variety of religious and political forms and to the imperatives of research that is diachronic and cross-cultural? How determinative are scale and size of the territory and population to the entire question of the relationship between religion and political participation and the possibilities and limits of cohesion and participation? Does the paucity of intercultural competencies and narrow disciplinary attention, as well as doctrinal investments by political and religious elites, further constrains discussions about the dynamics and the human-divine substances at the core of social realities? Does this in turn, restrain the attendant awesome recognition that only by moving through massive variety and particularity can one reach the pluralism and Catholicity required to unpack the mysteries of social realities and thus promote a philosophy of culture and politics for our time?

Perhaps the following elementary index can illuminate certain dimensions of the problem: When societies are small and compact, difference between religion and state is negligible. Differences become enormous, in contrast, when a government attempts to rule a large territory consisting of various ethnic groups with various traditions and/or when societies become differentiated into specialized spheres of activity. These economic, educational, political, and religious arenas will constitute power fields of interaction. This, in turn, produces an ecology of claims and an array of objects from which populations governed by such large-scale regimes must choose at best, or at worst must suffer conquest. Some situations and contexts may provide a

semblance of freedom under the guise of nominal pluralism and the hopeful prospect of discovering some transcendent realm of attunement. This is part of the key to the search for the order of reality as political and religious symbolizations, compacts, contracts and conceits of consent and the divine, the fear of death, as well as the exercise of coercive power at the hands of the state for practices and purposes of governing form it.

Some situations and times are characterized by deepening differences about practices and purposes of governing. This poses question of justice and injustice. When such differences become divisive, they lead to the mobilization of contending groups. This condition forecasts the potential for the breakdown of foundations of both the public and scholarly consensus about particular issues and policies and even the core activities of a regime and its relationship of attunement to the social reality. In a provocative, slim volume which emerged from lectures titled "Truth and Representation" subsequently published as *The New Science of Politics*, Eric Voegelin pointed to certain basic truths about social reality and political analysis. All social realities maintain their existence in some respect because of their political and governing capacity. On one level, this includes effectively using military and police power to sustain domestic order and defending one's borders from an external threat. Although the existence of such techniques of power and force are necessary, they are not sufficient for the deeper and longer lasting bonds of social cohesion, consent and especially sentiment rooted in the wellspring of tradition that constitutes social realities. These techniques of power must convert governing and military power into authoritative action for a social reality. Governing well includes the rightfully defense and protections of the truths and values of a social order from decay, decline, and disintegration. Even in the face of conquest the truths and values of a social order must supply the aspiration and expectation for the reconstitution of a social reality that has been beaten but not utterly destroyed and obliterated.

In the *New Science of Politics* Voegelin presents three micro level cases and three representative explications of theoretization that are illustrative of the intersection of religion and political order at pivotal points in the history of human affairs. These lectures also address the development of Gnosticism and Modernity as potently formative of political developments and the breakdown of understanding that provoked the search for a new science of politics. The micro level cases include: The Mongol Order of God, The Struggle for Representation in the Roman Empire and England and the Puritan Case. The examples of historical-theoretic analysis are Saint Augustine's misunderstanding of Varro on the types of theology, Saint Augustine and Joachim of Flora and the development of Gnosticism, the Nature of Modernity and Hobbes' deductive formulation of a civil theology for the modern polity. These historical and philosophic studies are paradigmatic of a new science of politics. They are important models of philosophic, cultural and anthropological analysis of social realities and should be reviewed as one of the original sources for a more adequate approach to religious and political studies.

Voegelin notes that by and large functioning persons in social orders do not wait around to have their life explained to them. A science of politics and history begins with such experiences and specific terms, rituals and symbolization used in a social order. Then the theoretician crafts a language that is scientifically adequate and explanatory as science of social realities. This process, of course, is based on the history of societies that are differentiated sufficiently and those that have produced attempts to understand and explain the tensions, contradictions and crisis called forth by historical facts, their experiences and remedies. The processes of inquiry bind the development of the science of politics to the ongoing task of observation and critical clarification of existential orders as well as representative and emblematic texts. To extend these pioneering findings requires highly disciplined and focused observers working at two levels of investigation:

A) The gaze from below and within enables the observer to know and understand the truth expressed by a society articulated as a social order: This work must be designed to grasp fully the socially constituted and effectively articulated self-interpretations of nature, the divine, and their relationships to each other that provide meaning and illumination of the *cosmion* that is substantively the truth of their existence in a social reality.

B) The vision of the philosophic soul inspired by and attuned to reality discovered in the song of wisdom: This experience has never constituted a fully sufficient society, but its message includes the imperative to engage given social orders in speech and teaching for the mutual that emerges from the participation of wisdom in both the social and personal manifestations of reality. Such mediation must be done in ways that make what is true also accessible and what is good and attractive both to those in charge of social order and to all who would listen to the findings and recollections that would heal, mend or render beautiful the ways of being and participating in social realities.

A thorough account of the development of world civilizations indicates that the irruptions of human consciousness, especially luminous manifestations of self-discoveries and divine articulations, are formative of and, in fact, have instituted social realities in the wake of such deep insights and theophanies. Over generations such sources of order become embedded in habits and traditions. But typically over generations they are also disregarded, ignored, neglected and even forgotten. Thus, the rise and fall of social realities constitute historical patterns. Social expressions vary from society to society in ways that typically can be understood in terms of their origins in decisively attuned sources. As they are articulated, they vary in compactness or differentiation, and by the types and modes of political articulation expressed and characteristics of their presentation of reality. In all cases they seem to suggest that the internal meanings of social realities are transparent for the mystery of human existence in time. By this the participants in a social order experience reality as more than an "accident or convenience"; they experience their social reality as their human essence. The interdependent and reciprocal mediating of the good and beautiful with truths and powers form the intersection of the transcendent and social realities.

The Study of Religion and the Political Order

When scholarly attention is drawn intensively to address and engage fundamental political and religious questions the social order within which such discussions and actions occur is likely to experience serious tensions, contradictions and the verge of crisis and collapses or perhaps at the threshold of new levels of health and growth. From time to time the processes, which sustain the social order undergo notable changes in their physical and institutional compositions. But social orders are distinguished are not merely by their populations, organizations, activities, size and location. Social orders are complex realities, which convey meaning to their members. As social realities they establish the locus within which participants in a social reality experience nature and the divine through networks of cultural symbolizations. These constitute the essential qualities and characteristics that are shared and that give substance to their existence as social realities. An exceptionally able person or a notable group of interpreters of the processes and substances of social reality may become intensely interested in testing the validity and re-understanding and freshly mediating explanations regarding the substance and the modes of participation that are the preeminent sources of sustaining power and relationships for a social

reality. Then some underlying moral, intellectual and popular crisis is sure to fracture the fundamental bonds of union, which constitute the core relationships of social realities.

Prior to the intense antireligious activities of modern regimes which appear to be collinear with the withering of popular affinity for such forms of meaning and the social efficacy of religious associations, social realities were ordered by consensus and the balance of power between claims and allegiances of two sources of order the religious and the governmental. Such combinations of power form a nearly seamless bond of union that observers of social order would find as unremarkable and without intense need for interpretation and explication.

Each social order has its unique historical pathway and the second section of this paper this paper will primarily focus on the American reality. But in certain aspects every analysis of a social reality should reach beyond particulars to the certain applications of such findings and to a more general theory of social participation in the two aspects of activity targeted by this study: religion and politics in public affairs. A central claim of this paper is that in the American experience these fields of activity have moved from compactness based in sectarian protestant and congregational Christianity to a differentiated social arena, which consists as well of a larger minority of Catholics, and an increasingly varied mixture of other religious traditions and new forms of spiritual affinity groups with particular bonds of union, rituals, behaviors, values and claims to participation in public affairs. This approaches to understanding and explaining human affairs is supported by a claim about historical/existential reality. To validate this claim requires close historical research and documentation of the nexus of groups to political participation. In addition to this claim, the paper argues also that the problematic of religious and political interaction can be grasped by positing that the essential characteristics of human affairs are social substances and participation in the human-divine mystery of personal and social existence. Moreover participation includes the search for meaning in human affairs through social realities. Whether posed as personal or social such searches for explanation and meaning are similar yet 'experienced differently' in various civilizations. In this respect the problematic on the personal level recapitulate that on the social level. Similarly it is 'experienced differently' by persons owing to their historicity and location and most significantly to the capacity of the observer to engage various modes of participation and to enter imaginatively into the pluriformity of types symbolization and portals of access to the sources of participatory order. Some portals are solitary and others are social. Another distinction is important and it implies appropriating what Henri Bergson determined as the two sources of religion and morality. Bergson's theorization enables the observer to recognize the parallel and simultaneous existence of closed souls and closed societies and open souls and open societies. Another level of clarification emerges from further discerning, the types of politics and religiosities and their intensities within a social reality. Finally, the work must include a diachronic and cross-cultural step toward a philosophy of culture and politics that could be therapeutic for our era. Globalization has re-engaged the religious and the political throughout the world. This has prompted the need for re-examing a problematic, which many assumed to be related only to pre-modern societies. In this respect an examination of the American reality and its rootedness in demography is suggestive of an approach to religious and political participation that has taken some halting attempts toward balancing various modes of diversity and pluriformity in human affairs. This experience indicates the discovery of the Catholic in an arena considerably differentiated from the Mediterranean and European world in which the intersection of the Judeo-Christian- Islamic religious experiences and various ethnic and political initially occurred. The rudimentary work on the American experience in the second section of this paper begins with its formation in the context of contentions among European empires. This places the problematic of

religious and political participation into its most complex and tension-filled manifestation, *i.e.*, the empire as political form. This form of regime by its very nature is the largest form of political order. The empire is extended over a large territory and variegated population. *A fortiori*, this regime engages imperial gods of power with the multiplicity of conquered local orders. This type of manifestation of power and its crushing impact of conquest is profoundly troubling. And as such it invites the gaze in search of order. The task is thus to ponder and to explain the existential experiences of the many and the one and the Catholic that appear within imperial orders of the past and those that are currently in process of becoming. Moreover, the American experience indicates that the ongoing processes of weaving and reweaving the texture of social realities also involves social inventions and new artifices which mediate the personal, the social, the political, the religious, the economic and the noetic at various level of social and spatial organization as well as with attention ethnic and cultural patterns. Understanding and explaining these aspects of the American reality involves investigation at various levels of the local such as the family, neighborhood, community, and municipality, and larger arena of power such as those that function metropolitan, state, regional, national and international levels.

Religion and Political Order

The problem arises when fundamental agreement and concord regarding the human and divine sources and the various processes of representation that constitute and maintain consensus within the American reality erode and the meaning that participation in the American reality conveys ceases. Those affected by the consequences of popular, intellectual and spiritual turbulence then are driven to posing essential questions about the course of political change. They must search for new approaches to ordering participation and recovering the agreement and concord required for the social, economic, cultural and religious functions consequent upon the tranquility provided by a well-regarded and consensual regimes. Such epochs of intense concern and the events that prompt the need for new directions and the developments in search of order invite reflective attention to a new project of explaining change and continuity. This, in turn, raises core questions about the linkages between political participation and religion in public affairs. Increased scholarly attention to such a task requires expanding and deepening the general capacity of learning: to recognize pertinent information, to explore anew the variety of sources that constitute political orders, and to redesign regimes to be more likely to engender the fullest amplitude of human potential and happiness.

In times of concord it seems that a public and intellectual consensus are explained by the vigorous and robust, yet unobtrusive and nearly unquestioned, presence of shared participation in some form of infinitely shareable objects or blessings. Accounts of such concord seem to indicate an attunement within and among participants in a peaceful and tranquil social reality. The very existence of the social reality appears as a confirmation and sign of its participation in, or favor with, some transcendent reality that provides it with being that is good and right. Most importantly such participation maintains the rightfulness of such orders and their rise to power, as well as the warrant to exercise power in history, which is guaranteed by the attunement of its action in history to the order in history that its actions create. This general report does not address the more elemental features of regimes: the duration of its efficacy, its geographic extent nor population size, or its economic, technological, strategic and tactical capacities for governance and order. Of course such matters are important to know, but not sufficient to explain the problematic of participation that seems at its core related to sources that generate higher intensities of participation

including collective action and human agency. These are spirited in ways that suggest a nexus to another level of community substance, which seems to be definitive and relational. This bond of union deserves to be factored into explanation of regime change and continuity.

That political orders have traditionally been intimately related to the transcendent is a commonplace of all serious scholarly historical analysis. The interesting question posed by periods of intensive change on the popular and scholarly level must focus on critical assessments of the types of transcendence that are supportive of regimes. The findings of such work impose related, but different, types of problematics indicated in the following agenda:

1) research regarding the withering of social and popular consensus and shared senses of order in various regimes;

2) explanations for increased levels of opacity for various modes of political participation and for the ways, methods and approaches used by scholarly and educational elites for interpreting the processes of order and the historical experiences within regimes; and

3) meta-regime explorations regarding relationships among regimes especially those that employ different symbolizations of order and competitive and/or equivalent claims for transcendent warrants, sureties and, most importantly, efficacy in the use of power.

This agenda is driven by our increasing awareness of the reality of historical interaction of regimes and the reality of pluralism that are patently obvious owing to the interrelated character of ever more regimes in our time. Such a historical and pluralistic turn should not be confused with either historicism or relativism. Rather it must be addressed owing to the imperatives and pressures of empirical and experiential facticity and to the need for thorough cognition of such realities. This must concern aspects that reveal the historicity and pluriformity of social being, the trail of symbolization developed, its articulation in action by societies as they express their interpretations of reality in cultures and in texts which make such cultures readable as well as real to various audiences.

Such an explosion of information and access to such variety challenges the scholarly community to search for new commonalties and equivalences that may emerge from the development of a philosophy of culture and history, as well as for their metaphysical root in social process. This is no simple task, but the stakes are enormous given the collapse of popular credibility in many regimes and the ferment in the conditions related to fostering the intellectually sustainable and defensible models required in such times. This work may not address the crisis of the moment nor immediately be transmitted to elites and power centers of action within exiting regimes. Nevertheless, such work will be readily shareable given the massive capacity for rapid communication; the interest in and attractiveness of, the search for new approaches; the failures of expectations derived from current recipes for order and happiness; and the hopeful premise—long part of founding experiences of our efforts—which erupted in the discovery in the texts that emerged from Athens, Jerusalem and other centers throughout the world of learning and action in things human and divine.

Owing to the pandemic reductionism that has infected specialized intellectual production the turn toward basic research regarding social participation in culture, religion and politics is an essential task. In effect fragmentation and narrow-gauge scholarship and methodologies that are entirely self-referential have closed-off the prospect of drawing world-class minds and resources into the research required to include the totality of factors and the fullest range of disciplines in the great work of explaining the historicity and pluriformity of what Eric Voegelin called "the

quatrain structure of the primordial community of being": the gods, the world, society and man. The specific and unique manifestations of these aspects of being become intelligible and real only in their particularity within the confines of historical and geographic/spatial locations and the limits of times and places. These matter because they articulate the mystery of human existence and the process fashioned to make peace and happiness a real possibility under the sacred canopies. It is these that have constituted regimes throughout the record of heretofore existing human organizations capable of engendering civilizations at levels of complexity and imagination worthy of the possibilities and potentiality of reality.

Political data, like all forms of observation, require some models of intelligible and systematic organization. These personal and external conditions enable the processing of various data and sources toward the production and presentation of political knowledge so as to yield insight into the character of political participation. Because persons so engaged in observing and striving to understand are simultaneously participating in the very process that is being analyzed, the implicit expectation of such effort is that it will be a contribution to personal and public well-being. Understanding political participation from this perspective would provide useful explanations of human affairs and fuller self-knowledge to enquirers. This would, in turn, limit the harm that may be generated by ignorance and stupidity, carelessness and inattention to personal and public values and ways of organizing and deciding collective choices and actions.

Much information and knowledge about political participation are conveyed, communicated and made intelligible by the informal processes of living in a society. Within all orders by learning and living persons acquire an acquaintance with the political narrative of their country. When the political order is not in contention and experiencing turbulent and troubled times, this conveys personal and collective meaning to participants; order and governance appears credible and seems coherent and fair.

Various types of political data and scores of narratives comprise the warehouse of findings and the literature that explains American politics and the participation of people in the various activities that are broadly understood to be politics and government: elections, holding office, working for the government, writing about public policy, attempting to influence public decision-makers regarding the drafting and passage of legislation, the implementation of laws and the appropriateness of administrative, managerial and executive actions. Even the deliberation of judges and juries are forms of political behaviors. Moreover, breaking the law and suffering arrest has at times been perceived as a form of direct public action designed to call public attention to aspects of a legal order that cannot be effectively reformed by more traditional strategies and conventional tactics.

Such events provoke the emergence on a socially effective level of basic questions; and in so doing they reveal the crumbling or crashing of efficacious benefits of order producing religious and political institutions. Such events provide us with indices of even deeper and more substantial problems at the core of human meaning. Such problems invite philosophic search for explanations and provoke the design of actions of courage and creativity. Thought and action are required to provide critical clarification and persuasive voice to what is essentially true and desirable about the primordial realities of the personal and social order. Such ferment imposes new imperatives to discern relationships to nature and to the gods, to religious beliefs and to the development of practices that promote and sustain the social institutions and communities. Participation in religious and political orders is formed upon these relationships.

The ever escalating levels of crisis and collapse of imperial orders over several centuries has changed religious horizons related to the public affairs in several ways. Extreme proposals would

either banish religion in public affairs or compress the religious and public dimensions of social realities. Between these extreme are theories and practices of various types and levels as well as various blends and weaves best understood in their particular complexity and detail. A general theory of religion and participation in public affairs may emerge from particular case studies. This approach seems most appropriate owing to the interaction of the multiplicity the following factors:

- 1) world religious traditions;
- 2) the persistence of local ethnic patterns related to earlier epochs of decentralized modes of order that enabled the *pagan/ethnic* symbolizations, myths, rituals, cosmologies and theologies to become embedded in consciousness and social habits; and finally;
- 3) the specific forms of political/military/economic regimes and the personal and charismatic presence of political leadership and capacities to express unique goals and objectives for domination.

At the outset of this period of discovery and conquest these ‘new worlds’ of geographic, demographic, social, political and religious realities challenged Euro centric or Mediterranean explanations regarding the meanings of diversity. They posed questions regarding the models of religious conversion and the founding and legitimacy of political orders that were clearly beyond their experiences and traditions. A parallel encounter with Asian and Turkic powers and orders that penetrated the political communities of Eastern Europe and Orthodox Christianity prompted a similar crisis and a search for new explanations of the human and the divine and their relationship to each-other which was expressed in power and authority in the life of populations.

Taken together this epoch, now a period and process of over four-hundred years, can be viewed in hindsight as a process of massively powerful political and cultural forces. These abilities were grounded in the successful uses of scientific and technological knowledge and a self-proclaimed warrant for action as a world-historic force for change, ostensibly sanctioned by the success of its conquests. Sometimes they were justified by religiosity and forms of politics that appeared as secular saviors, instruments of sacred historical mandates, and claims of knowledge that bestowed rights to crush conventional and common sense in the name of revolutions.

Yet the same civilizational source that proudly and confidently produced such bloodbaths also contained other religious and philosophic dimensions rooted in the Judeo-Christian and Hellenistic traditions, many of which were sharpened in the process of blending Christianity into the scholarly traditions of the pre-Christian philosophic schools. Though hardly socially effective, such tools of analysis at their best are still enormously insightful as models of thoughtful and systematic enquiry. That is, when they were not used as doctrinal cudgels or marginalized by their insignificance to the elites that fostered the creation of new polities within which the seriousness of their teaching would be overshadowed and relegated to harmless antiquarian and archival musings. That a civilization influenced by Christianity could co-exist within an ambit that fostered such profoundly troubling questions is not only a historical question, but also an ongoing matter related to the general question of divine authority and human power.

Christianity is a community that included rituals, morality and law. Christianity was also employed as a civil theology in support of governing dynasties and courts, as well as the means of production, ownership and obligation. Yet Christianity was also linked to a disciplined, critically self-conscious explorations derived from the noetic, dialectic and hermeneutic approaches fashioned in philosophic schools of the ancient Hellenistic world of urban high culture. Philosophy and sciences were recovered, reconstituted and developed by intellectual elites in universities and

scientific academies of the European power centers that emerged within and in relations to these differentiated societies, economies, polities and local cultures, as well as religious institutions. These powerful and maturing societies engaged the entire planet in new forms of political participation that included the creation of new territorial boundaries and empires over which claims of sovereignty were proclaimed and within which new relationships were negotiated. Of particular interest to the topic of this study are the relationships of religious institutions and religious traditions to such polities. The existential power situation of these new polities and their claims to sovereignty pose entirely new problematics for religious institutions and traditions that would reopen the search for the authoritative and righteous in human affairs.

The colonial and imperial arenas of these European powers transported these problematics into the Americas. It is a history of conquest, immigration and colonization. It was also an articulation of new political orders created by immigrants and the colonial regimes; they fashioned relationships from this era that would become embedded in social habits and the institutional orders that emerged from the collapse of the dynastic elites of Europe.

The religious foundation through social and religious consensual agreements, "colonial charters and compacts" distinctively marked the origins of the American colonial reality. Religion and government were intertwined elements comprised of small-scale communities. Overtime the increased pace and magnitude of immigration injected another dynamic and a distinguishing feature to the process of colonial development. Understanding the relationships of Catholicism and Catholics to the American reality is a particularly interesting case of the general problematic of religion and political participation. Though rooted in the dynamics that are uniquely features of American development these processes reveal universal contours such as:

- 1) the various conflicts and contradictions that would emerge from the dilemmas that are inherent to the development of and intersection of religious traditions in pluralistic and growing contexts; and
- 2) the complex tasks of fashioning ways for such traditions to intersect and to engage the social realities within which they are embedded.

These topics frame a matrix of core questions. Moreover, answers need to be proposed with focused attention to the diachronic and cross-institutional dimensions of social development in the American context that includes religious pluralism and political participation. To explicate a comprehensive perspective on Catholic participation in American politics and its attendant relationship to other religious traditions and their intersection with the development American is clearly beyond the reach of the following short paper, but the following considerations should be framed with the larger set of issue so that enormity and expansiveness of the problematic of religion and politics does not slip from view.

Types of Change, Types Of Societies and Types Of Sciences

To address this topic requires a political science that is totally empirical and attentive to the entirety of the social reality and especially to the formative power of government, the need for specific differentiation among governments and regime developments and the use at least three types of explanatory and casual complexes. These complexes include:

A) the classical complex which point to constitutional orders and the causes of disturbance in such regimes, such as the misuse of power, economic and military change, population growth, civilization saturation, changes in social structure and the likely reactions to these disturbance which include the resistance to change, violent change and the cycle of constitutions ranging from Monarchy to Oligarchy to Democracy;

B) the Judaic-Christian complex which began with the exodus from Imperial order and the creation of a "metastatic faith" that expected the transformation of nature, man, society and history, experienced the firmness of reality and responded with either messianic, apocalyptic and Gnostic expectations or to compromised with nature and reality by adopting the Gelasian Principle;

C) the modern complex which begins with Hobbes and the later resumption of an updated classical complex in Machiavelli followed by Vico, Mosca and Pareto who opposed Gnostic speculation and expectation about the transformation of the world and society. This turn against dream world fantasies did not lead toward the recovery of realism, but rather implanted a truncated image of human nature and social. Human nature and social order were based on a new psychology of human passions, which ignored human desire for the *summum bonum*. The modern complex produced a modern remedy for metastatic politics. The moderns settled for a *summum malum* and the denied the quest for participation in the divine and human process and the responsibility to fashion a political reality founded on ontology and ethics and a religiosity sustained by its capacity to nurture the search for understanding and participation in the meaning of the holy. These modern approaches negated or ignored the traditions of *fides quarens intellectum* and *intellectus quarens fidum* found in the philosophical and theological complexes and thus some vision, however opaque, of a *summum bonum* became increasingly beyond the horizon of such thinkers.

Such eclipsing of the full complexity of reality was expressed in the Hobbesian psychology of disoriented and disordered human nature with the attendant logic for a new civil theology of an all-powerful state. It was also found in the individualistic, anarchic and romantic critique of institutions and their failures to assure happiness artful crafted by Voltaire whose prescription for happiness profoundly limited the human project. His injunction to cultivate one's garden became the recipe for individualistic privatism devoted to agricultural production. His strategy for making the best of a terrible chaos of the human condition was to avoid common evils of reality which he claimed were want, vice and boredom. His imaginative rendering shaped the modern project in many respects. And yet the modern era also includes a renewal of new messianisms, apocalypses, and reformulated metastatic expectations. These modern ideologies avoided mentioning their linkages to passionate religiosity rooted in the heretical and Gnostic aspects of Judaic-Christian complex. They focused on world-immanent forces and on the celebration of human action. Their constructions of historical pathways such as those fashioned by Condorcet, Comte, Hegel and Marx played themselves out in attempts at metastatic revolutions in industrial society and totalitarianisms. Another line of revolutionary action include anarchic strategies of total violence, wholesale rejection of western notions of religious and governmental balance, scientific and technological culture, ideologies of total critique and politics of destruction and the tactic of terrorism directed against globalism, modernization and urbanization.

These three approaches to the explanation and understanding of human affairs constitute a science of politics. Taken as a composite they appear to exhaust the possible discourses at the macro-level regarding politics and religion. Eric Voegelin developed these three complexes as a schema for the analysis of social change, religion and revolution. This schema can be used diachronically and cross-culturally because it was fashioned from the historical materials in

various cultures and the experiences and elaborations of explanations developed by representative voices of each epoch. Thus this science of politics is diachronic and models culture as a formative influence into the constitutive aspects of social realities under investigation. Voegelin was interested in and proposed a comprehensive science of politics grounded in textual knowledge and a comprehensive arrays of particular and social historical factors that comprised topics embedded in specific regimes. He was especially attuned to the formative significance of imaginative evocations produced by the founders of regimes. He was attentive to agents of regime changes. He understood that social realities expressed in some fashion the relationships that created experiential reality. He noted that such expressions included explanations and access to meaning found in the gods of a society, nature and the *plethos*, or the manifold of human types that constitute each cultural cluster informed by some form of consensual or coercively ordering. Thus a Voegelian science of politics seems most appropriate for enquiries into the relationship of religion and political participation, because within this expansive framework the linkages between these two powerful evocations of public legitimacy—reason and revelation—meet their common ground, i.e., the social realities within which they exist and contend for the minds and hearts of those that participate in the religious and the political in various modes of engagement and explication.

A science of politics of this sort begins with understanding the building-block of a social order *the plethos or the* manifold of human types that constitute each cultural cluster informed by some form of consensual or coercive shared ordering. Such an ethnology or demography may not determine the polity, but systematic attention to patterns of population, religious variety, ethno-national background are the elemental aspects of social analysis. A science of politics without social history cannot grasp nor enter into the wellspring of community forming relationships and social substances that are constitutive of political participation. In sum social analysis includes an ethnological and demographic foundation, accounts of the institutional capacities of a social order, especially of its abilities and methods of coercive and consensual organization regarding collective action and finally the substance of a social reality, its symbolizations of order expressed in the rituals, myths, tales, folklore as well as most other complex expressions of explanation regarding the commonly shared substances of participants of social realities that give socially effective answers to the mysteries of being: Nature, Gods, and History. Symbolizations of order of a social reality articulate answers to primordial aspects of being. They justify the existence of a particular social order and its participants and unify the *plethos* as a meaningful and meaning giving articulation of social existence. They exist within an ambit that is both religious and political. Both are modes of participation in social order and thus interact with each other in ways that can be documented, assessed, and explained by a comprehensive science of politics.

The malleability of populations through processes of institutional change and changes in the efficacy of symbolizations of order, the collapse of various methods and approaches of arriving at decisions to pursue collective actions reveal the social construction and destruction of human communities. Political, economic and religious participation that engages the most active segments of a population are indicators of continuity and change within social realities that emerge from the complexification of relationships that occurs are human communities expand, increase in size and take-on larger-scale activities that include specialization and diversities associated with urbanization and civilization.

Elemental Features of the American Social Reality

The American experiences of church, state, religion and participation in public affairs are rooted in European origins from the era of Christian Reformation. At the outset the extensions of the English, Dutch, French and Spanish and Portuguese regimes with their respective types of religious and political practices into the Western Hemisphere or The New World of The Americas mark an historical epoch of significant complexity for the problematic of church-state relations and the attendant question of participation in religion and public affairs. Among the issues faced by these empires were European encounters with indigenous populations. Except for very early experiences that constituted the making of European Christendom, followed by periodic encounters with the Islamic Caliphate and the Mongol Order of God, knowledge of diverse populations, cultures and religious traditions in certain respects began with the actions of these fledgling European empires. The expansion of political and economic participation also fostered new perspectives and changing perspectives among elites as well as ever larger portions of populations regarding public affairs and religiosity. Attendant issues included the formation of new colonial regime, and the movements toward independent polities and new arenas for religious and political participation. Such developments became real possibilities because of imperial decline. This devolution of religious and political scale reached the level of the republic or federal form of government. A full account of each empire and its particular answer to indigenous populations and religions, the formation of regimes, movements toward independence, the strategies related to immigration and religious pluralism is well beyond the purpose of this paper. Nonetheless framing the macro-level range of issues is a necessary aspect of understanding the elemental features of demography and religious pluralism in the American colonies that would become the United States of America

In the first half of the 17th century and until England's Glorious Revolution in 1688, the colonists were almost entirely of various English and Celtic groups predominantly English, but with some Scots, Scotch-Irish, and Irish. A variety of British and European political religious factors led the various national migrations to the New World. For this reason, various ethno-religious populations tended to arrive and settle in clusters. For example, the revocation of the Edict of Nantes in France in 1685 induced the French Huguenot emigration. The Peace of Westphalia after the Thirty Years War prompted Germans to leave their homeland. Restrictive legislation drove the Scotch-Irish from Northern Ireland and the immigrant experience itself hardened attitudes toward the English. Horrendous conditions in the English ships that brought them to America, surprised by indentured servitude and hurt by the separation of families, few of these new immigrants could replicate the founding of a religious/political compact as did earlier settlers. It was immigrants not colonials who flocked to such recently opened areas like The Carolinas, Pennsylvania, New Jersey, and Georgia.

The Jamestown colonists reached Virginia in 1607 and established an English colony on the continent. A curious connection of Jamestown to a Catholic Country, Poland has wended its way into a symbol of Polish American participation in the American founding. Artisans in the colony went on strike and did not settled until the colony, not only paid better wages, but also included the workers in citizenry of the colony. The veracity of the case has not limited the establishment of a historical marker at Jamestown and the inclusions of this story as an indicator of Polish American Catholic values and action regarding citizenship and participation as co-equal to fair wages. Thus economic and social/political justice values have been riveted to the political lore of Polish Americans.

The only other colonies in the South before 1663 were Maryland where the first settlers arrived in 1633, and Delaware, founded as New Sweden in 1638. Delaware, conceived as a commercial

enterprise, was never a vigorous farming colony like the others and had about 500 persons by 1660. Virginia and Maryland, though their populations were almost exclusively from England were driven by religious visions sharply different from each other and from the theocratic thrust of New England; the religious traditions of the populations can be viewed as the sources of their alternative pathways and their dissimilarities to New England's social and economic structure. Under the head-right system of land tenure, large amounts of land were granted to persons who underwrote the cost of passage for immigrants, which would be repaid by indenturing them. This practice gradually assisted the creation of large planters and encouraged the importation of persons obligated to work for a period of years to pay for their passage. Many wanted to leave England and some were convicts and others who were perceived by the English government as expendable or undesirable. By mid-century four general classes had emerged in the Chesapeake region. At the top were the great planters, usually tobacco producers, a class that became more visible and numerous by 1700. Below them were the small farmers who did not have the resources to employ or import large amounts of cheap labor. The third class was made up of indentured white servants, who chose to advance into the second class when their servitude was completed. At the bottom of society were the Negro slaves, a class that was beginning to increase dramatically about 1660 as planters found that their indefinite terms of service made them more desirable. The younger sons of English nobles and the more prosperous representatives of England's middle class, were sent to the colonies to seek their fortunes.

Because Maryland was founded for religious as well as economic purposes, its development was somewhat different than Virginia's. Sir George Calvert and his son Cecilius, first and second Lords Baltimore, wanted to increase the family fortune, but they also wanted to shield fellow Roman Catholics from persecution in England. A royal charter and help from the established Virginia colony made frontier life relatively attractive from the beginning in 1634. Maryland's Act of Religious Toleration in 1649 illustrates the centrality of political participation to the protection of religion. Protestants and Catholics supported the Act in the face of Cromwellian zealots from Virginia who toppled the regime for a period. Maryland was the locus of English Catholics and pivotal in shaping relations with Rome after the Revolution. This was due in part to Franklin's relationship with John Carroll. A descendent of the founder, he was chosen superior of the American mission and in 1789, after Rome authorized the clergy to elect a bishop, Carroll became the first American Bishop and Baltimore the first Archdiocese and the core from which new dioceses in America would grow. The history of the Church as institution that would be derivative from its early founding within the English tradition was interwoven with fledgling political acts by clerics and Catholic laypersons. They first negotiated and established religious toleration and later the political participation of other Catholics in the War of Independence. The efforts of other Catholics such as Lafayette, Pulaski and Kosciusko that have entered the civil hagiography associated with Catholics in American politics as would Daniel Carroll, signatory of the Articles and U. S. Constitution.

The economic, political, and religious ferment of Europe prompted the first of a series of new immigrations among several groups. This initiative and response would be minuscule for France and Spain, but it would widen the horizon of reality for the English, whose original option for isolated, compact religious/ethnic cohesion as opposed to the wide gauge diversity of the Catholic imagination of whose spirituality addressed an international world.

From the outset, English colonial development outpaced Catholic Spain and France in the Americas. During the period from the mid-17th to the mid-18th century, the Anglo-American population grew steadily. But as the mid-pointed of the 18th century approached, there was an

immense increase in total population—from 75,000 to 1,170,000—and significant demographic change with long-term influences. The population in 1660 of non-English immigrants had limited influence, except in barely emergent pockets like New York and Delaware. As the colonials approached Independence, non-English residents emerged as a force. Their impact has been muted in the historical political consciousness by a textually- dependent science of politics, by the devaluation of pluralism and by the creative tension it produced in the formation of certain aspects of social formation of the American reality. The relationship to the indigenous peoples by Church and the polity in this early period may reveal the sharpest differences between the Anglo-Protestant and Catholic world views and institutions. The removal and marginalization of indigenous people and America's 'final solution' began in this era.

The growing concentration of slaves in the South may be seen in their increase from about 22,000 in 1700 to about 510,000 in 1780; in New England the increase was from about 1,700 to only 24,000, and in the Middle colonies their numbers grew from 14,000 to 142,000. During the last part of the 17th century, from 1660 to 1700, both New England the South increased their populations by about 300%, while the Middle Atlantic, newly opened by the English and starting with a much smaller base, rose by over 1,000%. In the next 50 years, New England rose another 1400% to 360,000, and the Middle Atlantic shot up 500% to over 265,000. The South also grew by 500%, showed the greatest numerical increase, which in part reflected the enormous slave importations. Virginia's slave population rose from 16,000 to over 100,000; Maryland's from 3,000 to 43,000; South Carolina's from 2,900 to 39,000. In 1750, on the eve of the period that brought the savage French and Indian Wars and the Revolution, plus the birth of the new nation, the American colonies' population had gone over the 1 million mark.

Another aspect of the early demography included persons and peoples primarily from Africa and the West Indies, not voluntary immigrant or those pushed and pulled by factors in Europe, the vast majority of them were slaves. The opening of the southern regions increased the use slaves as planters of rice, cotton, and tobacco needed vast amounts of labor. More than 450,000 slaves were added to the population by 1790. By the end of the Revolutionary War, most individual southern states had more slaves in their population than the entire North. Virginia had well over 200,000, and Maryland and the Carolinas all had over 80,000. Although the colonists were aware of the growing dichotomy between North and South and between white and black these factors could not be assessed accurately until 1790, when the first census provided a population profile of colonial America.

At the center of the American reality—its religious and ethnic demography, a historical cultural practice and saturation and regional variations and specialization are definitive elemental features and thus endemic to large regimes. Understanding and documenting social history and demographic structural features are essential, though elemental, aspects of a science of social orders. In complex and pluralistic the central institutional task of a regime is to fashion political participation so as to adequately engage pluralism into representation and consent. This repeatedly presented dilemmas for the polity and for participation of America's religious traditions and values within the developmental agenda of other forces at work in the regime. For example, the colonial America's sectional differences can be measured as racial and ethnic, religious and political as well as topographic and economic use diversities of land and water, which influenced the choice of strategies and forms of development.

During the next four decades the population almost quadrupled. The colonies last turbulent decades saw the elimination of serious Indian threats east of the Appalachians, the subsequent penetration of the Appalachian barrier, continued large-scale increases in the black slave

population, and the final rupture with England that led to the founding of the new nation. Immigrants continued to arrive during these 100 years, primarily from the British Isles. Many English joined a steady stream of Scots and Scotch Irish, at least until the Revolution. Although many non-English people were still coming, their migrations were steady, rather than intermittent, as in the preceding century. New arrivals contributed to the growth of eastern seaboard towns, and Philadelphia, which had 18,766 people in 1760, had become a city of about 28,000 by 1770. On the eve of the Revolution, Boston's population of 17,000 made it the second largest city, and fast-growing New York, with its excellent harbor, was the third largest.

Even though the English wanted to develop the eastern states as a market for English goods and therefore forbid colonists to settle beyond the mountains, Americans poured into that region. Kentucky, which had only 2,500 people in 1770, grew to over 7,000 by 1780, despite the Revolution. After the war, the flood began. Kentucky increased by tenfold in a decade, and Tennessee, with only 1,500 people in 1780, shot up 2,000% to over 35,000. The men and women who were determined to push west were from the same stock that had dominated the Frontier regions on the eastern side of the mountains: primarily Scots and Scotch Irish, with some Germans. They had grown increasingly dissatisfied with the colonial government during the last few years preceding the Revolution and wanted to be beyond the pervasive influence of the governmental structure. This religious mentality of the unchurched and Free Church tradition of direct unmediated, non-sacramental forms of parochiality, rurality and perhaps a new American *ethnos* in formation would additionally add variety to the social and to the subsequent tasks of creating new states and weaving them into the fabric of the federal republican order that would become their future.

The great Celtic migration to colonial America all came after England's Glorious Revolution in 1688. Although the argument is still made for a Celtic ethnicity more fine grain analysis suggests that ethnicity is truly a local identity and that generic terms such as The Celts are less relevant than the politicized ethnic identities of these immigrants: the Irish, Scotch Irish, and Scots. This composite became the second largest identity group in the colonies, making up 18% of the population in 1790. They were distinguished not only by their local identities, but also by such experiential differences as religious traditions and political conflicts and wars. These shaped their mentalities, mythologies and relationships ever so long as credible stories could be told and contemporary realities could be entered into the hermeneutic of personal identity and political action. The Roman Catholic Irish from southern Ireland were unmercifully persecuted after the accession of William and Mary, not simply because they were Catholic, but they also had supported the deposed James II. Most were too poor for escape, but those who did leave Ireland found a new start and new front in the Middle and the Southern colonies. Given the paucity of institutional support in the colonies for Catholics many lost the practice of their faith.

The Lowlander Scots where they emigrated were quite similar to the English and the more independent Highlanders who left Scotland in large numbers after participating in unsuccessful rebellions against the English government in 1715 and 1745. The Highlanders founded their own isolated communities. The Scotch Irish and Scots, were highly visible frontiersmen. Acts of Parliament, ranging from a prohibition on wool manufacturing to the virtual outlawing of their religion, combined with drought, disease, and the rapaciousness of English landlords to drive them from northern Ireland, where they had originally been 'planted' by James I in the early 17th century. They came to America already hating the English and were widely dispersed, with the largest concentrations in Pennsylvania and the frontier regions of the South. The largest group of non-English immigrants were Germans, who settled throughout the colonies, notably in

Pennsylvania. Pennsylvania provided a warmer welcome for the non-English than the colonies with predominantly English populations.

The first large-scale migration was by Protestant Germans from the Palatinate: they moved to England in 1705 and then to the colonies, primarily New York. Conditions in New York drove them to accept Pennsylvania's invitation to settle there during the 1720s. Their friendly reception led other Germans to Pennsylvania and launched the chain migration pattern. By 1750 there may have been as many as 70,000 immigrants and descendants of immigrants. Germans settled in the frontier regions of the South.

Separate from the Germans, but similar, were the 20,000 Swiss, most of them from the German speaking cantons. They came mainly to Pennsylvania and the Carolinas, with half arriving between 1734 and 1744. Germans retained their language, customs, and culture. They adhered to several Protestant sects and were not active in the political and social life of the colonies.

From 20,000 to 400,000 French Huguenots emigrated soon after 1685, and they established French pockets in lower New York, Virginia, Charleston, S.C., and Massachusetts. They were influential out of proportion to their size for they included a high percentage of upper-middle class and professional people. They contributed names like Boudoin, Revere, Faneuil, and Jay to colonial America. Another 5,000 French (Acadians) scattered throughout the colonies in 1755 migrated to Louisiana where, along with immigrants related to Spain and France, they founded the bases for the Catholic Creole culture alongside the Spanish Missions of the South West and West, these are the remnants of Catholic immigration that would add to the historical account of Catholic participation in America in a variety of ways. This contributes to the another version and vision of American development from within the Catholic orbit of pluralism and explains its wider horizons of faith, culture and politics

The Dutch were concentrated in New York and New Jersey. After 1664, when the English captured these colonies, they were joined by large numbers of English. There were only about 10,000 Dutch in the colonies in 1700. Their political institutions were cast aside after the English annexation, and the use of their language declined drastically before the Revolution. Scandinavians, mostly Swedes but also a few Finns and Danes, were concentrated in the Delaware River Valley. Jews, many of whom were originally Spanish or Portuguese, were scattered in families or small groups throughout the colonies, but their main settlements were in Newport, R.I., New York City, Charleston and Savannah, S.C. Primarily traders, they were discriminated against socially and politically, but were able to thrive economically.

Massive migrations had altered the ethnic composition of the American colonies by 1750. New England, thoroughly settled by the English by 1660, was least affected. But even in New England, particularly the frontier areas of the future Maine and New Hampshire, were heavily populated by Scots, Irish, and the Scotch-Irish. The English dominated the Middle and Southern colonies. Not only were the earlier differences among the sections of New England, Middle and Southern colonies sharp, but also differences within these three regions were also present. The two societies, the coastal and the frontier were not alike ethnically, politically, economically, socially, or religiously. In the tidewater regions, monopolistic control of land, religious intolerance, and minority rule were defended, as they permitted the descendants of the earlier settlers to maintain their dominance in all sectors of colonial life.

Catholic Participation in America

Immigration had indeed shifted the religious center away from the affinity was directed to the 'monastic' communities of Puritanism and its desert spirituality of perfection, austerity, asceticism. These neither celebrated human excellences nor joyfully cooperated with nature in the tasks of work and the creative proclamations of ritual, enhanced by arts and crafts and complex orders requiring law and learning that an urban life could produce. The truth be told, such a construction of a Catholic urban culture would be centuries away owing to the pace and path of Anglo-American spiritualism and development .

In the early 18th century, European immigrants continued to pour into the colonies. The backwoods areas beyond the tide-water experienced a population deluge and the coastal areas were stimulated by such growth. In this pre-constitutional era the population increased dramatically. The archetypal contrast between heartland small farmers scratching out a living from a hostile environment and the coastal zone of an emergent civilization would interact in ways that forecast the sectional differences that emerged and rural- urban differences that intensified during the 18th and 19th century and exploded in the 20th century. Within many colonies the English were the 'coastals' and dominated the tidewater, the European others would forge another America from the backwoods and piedmont and farm.

Such nascent sectional differences were inevitable for a large country and pose unique regime development issues. Within this context differences would include the urban church and the rural unchurched, the paucity of ministers and priests, and a dissident Free Church tradition. But a deeper anxiety would be welded unto this framework. The new material and its source was the growth of a Catholic population and the diocesan institutions of the church including schools at various levels, a celibate clergy and nuns in convents, specialized 'alien' celibate organizations committed to building the Catholic presence—Jesuits, Franciscans and later Benedictines with their breweries that troubled even the Irish priests. The use of alcohol would become a complex issue of social and personal value, as would anti-immigrant prejudice and law and the perceived lawlessness, disease and disorder of urban industrialization. A century later Irish urban populations would rekindle the already deeply embedded anti-urban spirituality. They would exacerbate relations by their creation of a Catholic landscape within reach of the core well-springs of the American spirit. The growth of the Catholic presence under the pressure of diversity might suggest that the American reality was becoming much more urban, ethnic and Catholic than its founding Anglo and Protestant impulse could have foreseen from the first experience of pluralism in America. Not too curiously, the muting of the early signs of diversity have been neglected and ignored owing to the celebration of American citizenship. This nonetheless was in fact possible only because of the nurturing it gained from the pluralistic civil society that could emerged from the endowment of its population and the mentalities that would be formed in this crucible.

From 1630 until the early 1700s, the political and religious climate in England made life there uncomfortable for the Puritans: an estimated 20,003 emigrated to New England. When Puritanism became ascendant in England in the late 1640s the tide of immigration slowed, but a population base had been built in New England that assured continued internal growth. Soon after colonists began arriving, Massachusetts was settled in the manner later thought typical of New England: small farms, compact villages and towns; peopled by independent farmers, skilled artisans, and merchants. The Puritan elders were determined to prevent dispersion over a wide area and to promote a sense of community. As early as 1621 magistrates were given the power to found towns. Tracts of land, usually about 140 miles square, were granted to proprietors, who developed it and were given powers of government. The town was made responsible for a church. The colony put a premium on land use. Agriculture was intensive rather than expansive, as was the practice in the

South. Farms were small, averaging front 50 to 200 acres, and were usually tilled by the head of a family and his sons, plus an occasional hired man. New England tended to be settled compactly. Although agriculture was the economic mainstay, New England had a diverse economy that contrasted strikingly with the economies of other sections of the colonies. There were fisheries and wood, ship-building, textile, and shipping industries. The other New England colonies, the future states of New Hampshire and Maine, had few settlers—about 1,503 in New Hampshire and slightly over 1,000 in Maine by 1660—and were primarily English. The New Hampshire settlers felt too weak to stand alone and put themselves under the protection of Massachusetts in 1641 but became a royal province in 1679. Maine remained separate from Massachusetts until 1691. Although Connecticut was not chartered until 1662, Massachusetts Puritans looking for better land made the first settlements in 1635. Connecticut continued to attract Puritans throughout its early history. Rhode Island, founded by Roger Williams in 1636, was the first notable example of flight from an intense religious/political regime in America. Although not formally chartered until 1663, Rhode Island had much earlier become a haven for dissident Puritans much earlier.

By 1750 New England colonies of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut were nearly entirely English. The scarcity of good, cheap land and New England's religious intolerance diminished its attractiveness to non-English settlers. The Middle colonies of New York, New Jersey, and Pennsylvania had a population that was more than half Dutch, Scotch-Irish, German, Irish, Scotch, Swedish, or French. In the Southern colonies of Delaware, Maryland, North and South Carolina, and Georgia the coastal regions were still primarily English, while Scotch-Irish and German elements usually settled the western regions. These three sections constituted a distinctly Protestant ethno-religious demography, except for the tentative presence of Catholic leadership and landowners in Maryland which would be ousted from power and then return to power with a new political strategy of toleration. The overall social sensibility and institutional ambit was Protestant. After the Glorious Revolution, when the colonies had a population of slightly over 200,000. British monarchs discouraged emigration and the flow of new English colonists slowed to a trickle.

The competition in Europe, which began nearly two centuries earlier, between Spain, France and England—two Catholic countries and one Protestant—, now extended into the New World. The epoch of immigration and colonization would shape the next and final phase of imperial contention. Immigrants would flee to Anglo-America because of general recessions and as a consequence of the political/religious settlement in continental Europe following the end of the Thirty Years War in 1648. Immigrants sought salvation and a new start in America and attention to this issues is a defining religious and political attitude.

During first half century of America's development, settlements were concentrated along the northern half of the eastern seaboard. The areas of greatest activity were in New England and in the Virginia-Maryland region. The present New York and New Jersey, which took up most of the coastal strip in between, were sparsely settled, partly because the Dutch and the Swedes who controlled then did not colonize on a large scale and partly because much of New York was either held by hostile Iroquois Indians or by a few large landowners. Although various economic, geographical, political, and social factors were soon to accentuate differences among the colonies, their similarities during the period to 1660 are striking. The bulk of the population came from England's middle and lower-middle classes and was Protestant. A family's holdings were usually limited to the amount of land the family could farm. Although they had left England, the early Colonists' ties to the mother country were much stronger than those of the Celtic and European immigrants.

New England and Massachusetts experienced rapid growth in the early 17th century, primarily because of the exodus of Puritans from England between 1630 and 1640. In 1620, 102 people landed from the Mayflower to begin Plymouth Colony. By 1630, Massachusetts Bay Colony, chartered in 1629, had about 500 inhabitants, while Plymouth, which remained independent from Massachusetts until 1691, had about 1400. Then, in the next decade the colonial population reached 10,000, and by 1650, when immigration to the region had slowed considerably, it was over 15,000. During the years from 1650 to 1663, the two colonies combined population climbed another 22% to go over 22,030. Massachusetts Bay and Plymouth, like that of the of New England, was nearly exclusively English, many from the English middle class with similar personal habits and customs, religious orientation, and social ideals. The presence of this middle class buffered the powerful upper class and a servile lower class. By contrast, Virginia, without a significant middle class, produced an elite gentry and a downtrodden lower class. The religious roots of the two Massachusetts colonies derived from the first immigrants and their determination to achieve religious autonomy and isolation. The earliest Immigrants continued to arrive during these 100 years, primarily from the British Isles. Many English joined a steady stream of Scots and Scotch Irish, at least until the Revolution. New arrivals contributed to the growth of the eastern seaboard towns, and Philadelphia, which had 18,766 people in 1760, had become a city of about 28,000 by 1770.

When the Revolution began, these frontiersmen, many of whom came from ethnic backgrounds that either hated the English such as the Scotch Irish or were indifferent as were the Germans were among the most determined opponents of the English. Unlike many of the tidewater colonists, the people of the frontier felt no kinship with the English and showed no mercy toward those who exhibited sympathy for the English. As in the previous century, those areas in the colonies that were the least settled attracted the greatest numbers of colonists. The difference between the 1750-790 period and the previous century was that there were fewer unsettled areas, so increases in those areas that did not have large populations in 1750 were spectacular. The rich lands of New York, once the Indian threat was removed and the influence of the large landowners somewhat reduced, were a favorite objective of immigrants. From a population of 76,000 in 1750, New York, even though it was one of the main battlegrounds of both the French and Indian and the revolutionary wars, grew to 202,000 in 1770 and 340,000 in 1790. Another rich area for immigrants was the far South. Newly opened Georgia increased from 5,000 to 80,000 while South Carolina jumped from 64,000 to 249,000 and North Carolina from 72,000 to 393,000.

Massive migrations, therefore, had drastically and irrevocably altered the ethnic composition of the American colonies by 1750. New England, thoroughly settled by the English by 1660, was least affected. But even in New England, particularly the frontier areas of the future Maine and New Hampshire, infusions of Scotch, Irish, and Scotch Irish elements were heavy. It was in the Middle Atlantic and the South, where the English could open up new land to settlement that the population pushed out beyond the coastal regions, which were still dominated politically, socially, and economically. Not only were the earlier differences among the sections of New England, Middle Atlantic, and South sharp, but also differences within these three regions were also present. The two societies, the coastal and the frontier, were not alike in ethnic make-up or in political, economic, social, and religious beliefs.

In the tidewater regions, monopolistic control of land, religious intolerance, and minority rule were defended, as they permitted the descendant of the earlier settlers to maintain their dominance in all sectors of colonial life. During the 18th century intermixture of the two societies was at a minimum. Since immigrants that arrived together tended to settle together and preserved their

heritage a mosaic or clustering of such mentalities and customs continued and extended within the federal framework.

On the eve of the Revolution, Boston's population of 17,000 made it the second largest city, and fast-growing New York, with its excellent harbor, was the third biggest. The French and Indian Wars (1757-1763) ended with the expulsion of the French from all areas in North America that bordered on the colonies. Indigenous nations were no longer supplied and assisted by the French, Kentucky, which had only 2,500 people in 1770, grew to over 7,000 by 1780, despite the Revolution. Kentucky increased by tenfold in a decade and Tennessee, with only 1,500 people in 1780, shot up to over 35,000. The frontier regions on the eastern side of the mountains: primarily Scots and Scotch Irish, with some Germans included a Catholic presence that would lead to the founding of the Gethsemane Abbey which more recently became a popular icon and place due to the presence of Thomas Merton, author and religious intellectual force of post WWII American Catholicism. It was an interesting locus for ongoing discussion of participatory spirituality and a retreat into an enclave of liturgical worship and work that replicated the European Catholic process of rural stabilization and cultural preservation in the face of civilization collapse. A glimpse into the various pathways and traditions of Christianity has been ably crafted in Gannon and Traub's one volume survey, *The Desert and the City: An Interpretation of Christian Spirituality*. This historical view of essential Catholicism highlights the extremes of world-fleeing and action-engagement that were unified in Merton's retreat and vigorous participation through his work and the engagement in active contemplation related to social justice and pacificism in the American Catholic tradition. While such examples of spirituality are fascinating and spiritually and intellectually stimulating, attention to such micro-level factors does not present the matter completely. A macro-level view of the development would include such early points of participation and tension as: Catholic slave holders and the Church's teaching on the limitation of slave-trade; the first Catholic Supreme Court Justice, Roger Taney and his role in the *Dred Scott v. Sandford*; Catholic participation on both sides of the civil war, and the Irish Anti-Draft Riots of that period.

As the American polity entered into another modality of political participation the processes of group participation become very important. New elites entered the arena and as the arena became a larger scale and growing regime with an immigrant, urban, ethnic social reality the particular dimensions of Catholic participation emerged. In this dynamic fashion a new arena and a new politics emerged within which Catholic clerical leadership and the building of a parallel world of institutions with the American reality would, on one hand, reflect draw hostility to Catholics and on the other represent another world of meaning and relationships. The subsequent activities of the clergy, and members of religious institutions of Catholic Church in the modern civil rights movement are a remarkable period. Accounts of such highly visible clerical representative of Catholic participation have been collected by Madonna Kolbenschlag, editor of *Between God and Caesar: Priest, Sisters and Political Office in the United States*. Her volume traces the history of this form of participation into the period of controversy of mid 1980's when John Paul II affirmed the canonical prohibition on religious and clerical direct government and partisan engagement.

Another perspective on Catholic participation in the American reality was voiced in 1963 in Daniel Callahan's *The Mind of the Catholic Layman* and revisited in 1977 in the Chicago Declaration of Christian Concern, and a subsequent collection, *Challenge of the Laity* and in scores of articles in *Commonweal* and *Initiatives*, a journal and newsletter which address the engagement of Catholic layperson in public affairs of the American polity. Currently participation in American

political culture has turned toward the institutionalization of affinity, identity and single-issue interests, which has created as a parallel world of representation devoted to the practice of interest group accommodation and electoral mobilization designed to inform and pressure the behavior of elected officials. While treatment of this phenomena and the problematic of organizations and members must be set aside for further elaboration, it should be noted that the activities of religious interests and issues are increasingly visible and apparently potent forces. A research agenda regarding relationships between organizations and populations should include religious institutions that have emerged in the Catholic orbit such as the publications of the US Catholic Conference and pastoral statements of Conference of Catholic Bishops. These institutions in the post Vatican II world of Catholicism and the activities and perceptions of Catholic population that are accessed through opinion collecting methodologies indicate features of participation that should be understood as another aspect of participation within the American reality and the complexity of adequate and accurate mediation between persons and large scale institutions which is a central aspect of large scale regimes and the maintenance of attunement of government with the society reality it must govern.

These developments and institutional changes mark a phase-change and a certain transformation of the American social reality. Such demographic and institutional shifts toward religious and ethnic pluralism would have significant implications for the polity, especially for maintaining the system of representation designed for the polity. In addition, this new experience of pluralism at close range within the Catholic world would include the entire array of regional rural and urban identities and new American identities of immigrants. Such development renewed for the first time since the Church's Mediterranean foundational period, the problematic of significant diversity and pluralism. This included the challenge of thinking through the issues of enculturation of the Christian message in various ways while simultaneously expressing its Catholicity and its signs of authenticity—one, holy, and apostolic in communion with Rome, the Church, its bishops and the See of Rome. The processes of ecclesial, cultural and institutional formation from the American founding to the Post-Vatican II era of Catholicism would intersect with the American reality on many levels.

The development of usable history and current account of Catholicism are important because they are aspects of understanding and explanation the American reality. These materials required to probe current possibilities for participation of other religious traditions in the American reality and for interpreting the outreach of American power in the processes of globalization and world security. Religious participation intersected politics frequently because of the nearly total politicization of relationships. A Catholic dimension may enter the welter of issues, concerns, claims, aspirations and agendas for the provision of public services, regulation of land use, taxation. The addition of a Catholic factor concerning representation in the regime through advocacy for particular constituencies, endorsements and electoral campaigns is an obvious feature, but many others such as clerics in public office, the efficacy of national, state, local, and international and interregional approaches to issues that appear to beyond the sovereign of governments, and the efficacy of delivery of the wide array of available and desirable public services through community-based institutions are particularly salient aspects of the public arena that affected religion. Education, government employees, tax-exemptions, product and services liability, work-place rights, pensions and health care all are related to the official institutions of Catholicism and to Catholics as public-employees, decision-makers, voters and persons and groups effected by these and other aspects of the American commonweal.

At the macro-level the central and persistent issue of Catholic participation in the American political participatory in the electoral process and in the influence of large scale immigration and its implications recasting the arena for religion and politics within the electoral contentions for representation and governmental power in America. Immigration has affected every Catholic in America and Catholic immigration to America has transformed the American social reality.

Macro Level Dimensions of Catholic Participation in the American Regime

More than two hundred years of American politics the attendant accounts and narratives have produced a canon of discourse about such activities that is remarkably silent about the relationship of religion to politics. This is not to say that religion and politics have not been deftly woven into the fabric of American society. But that the literature that attempts to explain politics has discovered that other indicators that measure political behavior, activities and governmental policies seem to be more reliable sources for the construction of credible accounts that not only enable Americans to play at, or to participate in, politics with the seriousness it deserves. This is to say that politics is not invested with the profundity of meaning and the ultimacy of claims reserved to, and demanded by, religious commitments. This disengagement of realms has a traditional ring to it that is echoed in all American civics of separation of church and state, religious freedom, and limited government. Even the New Testament Christian biblical teaching and text, Render to Caesar what is Caesar's and to God What is God's, can be and has been drawn into this discussion as evidence of an ancient and foundational dimension of the importance and rightness of a valued differentiation in social existence and its values. However, when the above answer regarding appropriate 'renderings' reveals a socially effective lack of self-evidence and consensus then the public arena and political participation seem to be infused with spiritual intensity. Perhaps such conflicts and confusions reach even in the deepest recesses of the hearts and minds of those that might be expected to be the persuasive healers of such breaches and gaps in social values, religious morality and governmental action.

The emergence of such tensions, the attendant crises in the wake of fundamental questions of human values, the uprooting of human cultures and the exposure of their essential characteristics for public scrutiny and public action are at times troubling for any country. But they also measure a peoples' capacity and resiliency because such crises can be converted into a new moments of growth and health that is regained in the crucible of suffering. To overcome hatreds with new bonds of union that reconstitutes the attunement of people with their politics, and their politics with the mystery of wisdom, required for a political order that pursues liberty and justice for all. But the repeated need to renegotiate its practices as it aspires to meet its promises is the test of participation. Prior to the period of mass immigration from Eastern and Southern Europe, the American religious and political people was configured in the following array:

Strong- Whig Republican:
African Americans
Scotch-Irish
Quakers
Swedish Lutherans
Moderate Whig-Republican: Yankees
English
British Canadians

Moderate Democratic:
Dutch Reformed
German Lutheran
German Reformed
Strongly Democratic:
French Canadians
German Catholics
Irish Catholics
Southern Whites

Kantowicz provides the following calculus of ethnic constituencies distinguished by their expectations of government:

Groups desiring a morally activist government, one that would intervene to impose moral standards on society, have traditionally favored the Whigs or Republicans.

Groups indifferent to, or threatened by, a morally active government, who instead favored a laissez-faire or hands-off attitude on cultural issues, supported the Democrats.

Pietist Yankee insiders upheld the Whig-Republican tradition in order to advance prohibition and Sabbatarian ideas; blacks supported the same tradition in hopes of a morally activist position on slavery and black rights.

Catholics, Lutherans, and others who respected religious dogmas as teachings integral to their identity supported the Democrats in order to ensure a hands-off attitude on religious issues; so, too did white Southern pietists to ensure a hands-off attitude on racial issues.

The new mass immigrants were socialized into this array of political groups and dispositions toward government. During this period of political participation the new immigrants from Eastern and Southern Europe and the rewards and recognition provided by the losses and gains in the Electoral College and the House of Representatives was evident but muted by persistence of nativistic, anti-urban, anti-labor, anti-Jewish, and anti-Catholic feelings, and even the estrangement between Eastern and Southern European Catholics and Irish and German their supposed communicants. Such are in broadest outline the personal sentiments as well as the institutionalized mentalities that persisted in American culture and constitutive of the discourse and praxis of political participation and religion.

Fine grain detailed and wider gauge interpretations and the compilation of evidence and materials is needed for the ongoing reflection and work of comprehending the foundations of personal and collective values. This can be enhanced by a science of politics, which enables the critical clarification of self and society. This is needed before doing something that yields harm without healing and thus ends the real possibility of sustaining politics and the need to replace this noble human-divine art with some form of conquest, control and terror. More insidiously, there is danger of forms of isolation and denial of public order and its capacity to sustain a fuller and fairer human culture. These must be attuned not only to its government, but to the divine ground of mystery and history, to the pluralism that human imagination has contrived in stories and actions that account for our being and the world, to what we ought to say in answers to primordial human questions: "Who am I?", Who are we as Americas? And what is the purpose of our common life and our relationship to others?

The discussion of these questions can be engaged by recapitulating the development of American political participation. Though Catholics are new to America they have been engaged in politics for a long time. Some say: they wrote the book!

There are a variety of ways to explain American political participation and a variety of participants in the process and activity that constitute American politics. Among the most promising ways of explaining political participation is to tell the story to provide an account or narrative that represents the types of political participation, the various ways Catholics have entered the story or perhaps the historical drama called "participation in American politics". Every story has a beginning and writing or telling a story does not usually begin with explaining how and why the story will be told. In fact, an explanation about the how and why of any story is another story. A story or a narrative account is a form of communication that makes something, someone, some happening, and some process, even some relationships between all of these realities present to a reader or listener.

Before an attempt to explain what could be included in a story about political participation, and before some explanation about the particularities of Catholics and the types of participation in American that are especially vivid can begin, another preliminary feature ought to be mentioned. For any efficacious representation to occur requires that some experience of curiosity about, and attention to, and interest in, the topic be shareable. Some initial interaction between the partners in the effort of communication can be negotiated so that both the presenter and the recipient can sustain curiosity, attention and interests. Such initial confidence, docility and goodwill are required at the outset of their relationship to avoid the sort of trailing off into inattention and boredom that occurs when stories are no longer interesting. The significance and meaning to the story must prompt both the teller and the listener, the writer and the reader to see the story as an invitation to explore the realities themselves from which accounts of political participation are derived. The following chronological guide arrays materials and presents questions that can be used to fashion fuller and more detailed accounts of Catholic political participation. Setting it in a wider theoretic framework widens the horizon of thinking about political participation and the relationship of such thinking to religious activity, which has emerged (surprisingly to some analysts) as a feature of American political participation in unexpected and stunning ways.

Beginning over twenty-years ago, the entire modernization project that seemed to be clearly the pathway toward progress was stopped in its tracks when an Islamic revolution captured the imagination of Iran and baffled the model-makers as well as policy-makers whose intellectual maps or stories did not include religious motives for political characters. A decade later in Poland an organically Catholic movement, Solidarity, overwhelmed the vanguard of atheistic communism and its claim that religious consciousness was illusory, that scientific, *DiaMat* was a systematic and comprehensive approach to the contradictions of economic and political development which led to a realm of freedom and the end of alienation. In that system alienation at its most profound level was caused by false consciousness perpetuated by classical philosophic thought. The theological, religious, and critical historical methodologies, as well as the radical existential phenomenologies and attendant theories of consciousness renewed engagement with the plural puzzles of reality. The upshot devalued both Communism and Enlightenment liberal positivism. Both of these 19th century models and recipes for political action, though seemingly different from each other, both suffered from similar mono-causal explanations and truncated philosophical anthropologies. Their capacity to explain and guide the human condition and public affairs were challenged by new scholarly currents. Moreover, the social praxis and personal insight, which

rebuilt the scaffolding of the human and spiritual natures, exposed the fallacies of reductionism and re-articulated the political as an arena of human action.

The recovery of human agency as a cause of structural and institutional factors supported the findings of organized science that had already refocused political science on the fact that institutions mattered, and that processes needed to be contextualized, and that the rules of those contexts shaped agendas and opportunities for leadership, initiatives and policy changes. These findings reopened the discussion and possibility of freedom that included the use of power, imagination and new organizations as forces/vehicles and transmission belts for the development of culture and civilization. Heartened by this discovery and inspired by this realization various thoughtful analysts, beginning with Camus recommended rebellion in the name of limits that are discernable and human in scale. The rebuilding of an intellectual and religious culture, which was the work of a generation of scholars in many disciplines, became the foundation for the recovery of a science of order and history. The consequence of these breakthroughs requires revising much of what was presumed to be irrelevant to American politics. This is not because one willed that this be so, but because inquiry honest to experience demanded that fuller historical and contemporary accounts of political participation become cognizant of the existence of the religious factor in both the personal and political preferences and passion for justice.

The relationship between the religious factor and ethnicity and immigration requires demographic information to document the persistence of these forms of group participation. Historical and sociological findings would need to be mined for their significance for civil society and the personal, institutional, and policy linkages these findings could contribute to a fuller understanding of political participation. Put simply, a new science of politics would rivet our attention to additional dimensions of the political texture and new political stories would need to be rewritten. Explanations would be reexamined and the religious factor explored for whatever salience it might possess. A full treatment of this matter as an intellectual history is well beyond the scope of this study. It would address a minority religious tradition and its participation in the politics of a country that began its development embedded in mentalities and institutions that were profoundly hostile to Catholicism and *a fortiori* to Catholics.

Catholic and the Political Order

However, Catholicism and Catholics did not remain marginalized in American politics. For example, their religious and intellectual tradition of anticommunism enabled them to be fuse easily into needs and emotions that were conjured by this threat and the policies, programs and politics driven by fear of, and competition with, the Soviet Union. Catholics could become part of America by participation in The Cold War, which emerged in the wake of WWII as a dominant motif of American domestic affairs and foreign policy. John K. White's *Still Seeing Red* brilliantly traces how five decades of this struggle influenced civil rights, social welfare, education and the military-defense expenditures with related impacts on suburban development, assisted by the National Defense Highway Act and a credit strategy. These shifted America from a labor-management culture into a consumer-producer culture and American public policy into the administration of resources and the accommodation of interest groups.

These currents of consciousness not only brought Catholics into the American mainstream and into new electoral coalitions, but also profoundly transformed the compact urban ethnic Catholic neighborhood culture created by immigrants during the industrialization of America. The American character that White portrays and documents through extensive use of opinion polls

across this entire epoch reveals the impact of a dominant value. It recounts as well the re-orchestration of the American civil theology that previously had demonized Catholics as the source of anti-democratic foreigners, communist-socialist labor-unionists, anarchists, assassins and murders, baby-killers, papists and Anti-Christ. As *Strangers in the Land*, John Hingham's study ably reports in his account of Nativism, how the power of social imagination prepared the seedbed of political participation. In a parallel study of the same stifling implications for political participation, *The Crucible of Race /The Rage for Order*, Joel Williamson traced the fashioning of the post-civil war mentalities of racism, which significantly shaped the American polity. Finally both of these themes reinforced the third dominant mentality C the fear of the city and disdain for urban industrial development. This marked the totality of Southern founders vision, the central works of the American literary canon, except for Walt Whitman, and the New England transcendent intellectual and literary cultural establishment proclaimed as the mega-narrative within which political participation would take place.

The story of religion in American has an interesting genealogy and archeology both of which have been explored by historians, historical theologians, historical sociologist and the new interdisciplinary approach of religious studies. These contributions have attracted larger academic audiences over the past two decades as the simplistic view of a waning of the religious factor in modern societies has given way to the reality of the search for meaning. A compelling case has been made for the religious as a dimension of both personal and group phenomenologies. These have overtaken the static methodologies whose assumption and axioms were grounded in primitive materialism and the blind faith of secular visionaries whose expectations it now appears had their historical origins in what is now clearly viewed as a type of mundane religiosity. These findings, in what must be viewed as ancillary disciplines of political science, have become salient for the study of American politics because religious freighted issues and self -identified religiously organized groups have entered electoral, judicial and pressure group politics in a transparent fashion. Thus the apparent tradition of religious neutrality and impartiality that appeared to establish congruency between American politics and American political science may be adequate to certain mid-range policy analysis. But it has eclipsed the deeper and more comprehensive task of political science through the faulted and mis-guided acceptance of such a historical treatment of the contexts from which the American constitutional regime developed.

The relationship of religion to American politics has always been interesting to religious persons, but the relevance of religion to the science of politics has not been sufficiently or adequately defended. It has not been positioned and entered into the cannon of meaningful variables and modeled so as to more thoroughly expose the pre-political forms of human order. Nor have the primordial or deep historical substances from which the political has been crafted as a mode of designed action and order within which other derivative orders and institutions been legitimated.

If one were writing for or speaking to persons already convinced of the importance of Catholics to American politics and who acknowledged that reporting such participation was a contribution to their understanding then one's strategy for presentation would be quite different from another sort of approach designed for an audience and readership that might not know about Catholics. The latter might be baffled by the relevance of this sort of group marker in American politics or resistant to arguments and evidence used to model an explanation that would underscore the religious factor within which Catholics and Catholicism would to entered as a sub-field indicating some casual linkage to political activity.

Such problems confront the development of a inclusive science of politics with an even sharper challenge: even of historically the religious factor was important, contemporary politics in a secular epoch seem to be better understood and more parsimoniously explained by attention to other important factors. Fine-grain analysis of particular religious populations and organizations are at best epiphenomenal to the genuine power and policy factors. And religious freedom issues are but one element of First Amendment law; separation between government and religions and the privatization of religion define a particular sphere within which a narrow band of political studies seem warranted.

These challenges to the story of religion in American politics in some respects avoid their own prior questions regarding their story. How does one decide which factors are important? Moreover, evidence only begins to exist when the analysts focuses attention on that which is being sought, searched out, and needed so as to be entered into explanatory models regarding political phenomena, more specifically, these are certain features of the complex range of topics related to the political, and more generally to the entire range which can be defined as political participation. On each of these levels of analysis the religious factor and more specifically the role, function, intensity, significance and contribution of Catholics has been insufficiently explored as political phenomena. This research gap may be explained by the disjunction between political science and history. This academic division of labor has diminished both of these disciplines as sources of deep insight into the processes of value articulation and of a more through understanding of the structural-institutional and agent centered causes of continuity and change in American political development.

Moreover, the lack of historically based and grounded discussions of American political thought and the intersection of political ideas and normative and religious claims has both flattened and highly elevated normative and prescriptive discourse. Only those moved by incantations of passionate rhetoric and those attracted to abstract, privileged, esoteric and exotic speculation can be engaged in fundamentally self-referential closed worlds. These are sadly disconnected from both the specialized dimensions of public policy and the popular, democratic participation of the many. Yet these are the foundational electoral base, as well as the source of legitimation, from which the American regime is constructed by the U.S. Constitution. This origin drew its warrant for authority as being the existential representative of the people and their states as well as being an expression of the elemental legal framework in a written document which framed the initial the terms of political participation. Information about religion in this legal framework and in the existential reality has been crafted in a variety of ways that can be appropriated so as to provide fuller insight into a political science of participation within which the Catholic participation can be understood and its particular dimension can be analyzed for its general impact on American political development.

Yet information about Catholics includes a remarkably wide range of articulation which find their provenance in historical works that sustains the artifice that Catholics are a group. While historically accurate owing to the compactness of settlement and the existence of urban ethnic communities, this is anachronistic because the characteristics of this population reveal that today they are an informational unit, a category. Their earlier presence in American politics as a group (or as we shall see, a variety of groups) and the earlier arguments for using such group markers are no longer defensible. The collapse of compact Catholic communities can be measured by movement from compactness to differentiation and from immigrant variety to acculturated homogeneity. These and the economic movement of this population from the margin to the

mainstream of American life have diminished the values and distinctive characteristics that distinguished them and their significance as a particular group.

Each of these arguments and the attention/retention issues must be addressed because the exploration of our political culture and the various discourses that echo within the various types and levels of participation related to Catholics and to religion in American politics have taken a new turn. This has repositioned the values and the source of public values, and thus invited a new chapter of critical clarification focused on faith-based participation in American policy and governance.

While Catholics and Catholicism are unmistakably within the biblical faith tradition, the ecclesial tradition of the Catholic Church extends to the development of the sacred canon. The tradition includes faith and an intellectual endowment grounded in classical and historical expertise, a wider set of cultural experiences that transcend and enculturate biblical texts and teaching claims, and include more than a few epochs of reform and renewal. These institutional legacies are transmitted in a liturgical, sacramental and community tradition with ritual rooted in Christic experience and an academic tradition grounded in a language of ontology, ethics and politics that present provocative religious and political challenges. Moreover, the Catholic religious and intellectual experience in America has an evocative penitential note derived from the contemplative considerations of its presence in the American past. Such an exercise is suggestive of a fresh foundation for the discussion of political participation.

A tapestry of Catholic participation would be constituted by first a review of particularly pertinent issues and the reintroduction of neglected and ignored dimensions of the American reality derived from Catholic religious and intellectual insights, and second their reflections and refractions into the development of a contemporary narrative and new agenda related to crises of American political culture and the continuation of representative government. This would be but a chapter within the larger narrative of the historical development of American politics and participation. The American experiment and the American reality is more extensive than its politics. The formative character of the American reality has been massively influenced by the intersection of religiously directed actors. The American political development, understood on its own terms, is a particularly complex, religious self-illumination. It is grounded in the Protestant tradition. It is expressed in American historical concretions, in the specificity of issues and in the articulation of the linkages to and discontinuities from a dynamic social, economic and political order. Its origins do not trail off into some mythic haze of national folklore as an unrecoverable past and a distant beyond of imagination and literary expression. Nor are we dependant on abstract reflections of political thinkers, like Hobbes and Locke and even Rousseau as guides to the experiences of American politics, however valuable they may be for other purposes. Texts and accounts are available. Though these may suggest the influences of earlier texts, the political science that is not grounded in the historical facticity with all of its complexity and fog may run the risk of gross simplifications that emerge from an approach that limited to the history of formative or epochal ideas. The politicization of political history and the eclipsing of some factors have been altogether infeasible consequences both of academic disciplinary separation and of resistance to the fashioning of a representation of participation of Catholic and Catholicism in American politics. In this tapestry appears three especially notable features which are intertwined within the self-articulation of Catholicism central to understanding its participation in American politics: 1) Immigration, 2) Church and State, and 3) Pluralism. Each of these aspects is inextricably related to the representation and differentiation: 1) of the population, 2) of the relationship of established ecclesial and state authority, and 3) of the ethno-religious cultures in a

representative political culture. Curiously these three elements within the American milieu and ferment were the occasion of the experiential learning and fashioning of process from which a new theology of religious freedom and a celebration of diversity could make its first public presence within the Catholic tradition in the Documents of Vatican II and the restructuring of ecclesial institutions in the late 1960s. These changes intersected with changes in American politics. At the very moment that American politics was shattered by urban violence and the emergence of an interest group regime—which the USCC entered—both ecclesial and political communities and localities which these national organizations represented discovered that the existential nexus between policy and practice, prescription and implementation broke down. Just as the immigration restrictions that President Kennedy pledged to Catholics to remedy after decades of exclusion began, the relationship of Catholics to immigration seemed to be redirected as they migrated from city to suburb. As Catholic gained the freedom to enter the mainstream of the Post WWII era their confidence in their unique and particular institutions of education waned and the nuns and brothers that taught in them left the enclaves of celibacy. This reduction of the sustenance of Catholic American urban ethnic culture weakened an already crumbling commitment of America to cities. Fashioning a viable voice for Catholic participation in contemporary American politics may require the recovery of a usable past or a least pieces of a considerably wider and deeper tradition of religious and political issues. This recovery may begin by re-thinking the American and Catholic experience made possible by reflection on the following chronology of participation that reveals the bonds of religion and politics.

Appendix: The Church in America: A Chronology of Significant Events

1. 1607-1820 Establishing America

Legal constraints and authorizations in Colonial Era Church/state policy and religious practices and social influences of formative voices and evocations of the Christian tradition. The production of an American world of meaning and shared senses of participation in the New World. The Social/Spiritual construction of the American reality.

1620 The Mayflower Compact

Connecticut

Massachusetts

Virginia

1734 The Great Awakening.

1763-89 The Revolutionary Era.

1763 Treaty of Paris and anti-Catholic English law in Quebec

1776 Declaration of Independence.

1783 Treaty of Paris and Benjamin Franklin and relations of Catholics in America to Rome, France and Ireland.

1790 *Census*

1792 Reapportionment of the House of Representatives

1795 The Second Great Awakening.

1795 John Carroll estimates with the American population of four million there are 24,500 Catholics mostly in Maryland and Pennsylvania.

1798 Alien Act

1810 *Census*
1812 Reapportionment of the House of Representatives
1819 Federal Law requires captains to present passenger lists to customs collector at Eastern Ports

2. 1820-1865: Abolition, Manifest Destiny, and Civil War

1820 *Census* State Department records immigration statistics
1822 Reapportionment of the House of Representatives
1830 *Census*
1832 Reapportionment of the House of Representatives
Catholic population increase owing to German and Irish Immigration
1830 American white population approximately 10.5 million includes 318,000 Catholics or 2.5% of non-slave population.
1836 Roger Taney, first Catholic appointed to U.S. Supreme Court.
1840 *Census* Taney/Supreme Court
1842 Reapportionment of the House of Representatives
1840 Methodist Christian Advocate on the influence of Rome, bishops, priests on members of their church
1842 Reapportionment of the House of Representatives
1844 Foreign Catholics swing election
Fusion of Immigrant Catholics and Democratic Party against the presence of mainline protestant churches within the Whig Party and its successor, the Republican Party.
Democratic party includes sectarian Protestants such as Southern Baptist and "free-thinkers", Jews and others opposed to majoritarian opposition to the immigration and nativism of the Whigs and their resistance to religious freedom.
1844 95% of Catholic voters in New York are Democratic Party supporters. Millard Fillmore, Whig candidate for New York Governor explained his defeat as related to abolitionists and Catholic opposition.
1850 *Census* Western Ports included in regulation of passenger list
The American (Know-Nothing) Party and the rise of natives violence and arson against Catholic churches, battles in the streets, especially on election day in New York, Philadelphia and Detroit. Influence of immigrants and their imputed allegiance to a foreign force, the papacy, are perceived as challenges to democratic and American way that has been compromised by the immigrant Catholic under the influence of evils that are manifested in their political behavior.
1852 Reapportionment of the House of Representatives
1852 Franklin Pierce's victory reveals even stronger Catholic concentration of support for Democratic Party.
1855 Massachusetts census reports that 62% of Boston Population is foreign born.
1854 The American Party gains control of Massachusetts and make gains in New York, and New England. In the US House of Representative they hold 121 seats.
1856 The American Party Platform endorses in effect and in intent the exclusion of foreigner-born and Catholic Americans from electoral office. Decisive shift to the Democratic party of even Anglo-American Catholics, the descendants of Federalists/Whigs and colonial populations from Maryland and Kentucky.
1856 Catholics support Democratic Party and James Buchanan

1856 Millard Fillmore Know-Nothing Presidential candidate

1860 Census American White population approximately 27 million includes approximately 3.1 million Catholics or 9.8% of non-slave population. Approximately 66% of the American Catholic population increase is related to immigration and birth rate of the immigrant population. Few conversions to Catholicism are noted.

1860 Catholics support Democratic Party and Stephen Douglas and the Catholic Newspaper of Cincinnati, reflecting its border state location and the ambiguity of Catholics, reports no Catholic support for Lincoln's victory. See paper on Ignatav account on "How the Irish Became White".

1860 New York has more Irish Americans than Irish in Dublin

1862 Homestead Act

1862 Reapportionment of the House of Representatives

3. 1865-1920 Darwinism and Evolution, Industrialization, Wealth and Business and Unions, The Social Gospel, New Theology, Immigration and International Relations

1866 Civil Rights Law (See Legislative History as a window into the language of race relations and Congressional intent to protect all race)

1870 *Census* Anti-Catholicism seems bonded to Republican Party

1870 French Canadian Catholics immigration to United States.

1872 Reapportionment of the House of Representatives

1875 Federal Law barring immigration of prostitutes and convicts

1875 Supreme Court rules on state regulation of immigration

1876 Republican Party circulated document accusing the Vatican of designs to use the Democratic Party as the means to changing American government. Grant calls for taxation of religious bodies and property. The Republican Party endorse Blaine Amendment to bar support for Church related schools

1880 *Census* Catholic population doubles from 1860 to approximately 6.3 million and from 9.8% to 12.5% of U.S. population.

1880 Republican Party continues its Anti-papacy tirades

1882 Reapportionment of the House of Representatives

1882 Immigration Act

1884 Republican Party abandons support for Blaine Amendment

1884 Blaine seeks Catholic vote by expressing his admiration for the church

1884 Democratic Party labeled with the slogan Rum, Romanism and Rebellion; Catholics appear to support President Cleveland with nearly 70% of their vote.

1886 Dedication of The Statue of Liberty

1888 Federal Act authorizing deportation

1890 *Census*

1891 Federal Act providing Medical inspection of immigrants

1892 Reapportionment of the House of Representatives

1892 Catholic RNC chair and platform rejects discrimination based on religion.

1892 Catholic vote for the Democratic Party in New York 59%, in Baltimore 57%, In Boston 54%, Chicago 55%.

1890 *Census* Catholic population doubles from 1880 to approximately 12 million and increases to 15.8% of population

1896 Catholics defect to the Republican Party. The fundamentalism including Prohibitionism of William Jennings Bryan reflects the tone and style of values centered in rural communities of Democrats and has slight resonance among Catholics in the urbanizing north and Midwest where Bryan view of the east as the enemy country assists the first large-scale shift in this group's allegiance to political party.

1896 Catholic condemnation of socialism, communism and materialism is woven into electoral politics by Archbishop Ireland of Saint Paul

1896 Bourke Cochran, Tammany Hall, attacks the populism of William Jennings Bryan and critiques the direction of anarchism and socialism as the loudest a voice of the sound money Democrats.

1896 Catholic shift from Democrats and diminution from 1892 in New York by 17%, in Baltimore by 19%, in Boston by 19% and in Chicago by 15%.

1900 McKinley wins because of continued Catholic aversion to Bryan and the Democratic platform with socialist tendencies.

1900 McKinley appoints Catholic Attorney General and Second Catholic to the Supreme Court

1901 McKinley assassinated by Polish American anarchist

1903 Amendments to excludable criteria

1902 Reapportionment of the House of Representatives

1904 Theodore Roosevelt believed his victory drew more Irish Americans and Catholics than any previous Republican candidate.

1908 William Howard Taft wins the Catholic vote owing in part to his record as Governor of the Philippines that had a Catholic population derived from the Spanish colonial period.

1910 *Census* The end of the frontier and the first demographic balance between rural and urban populations in the history of the United States.

1911. The beginnings of the representation crisis.

1912 Reapportionment of the House of Representatives

1912 Wilson's pro-British view antagonizes Irish American Catholics

1916 64% of Irish American and 62% of German American Catholics 67% of Italian Americans Catholics support Democrats

1917 Immigration Act over Wilson's veto

4. 1920-2000 The Emergence of Interest Group Liberalism and Democracy

Religious participation in public affairs: Anti-Catholicism, Anti-urbanism, Anti-immigration, Anti-Communism and Nazism, prayer in schools, The Civil Rights Movement, Pacifism and the Peace Movement, abortion, ethnicity, race, cultural pluralism and legitimating diversity, identity politics, the environment, science, gender, homosexuality and life-styles, the publication and mass distribution of pastoral directives on social, economic, political issues.

1920 *Census* and the beginning of the Apportionment and representation crisis

1920 Democratic Presidential Candidate views Catholics as part of the militant anti-Wilson oligarchy

1920 Notwithstanding the likely support for Cox and Davis as wet Democratic candidates, urban Catholics shifted support for Democratic Party which diminished from 1916 by 17% for

Irish Americans, 43% for German Americans and 24% for Italian Americans. Estimates of Third Party candidate support among Catholic voters indicates that the Socialist Party received 3%.

1920 Warren Harding extended Catholic support for the Republican Party by capturing the vote of the nation's largest urban centers. In New York City Harding won all but one of the 62 State Assembly Districts: High concentration of Catholic in counties in the Northern and Border states voted for Harding and thus contributed to his 26% margin over the Democratic candidate, Cox.

1921 Quota Law

1922 Failure to reapportion the House of Representatives

1924 Calvin Coolidge maintains Republican control of the presidency and support among Catholics contributes to his large margin of 25% over the Democratic candidate, Davis.

1924 National Origins Law.

1927 Immigration Law along with other statues passed during the previous six years Focused on excluding further immigration from Eastern and Southern Europe: Poland, Russia, Italy, The Balkan States which contained populations affiliated with the Catholic, Orthodox and Jewish traditions which were distinctively unlike the Protestant majorities that controlled the Congress. This responded to constituencies that reflected the particularly anti-urban and ant-immigrant and anti-Catholic mentality and social imagination embedded in the American tradition. It reflected its ambiguities and ambivalence about economic growth, participation in world affairs and its religious localism and community isolation. This included insularity from the forces of scientific development and pluralism endemic to urban cosmopolitanism that blossomed in the first expansion of urbanization which transformed the Eastern and Midwestern regions. It promised to remake what remained of America into what was most feared by the advocates of restriction and assimilation of the great unwashed and their social pathologies documented in the Dilligham Commission report and other scientific and popular forecasts of national breakdown, this fuelled the anti-immigrant hysteria codified and legitimated in these laws. It led also to the foundational recalibration of apportionment and reapportionment that shaped the sea-change of this crucial period of American development and political participation.

1924 Estimates of Third Party candidates of the Progressive Party indicated support by 12% of Catholics.

1928. Al Smith, Catholic Governor of New York, re-creates the linkage between Catholics and Democrats that had been slipping since William Jennings Bryan, and had been eclipsed in the Harding and Coolidge era. Though Hoover won the election increases in voter turnout and estimates of Catholic votes in Italian, Irish and Polish American districts support the claims that between 85% and 90% of Catholics voted for Al Smith. Even traditionally Republican states with high concentrations of urban ethnic Catholic voters went for Smith. Energizing voter turnout in both parties revealed an eleven million voter increase and stunningly lopsided percentages of increase of Democratic voters. This despite the anti-Catholic rural voters and the Protestant wing of the Democratic party voting for Hoover owing to the religious membership of the Al Smith and Jacob Rascal, Chair of the DNC. Representative of urban life as symbolized by his ownership of the Empire State Building, he seemed alien to both agricultural and small-scale Congregationalism cherished and celebrated in American literature and social imagination (see Kazan's "Fear of the City"). KKK and other bigotry. Smith's massive loss of voters that previously supported Cox in the South and border states tended to revive the anti-Catholic image of the Republican party.

1930 *Census*

1932 Reapportionment of the House of Representatives

1932 F.D. Roosevelt's New Deal: A social-economic and/or a cultural and values interpretation.

1932 85% of Catholics vote for Roosevelt.

1936 81% of Catholics vote for Roosevelt

1940 73% of Catholics vote for Roosevelt

1940 *Census*

1941 Refugees from Nazi persecution

1942 Reapportionment of the House of Representatives

1942 Bracero Program

1943 Repeal of Chinese Exclusion Act

1944 73% of Catholics vote for Roosevelt

1945 War Brides Act

1946 Naturalization eligibility extended to Filipinos and races indigenous to India

1948 Displaced Person Act

1948 66% of Catholics vote for Roosevelt.

1949 Victory of Mao Zedong; Soviet's test Atomic weapon.

1950 *Census*

1950 North Korea Invasion of South Korea

1950 Internal Security Act

1952 Catholics and Anti-Communism

1952 Catholic Party affiliation measures 68% Democratic

1952 Reapportionment of the House of Representatives

1952 McCarran-Walter Immigration and Nationality Act

1952 Approximately 50% of Catholics vote for Eisenhower/Nixon

1953 Refugee Escapee Act

1956 54% of Catholics vote for Eisenhower. Of 102 counties with high Catholic concentrations, 83 are won by Republican national ticket. Catholic Party affiliation to Democratic Party drops by 7% from 1952.

1956 John Bailey, Catholic Chair of Connecticut DNC and Theodore Sorensen conspire to support John Kennedy as Vice-Presidential candidate so as to build Catholics into a force for the National Democratic ticket.

1958 70% of Catholics vote for Democratic Senators and Congressmen. Catholic affiliation to Democratic Part rebounds by 8% to 69% to exceed 1952 level.

1960 John Kennedy captures 82% of Catholic vote, an increase of 64% from the Catholics that voted for Eisenhower while holding the Protestant vote unlike Al Smith, N.B. Kennedy's Speech to Baptist as well as his impeccable anti-communism, his book on immigration and his outreach to urban Catholic ethnics.

1960 *Census*

1960 Fair Share Law

1962 Reapportionment of the House of Representatives

1964 Johnson captures 79% of the Catholic vote even though William Miller, Catholic Congressman and Graduate of Notre Dame is on the Republican Ticket.

1965 Civil Rights and Immigration Reform

1968 Hubert H. Humphrey wins approximately 57% of Catholic vote, George Wallace wins 7% of Catholics and Richard Nixon 37%. The rise of the Catholic new left.

Robert Kennedy and his legacy within the establishment party.

1970 *Census*

1970 Joseph Duffey in Senate race in Connecticut as precursor of the Edmund Muskie (1972), another Catholic contender.

1972 George Meany, Irish Catholic president of the AFL-CIO attacks Democratic Party selection rules. Nixon and Agnew appeal to Catholics as the silent majority and gains 61% of the Catholic vote, increasing his 1968 margin by 24%. McGovern share of the Catholic vote is approximately 40% or 17% lower than Humphrey's portion of the Catholic vote in 1968.

1972 Reapportionment of the House of Representatives

1973 *Roe v. Wade* and the emergence of the new politics of values and the preferential foci of interest groups politics in an era of declining party affiliation.

1974 Congressional and Senate elections find 72% of Catholics voting for Democratic Party candidates. The Budget reform act and the CBO, a new age of new politics and the highpoint of Catholic support for the DP in Congress.

1975 Indochina's Refugees

1976 Amendments to Immigration Act

1976 Jimmy Carter wins approximately 59% of the Catholic vote while Ford wins 42% (The Debate gap and the Urban Catholic ethnic Blue Collar niche). The role of Geno Baroni, USCC Anti-Abortion strategy and tactics of a Constitutional Amendment.

1980 Census inclusion of Ancestry and Hispanic Questions

1980 Refugee Law

1980 Reagan wins nearly 50% of Catholic vote, Carter 41%

1982 Reapportionment of the House of Representatives

1984 Reagan wins 54% of Catholic vote

1986 Immigration Reform and Control Act

1990 *Census*

1990 Immigration Act

1992 Clinton gains 44% of Catholic vote

1992 Reapportionment of the House of Representatives

1994 *Census*: 22.3 foreign born

1994 Jordan Commission/California Proposition 187

1995 INS launches Citizenship USA drive

1996 Clinton nets majority of Catholic vote 53%.

1996 English As Official Language passes HR

1996 Soros fund for citizenship of immigrants

1996 Border security expanded

1996 INS pressured to speed-up naturalization process

2000 *Census*

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Section One

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Henri Bergson, *The Two Sources of Religion and Morality*, can be reintroduced into the new canon of cultural studies. This account details the fundamental characteristics of the open soul and open society and the closed soul and closed society. The conceptual elaboration of the essential differences between habit and pressure as a source of social obligation and personal formation and socialization in counter-point to the spiritual dynamics of attraction. The latter draws the mystic into a transcendent relationships from which new tones of life meaning and life-force are made present. This pathway invites those that would listen to and then re-attune their being and behavior to the measure of excellence that the open soul manifests. This book and its clarification of spiritual dynamics resonated with the mystic-scholar, Eric Voegelin whose work, *The New Science of Politics* provided the essential and historical critique of Weberian positivism.

Louis Bouyer *A History of Christian Spirituality: Vol., I*

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Section Two

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Chapter VI
Religion, Culture, Ethnicity and Inter-Group Tension:
Meeting the Challenges of Nation Building Through a Legal Policy
of Non-Discrimination

Robert A. Destro

Introduction

The perspective I bring to these comments is derived from several sources. At the most basic level, I approach the topic as an attorney who has spent many years working on cases in which the charge is discrimination on the basis of religion and/or national origin. I was able to supplement that practical legal experience with a more policy-oriented perspective when I served for six years as a member of the United States Commission on Civil Rights, an agency charged by federal law¹ with the task of "[a]pprais[ing] Federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap, national origin, or in the administration of justice,"² and of keeping track of social and legal developments which may "constitut[e] discrimination or a denial of equal protection of the laws under the Constitution, because of race, color, religion, sex, age, handicap, or national origin or in the administration of justice".³ Now that I am engaged full-time in teaching and scholarship as the director of our University's Law and Religion Program, I have begun the task of exploring the manner in which American law deals with the complex relationships among religion, ethnicity and the rights of citizens and other legal residents of the United States.

It seems fair to state at the outset that religion and ethnicity are topics which are not well-understood in American law. Because of our Nation's experience with Black slavery, "race" is the issue which commands not only the most extensive treatment in the academic literature of equal rights, but also the undivided attention of policy-makers at the State and federal levels. In other nations, including Russia, Ireland and the United Kingdom, the issues of religion and ethnicity are more clearly drawn. In South Africa, like in the United States, "race" appears to be the primary issue, but closer examination of the situation discloses that a complex web of racial, religious, and ethnic factors serves to make an already-difficult situation even more volatile.

Thus, my comments today will be focused on one primary concern: the need for clear thinking about the relationship between religion, culture and ethnicity. Without clear-headed realism about not only the importance of these topics in their own right, but also the manner in which they complicate the task of building a nation committed to equal citizenship, the law will be either muddled (as in the United States), or implicitly hostile (as the current draft amendment to Articles 11 and 18 of the Russian Federation Law on Freedom of Conscience⁴ appear to be).

Surprisingly, one of the more interesting approaches to the topic has been taken in a country which has been forced to think clearly about such issues: South Africa.⁵

But before I get more deeply into my topic, let me take a moment to define a few terms.⁶

Culture: A "simple" definition of culture might be summarized as "how a people views itself in relation to the rest of the world." At a more philosophical and theological level "[d]ifferent cultures are basically different ways of facing the question of the meaning of personal existence."

Religion: The term can be defined in two ways:

- "Substantively" by reference to the sacred; or
- 'Functionally" by reference to its role in individual and social existence.

Ethnicity: A combination of national, religious, racial, and cultural factors leading to a shared identity. (Not all factors are present in every case.)

Nationality: Affinity acquired by virtue of a legal relationship to a particular nation-state.

Building or Maintaining a "National" Identity: Communities

Types of Communities

The primary *external* task of a nation-state is to define and maintain a distinct identity in relation to its neighbors and the rest of the world. Its primary *internal* task is to define a domestic, political, and social community which is cohesive enough to maintain the external indicators of nationhood (physical, economic and political), while at the same time building a domestic community which is committed to both individual freedom and the "common good."

When a nation-state is ethnically, religiously, and culturally homogeneous, the task of defining not only the relevant community, but also the "common good" and the nature of social duty is easier than it is in a pluralistic society. The more diverse the society becomes, the more difficult the task of defining the "community"; for, in the end, the manner in which the community defines itself will inevitably shape the policies which govern the place of individuals, their beliefs, and cultures, in that community.⁹ It is, for example, quite obvious that those proposing amendments to the Russian Federation Law on Freedom of Conscience view "foreign" religions (i.e. those that have a headquarters outside Russia) as "non-Russian," even were it to be proven that *only* Russians had real influence over the activities of that church in Russia.

The usual starting place for such discussions is at what might be termed the "legal status" level. And, interestingly enough, that is precisely where the Russian debate appears to be centered today. But while "citizenship" or the status of a legally recognized juridical "person" defines one's status in the *political* community, there are many other relevant "communities" in a nation. Each of these is defined by its own sub-culture, and each, in turn, has its own, largely unwritten, way of dealing with those it considers to be "outsiders". Thus, it is important to distinguish among several of the most important types of communities, and to distinguish as well among the types of devices or strategies used to maintain their internal and external cohesiveness (*e.g.* charitable work, community organizing, membership requirements [including oaths and creeds], and the support and maintenance of educational programs and institutions).

Cultural Communities In the United States, these are often described as "sub-cultures" which can be defined by reference to geographic, cultural, ethnic, racial or economic factors. Prominent examples are: "inner-city, rural, Black, Puerto Rican, and the Northeastern WASP [White Anglo-Saxon Protestants] establishment. The same is clearly true in other countries as well (*e.g.*, the "guest workers" of the Federal Republic of Germany).

Business Communities—Such communities can be defined not only by reference to the type and size of the business (*e.g.* the "small business" community, or the "banking" sector), but also

by reference to the ethnic, cultural or religious identity of those who own, manage or work in the organization. In the United States, for example, the wholesale (and for many years, perfectly legal) practice of hiring of family members in both small and large business entities had the intended effect of carrying on the cultural, ethnic and religious identity of the original owners. Discrimination in employment on the basis of religion and national origin accounted for many ethnically and religiously identifiable businesses, including law firms and banks: Jewish, Italian, Catholic, and Protestant. And the bloody periods of labor unrest during the late Nineteenth and early Twentieth Century were traceable to the clash of two very different cultures: those of the workers and those of management.

Another illustration of this principle is one of the most famous "business" sub-cultures of all is the "Mafia"—a term which, in the United States carries both ethnic and criminal meanings, and refers to a particular subculture of organized crime involving both legal and illegal business ventures. In Russia, by contrast, the term "mafia" has a much different meaning, and is largely devoid of an ethnic component. The "gang" cultures of America's central cities in the 1990s is also a reflection of this tendency.¹⁰

Religious Communities—can be defined in many ways. The most common reference is "confessional" (e.g., Catholic, Jewish, Islamic, Baptist), but the experience in the United States (and elsewhere, including Russia) is that religious identity can also track "national" identity (i.e. Is "Jewish" a religion, or a nationality?¹¹) there is considerable evidence that such communities can also be defined by reference to a continuum which runs from religious orthodoxy to religious "progressivism,"¹² and that such religious communities (so defined) have considerable impact on the content and conduct of contemporary political debates in the United States.

Political Communities—Includes both "citizenship" (the political community at large) and what James Madison described in *The Federalist*, No. 10 as "factions."

Determining Who Is a Member of the Community and Who is an "Outsider"

The task of building a community begins with persons. As social beings, each individual has a need to belong to a community not only for physical support, but as an essential component of the task of self-identification. That process begins with family and faith—the essential transmitters of religion and culture. American constitutional law recognizes this point:

‘Under the doctrine of *Meyer v. Nebraska*, 262 U.S. 390, 43 S.Ct. 625, 67 LEd. 1042, 29 A.L.R. 1146, we think it entirely plain that the Act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control. As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the State. The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.’ 268 U.S., at 534—535, 45 S.Ct., at 57314

Thus it falls first to family and religion to shape the initial identity of the child—a position equally supported by international human rights principles.¹⁵ But once the child leaves home and seeks to enter the political, educational, and business communities and their relevant subcultures, the identity shaping devices and structures which define those groups is a fertile ground for inter-ethnic and religious tension. Under this rubric arise the issues of

- Assimilation (overt and informal)
- Cultural Expropriation
- The Need of Sub-Cultures to Maintain their Identity in a Plural Culture
- The Need of the Larger Society to Create and Maintain a Cohesive, yet Plural Culture

Given its heritage as a nation of immigrants, Native Americans and slaves brought here involuntarily, the American experience is at once unique, and uniquely useful as a model of the problems which arise when a community sets out to define itself. Let's refer to a few select examples:

1. Membership in the Political Community: citizenship. This was the issue over which the United States fought its Civil War, and it remains the source of constant tension in the American body politic. Defined in legal terms the issue of the mid-1850s was a simple one: should persons of Black-African descent be permitted to attain the status of "citizen," and, if so, whose law (federal, the State of origin, or the state of residence and labor) would determine the issue. In *Dred Scott v. Sandford*¹⁶, The United States Supreme Court held that the answer to the question "Is a person of Black-African descent held in slavery in both Missouri and Illinois a citizen of the State of Illinois entitled to file suit for his freedom in a federal court where his 'master' is a citizen of the State of Missouri [his 'master']?" The Court answered the question in the negative, relying on a perverted reading of both natural law and private international law. What is interesting about the case from a legal perspective is the degree to which membership in one community was held (in true Apartheid-think style) to determine—for all other political communities in the United States—a person's ultimate "status" as "insider" or "outsider." And it did so from an explicitly cultural perspective. Justice Roger Taney wrote:

They [persons of Black African descent] had for more than a century before been regarded as beings of an inferior order; and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the Negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. . . . [They] were never thought of or spoken of except as property, and when the claims of the owner or the profit of the trader were supposed to need protection.

[A]nd it is hardly consistent . . . to suppose that they [the people of the states] regarded at that time, as fellow citizens and members of the sovereignty, a class of beings whom they had thus stigmatized; . . . upon whom they had impressed such deep and enduring marks of inferiority and degradation; . . . to include them in the provisions. . . .for the security and protection of the liberties and rights of their citizens."¹⁷

In short, Black Africans could *only* be "outsiders."

This was the holding explicitly overturned by the Citizenship Clause of the Fourteenth Amendment.¹⁸ ("MI persons born or naturalized in the United States are citizens of the United States and of the State in which they reside"), and because there was a real fear that the States did not share the integrationist culture of the Radical Republicans of the Reconstruction Congress, the federal legislature was given explicit authority to police the "civil rights" laws and practices of the States—and to impose them when necessary.

The important point to draw from this is that what most Americans now take for granted is a "protected" legal status. But it is not really defined by an immutable characteristic such as "race" or "gender" (as most people seem to think), but upon a *legal status*: "citizenship." The law is quite explicit, and seeks (or, it might be more appropriate to say "sought") to create a seamless web of legal protection for those who have attained either "citizenship" or "legal resident" status. This was accomplished by three constitutional devices, two of which rarely get much attention in modern American law. The best known is the Equal Protection Clause of the Fourteenth Amendment (" . . . nor shall any State deny to any person within its jurisdiction the Equal Protection of the Laws.")¹⁹ The others are the Interstate Privileges and Immunities Clause of Article IV²⁰ ("The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens of the Several States") which protects citizens of one State from discrimination on the basis of State citizenship, and the Privileges and Immunities Clause of the Fourteenth Amendment.²¹

Another provision of the Constitution which receives very little attention, but which is critical to the task of integrating diverse cultural and religious groups into the mainstream political community is the Religious Test Clause of Article VI.²² In fact the only mention of religion in the original text of the Constitution of the United States is this express prohibition of religious discrimination in the selection of candidates for appointive public office: "no religious test shall ever be required as a Qualification to *any* Office or public Trust under the United States."

The significance of the Test Clause is thus both structural and normative. Its language and structure differentiates between the powers of the newly-created federal government and those of the States, and foreshadows the structural limits contained in the First Amendment.²³ Article VI, clause 3 requires an oath or affirmation in support of the Constitution from all officials and legislators, both State and federal, but only the federal government was prohibited from utilizing the religious tests to determine fitness for public office. The states, by contrast, commonly applied such tests to those seeking State offices,²⁴ and at least one—Tennessee—felt free to do so as late as 1977!²⁵

Given that structure, the Federalists "drew a non-establishment sum from the lack of federal jurisdiction over religion plus the test ban," and asserted that, "since the oath requirement was the only plausible power one sect might use to gain the upper hand"²⁶ and use it to define religion as the *sine qua non* of "insider" status, Article VI was "enough [of a religious liberty guarantee] for a federal government of specific enumerated powers."²⁷ But this was not enough for either the anti-Federalists (many of whom viewed the Test and Supremacy Clauses as threats to religious liberty)²⁸ or the States; for it did not state explicitly that the federal government had no enumerated power either to vex religious liberty directly or to set national policy on the subject. That guarantee would have to await the ratification of the First Amendment. But the first steps had been taken, and the Test Clause was presented for ratification as a guarantee that the appointment powers granted the federal government—the powers which could be abused with the greatest ease—would not be turned against entire classes of the citizenry.²⁹

At the normative level, the Test Clause prohibits the most personal kind of imposition on one's religious liberty which can occur at the hands of the federal government³⁰—overt

discrimination in federal appointment, employment and in the enjoyment of the public trust.³¹ Whether targeted on classes of believers or aimed at non-believers,³² the imposition of a religious test or oath is one of the purest examples of intentional discrimination on religious grounds; for it involves inquiry into the substance of personal religious belief and practice itself

Viewed more broadly, the Test Clause is one of the most critical of the religious freedom guarantees: an express prohibition of religious discrimination, clearly tied in spirit, if not in function, to the equal citizenship provisions of Article IV, which were themselves later echoed in the Privileges and Immunities Clause of the Fourteenth Amendment. The Test Clause thus underscores at the personal level that which the First Amendment later made reasonably explicit at the institutional one: federal attempts to assure what might now be termed "religiously-correct" patterns of speech, thought and institutional preference are forbidden.

2. *Cultural Communities: The Problem of Assimilation.* The issue of cultural, linguistic, religious, and ethnic assimilation are alive and well in the contemporary United States. Issues of multi-culturalism and linguistic identity are "hot" topics in American public education; and the issue of prayer and religion in the public schools is never too far from the surface. The United States Supreme Court will, in fact, decide three cases this term (ending July 1, 1993) which will give important insights into its current thinking about the relationship of law, religion, ethnicity, and cultural assimilation. The three cases are:

- *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah, Florida*³³ (whether the City of Hialeah may ban the ritual slaughter of animals—a law aimed at Caribbean immigrants who practice the Santeria religion);

- *Lamb's Chapel v. Center Moriches Union Free School Dist.*,³⁴—whether or not a public school board may ban the use of public school auditoriums during non-school hours for public discussion of religious perspectives on social issues, when the same auditorium could be used by other members of the community for discussion of the same issues from a non-religious perspective;

- *Zobrest v. Catalina Foothills School Dist.*³⁵—whether or not federal law mandating the provision of special services to children with disabilities (in this case a deaf child who needs a sign language interpreter to attend school) is constitutional if it permits the interpreter to work on the premises of the Catholic High School in which the child's parents enrolled him.

Without getting too deeply into the specifics of these cases, they are nevertheless useful to demonstrate that in one of the most religiously "free" countries in the world, issues of religious, cultural and ethnic identity still cause conflict. The conflict, however, takes place in a courtroom, not in the street, but only as long as the affected communities perceive that they are getting a fair hearing. And it is simply a fact that, today, many religious groups in the United States do not feel that they are getting a "fair" hearing in Court. They have, as a result, exercised their right to petition Congress to enact what has been dubbed "The Religious Freedom Restoration Act."

This is so because American law simply does not "know how to deal with" either religion or its cultural manifestations or supports—including those contained in the Constitution itself.³⁶ A brief history of what has been termed the "schools question" from at least the early 1800s will illustrate the implications nicely—with the caveat that if it continues to be this hard in the United States (which claims to be committed to cultural pluralism), it will be next to impossible in

countries, such as the Islamic nations of the Middle East, to make rapid strides without very careful planning and implementation.

A Brief History of the "Schools Question"

In 1790, Catholics in the United States numbered only about 35,000 out of a total population of over four million, and together, Catholics and Jews amounted to only about 0.1 percent of the population.³⁷ "The great Atlantic migration," first of the Irish, later of Germans and Scandinavians, and finally of Eastern and Southern Europeans, brought in over 40 million immigrants, including large numbers of Catholics with "foreign" ways, languages, and loyalties. For many, this was not a welcome development.

The Rev. Lyman Beecher of Boston saw immigration as containing the seeds of "the conflict which is to decide the destiny of the West" and that it "will be a conflict of institutions for the education of her sons, for the purposes of superstition, or evangelical light; of despotism or liberty."³⁸ Catholics, because of their faith commitments, were not fit to be called "Americans" because they "are considered lower in the scale of mental cultivation and refinement than the Protestant . . . due to their being deprived of the Bible by their priesthood."³⁹

To men like Beecher, it was clear that *something*, obviously, had to be done promptly. The logical answer was to "educate" them:

If we do not provide the schools which are requisite for the cheap and effectual education of the children of the nation, it is perfectly certain that the Catholic powers of Europe intend to make up the deficiency, and there is no reason to doubt that they will do it, until, by immigration and Catholic education, we become to such an extent a Catholic nation, that with their peculiar power of acting as one body, they will become the dominant power of the nation.⁴⁰

But there was, already, "cheap and effectual education" being provided at public expense by church-related schools and the newly-established public schools. The problem, from the Catholic perspective, was that the newly-established public schools "tended to be close copies of the Protestant schools they replaced." When they were unsuccessful in their attempts "to remove Protestant sectarianism from the public schools,"⁴¹ Catholics began to request their fair share of the tax moneys allocated to the schools of other religious organizations under the 1813 statute. The result was a change in the law of New York which denied funds to any school which taught "sectarian doctrine." (i.e. Catholicism).⁴²

One of the striking things about the contemporary politics of pluralism respecting religion, culture and language in schools is how little it changes over the years, and how consistent the fear that democracy and community will not survive if parents may freely choose among educational alternatives. Even though it was an article of faith in the early years of the republic that "schools and the means of education shall be forever encouraged" because "religion, morality and knowledge" were thought "necessary to good government and the happiness of mankind,"⁴³ the impression grew that *certain* religious beliefs are inimical to the common good and should not be taught in the public schools.

To some in positions of political power, including Congressman James Blaine and President Ulysses S. Grant, Catholicism, and to a lesser extent other minority religions, fit that description. Other "sectarian" practices, such as Bible reading and organized prayer however, continued in the public schools until well into the 20th Century.⁴⁴

When the laws designed, in the words of the infamous Paul Blanshard, to prevent "[the capture of a public educational system" by the "Catholic hierarchy" for their sundry nefarious purposes⁴⁵ came to be used by Catholics and Jews to protect their own children enrolled in the public schools from proselytization and training in Protestant traditions, the fact that public schools "tended to be close copies of the Protestant schools they replaced" was forgotten. Such attempts proved, as it were, the un-American nature of those who objected; for their valid religious concerns were cast aside by Blanshard and others as attacks on both Christianity itself⁴⁶ and "America's most treasured institution"⁴⁷ (the public school).

Anti-Catholicism, the official policy of all colonies but Pennsylvania (which required religious oaths for public office abhorrent to Catholics) and Rhode Island (where no Catholics were known to have lived),⁴⁸ was thus yoked together with nativism, and fed fears that the immigrants would wreak havoc upon the economic and political life of those already here.⁴⁹ Educational choice simply had to be curtailed—or eliminated⁵⁰—to guarantee that alien cultures and ideas would not survive the assimilation process. The Official Ballot Summary printed by the State of Oregon in preparation for the 1922 initiative which sought to eliminate all private schooling makes the point quite clearly.

What is the purpose of our public schools, . . . ? Because they are the creators of true citizens by common education which teaches the ideals and standards upon which our government rests. . . . Mix those with prejudices for a few years while their minds are plastic, and finally bring out the finished product—a true American. . . . Our children must not under any pretext, be it based upon money, creed or social status, be divided into antagonistic groups, there to absorb the narrow views of life, as they are taught.⁵¹

It is a story which those of us whom the writers of that pamphlet would believe have "absorb[ed] the narrow views of life, as . . . taught" by our parents and clergy are tired of hearing. Yet we hear the same old arguments today, dressed up to look a bit more inclusive, compassionate, and less xenophobic for the evening news. Americans who desire to maintain a distinctive cultural or religious identity are just as much "true Americans" as those who do not or cannot.⁵² Most immigrants, including my own grandparents, who make the effort to reach these shores (or cross the Southern border) are choosing to join the American experiment *because* it is *different* from that which they left behind. The threat to pluralism does not arise simply because they bring cultural, religious and linguistic baggage to their new home, but because well-intentioned xenophobes and, more recently, hard-line advocates of cultural diversity do not know how to deal with them. A pluralistic democracy is a rich amalgam of different peoples, each with a unique cultural and religious heritage, contributing to the constant renewal of culture and freedom. Without them, the "American" culture we know today would not have been possible.

Conclusion

The task of nation building is a difficult task in any case. Where societies such as Russia and the other nations of the former Soviet Union undertake to define themselves as "democracies," the task is even more difficult. Russia is a distinctive nation and culture with a strong historical, religious-cultural identity, and yet it has undergone seventy years of enforced secularization. The task facing them is how to integrate diverse religious, ethnic and cultural groups into a relatively homogenous nation. The choices are basically three:

- Assimilation (no diversity, or diversity on the State's terms)

- Pluralism (a multi-ethnic society characterized by equal citizenship and non-discrimination)
- Pure Individualism (no community).

The United States has tried assimilation, and it has (for the most part) "worked," but it is rapidly coming apart at the seams in the face of unprecedented legal and illegal immigration from Latin America, the Caribbean and Asia. The courts have responded by taking a "pure individualism" approach, but that doesn't work either: Note the Supreme Court's decision in *R.A.V. v. City of St. Paul, Minnesota*,⁵³ voiding, on free speech grounds, a St. Paul Minnesota "hate speech" ordinance as applied to a cross-burning on the lawn of a Black family.

Notes

1. The powers and duties of the United States Commission on Civil Rights are set out in 42 U.S.C. Section 1975c. In addition, the Chairman of the Commission is a designated member of an inter-agency panel which monitors the fairness of the administration and conduct of the Immigration Reform and Control Act of 1986 [IRCA], which contains specific provisions designed to prevent discrimination on the basis of ethnicity and national origin.

2. 42 U.S.C. Section 1975c(3).

3. 42 U.S.C. Section 1975c(2).

4. Law of the Russian Soviet Federative Socialist Republic on Freedom of Religion (1990), Article 11, "State Control Over Observance of Legislation on Freedom of Conscience and Religion in the Russian Federation," would permit law enforcement agencies to "have the right to receive essential information from religious associations and attend events sponsored by religious associations and connected with their activities as legal entities." Article 18 draws a distinction between domestic and "foreign" religious organizations. "Foreign" religious organizations (defined as having their "leadership" outside the Russian Federation) are subject to registration with *both* the Ministry of Justice (to attain recognition as a "juridical person") and with the Ministry of Foreign Affairs. Notably there are no standards which govern the discretion of the foreign ministry.

5. See Draft Declaration on the Rights and Responsibilities of Religious People, drawn up under the auspices of WCRP-SA (World Conference on Religion and Peace, South Africa). A final draft was due out in November 1992, but I have yet to receive a copy. It can be obtained by writing to WCRP-SA, P.O. Box 19354, Peoria West 0117.

6. Several of the definitions utilized in the following section were derived from a very useful and informative paper presented by Professor Vassil Prodanov, Director of the Institute of Philosophy of the Bulgarian Academy of Sciences, entitled *Ethnic and Religious Revival: Religion as a Ground of Ethnic and National Identity*. The paper was presented in Washington D.C. at the "Religion in Public Life" Seminar of the Council for Research in Values and Philosophy, on March 12, 1993.

7. Pope John Paul II, *Centessimus Annus* 24.

8. Interestingly the United States Supreme Court utilizes both types of definition. Though there is but one "Religion Clause" in the First Amendment to the Constitution of the United States, "*Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. . . .*" the Court employs a categorical form of analysis and divides the clause into two components: a "non-establishment" guarantee which prohibits government sponsorship, support, or preference for religion, and a "free exercise" guarantee, which guarantees the right to

practice the religion of one's choice (including none at all). The non-establishment guarantee utilizes a 'substantive' definition, thus limiting its impact to government support of things which are of a "recognizable" religious character. When the issue is individual freedom, however, the Court employs the much broader "functional" definition. Needless to say, the existence of a "dual" definition for a term which is used only once in the text of the Amendment is a matter of great controversy. The Court however, seems content to simply ignore both the religious and cultural implications of its decisions in the field. That discussion, however, is beyond the scope of this paper.

9. For an interesting discussion of this phenomenon in the contemporary American academic setting, see Stanley Fish, "There's No Such Thing as Free Speech and It's a Good Thing, Too," in *Debating P.C.: The Controversy Over Political Correctness on College Campuses* (Paul Berman, ed. 1992). Professor Gerard Bradley's discussion of the debates over the Religious Test Clause of Article VI in the American Constitutional Convention of 1787 also make useful reading on this point. See Gerard V. Bradley, "The No Religious Test Clause and the Constitution of Religious Liberty: A Machine That Has Gone of Itself," *Case Western Reserve Law Review*, 4 (1987).

10. See "Gangs and Civil Rights," in D. Monti and S. Cummings, editors, *Gangs* (S.U.N.Y. Press, forthcoming).

11. See *Shaare Tefila Congregation v. Cobb*,—U.S.—, 107 S.Ct. 2019, 202 1-22 (1987) (is discrimination against persons of Jewish descent "race discrimination" as that term is used in 42 U.S.C. Sections 1981-1982? The Court held that it was). See also *St. Francis College v. Al-Khazraji*,—U.S.—, 107 S.Ct. 2022, 2028 (1987) (definition of "race discrimination" under 42 U.S.C. Section 1981, as applied to persons of Arab descent) (it is).

12. *Culture Wars: The Struggle to Define America* (Basic Books, 1991).

13. A. Hamilton, J. Madison, J. Jay, *The Federalist*, No. 10 (1787-1788). Madison wrote that:

By a faction. I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or the permanent and aggregate interests of the community.

14. *Wisconsin v. Yoder*, 406 U.S. 205, 232-33 (1973).

15. See, e.g., The International Covenant on Civil and Political Rights, Article 18 (1966); The Helsinki Final Act (1975) (Baskets VI & VIII); United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981). Concluding Document of the Vienna Meeting in 1986 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, held on the Basis of the Provisions of the Final Act Relating to the Helsinki Conference (1989).

16. 60 U.S. (19 How.) 393 (1856).

17. *Id.* at 407, 410, 416.

18. U.S. Const. Amend. XIV-1 (1868).

19. U.S. Const. Amend. XIV §1, cl. 3 (1868).

20. U.S. Const. Art. IV-2, cl. 1 (1787).

21. U.S. Const. Amend. XIV §1, cl. 2. (1868) ("No State shall make or enforce any law which shall abridge the privileges and immunities of Citizens of the United States.")

22. The only mention of religion in the Constitution itself is an express prohibition of religious discrimination: the Test Clause of Article VI.

23. Professor Bradley notes that just "as in the voter qualifications actually left to state law by article I, the Framers could have cut into the comparatively 'illiberal' state orders [supporting

state-established religions] had they wanted to. Put differently and largely as a matter of legal analysis and not political wisdom, an incision at this point could certainly have been justified as a necessary, limited protection of the federal regime, and not as a wholesale invasion of state autonomy. This reticence and the overall sparseness of the record at least plausibly confirm Pinckney's proposal as a matter of observation, both about the completed legal framework and the Framers intentions: Congress should not regulate the "subject of religion." Bradley, *supra* note 9 at 693.

24. William G. Torpey, *Judicial Doctrines of Religious Rights in America* (Chapel Hill:Univ. of North Carolina Press, 1948). Quoting Sanford H. Cobb, *The Rise of Religious Liberty in America* (New York: MacMillan, 1902) and (compiling statistics "relative to religious qualifications for officeholders in the first thirteen state constitutions), pp. 16, 510.

25. *McDaniel v. Paty*, 435 U.S. 618 (1978), *rev'g*, *Paty v. McDaniel*, 547 S.W.2d 897 (Tenn., 1977).

26. See Bradley, *supra* note 9 at 708-709, quoting IV *Elliot's Debates on the Federal Constitution* at 196 (speech of James Iredell). This is a significant point, especially in light of the current Court's understanding of the First Amendment's guarantees of freedom of speech, press, religion, peaceable assembly and petition for redress of grievances. It seems to have been forgotten in contemporary church-state jurisprudence that an "establishment of religion" was a many faceted enterprise which included, in addition to the *preferential* treatment of and support for identifiable religious groups, there were also legal mechanisms designed to enforce the political and civil *subordination* of the disfavored religions and their adherents. Among these were test oaths, requirements of church membership and worship, and other civil disabilities. See generally William A. Blakely, ed. & The Religious Liberty Ass'n, *American State Papers and Related Documents on Freedom in Religion (Review and Herald: Washington, D.C., 1949)* 17-92.

27. Bradley, *supra* note 9 at 709.

28. *Id.* at 694-11.

29. Federalist, No. 52, 57 (Madison). See generally *id.*, No. 10, 51. Professor Bradley writes that "[the no-test clause was sold as a constitutionalized Golden Rule with a Machiavellian spin to it: "Constrain yourself as you would constrain others." Madison's views on the role factions should play in the protection of all forms of liberty are thus clearly in evidence here. Bradley, *supra* note 9 at 702-707.

30. This statement presumes action by those exercising governmental authority derived from the federal constitution. At the time of the Convention in 1787, "non-Christians' could not hold public office anywhere in the states, except perhaps in Virginia, and there is no record of *that* actually occurring . . . [and Catholics], the only non-Protestant Christians around, . . . were clearly eligible in Pennsylvania, Delaware and Maryland. Elsewhere *only* Protestants could hold office." Bradley, *The No Religious Test Clause*, *supra* note 9 at 68 1-87 (emphasis in the original).

31. There are only a few sources which shed light on the content of the phrase "any Office or public Trust under the United States." The first part—"office. . . under the United States"—is relatively clear given the language of Article I § 6 (Incompatibility Clause) and Art. II, § 1, 2. It is arguable, though not by any means settled, that all persons who hold elective offices, federal appointments, or who perform a federal function of any sort, including members of the Armed Services and presidential Electors, are protected by the Test Clause. See 5 U.S.C. § 2104 (defining as an "officer" all Justices and judges, as well as appointees of the President, the courts, heads of executive branch and military departments and agencies, or any other person "engaged in the

performance of a Federal function under authority of law or an Executive act"). This would arguably include federal civil servants; for even if they are not "inferior officers" under Article II, Congress has explicitly recognized that they are indeed officers, 5 U.S.C. § 2104, and "individuals holding an office of trust or profit or discharging an official function under or in connection with the United States". See 5 U.S.C. § 2105 (West 1992) ("employee" includes "officers" and civil service appointees).

The more interesting question is what constitutes a "public Trust under the United States." The phrase appears to be broader than the term "office," a construction supported by the phrase "office of trust or profit under the United States" which appears in the incompatibility clause of Article II, as well as by Congress' own distinction between individuals "holding an office of trust or profit" and those who may be "discharging an official function *under or in connection with* the United States". 5 U.S.C. § 2105(d) (emphasis added).

Federal case law sheds very little light on this question, but there are a number of State cases construing the phrases "office or public Trust" and "Office of Trust or Profit" which do provide some guidance on the meaning of the term "office of public trust or profit". Those terms are commonly found in the incompatibility provisions of state constitutions and do shed some light on the present inquiry. See, e.g., *Commonwealth of Pennsylvania v. Dallas*, 4 Dall 229, 4 U.S. 229, 3 Yeates 300, 1 LEd. 812 (Pa., Sept. Term 1801) (U.S. Attorney and Recorder of City of Philadelphia); *Begich v. Jefferson*, 441 P. 2d 27 (Alaska, 1968) (position as state or federal legislator is incompatible with superintendent or teaching positions in state operated school districts); *Commonwealth ex rel Hancock v. Clark*, 506 S.W.2d 503 (Ky., 1974) (postmaster of a fourth class post office was not exercising an office of trust or profit under the United States ineligible to hold or exercise any office of trust or profit under the Kentucky Constitution and so could serve as a member of a county school board); *Brown v. Lillard*, 814 P.2d 1040 (Okla. 1991) [position of state judge (an office) is incompatible with compensated full or part-time teaching at a state institution (a position of "profit")]; *State v. Turner*, 168 Wis. 170, 169 NW. 304 (1918) (acceptance by circuit court commissioner of the office of United States commissioner operated to vacate ipso facto his office of circuit court commissioner under Wisconsin Const., Art. 13, § 3). For a more generalized discussion of the term "public Trust" as the term was commonly used in the Eighteenth Century, see *Lucaites, supra*.

Given the advent of the modern administrative state and laws which require federal contractors and grantees of federal funding to comply with federal law in their dealings with the public, see, e.g., 42 U.S.C. §2000d (Title VI of the Civil Rights Act of 1964); Civil Rights Restoration Act of 1987, Pub. L. 100-259, Mar. 22, 1988, 102 Stat. 28. 20 U.S.C. §~ 1681 note, 1687, 1687 notes, 1688, 1688 note; 29 U.S.C. §§ 706, 794; 42 U.S.C. §~ 2000d-4a, 6107, it is arguable that the explicit non-discrimination norm of the Test Clause applies not only to federal employment, but also to federal contracting aid grant-eligibility considerations as well. Cf *Bowen v. Kendrick*, 484 U.S. 942 (1987); *Walz v. Tax Conun'n*, 397 U.S. 664 (1970). Compare *Bob Jones University v. United States*, 461 U.S. 574 (1983).

There is not much federal case law on the topic, but that which does exist seems to support a broad reading of the term. The Claims Court has stated that "Transactions relating to the expenditure of public funds require the highest degree of public trust and an impeccable standard of conduct." *Refine Construction Co. v. United States*, 12 Cl. Ct. 56, 63 (1987) (government contracts). Environmental Protection Agency grants for the construction of certain public works projects also constitute a public trust. See 40 C.F.R. §~ 30.120, 33.300; *Town of Fallsburg v. United States*, 22 Cl. Ct. 633, 641 (1991). And finally, the grantee of broadcasting license is

considered to be a public trustee, who must serve the broad goals of the public interest convenience and necessity. *Red Lion Broadcasting v. F.C.C.*, 395 U.S. 367, 383 (1969); *Office of Communication of the United-Church of Christ v. F.C.C.*, 707 F.2d 1413, 1427-28 D.C. Cir. 1983). This question is discussed at greater length in a forthcoming article.

32. See *McDaniel v. Paty*, 435 U.S. 618 (1978); *Torcaso v. Watkins*, 367 U.S. 488 (1961).

33. 936 F.2d 586(11th Cir. 1991), cert. granted No. 91-948, -* S.Ct. -"- , 60 U.S.L.W. 3652 (March 23, 1992).

34. 959 F.2d 381 (2nd Cir. 1992) cert. granted, 60 U.S.L.W. 3881 (U.S., Oct. 5, 1992) (No. 91-2024).

35. 963 F.2d 1190 (9th Cir. 1992); cert. granted 61 U.S.L.W. 3061 (U.S., Oct. 5, 1992) (No. 92-94).

36. See Mark V. Tushnet, *The Constitution of Religion*, 18 Conn. L. Rev. 701, 702 (1986). Mary Ann Glendon & Raul F. Yanes have observed that "This unusual awkwardness on the part of legal elites with regard to issues of great moment to the overwhelming majority of our country's citizens seems partially explainable in relation to the hierarchy of constitutional values and... assumptions that religion is a private matter. American church-state law also has been deeply affected, however, by a cognitive problem that is pervasive in contemporary legal culture.

Religion Clause jurisprudence is a veritable museum of the inability of a conceptual apparatus geared only to the individual, the state and the market to take account of the social dimensions of human personhood, and of the social environments that individual human beings require in order to fully develop their potential." Mary Ann Glendon & Paul F. Yanes, *Structural Free Exercise*, 90 Mich. L.Rev. 477, 546 (1991)

37. Rev. H.A. Buetow, J.D., Ph.D. "A History of United States Catholic Schooling" 13 (National Catholic Education Assn., Keynote Series #2, 1985).

38. Rev. Lyman Beecher, *A Plea For the West*, (Cincinnati: Truman & Smith, 2d ed. 1835) 20.

39. Sr. M. E. Thomas, *Nativism in the Old Northwest* (1936), doctoral dissertation on file at Mullen Library of The Catholic University of America, Washington, D.C. p. 53.

40. *Id.* at 182.

41. W.G. Katz, *Religion and the American Constitutions* (Chicago:Northwestern Univ. Press, 1964) p. 63.

42. W.O. Bourne, *History of the Public School Society of the City of New York*, (1870) at 7, 31, 45, quoted in P. A. Fisher, *op. cit.*

43. Northwest Ordinance of 1787, as adopted by Congress, Statutes of 1789, c. 8 (August 7, 1789) ("Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged.")

44. See *Board of Education v. Minor*, 23 Ohio St. 211 (1872) (attempt to compel the Cincinnati Board of Education to mandate reading of the King James Bible over the objection of Catholic parents).

45. P. Blanshard, *American Freedom and Catholic Power* (Boston: Beacon Press, 1949) pp. 74-85.

46. See generally, *People ex rel Ring v. Board of Education of District 24*, 245 Ill. 334, 92 N.E. 251 (1910) (school prayers: objection of Catholic parents); *Board of Education v. Minor*, 23 Ohio St. 211(1872) (Bible reading: objection of Catholic parents to use of King James Version).

47. P. Blanshard, *op. cit.*, p. 80.

48. O'Neill, *op. cit.*, at 7-8.

49. S.F.B. Morse, *Imminent Dangers to the Free Institutions of the United States through Foreign Immigration and the Present State of the Naturalization Laws: A Series of Numbers Originally Published in the New York Journal of Commerce by An American* (New York: E.B. Clayton, 1835) [New York: Arno Press & The New York Times, The American Immigration Collection, 1969], p. 8-9 (emphasis in the original):

Yes; these Foreign despots are suddenly stirred up to combine and promote the greater activity of Popery in this country; and this too, just after they had been convinced of the truth . . . that *Popery is utterly opposed to Republican liberty*. These are the facts in the case. Americans, explain them in your own way. . . [T]hese crowned heads have.. . sent Jesuits as their almoners, and ship-loads of Roman Catholic emigrants, and for the sole purpose of converting us to the *religion* of Popery, and without political design, credat Judaeus Appella, non ego.

50. See e.g., *Wisconsin v. Yoder*, 406 U.S. 205 (1972); *Pierce v. Society of Sisters*, 268 U.S. 466 (1925); *Meyer v. Nebraska*, 262 U.S. 390 (1923).

51. Brief of Appellee, *Pierce v. Society of Sisters*, 286 U.S. 466 (1925) at 97, quoting the Official Oregon Ballot Summary.

52. Compare J. M. Cuddihy, *No Offense: Civil Religion and Protestant Taste* (New York: Seabury Press, 1978).

53. 112 S. Ct. 2538 (1992).

Chapter VII

Culture, Value, and Lifestyle: The Political Dilemma

Charles R. Dechert

"*Philosophia Perennis*"

My major professor, Msgr. John K. Ryan, was wont to affirm: "Philosophers are more likely to be correct in what they affirm than in what they deny." It is a big, complicated world out there; "There are more things in heaven and earth than you dream of in your philosophy, Horatio." It is my premise today that both the philosopher and the natural scientist are alike in their pursuit of "truth." That both rely on abstraction from and the simplified expression of "reality," things, events, relations, institutions, actions and interactions, even notions and symbolizations. In this pursuit men are so constituted that they filter their perceptions and apprehensions; they select and simplify; they combine and recombine such abstracted elements into patterns—models that purport to describe or explain what is or might be; models that provide some analog of another reality to which they have a limited equivalence [*See C. Dechert, "Cybernetics and the Human Person," *Intl.Phil.Qtly*, V, 1 (Feb 1965), 5-36].

Such models, of course, are expected to be internally coherent, non-contradictory. When carried to their logical conclusion, the results should not be absurd. The Heavyside Equations, once the basis of electrical power engineering, were never acceptable to scientific purists for this reason—and gave way to Laplace Transforms applicable to the whole range of electromagnetic frequencies rather than the narrow spectrum to which the Heavyside formulations provided an adequate fit.

Both scientific and philosophic models may be subject to the pragmatic test. Does the model predict forms and behaviors, structures and activities (functions)? Can it be employed to manipulate or manage operative outcomes? Do behaviors and decisions guided by the model prove beneficial, life-enhancing to one guided by it, or the contrary? The pragmatic test of ethical and even metaphysical formulations may require many human generations to prove out when subjected to the test of *praxis*. The recent demise of "real communism" as the institutional hypostasis of Marxism might illustrate the form of one such pragmatic test of a philosophical/ideological model.

The conformity test (*adequatio rei et intellectus*) is of course traditional and subject to all the provisos of epistemological and metaphysical considerations. It is also increasingly conditioned by our knowledge of the neural, physico-chemical, electrical and biological mechanisms involved in information acquisition, filtering, transmission, storage, recall, association, encoding, symbolization and social transmission through speech, writing and technically-based media of interpersonal and social communication.

At one time it might have been affirmed that "scientific" truth was that amenable to direct empirical verification by immediate sensory experience, often associated with quantification and measurement, and that philosophical "truth" was one or more times removed from the flux and concreteness of empirical/sensorily based apprehensions of reality, that it "sees with the eyes of the soul." But are the abstractions of systems theory and cybernetics, information theory, particle physics and the cosmological considerations of "big bang" theory, "string theory" or "chaos theory" so directly and empirically founded? Or are they abstractions from abstractions that better fit and accommodate and integrate accepted models and, perhaps, predict events or suggest empirical observations that may tend to confirm them?.

Do they differ so widely from some of the supposedly "philosophical" considerations or conclusions of ancient and medieval thinkers? I left the field of professional neo-scholastic philosophy forty years ago when journal editors found unthinkable and unacceptable my suggestions that the then recently successful experiments in organ and tissue transplants might have implications for medieval discussions of the unity or multiplicity of "forms" in a composite substance. At precisely the time Christian philosophers have largely dropped the Aristotelian-Thomistic notion of a hylemorphic universe, the scientific community is increasingly accepting the vision of a universe consisting of "matter/energy" and "information," quantifying information as "binary digits," and looking more deeply into the relation between the ideal disconnectedness of "chaos" and negentropic order, the self-organizing systems whose explication merited a Nobel Prize for the Belgian physicist/mathematician Ilya Prigogine. In his anthropology (following Aristotle) Thomas Aquinas clearly defined and explained the functions and activities we now associate with cybernetic systems. Applying his insights to theology he viewed "grace" as having the nature of a "formal cause," literally informing its object, creating the conditions of a life-enhancing response by its human subject.

I have intentionally gone rather far afield from much thinking about "science" in positivistic and materialistic terms. In many ways these notions of science as ordered knowledge and ordered modes of inquiry more closely approximate what the Germans term *Wissenschaft*-ordered systematic 'knowledge about'. Even when there is skepticism about the "reality" or veritable existence of the object of inquiry it may be studied historically or critically; Historiography and the Higher Criticism illustrate this. The approach may also bring scholars to the edge of absurdity, scholarship for its own sake—a kind of disciplinary navel-gazing content to admire an artifactual intellectual structure. For many biblical scholars, for example, the Q Document (a posited common source of Matthew and Luke) has greater reality and significance than the existing gospel texts though there is no evidence of the Q Document's existence apart from an inferred need.

In the world of the concrete we look to structures and functions incorporated in matter, both in non-living systems and in the really existing living systems that adjust and adapt to their real environments. Such systems are ordered, structured and form parts of larger wholes. In the hierarchically ordered non-living world we think of subatomic particles, atoms, molecules and crystals. The earth, solar system, galaxy, galactic clusters and the physical universe as a whole are seemingly hierarchically ordered. On the earth as we know it living systems intussuscept matter/energy and information from their environments and in turn excrete or transfer matter/energy and information into their environments in a never-ending, hierarchically ordered interactive process at whose summit is man organized in communities, again hierarchically ordered and potentially perpetual. Just as cells, tissues, organs and organisms are each highly structured and hierarchically organized, so too functionally omni-competent communities are organized hierarchically into families, neighborhoods or tribes, cities, regions, nation states, or multinational empires, continental groupings like the European Community—and an emerging global human community.

These structures are ordered; electrons, neutrons, protons interact in universal and predictable patterns; cells, tissues, organs and the whole organisms composed of them are programmed hierarchically by the life-stuff of their chromosomes. Tissues grow and cease to grow on cue, hormones and enzymes are manufactured on cue and in appropriate amounts; all is done by order and measure, and programmed into the very stuff of life and of the material universe. Here, concretely, is the ground of nature, of essence, of patterned order in the cosmos. Physical evil and

disorder are manifestations of the probabilistic order of things; mischance is built-in and normally self-destructs.

But is there, not only chance, but moral freedom in the universe? May intelligent beings knowingly act "contrary to nature?" Has the source of the universe and of "nature" brought into being, beings "like unto God" knowing good and evil and free to choose the lesser good of self-affirmation in preference to the ordered cosmos, free to introduce willful disorder into the order of nature? Such freedom, moral freedom, implies the capacity to choose between the acceptance of a limited providential role contributing to the ordered working out of the negentropic process that over time brings cosmos out of chaos—or the willful self-affirmation that exalts the limited I to an absolute and condemns itself to the self-contradiction of independent, finite divinity. "For or against God":—this is the ultimate decision of every free intelligence. Concretely, the finite intelligent entity pursues its good in terms of a larger, ultimately cosmic, good; each in terms of its own nature, order, rank and relation to the whole that is the ordered, created cosmos in process.

Each human culture presents a model of man and the universe; it conceptualizes and expresses concretely and symbolically a notion of the nature of man, his human and physical environment, and the universe. Explicitly or implicitly it responds to the questions, Who am I? What is my relation to the other, human and non-human? What ought I do? What is my end? And how do I achieve that end, fulfill myself?—Alone and/or in relation to the whole? Interestingly enough, every viable human culture has responded to these demands in analogous, constructive terms, each in its own way has satisfied certain functional prerequisites of a society: 1) Provision for adequate relationship to the environment and for sexual recruitment, 2) Role differentiation and role assignment, 3) Communication, 4) Shared cognitive orientations, 5) A shared, articulated set of goals, 6) The normative regulation of means, 7) The regulation of affective expression, 8) Socialization, 9) The effective control of disruptive forms of behavior [See Aberle, Cohen, *et al.*, "The Functional Prerequisites of a Society," *Ethics* LX,2 (Jan 1950), 100-111].

In some sense the contemporary thinker can view the whole of human society, its cultures and history from a new perspective—assimilating, associating, comparing the wealth of human learning and experience as a cumulative unfolding of the human potential for knowing and constructive action, learning also from the failures of inadequate paradigms of knowledge, learning from the manifold human, social and moral failures. A *philosophia perennis* or better *scientia perennis* recognized the cumulative nature of man's social experience of knowing both nature as a given and the whole range of voluntary human responses, functional and dysfunctional, creative and destructive, life-enhancing or life-diminishing, even life-destructive.

Culture and Weltanschauung as Descriptive and Normative

Every society "embodies" or "hypostatizes" a model of man and the universe and a "program" that governs the actions of individuals and social aggregates (communities, corporations and associations) within it. The "social consciousness" incorporates the accumulated learning, science and practical wisdom of the society as it exists in the minds of its members, their memories and the collective memory recorded as myth or history, archival records, artifacts and inscriptions, manuscripts, printed books, journals, pamphlets and broadsides, paintings and sculpture, pictures and icons, photographs and film—even in the proportions and connotative elements of its buildings, gardens, open and closed, public and private spaces. In his development of the concept of "cultural supersystem" Pitirim Sorokin suggests that the knowledge-style-and-content and the values of a civilization (and the persons and groups that realize it as a living entity) change as a

function of its stage of development: ideational, idealistic, sensate—and a late-sensate stage that precedes the civilization's breakup into a congeries of functional, geographic social, artifactual and symbolic elements out of which a successor society or societies will arise, based on a new or renewed integrating idea or ideal.

The "programs" governing individual and social interactions exist in the constitutions and laws, customs, practices and mores of a society. Each individual is socialized into a pattern of apprehensions, values and values orderings, norms and patterns of action and interaction that make his actions and motivations to some degree predictable and acceptable to the group. Such social "programs" are conditioned by the human organism and life cycle, by the scarcity of available resources, and by the demands of social order; from these arise the need for organizing human aggregates, functional differentiation, class and status as a function of role, the legitimation of moral and physical coercion and compulsion, property and secure title to real and intellectual goods, markets and exchange relations, constitutions and laws and other symbolic structures that condition or determine the human situation.

In the unfolding of this over time, in communities, cultures and civilization, both a creative process and a learning process are involved. Creativity, the human imposition of new patterns of order, is essential to adequate adjustment and adaptation at every level from the individual and family to the global community. Circumstances change, natural and man-made disasters occur, the physical environment may become hostile through climatic shifts, desertification or flooding; the internal or external human social environments, may present challenges based on competition for, or conflict over, scarce resources or social system boundaries, inadequate or failed social adaptations, failed institutions or coping techniques.

Arnold Toynbee views the emergence and growth of civilization as a product of challenge and effective response. In some cases the successful response may close the door on further development as did the Eskimo and Bedouin responses to harsh physical environments or Sparta's Lycurgan response to the social challenge of retaining control of a conquered peasantry, or India's Hindu response to the need for functional differentiation through a rigid caste system. In other cases a series of successful adaptive decisions by decision-making elements in control of social resources (the elite, the "creative minority") is followed by inadequate or maladaptive responses while elite control of both the resource base and decision-making power is retained, increasingly by force and fraud, in the hands of a "dominant minority," that is an elite increasingly out-of-touch with the community, less and less legitimate, more and more compelled to maintain the semblance social order by coercion.

In both cognitions and normative structures and in the nature, range and mix of their institutions, societies are more or less able to cope. Dysfunctional criteria of perceptual relevance, models of reality, norms and values governing praxis are, by definition, not conducive to the survival of the persons and societies that embody them. Such persons and societies will experience marginalization and death. To a considerable degree long-surviving criteria of perceptual relevance, operative models of reality, institutions and normative structures reflect successful (functional) human adaptations to their natural, artifactual and human/social environments. The notion of a universal natural moral law (good semper et ubique et ab omnibus) reflects this notion of the connaturality of certain normative and institutional structures with the nature of man as a certain kind of being, characterized by shared structures and functions, subject to inherent limits on action capabilities, and subject, as members of a species, to the same destructive natural sanctions when the "envelope" defining the possible-to-man is exceeded. Part of the genius of man as rational and creative is the capacity to transcend the limits of raw biological nature by

associating with others and with tools and artificial environments in complex man-matter systems that extend his range of perception, action and action capabilities. Many of our moral dilemmas revolve about the reasonable limits of such "technological fixes" in terms of their cost in scarce resources (given alternative uses), their benefits, and their human "appropriateness" (a moral/aesthetic judgment).

Just as some degree of global consensus is visible in matters normative (the criminal law universally prohibits murder and assault, robbery and theft, fraud and willful negligence, for example) so too there is an emerging global culture, an ecumenical culture founded on the shared intellectual content, methods and approaches of the modern university whose attractiveness lies largely in its proved capacity to create, conserve, and diffuse knowledge useful for the control and exploitation of man's natural, artificial, human and social environments in the service of human goals.

The common core of this now-universalized curriculum and institutional structure (faculties and Departments, largely recruited by cooptation with varying relative levels of control lying in faculty, administration, government, professional accrediting groups and peers, institutional sponsors, trustees, alumni and supporters) lies in the physical and life sciences and mathematics, and in the professional schools (law, medicine, architecture, engineering, agriculture). The multi-paradigmatic social and behavioral sciences (and related "helping" professions), philosophy, literature and humanities vary widely from institution to institution and from country to country in the content and emphases of instruction although virtually all rely on the critical methods and approaches developed in Europe and the Americas since the 18th Century. Comparative studies, the Sociology of Knowledge, and History permit an objective "scientific" look at religion, culture, and knowledge itself in an institutional context. The many "cultures" of the world have become objects of inquiry of the new global culture.

In brief there appears to be an emerging global consensus on the cultural front in terms of an essentially secular, this worldly, yet pluralistic institutional knowledge structure within which alternative world views may compete—though not always on equal terms or with equal access to the talent and media resources required to promulgate their messages.

Pluralism and Politics

Some will certainly maintain that the emerging society remains a battleground but that the matter of global conflict has tended to move from more traditional topics, like the territorial boundaries of states and empires and disputes regarding raw materials and markets, to disputes concerning the impositions of *Weltanschauungen*, values, norms and rules of the game. In this view there has been a pan-politicization of human life and culture; who will make and impose the interaction rules whose natural working out in the subsequent emergent evolutionary process will provide definitive control over the resources and ethos of the emerging global system? This involves not only political parties, parliaments, courts and ministries but military institutions as the principal locus of potential compulsion in any society. It is interesting to note the increasing presence and significance of the "Defense Intellectuals" often middle grade, high ability officers who, in addition to military studies at Command and Staff Schools, are encouraged to take professional and advanced research degrees and even postdoctoral specializations in a very wide range of topics. The traditional military academies in the United States have been complemented by a National Defense University in Washington and a broad range of specialized institutions of higher learning ranging from intelligence to industrial planning, logistics and transport.

Professionalism and an intellectual approach to human conflict have characterized both the Wehrmacht and the Russian Military. Indeed I have heard it seriously suggested that only the Russian Army and veterans organizations have the discipline, technical skills (especially in communications, transport, and data processing) and legitimacy as a national institution required to help resolve Moscow's current systemic crisis.

Apart from the formal and informal liaison relations among and between police and intelligence agencies at the global level (Interpol, etc.) there is little in the way of a politicized, self-conscious international military (or political) elite. Politically the nearest approach probably lies in the formal structures of the international political party organizations: the Socialist, Liberal, Christian Democrat and Conservative "Internationals." The European Parliament has organized party representatives (normally with professional national party background and support) into more or less effective transnational caucuses, although most real resource- allocative power seems to lie in the European Community bureaucracy and in the European banking system.

The global cultural, educational and scientific community, all in all, seems to be characterized by both considerable cohesion, mobility and to no small degree a shared ethos and *elan* produced by familiarity with fellow-specialists' work and the interpersonal communications opportunities provided by a wide range of international conferences, student and professorial exchanges, etc. Closely tied to this is a media elite associated with and to no small degree controlled (however indirectly) by the great national and international media conglomerates.

Transnational business and increasingly an international professional managerial elite, while subject both to the political/legal controls of countries in which they operate and to the firms' owners, have day-to-day control of the most active part of the world's resources. Global telecommunications bind together sources of supply and points of effective demand in a constantly whirling, infinitely complex network whirl of decentralized decision-making elements, where economic factors interplay with judgments of character and reliability and the constant changes of taste, fashion and technology in every conceivable commodity and commercial area to create today's global marketplace.

What amazes the onlooker is the degree of homogenization of this market in terms of what is demanded in both basic commodities and sophisticated technical products. While the United States accuses foreign steel companies of "dumping" structural steel produced in relatively new, highly efficient plants in Europe and the Far East, nations in these areas accuse the North Americans of "dumping" graded reinforcing bar made in even more efficient gas-fired "mini-mills" in the United States. Wheat, rice and coarse grains, fruits and fruit juices, nuts and spices enter organized global markets. Jeep-type vehicles are everywhere; I remember seeing China's proud introduction of its very own mass-produced utility vehicle at the Turin Auto Show a few years ago.

There is a universal demand for the same heavy household appliances (refrigerator, cooking stove, washing machine and dryer, dishwasher, air-conditioner or heat pump) and consumer electronics (AM/FM receivers, stereophonic sound, television analog and digital sound and visual reproduction equipment, personal computers). Every household in the world aspires to indoor plumbing, central heating-air conditioning, pure water and safe sewage disposal, electric lights and appliances, a family automobile. In advanced consumer countries like the United States these have become virtual rights guaranteed by the state, as have such social goods as public education through the university, high quality assured diagnostic, medical and surgical care, public libraries, art galleries, sporting and recreational facilities, public parks and nature preserves not to mention the whole infrastructure of navigable rivers and canals, roads, bridges, pipelines and railroads, harbors and docks and warehouses that are essential to the society's systemic integration.

What I have described, of course, is the incipient, as yet far from integrated global system. Enough exists now in terms of increasingly congealed popular tastes, institutions and technologies to permit us to foresee the workings of such a system in its broad outlines. Like every large system the global system must be hierarchically organized into manageable subsystems and sub-systems each having some considerable decision-making autonomy (within limits, "under the law"). Just as an organism has discrete, contiguous subsystems like organs, tissues and cells, and functional subsystems like the circulatory system, digestive system, nervous system, etc., so too the global system will almost certainly be characterized by both territorial and functional subsystems, hierarchically organized. Most (not all) communities will have a territorial base; families will constitute neighborhoods, villages or quarters and these will form into the cities or counties that make up a region, a national then a continental community.

Functional subsystems of the global community will most commonly consist of corporate entities, themselves hierarchically organized, that make up an industry cluster at the national and then the international level. Certainly something similar is developing in the sciences, in religious groupings (most notably the Catholic and Orthodox churches), in the world of culture, linguistic and ethnic groupings (not necessarily geographic entities) finance, and of course, politics by way of public international organizations and transnational parties.

As this gigantic system of interacting social entities unfolds, each element will adjust and adapt to all the others as it pursues its own goals—allocating the resources available to it in terms of its perceptions of its own welfare and the capabilities, vulnerabilities and intentions of the significant others with which it interacts.

Given scarce resources there will be competition, even conflict. The old Adam, the propensities to evil of individual men, is reflected in the social decision-making that is the prerogative of those whose functional role is to make decisions; rulers, trustees, magistrates, managers. Many, perhaps most social interactions involve cooperation, some involve conflict in which enhanced access to the goal is obtained by diminishing or destroying the adversary's capabilities. The act of diminishing another would appear to imply malice and certainly much, perhaps most conflict has a malevolent element; the *ad hominem* argument in debate, sabotage, disinformation, stumbling blocks, personal and social violence. Not infrequently, of course, the act of diminishing is ordered toward the well-being of the larger whole and becomes an act of justice rather than malice: critical reviews, failed students, employees separated for cause, judicial punishments, police actions, just wars—for example.

Critical issues of the emerging global order will inevitably arise from incompatible notions of the good and of good order—and the resulting competition to recruit cultural/ideological adherents to the various positions, adherents eventually deployable in conflict—as individual or group proponents of an idea, a notion of good order, a cultural affirmation.

Order itself must be ordered hierarchically—one thinks of Pseudo-Dionysius' *Celestial Hierarchy*. The limited goods of single communities, associations and corporate entities, their values and corporate personalities must be encouraged and stimulated to flower—but must also be ordered to cooperative and even synergic action with other societies. Where radical, conflict-producing differences exist the groups' interactions must be programmed in terms of justice, restraining destructive malice, encouraging constructive criticism and even demolition. [Parenthetically, I say destroying painted velvet portraits of Elvis Presley is probably a work of justice and civility, an exercise in sound aesthetic criticism.] Much of the work of programming social interactions among and between communities and functional groupings will revolve about transactions across boundaries; shifts of matter/energy and information, people, products, credit

and money across social system boundaries. Traditionally it is said that "evil communications corrupt good manners/morals." What are the optimum levels of *decisional autonomy* at each level of community and for each community and functional grouping as a function of its population, resources, history, culture and mode of organization? The same question may be asked about optimum *levels of interaction* with other groupings and communities over time.

What is involved here is an hierarchical providential order; norms, institutions and transactional controls that maximize creativity and minimize the effects of malice in the exercise of free moral agency, changing over time as a function of the latest effects of the creative evolutionary process itself. Such processes and attendant normative, institutional and programmatic shifts are not necessarily linear, or even continuous. "Changes of phase" may occur bringing social systems and their components into the realm of wholly changed interactive rules.

Culture and Ordered Consensus

As human populations have been brought together in even larger social and political groupings the possibilities of conflict have risen with the rise of trans-actions involving ever more individuals and groups; actual violent encounters tended until recently (as public authorities in democratic societies lose both moral authority and effective control of force) to diminish *within* the confines of states while inter-state violence reached paroxysmic levels in the first half of the 20th century and the threat of nuclear holocaust dominated the global sociopolitical scene during the "Cold War" period, roughly 1949 to 1989. Much of the "peace" characterizing the internal environment of modern states was a result of the central decision-makers' willingness to use force and moral violence to nullify, frustrate or destroy local and regional cultures, minority religions, linguistic and ethnic localism, regional economic interests. [For example, until about 1950, French policy required the suppression of these regional languages and dialects (e.g. Alsatian, Occitan, Breton, Basque, Corsican, Catalan, etc.), frowned upon because of their threat to French National unity..." *News from France* (93,03) 19 Feb. 93, p. 6.]

French, German and Italian unification brought wholesale cultural and linguistic homogenization through state control of education, especially at the University level; European Christianity, especially institutional Catholicism, experienced persecution and expropriation in the *Kulturkampf* and laicization, a seeming reduction to social and cultural irrelevancy in recent times. Even the economic forces released by industrialization became succubi of state power, selectively encouraged and sustained in the interests of state power (following List) often at the expense of the agricultural sector and agricultural regions (e.g. Italy's *Mezzogiorno*, the Southern U.S.) penalized by tariff policies. The new industrial proletariat and even subproletariat) was coopted by the central power employing the "politics of envy" and social policies that consciously or unconsciously were producing dependency. The emerging Servile State was recognized by Hilaire Belloc in the first decade of this century. Political parties reflecting an "interest group democracy" were recognized by the American Arthur Bentley in *The Process of Government*, 1908, for whom legislation reflects shifting coalitions of organized interests.

Social organization with decision-making at excessively high levels of aggregation must inevitably produce a broad homogenization of culture, too often a common denominator in knowledge, critical capacity, values, behavior and aesthetic sensibility. In a democratic society this becomes the "community standard" to which political decision-makers, the media and the popular culture must defer because votes and the economic clout of mass-marketing/mass-consumption

must be respected. This, in turn, however, must inevitably lead to many who are ignored, marginalized, disaffected, "out of it."

The United States has attempted to integrate or reintegrate marginal or emarginated *individuals* into the mainstream of society as members of designated minorities or "victim" groups. As a matter of public policy not even self-segregated communities (religious or ethnic or cultural) may retain their identities *unless* (and it is a major proviso) that self-segregation is based upon economic criteria; one can legitimately buy a good private education (in a technically non-segregated school) or buy personal security and congenial neighbors in a high cost, well guarded retirement community, condominium, or controlled access development. One may not, by and large, choose one's neighbors or workmates on the basis of shared values, behaviors or congenial culture and beliefs.

Where possible government will impose, by force if necessary, non-discrimination by race, religion, national origin, age, sex, disability and in some cases "lifestyle" (meaning marital status and sexual preference). Over the past forty years in the United States this has resulted in the desegregation and resegregation (through "white flight") of urban public schools, the breakup of older ethnic working class neighborhoods and the dispersal and replacement of those neighborhoods' populations. This sad process has been often effected by "blockbusting," introducing large, usually fatherless underclass families with rowdy children, inducing fear and panic house-selling at very low prices. The speculative purchase was followed by profitable resale to working class and middle class persons of color after the disruptive elements had been relocated frequently to another neighborhood "ripe" for conversion. A more recent reversal of this trend lies in "gentrification" in which young middle class professionals who wish to live in the city purchase structurally sound "slum" row houses for rehabilitation. This forces land values, assessments and so rents upward potentially forcing out those who had moved in a decade or two earlier. This is frequently responded to politically by imposing rent controls or providing rent subsidies "to keep the community together."

The population movements in the U.S.: from the rural south to the center city, from the city to the suburbs, from North to South and Southwest—all reflect a search for the satisfaction of values and values orderings involving economic opportunity, freedom from the social controls of rural communities, congenial and like-minded neighbors, security in person and property, air and space, good schools, an orderly ambience, honest and efficient public services, etc. Basically the United States has made *money* the unique criterion of ability to choose or create one's human and physical environment, and income correlates highly with occupation and education. In turn, these correlate highly with such personal endowments as measured intelligence, socially acceptable personality traits, quality education and such associated elements as language skills, accent, dress and comportment, verbal and behavioral response patterns, "attitude" and social interactive skills.

To a considerable degree the United States has resegregated itself in terms of class and income of which race, ethnicity, age, sex, religion, etc. are, at best, very rough indicators. Quotas based on identified, legally "privileged" categories increasingly have become the key to success and advancement in public service (police and fire departments, schools and colleges, public administration, etc.) and more recently in larger "private" corporations where a personnel roster substantially differing from the categorical makeup of the surrounding community is *prima facie* evidence of illegal discrimination. This has been accomplished in part, especially in public service, by race-norming (now illegal), i.e. assigning qualifying scores to category-members as a function not of test performance but percentile standing in the accomplishment pattern for that category. A recent "scandal" at the Georgetown University Law School resulted from the

revelation that minority students were admitted with LSAT test scores well below the cutoff point for non-minority students. The student who revealed this confidential information was initially denied his law degree (later changed to a public reprimand) while minority law students affirmed they had suffered civil damage through the devaluation of their professional degree by reason of publicly revealed preferential treatment.

At the same time that successful members of legally privileged categories are increasingly acceptable at every class level, the unsuccessful, poor, diseased, addicted, illiterate and unskilled are increasingly emarginated forming "two nations, separate and unequal." The reintegration of the American society is taking on the aspect of a compulsory, legally sanctioned institutionalization of the sub-proletariat in public housing, day-care centers (HeadStart), technical education programs, penitentiaries and "boot camps for first time offenders."

The really crucial issue however is the class stratification of contemporary American society coupled with the loss of community. Communities serve the whole range of human needs and desires; they encompass the whole range of activities needed for human survival and affirmation, life and the good life. It follows that communities must be interclass in nature with a wide range of vocations and income levels. To the extent that class reflects function (in turn based on the differences in human talents, training, achievement, background and effort) the omni-competent community encompasses the whole range of societal classes, usually within a limited, contiguous geographic area.

Many aspects of the person (including health, character, formed talents and an achieving personality) are a product of several generations building on one another, aristocracies of wealth and talent emerging over time based on the native abilities, choices, achievements and good fortune of preceding generations. The family's choices of college and community, spouse and friends, work activity, mode of rearing and disciplining children—all combine over time to form future generations. One bad or foolish choice can destroy a family. The egalitarian myth would have a "smooth playing field": equal talent, the same surroundings and formation, the same absence of property and resources on which to build one's career, family and position in the community. In such a society everyone must convince others to recognize him, promote him, provide resources—and those others are too frequently the state functionaries whose peculiar talents are to please, to organize, to manipulate bring power. Such equality artificially reduces the range of social action, creativity and accomplishment. The triumph of the proletariat is the rule of the secretariat.

What rapidly follows is the formation of a "new class" as power-holders institutionalize their positions in party, ministry, collective or industrial plant and make provisions for spouses and children, clients and supporters. Inequalities of income and tenor of life become questions of preferential access to housing, medical care, foreign-exchange stores, holidays, higher education, limousines and airplanes, the perquisites of office. Access to the levers of power defines "merit" and gives preferred status to "lions" or "foxes" depending on the political season. With variations, this process has been seen over and over again in many lands as the omni-competent state affirmed its sovereign power in ostensibly egalitarian, democratic societies that reduced their citizens to individuals, without mediating institutions or local loyalties, objects of history responding to ever changing events and an information environment manipulated to titillate its audience and to legitimate its managers and the system empowering them.

A strong argument can be made that a statist egalitarian system, whether democratic or authoritarian, is inherently inimical to the concepts of hierarchy and community at the local and regional levels. Only the state and the citizen are meaningful, bound by a common will; the state's

decision-makers are endowed with the omni-competent power of sovereignty. This conception has prevailed since the seventeenth century. The notion of hierarchically organized communities and functional groupings that perceive, decide and act autonomously with decisional power at the lowest competent level while super-ordinate authorities guide, counsel, coordinate and peacefully program subsystem interactions—this conception characterized western Christendom until the sixteenth century and has begun to return to western political thought in recent decades. Jacques Delors has become well known for his emphasis on "the principle of subsidiarity" as fundamental to the emerging European Community.

Increasing reference to "culture wars" in the United States suggest that certain basic social consensus and shared conceptual and ethical commitments are breaking down in this postmodern society. Both individuals and groups find themselves increasingly alienated from other individuals and groups; the cohesion and continuity of the larger community founders with the loss of shared perceptions, values and norms.

The social compulsion of the state increases as a dominant minority imposes its will on the more or less accepting mass and on increasingly dissident, alienated individuals and groups. In some cases collapse occurs, as in Poland or the U.S.S.R. In the latter case authority appears to be devolving to the major constituent ethnic groups as Russia, the Ukraine, Georgia, Armenia, the Baltic states, etc. affirm their identities as national communities. The Balkans and Africa reflect similar strains.

Ultimately radical culture conflict, the loss of the consensual glue at a given level of community, can only be resolved by permitting to individuals, families and local communities the mobility and freedom to choose or create communities of like-minded persons. The ultimate civil right is the freedom to emigrate.

In the final analysis the human will cannot be compelled though it may be constrained, erroneously informed, perverted, conditioned by circumstance or even destroyed. In some sense every act of moral evil involves a rupture with the community at some level. This is clearly the case with the acts of physical and moral violence considered common crimes but also with the acts of betrayal that subvert interpersonal and institutional relationships.

Some communities may themselves be based upon false notions of reality, distorted values or perverse practices while others more nearly approximate the true and good in their institutions and commitments. There is a continuing flow of persons between these as individuals' notions of reality change and are given assent, as practices gel and become habitual. Prudential questions relating to civic order revolve about the appropriate nature and type of such communities' boundaries, their permeability to matter/energy, information, goods, people, and credit, as individuals and groups define their cultural identities, choose to associate with the like-minded, extend their network of relations, identify allies and adversaries, strive to perpetuate and diffuse notions of the good and true.

In America today, for example, there is an aggressive political effort to affirm the moral equivalency of traditional families and homosexual liaisons with concomitant implications for the formation of youth in the public schools. So called multicultural curricula affirm the equivalency of all cultures, values and practices giving rise to a generational culture gap separating them from earlier cohorts socialized to consider themselves heirs and bearers of Western Civilization. Can such institutionalized relativism be far from cultural nihilism in which social communication is merely a reflection of power, and the true and good what is conducive to the fulfillment of this year's plan?

Perhaps the most basic assault on community is the increasing repudiation of the nuclear family, called at one Lesbian workshop "a microcosm of the fascist state." In cities like Washington, D.C. illegitimate births approach 75% of the total; in America overall about half of all marriages ends in divorce—willful betrayals of the notion of community at its most basic level. This harks back to the situation in imperial Rome where individualism and hedonism, promiscuity and the servile instrumentalization of others produced a civic order maintained by the sword and a disinterested Stoic elite. The Christian community emerged as the embryo of a new civic order, the second of St. Augustine's two cities, still alienated, emarginated, persecuted, repressed—yet coherent in its religious culture, monogamously pure in its family life and eventually the source of an ideal of family that persisted as an institution to this century.

As sacramental marriage again became a "sharing of things human and divine" at the most basic level of community, oaths, pledges of fealty and the *juramentum* became the foundations of Christendom's feudal, civic, papal and imperial loyalties; a religious base of community that recognized and rendered explicit both the betrayal and sacrilege implicit in rupturing the bonds of community.

In such an ethical culture the moral and jurisdictional claims of institutional religion take on another meaning and significance. The political pretensions of Boniface VIII and Innocent III have never been repudiated by the Catholic Church. Pius XII could excommunicate the human instruments of Atheistic Communism and only last month John Paul II in Khartoum, could reaffirm that the Christian community of Sudan was and ought to be exempt from the religious provisions of Islamic law as such (*Sharia*).

Yet the boundaries of communities must remain open, for in the capacity to choose one's associates, the *Weltanschauung* and values that will govern one's life, lies men's ultimate freedom—freedom to make or undo oneself. Recent Roman Catholic-Masonic dialogue, undertaken so hopefully 25 years ago on the basis of a common attachment to western civilization, finally foundered on the issue of freedom. Is human freedom an ultimate value in itself, or the proffered opportunity to participate in the divine work of creation? Is man an autonomous self who affirms himself in Promethean defiance of arbitrary divine *fiat*, in a Faustian exploration of limits and beyond limits? Or is man a limited yet wonderful work of creation, formed in the image of God, bound by the constraints of nature and the Creator, asked to participate freely in the unfolding of the *eschaton*, the *Opus Dei*?

Conclusion

Umberto Eco has suggested that the failure of Thomism, and indeed of all Medieval Christian thought lies in its effort to establish an harmonious view of the ordered, unchanging structure of the universe, neglecting process. I would suggest that the contemporary Christian has an optimistic view of ordered process, positing a providential order encompassing not only the mechanisms of cosmic motion and chemico-biological processes but also a hierarchal order of moral freedom. This hierarchically ordered freedom permits choice to rational creatures but under such constraints of nature that bad choices, inspired by ignorance or malice, ultimately destroy the agent or inspire his conversion to a better ordering of life and choice.

Just as successively more encompassing levels of the human community seek to establish rules and constraints that limit the possibilities of systemic damage resulting from poor or perverse choices (one thinks, for example, of nuclear non-proliferation agreements), so successive orders of Providence confine and limit the consequences of the moral evil willed and done by free spirits.

But for free agents when does permitting evil cease to be a prudential acceptance of others' freedom and become complicity?

Perhaps in some sense the evolution of the moral universe of living creatures reflects or realizes over time the hierarchical spiritual, angelic conflict in an *aevum* in which the providential triumph of the good is already programmed and being realized in time in a universe whose Creator made self-awareness and freedom characteristics of creatures in His image.

Chapter VIII Freedom and Evil

László Tengelyi

It was a common practice of the Western philosophical tradition to reduce evil to 'privation', 'nullity' or 'non-being'. "*Malum est privatio boni*" was one of the fundamental tenets of what is called 'European metaphysics'. This interpretation of evil originates in the Platonic tradition and received a full expression for the first time in Plotinus.¹

However, this 'privation thesis' (as it is often referred to) has been decidedly rejected by a number of more recent approaches. A first break with Plotinus' view was already marked by Augustine's attempt to find the ultimate source of evil in the human will. Yet the seemingly new direction taken by him eventually led to nothing but a detour. Augustine finally returned to his master's 'privation thesis' since he located the origin of evil ultimately in the finitude of human freedom.² In modern times the conception of evil has significantly changed. Since Descartes' *Fourth Meditation* and even more since Kant's *Essay on Radical Evil* (which was later incorporated into his book *Religion within the Limits of Reason Alone*), philosophical thinking has shown a strong tendency to consider evil as a mere consequence of freedom and to give an account of its factual existence in terms of guilt, vice, and human depravity.

Recent approaches to evil have especially been dominated by what Paul Ricoeur has called the 'ethical world-view'. This term alludes to the German expression '*moralische Weltanschauung*', introduced by Hegel in a famous passage of his *Phenomenology of Spirit*. It is not without significance, however, that Ricoeur slightly alters the formula taken over from this work. For him, in contrast to Hegel, the formula does not only designate Kant's and Fichte's ethical theory. What Ricoeur has in mind is rather the very specific attempt to understand freedom and evil reciprocally from each other.³

Ricoeur distinguishes between two consecutive stages in the development of what he calls 'ethical world-view'. In his opinion the initiative taken by Kant in his doctrine of radical evil was completed in a second stage by the unduly forgotten French philosopher Jean Nabert. He tried not only to reduce evil to freedom but, conversely, from this reduction he tried to draw all consequences concerning the very concept of freedom as well.⁴

Ricoeur examines the ethical world-view from a hermeneutical perspective. He builds his analyses on the general assumption that when philosophical reflection begins everything in fact has already been said in symbols and myths. This conviction is expressed by the famous aphorism "Le symbole donne à penser" which Ricoeur quotes from Kant at the end of his *Finitude et culpabilité*. From this standpoint it is quite natural to consider different philosophical conceptions of evil as elaborations, or, as it were, rationalizations of a knowledge which was first formulated in myths. Thus, for instance, the ethical world-view can be considered as the philosophical equivalent of the biblical narrative on Adam's fall.

This analogy makes it possible for Ricoeur to pave the way towards a critical examination of the ethical world-view. He begins with the remark that the mythical universe is a broken world.⁵ In Western culture, as he points out, there are essentially different narratives on the beginning and the end of evil. At least three main cycles of myths can be opposed to the biblical narrative on the fall: the Babylonean myth of creation, the Orphic--Iatonic idea of a banished soul and Greek tragedy. The most striking contrast can undoubtedly be observed between Adam's myth

and Greek tragedy: while the former obviously wishes to explain the origin of evil by specifying a human action which can be considered as original sin, the latter, as Ricoeur understands it, is based on the view that human culpability arises from existence itself.⁶ It is even more important for Ricoeur, however, that not only do different cycles of myths contain different interpretations of evil, but in most cases one and the same narrative gives rise to divergent conceptions as well. This is true, in particular, of the biblical story of the fall. Although it seeks to uncover the ultimate root of evil in original sin, it contains the embarrassing element that the first human couple in fact falls victim to the temptation of the 'serpent'. The figure of the 'serpent' marks here, paradoxically enough, a beginning before the first beginning: it represents, as Ricoeur puts it, "the other face of evil", its irreducibility to human action, its being always already there.⁷

It is not difficult to see that the idea of radical evil exhibits an analogous ambiguity. Kant defines it indeed, on the one hand, as a 'propensity' which "precedes all acts and which, therefore, is itself not an act" while, on the other hand, he explicitly declares that "such a propensity must spring from freedom" and must, therefore, be considered as our own act since "nothing is morally evil (i.e., capable of being imputed) but that which is our own act".⁸ Although Kant himself resolves this contradiction by introducing the concept of an intelligible action⁹, this exit remains so obviously an emergency device that we can agree with Ricoeur in calling the above mentioned ambiguity the "greatest paradox of ethics":¹⁰ it reveals indeed an antinomy at the very heart of freedom. This antinomy represents, once again, "the other face of evil", its irreducibility to human action, its being 'always already there'.

Thus Ricoeur is led to a critical discussion of the ethical world-view by discovering correspondences between mythical interpretations and philosophical conceptions of evil. But he does not go further. However clearly he sees that the hermeneutics of myths can never take the place of systematic philosophy¹¹, he never goes on to the level of elaborating an independent approach to the problem of evil. He contents himself with the negative achievement of proving how the ethical world-view comes necessarily to its limits. He adds that the antinomy disclosed by him in the concept of radical evil can be understood as an expression of the "resistance of the tragic to the ethical".¹² But he does not even raise the question of how a theory of freedom could give an adequate account of this "resistance".

The above account calls for the task to be completed on the following pages. First I will try to show that characteristic traits of the experience of guilt are mirrored by the antinomy of Kant's doctrine of radical evil; secondly, that the failure of the ethical world-view to cope with the problem of evil is largely due to the fact that it has been based upon a far too narrow conception of responsibility; and thirdly, that, in a modern approach, the 'privation thesis' of traditional metaphysics can be replaced by what could be called the 'contradiction thesis'.

The Antinomy in the Experience of Guilt

Kant's teaching on radical evil can be viewed as a philosophical appropriation of the religious doctrine of original sin from the perspective of an ethic of responsibility. It is not by accident that in the late work *Religion within the Limits of Reason Alone* two "laws of freedom" are discerned: that of obligation and that of accountability.¹³ As a principle of accountability, freedom plays a crucial role in the construction of the theory of radical evil. Kant does not so much state that the origin of evil lies in human freedom, as he rather demands that we should assume the responsibility for it.

The antinomy which has been identified by Ricoeur in this doctrine can also be best understood as a collision between the two 'laws of freedom' mentioned above. On the one hand, the ethic of responsibility worked out in the book on *Religion* requires that man should consider himself as the author of evil. But, on the other hand, the analysis of moral obligation accomplished by Kant in his ethical writings does not allow for him to designate freedom as the ultimate source of evil. For it is a firm and unchanging conviction of the critical philosophy of morals that freedom and morality belong inseparably together. A "free will" and a "will under moral laws" are "identical", says Kant in *Foundations of the Metaphysics of Morals*.¹⁴ "Thus freedom and unconditional practical law reciprocally imply each other", he repeats in the *Critique of Practical Reason*.¹⁵ He formulates this position even more sharply in his work on *Religion* when he asserts: "To conceive of oneself as a freely acting being and yet as exempt from the law which is appropriate to such a being (the moral law) would be tantamount to conceiving a cause operating without any laws whatsoever (for determination according to natural laws is excluded by the fact of freedom); this is a self-contradiction."¹⁶ As we can see, Kant maintains his conviction that freedom and morality belong inseparably together even after he has already developed his theory of radical evil. This observation is confirmed by a passage in his last ethical writing *Metaphysics of Morals* in which he, once again, claims that freedom can never be seen when "the intelligent subject can decide against his (legislative) reason".¹⁷

We may thus see that as far as freedom is interpreted only as a principle of obligation - as so often happens in the critical philosophy - it will always appear as inseparably interlocked with morality. If, however, it is considered as a principle of accountability, it turns out to be bound together, astonishingly, just as inextricably with an original culpability as with morality. The theory of radical evil is notoriously tormented by this antinomy.

Kant's position in his work on *Religion* is indeed, as Gordon Michalson puts it, "a nest of tangles" but, as he adds, "they are instructive tangles".¹⁸ This is not simply because the difficulties Kant is grappling are "the difficulties of his historical setting rather than of philosophical argumentation", as Gordon Michalson himself explains his remark just quoted¹⁹, but rather because these difficulties mirror characteristic traits of the experience of guilt as well.

This can be made clear by recalling an observation of Kant's in his work on *Religion*. As he says, each evil action "must be regarded as though the individual had fallen into it directly from a state of innocence".²⁰ Kant leaves no doubt about the fact that this statement can only be justified from what he calls in his *Foundations of the Metaphysics of Morals* the 'standpoint' of freedom.²¹ It is not intended as a description of what actually happens, but it is meant as a prescription of how what actually happens ought to be interpreted from the perspective of an ethic of responsibility. Although, as Kant emphasizes in the *Critique of Practical Reason*, "at the time I act I am never free"²², a person ought to consider himself or herself, according to what the ethic of responsibility expounded in the book on *Religion* requires, as "susceptible of, and subjected to, imputability in the very moment of that action, just as much as though "he had stepped out of a state of innocence into evil"²³. However paradoxical this requirement may sound, it obviously expresses a constant feature of the experience of guilt. There is no feeling of culpability without this spontaneous assumption of responsibility. But the very words used by Kant to specify this feature of the experience of guilt are apt to remind us that the moral situation in which the culprit necessarily finds himself is more intricate than that. The expression 'as though' that occurs twice in what has been quoted from the book on *Religion* indicates an enigma which remains uncovered in Kant's description.²⁴

A similar ambiguity can be encountered in Kierkegaard's essay on *The Concept of Dread*. Here we are told: "With the first sin came sin into the world. Exactly in the same way is this true of every subsequent first sin of man, that with it sin comes into the world."²⁵ Thus, the Danish thinker (whose positive debts to Kant are, by the way, much greater than usually admitted)²⁶ holds a thesis that resembles the just mentioned conception of the critical philosophy according to which the individual falls into evil directly from a state of innocence. Moreover, Kierkegaard seems to take it for granted that this thesis expresses a genuine feature of the experience of guilt. This is implied by the general conviction which he formulates as follows: "How sin came into the world every man understands by himself alone; if he would learn it from another, he *eo ipsom* understands it."²⁷ However, the very fact that Kierkegaard tries to shed some light on the doctrine of original sin from this strictly individual standpoint shows that there is a concealed enigma just as much in his approach as in Kant's.

Can this enigma be unravelled at all? Kant seems to give an answer in the negative to this question by taking the view that the origin of evil "remains inscrutable to us".²⁸ As with Kierkegaard, the situation is similar. Although he devotes a booklength inquiry to the doctrine of *peccatum originarium*, he holds it to be a mystery which discursive knowledge can only elucidate, but never explain. As we are told: "Sin does not properly belong to any science. It is the theme with which the sermon deals, where the individual talks as an individual to the individual."²⁹

Ricoeur goes undoubtedly further by describing the peculiar experience of evil as being always already there and by pointing out that this experience is a necessary element of any experience of guilt.³⁰ But as far as the method of his considerations is concerned we cannot avoid arriving at the conclusion that there are no adequate means at his disposal with which he could exploit his insight. As is well-known, Ricoeur is one of the originators of the philosophical position which has been termed as hermeneutic phenomenology.³¹ This methodological standpoint, however, finds itself confronted with a powerful challenge today. A new trend in the French phenomenology has recently emerged in the wake of the fresh initiatives taken by the later Merleau-Ponty and especially by E. Lévinas. This approach, whose representatives are as prominent - and as different - as J.-L. Marion or M. Henry, has been characterized by D. Janicaud very appropriately as a 'phénoménologie de l'inapparent'³², i.e. as a phenomenology which, paradoxically enough, does not concern itself with what simply appears but is rather interested in describing, as Lévinas puts it, what manifests itself precisely by not manifesting itself.³³

Probably, it is the phenomenology of what does not appear which has the best chances to master the difficulties which exposed themselves as controversial, antinomical and resistant to any consistent explanation in Kant's theory of radical evil for the first time. The contradiction between the requirement to assume the responsibility for the origin of evil and the discovery of an evil which has 'always already been there' might be further accounted for through this phenomenological method, especially by applying the conceptual network of 'phenomenon' and 'enigma' as elaborated by Lévinas. Following this line of interpretation, we may characterize the experience of evil which is always already there as the experience of a past that has never been present.³⁴ As we shall see, this characterization makes it possible for us to overcome the ethical world-view which tried to reduce evil to freedom, without at the same time relapsing into traditional metaphysics which assumed, as Plotinus formulated it, that "evils are prior to us and those that take hold on men do not do so with their good will".³⁵ In order to avoid both of these extremes, however, we have to clarify the relationship between freedom and responsibility.

Freedom and Responsibility

The ethical world-view, as it is conceived of by Ricoeur, does not acknowledge any kind of responsibility which is not strictly bound up with our own acts. This is evidently the reason why it claims, as Ricoeur puts it, that "to affirm freedom is to take upon oneself the origin of evil".³⁶ The underlying consideration can be explained as follows: Freedom, as a principle of accountability, is inseparably connected with responsibility. But one is only responsible for one's own acts. Therefore, there is no possibility to assert one's own freedom without taking upon oneself the origin of evil. But this consideration, as I shall argue, is highly misleading; it is, in fact, based upon a misconstruction of our concept of responsibility.

This can easily be shown if we take a glance at a much too neglected passage in Kant's *Critique of Practical Reason*. The line of thought in question is dedicated to an analysis of conscience and remorse.

Repentance is, as it is described by Kant, "a painful feeling caused by the moral disposition, empty in a practical sense since it cannot undo that which has been done". But Kant adds that, as a pain, it is, at the same time, "entirely legitimate, because reason [...] acknowledges no temporal distinctions and only asks whether the event belongs to me as my act, and then morally connects with it the same feeling, whether the event occurs now or is long since past."³⁷

Reason acknowledges no temporal distinctions - this is why I remain responsible for all my acts in spite of the fact that, as it has already been quoted, "at the time I act I am never free"; this is, in other words, how freedom, as Kant puts it here to convey his meaning, can be "saved".³⁸

Reason acknowledges no temporal distinctions - this is, at the same time, clearly a proposition that expresses a speculative turn in Kant's theory of freedom. We may best see this by contrasting this thesis of the *Critique of Practical Reason* with an apparently similar formulation of Jean Nabert's. In Nabert's view the experience of guilt establishes "simultaneity" between the act of judgment and the action judged, without depriving, however, the past thus retrieved of its inherent irrevocability.³⁹ Kant's point of departure, on the contrary, is that "the past is no longer in my power" even at the time I act and, therefore, "every action which I perform is necessary because of determining grounds which are not in my power".⁴⁰ But this starting-point does not prevent him from ascribing a special power to the act of the assumption of responsibility for past actions, namely the power to recuperate these actions into the possession of freedom. It is not surprising, however, that no such power of recuperation can ever be found within the sphere of temporality. So Kant's proposition cited does not allude to simultaneity, but rather to extratemporaneity. This obviously speculative turn is called upon to explain why, in spite of a breachless determinism accepted by the critical philosophy, the feeling of repentance is "entirely legitimate", i.e. how, under these circumstances, one can be justified at all to consider him- or herself as responsible for his or her own acts. But, in order to obtain this justification of conscience and remorse, Kant finds himself compelled to accept a rather peculiar interpretation of what responsibility consists in. He has to commit himself to the highly questionable view that by assuming the responsibility for our actions we take them upon ourselves as if they had been done freely, although, as the breachless determinism necessarily implies, they were performed in a strictly determined way. I will call this view the recuperative view of responsibility. I would once more like to direct the attention to the structural role assigned to the expression 'as if' in this view.

It is not difficult to understand why this conception of freedom as a principle of accountability is seriously misleading. The recuperative view of responsibility seems to consider as paradigmatic

the case when somebody takes upon himself what, in fact, somebody else has committed. It can, of course, hardly be denied that there are such cases, but they are certainly far from being regular instances of what responsibility in general means.

It is among the merits of the critical philosophy of morals to have perceived the self-assertion of freedom in the act of the assumption of responsibility. But it is highly questionable whether responsibility can just be reduced to this act. It is, therefore, only natural that other views of responsibility have been developed since Kant. Heidegger seems to have been the first to argue for the proposition that we had 'always already' been encumbered by the burden of responsibility before we came to assume it by a self-assertive act of freedom. Thus the famous chapter on conscience and guilt in *Being and Time* opposed an ontological conception of responsibility to Kant's ethical world-view.⁴¹

But Heidegger is not the only thinker to be mentioned in this respect. Recently, a new concept of responsibility has been formed in French philosophy, too. Let me first, once again, cite the name of Kant's late follower in moral philosophy, Jean Nabert. In his great work *Éléments pour une éthique* (1943), as Ricoeur has rightly observed, the ethical world-view was in fact completed rather than overcome. But his next book, the admirable *Essai sur le mal* (1955) marked already a decisive break with Kant's position. The later Nabert assumes that the radical evil specified by the critical philosophy is, in fact, bound up with "an original scission of consciousness", with which, on the other hand, freedom cannot be charged. Nevertheless, the I "takes [it] as much upon itself as it endures it".⁴² Thus, in Nabert's *Essai sur le mal* a concept of responsibility emerges which surpasses the scope of our own acts in extension. Freedom as a principle of accountability proves to be more far-reaching than freedom as a principle of obligation and action.

It is in this sense that Lévinas talks about "the anteriority of responsibility with respect to freedom".⁴³ Just as Nabert in his late *Essai sur le mal*, also Lévinas tries to conceive of one's own self in terms of its relationship with the other. This approach transcends the limits of the ethical world-view from the outset and renders the recuperative view of responsibility obsolete. For it is based upon the insight that we are not only responsible for our own acts but, as Lévinas formulates it in his *Autrement qu'être ou au-delà de l'essence*, we are also responsible "for the faults or the misfortune of others".⁴⁴ This extended or even unlimited concept of responsibility leads over, finally, in a quite natural manner, to a restatement of the idea of original culpability. As Lévinas writes: "The more I return to myself, ... the more I discover myself to be responsible; the more just I am, the more guilty I am."⁴⁵ Or we can quote an even more emphatic formulation: "The irremissible guilt with regard to the neighbour is like a Nessus tunic my skin would be."⁴⁶

It is not surprising that this unrestricted view of responsibility and culpability opens a new way towards understanding the enigmatic experience of evil as being 'always already there'. It remains, however, to be seen how this new way can be discerned from the route taken by traditional metaphysics. Isn't it true that the upshot of both conceptions is that evil is prior to us and it does not take hold on men with their good will, as Plotinus formulated it? I shall argue that there is a profound difference between the two approaches by opposing what might be termed the 'contradiction thesis' to the 'privation thesis' of traditional metaphysics.

The Contradiction in Evil

As we have just seen, Lévinas tries to dis sever responsibility from any act of freedom. He brings to light an original indebtedness to the other. With this indebtedness we have always already been encumbered without ever having it incurred upon ourselves by any manifest action. As he

undertakes to describe in temporal terms this peculiar concept of an original culpability which does not involve any actual guilt, he comes to the conclusion that the kind of responsibility he speaks of includes a relationship with a past that has never been present.⁴⁷

Since this expression can obviously not be taken as referring to a temporal attribute of any substance in the world, but can only be understood as revealing a characteristic trait of a lived experience, Lévinas here in fact offers a formula with which the 'enigma' of an evil that has 'always already' been there can be interpreted as an internal feature of the 'phenomenon' of guilt. It is precisely at this point where the metaphysical tradition has gone astray: it has always been inclined to take this enigmatic feature of the phenomenon of guilt to be the manifestation of the mysterious reality of a substance in the world. This substance was called 'matter', whose particularity consisted, strangely enough, in its being, as it were, an incorporated nullity, a non-existing entity, a palpable and quite efficacious shadow. We can find this enormous quid pro quo, this exteriorization of what is, in fact, an internal feature of a lived experience, at the root of the 'privation thesis' of traditional metaphysics. It is, however, not difficult to see that the only way to avoid this fatal misinterpretation is to assume that there is a contradiction in the very concepts of guilt, culpability, and evil. On the one hand, as Kant and Kierkegaard have shown, preparedness to take upon oneself the origin of evil is an essential prerequisite of any genuine experience of guilt; on the other hand, as Ricoeur has rightly pointed out, it is impossible to reflect upon one's own culpability without discovering evil as being 'always already there'.

The insight that the very concept of guilt involves a contradiction has been formulated by the French philosopher André Vergez as an objection to any theory that admits a culpability irreducible to ignorance. In his work *Faute et liberté* this objection has been exploited as an indirect proof of Socrates' view of guilt being nothing but an error. Having recourse to this ancient view, Vergez rejects all modern conceptions of a free will being capable of choosing between the good and the evil.⁴⁸ In order to defend his position, he also undertakes to refute Nabert's theory of culpability.⁴⁹

But there is an answer to his objection to be gathered from Nabert's *Essai sur le mal*. A passage in this work indicates very instructively what it is which is not accounted for in Socrates' view accepted by Vergez. Nabert's argument can be summarized as follows: If every choice between the good and the evil were accomplished in an isolated and, so to speak, atomic situation of decision, and the free will could preserve its full availability from one such situation to another, then Socrates would perhaps be right in holding that nobody does evil on purpose. But precisely this presupposition does not seem to hold true in the case of human will. Finite freedom gets again and again entangled in contradictions with itself, and it would be difficult to deny that these contradictions do, in fact, encroach upon its availability because freedom, as a principle of accountability, bears the responsibility "for itself and the contradiction" it gets involved in.⁵⁰ In other words: responsibility constitutes a unity of a life in which there are no atomic or isolated situations of decision, but in which a past that has never been present does not fail to have its consequences.

Let me illustrate these considerations by the example of Shakespeare's *Richard III*. Here evil is certainly done on purpose. Richard says at the beginning of the tragedy:

"I am determined to prove a villain." (I;i;30)⁵¹

But inspite of this resoluteness he gets ultimately involved in a contradiction with himself. This might be seen if we consider how this briskly self-assertive utterance finds an echo at the end of the play:

"I am a villain - yet I lie, I am not!
Fool, of thyself speak well! fool, do not flatter." (V; iii;192-193)

Here a contradiction is explicit. I am: I have become what I have been determined "to prove" from the outset. I am not: it is impossible that this should be what I call 'myself'. Do not flatter: do not deceive yourself.

We can see here that even when evil is done on purpose it is irreducible to what has been intended. This experience - which we might get confronted with just as much as Richard - reveals, to borrow an expression from Lévinas, a monstrosity; and, as we may add, this monstrosity is to be faced as the monstrosity of ourselves. This trace of an 'enigma' on the 'phenomenon' of guilt can be described as a radical contradiction in evil.

The first to discover the possibility of this interpretation was Schelling in his famous *Philosophical Investigations concerning Human Freedom* written in 1809. After having refused to accept the 'privation thesis' of traditional metaphysics he comes here to assert: "In evil there is that contradiction which devours and always negates itself, which just while striving to become creature destroys the nexus of creation and, in its ambition to be everything, falls into non-being."⁵² But in Schelling's exposition this fundamental insight, which can be referred to as the 'contradiction thesis' of the theory of evil, remains undeniably rather obscure.

In order to develop this thought in a clearer version we have to interpret the radical contradiction of evil just mentioned as an event of singular significance within the unity of a life. This endeavor may find a support in what is usually designated as the narrative view of personal identity. This conception has recently been elaborated by Alasdair MacIntyre⁵³ and, in a refined formulation, by Paul Ricoeur⁵⁴. The 'theory of narrative identity', as this interpretation is sometimes called, can be briefly characterized by the following two statements:

1. Personal identity consists in the historical unity of a life;
2. The historical unity of a life shows the same characteristic features as the unity of a narrative.

This simple and, at least for me, quite convincing conception has brought some fresh air into the general discussion on personal identity which was marked by artificial devices and an interest in sterile subtleties at the beginning of the last decade.⁵⁵ The above theses have the advantage of interdisciplinarity: besides philosophy, they make extensive use of narratological considerations as these are expounded both in the epistemology of history and in literary criticism. Although, of course, the theory of narrative identity has also its own weak points⁵⁶, it provides, indeed, a clue to a more consistent restatement of the tenet which has remained in Schelling without any proper elucidation. It can easily be understood why this is so. For however enigmatic the experience of a radical contradiction in evil may prove to be, it can very well be narrated how finite freedom gets again and again ensnared in such contradictions during a life whose unity is constituted by responsibility.

In this way, the 'privation thesis' of traditional metaphysics can be replaced by what has been called the 'contradiction thesis'. This replacement is, however, not to be taken as a simple

substitution. On the contrary, it goes together with a profound transformation. For although the radical contradiction in evil can, so to speak, receive a configuration in a narrative, it certainly cannot be resolved and, thereby, reduced to nullity or non-being. It has to remain an 'enigma' within the boundaries of the 'phenomenon' of guilt: an eternal enigma that has already been anticipated or even expressed by the mythical symbol of the 'serpent', in which Ricoeur so clearly perceived "the resistance of the tragic to the ethical".

Notes

1. See Plotinus, *Enneads*, I. 8, 11
2. See A. Vergez, *Faute et liberté*, Les belles lettres, Paris 1969, pp. 128-135. Cf. P. Ricoeur, "Le 'péché originel': étude de signification", *Le conflit des interprétations. Essai d'herméneutique*, Seuil, Paris 1969, pp. 265-282, esp. p. 271 - Cf. *The Conflict of Interpretations*, ed. by D. Ihde, Evanston: Northwestern University Press, 1974, pp. 269-286, esp. 275 sq.
3. P. Ricoeur, *Fallible Man*, tr. by Ch. A. Kelbley, Fordham University Press, New York 1986, p. XLVI: "[...] we may understand by the ethical vision of the world our continual effort to understand freedom and evil by each other". Cf. in French: *Finitude et culpabilité*, Paris: Seuil, 1988, p. 14.
4. *Ibid.*, p. 15 sqq.
5. *Ibid.*, p. 476
6. *Ibid.*, p. 363
7. P. Ricoeur, *The Conflict of Interpretations*, p. 295: "The serpent, at the very heart of the Adam myth, stands for evil's other face, which the other myths tried to recount: evil already there, pre-given evil, evil that attracts and seduces man. The serpent signifies that man does not begin evil. He finds it. For him, to begin is to continue." (In French: *Le conflit des interprétations*, p. 291). Cf. *ibid.*, p. 308 (in French: p. 304): "The serpent, I think, represents the 'always already there' of evil [...]"
8. See I. Kant, *Religion within the Limits of Reason Alone*, translated by Theodore M. Greene and Hoyt H. Hudson, New York: Harper Torchbooks, 1960, p. 26. Cf. *Die Religion innerhalb der Grenzen der bloßen Vernunft*, Academy Edition, vol. VI, p. 31
9. *Ibid.*
10. P. Ricoeur, *The Conflict of Interpretations*, p. 436. Cf. *Le conflit des interprétations*, p. 426.
11. P. Ricoeur, *Symbolism of Evil*, tr. by E. Buchanan, Beacon Press, Boston 1967, p. 345. Cf. in French: *Finitude et culpabilité*, p. 476.
12. P. Ricoeur, *The Conflict of Interpretations*, p. 309: "Therefore, just as the figure of the serpent, at the center of the Adam myth, counters the demythologization of the Babylonian myths, so, too, original sin marks, within the ethical vision of the world, the resistance of the tragic to the ethical". See in French: *Le conflit des interprétations*, p. 305. Cf. Jean Nabert, *Essai sur le mal*, Paris: Aubier, 1970, p. 54: "[...] le tragique nous éveille à la pensée de ce qui se dérobe invinciblement aux catégories du monde moral".
13. I. Kant, *Religion within the Limits of Reason Alone*, p. 31. Cf. *Die Religion innerhalb der Grenzen der bloßen Vernunft*, Academy Edition, vol. VI, p. 35.

14. I. Kant, *Foundations of the Metaphysics of Morals*, translated by Lewis White Beck, Indianapolis: Bobbs-Merrill Co., 1959, p. 65. Cf. *Grundlegung zur Metaphysik der Sitten*, Academy Edition, vol. IV, p. 447.
15. I. Kant, *Critique of Practical Reason*, translated by Lewis White Beck, p. 29. Cf. *Kritik der praktischen Vernunft*, Academy Edition, vol. V, p. 29.
16. I. Kant, *Religion within the Limits of Reason Alone*, p. 30. Cf. *Die Religion innerhalb der Grenzen der bloâen Vernunft*, Academy Edition, vol. VI, p. 35.
17. I. Kant, *Metaphysik der Sitten*, Academy Edition, vol. VI, p. 226.
18. G. E. Michalson, Jr., *Fallen Freedom. Kant on Radical Evil and Moral Regeneration*, Cambridge etc.: Cambridge University Press, 1990, p. 5.
19. *Ibid.*, p. XI
20. I. Kant, *Religion within the Limits of Reason Alone*, p. 36. Cf. *Die Religion innerhalb der Grenzen der bloâen Vernunft*, Academy Edition, vol. VI, p. 41.
21. I. Kant, *Foundations of the Metaphysics of Morals*, p. 74. Cf. *Grundlegung zur Metaphysik der Sitten*, Academy Edition, vol. IV, p. 455.
22. I. Kant, *Critique of Practical Reason*, translated by Lewis White Beck, p. 98. Cf. *Kritik der praktischen Vernunft*, Academy Edition, vol. V, p. 95.
23. I. Kant, *Religion within the Limits of Reason Alone*, p. 36. Cf. *Die Religion innerhalb der Grenzen der bloâen Vernunft*, Academy Edition, vol. VI, p. 41.
24. As Ricoeur puts it: "Everything is in this 'as if'. It is the philosophical equivalent of the myth of the Fall; it is the rational myth of the coming-to-be of evil [...]" See P. Ricoeur, *The Conflict of Interpretations*, p. 435. Cf. *Le conflit des interprétations*, p. 425.
25. S. Kierkegaard, *The Concept of Dread*, translated by Walter Lowrie, Princeton: Princeton University Press, 1957, p. 28.
26. This is shown by A. MacIntyre in *After Virtue*, London: Duckworth, 1987, pp. 43 sqq.
27. S. Kierkegaard, *The Concept of Dread*, p. 46
28. I. Kant, *Religion within the Limits of Reason Alone*, p. 38. Cf. *Die Religion innerhalb der Grenzen der bloâen Vernunft*, Academy Edition, vol. VI, p. 43.
29. S. Kierkegaard, *The Concept of Dread*, p. 14.
30. Cf. P. Ricoeur, *The Conflict of Interpretations*, p. 435 sq. Cf. *Le conflit des interprétations*, esp. p. 426.
31. Cf. D. Ihde, *Hermeneutic Phenomenology. The Philosophy of Paul Ricoeur*, Evanston: Northwestern University Press, 1971
32. D. Janicaud, *Le tournant théologique de la phénoménologie française*, Combas: Éditions de l'éclat, 1991, S. 17 ff.
33. E. Lévinas, "Phenomenon and Enigma", *Collected Philosophical Papers*, tr. by A. Lingis, M. Nijhoff, Dordrecht/Boston/Lancaster 1987, p. 66. - Cf. in French: "Énigme et phénomène", *En découvrant l'existence avec Husserl et Heidegger*, Paris: Vrin, 1974, p. 209.
34. Cf. *ibid.*, p. 211. See also J. Derrida, "La différence", *Marges de la philosophie*, Paris: Minuit, 1972, p. 22 (English edition, p. 21): "A past that has never been present: this formula is the one that Emmanuel Levinas uses [...] to qualify the trace and enigma of absolute alterity: the Other."
35. See Plotinus, *Enneads*, I. 8, 5 (tr. by A. H. Armstrong).
36. P. Ricoeur, *The Conflict of Interpretations*, p. 431. Cf. *Le conflit des interprétations*, p. 422.

37. I. Kant, *Critique of Practical Reason*, p. 102. Cf. *Kritik der praktischen Vernunft*, Academy Edition, vol. V, p. 98 sq.

38. *Ibid.*, p. 98. Cf. *ibid.*, vol. V, p. 95.

39. J. Nabert, *Elements for an Ethic*, tr. by W. J. Petrek, Northwestern University Press, Evanston 1969, p. 5: "Memory recreates unceasingly a simultaneity of the interior act by which consciousness judges itself and of the past act which is the matter for this memory." - Cf. in French: *Éléments pour une éthique*, Paris: P.U.F., 1943, p. 5.

40. I. Kant, *Critique of Practical Reason*, p. 92. Cf. *Kritik der praktischen Vernunft*, Academy Edition, vol. V, p. 94

41. I have devoted a more detailed analysis to this problem in an essay entitled "Verantwortlichkeitsethische und fundamentalontologische Schuldauslegung". See I. M. Fehér (ed.), *Wege und Irrwege des neueren Umganges mit Heideggers Werk. Ein ungarisch-deutsches Symposium*, Berlin: Duncker & Humblot, 1991, pp. 151-174.

42. J. Nabert, *Essai sur le mal*, Aubier, 1970, p. 91: "[...] le mal radical dans le sujet de l'action se relie à une scission originaire des consciences que le moi prend en charge autant qu'il la subit."

43. E. Lévinas, *Autrement qu'être ou au-delà de l'essence*, La Haye: M. Nijhoff, 1974, p. 18.

44. *Ibid.*, p. 12

45. *Ibid.*, p. 143. English translation made by Alphonso Lingis in Seán Hand (ed.), *The Lévinas Reader*, London: Basil Blackwell, 1989, p. 102

46. *Ibid.*, p. 139. Eng. tr. *ibid.*, p. 99

47. Cf. *ibid.*, p. 12: "[...] la relation avec un passé d'en deçà tout présent et tout re-présentable [...] est incluse dans l'événement extraordinaire et quotidien de ma responsabilité pour les fautes et le malheur des autres, dans ma responsabilité répendant de la liberté d'autrui [...]"

48. See A. Vergez, *Faute et liberté*, p. 6 sq. and p. 40.

49. *Ibid.*, p. 6, n.

50. J. Nabert, *Essai sur le mal*, p. 126.

51. A. Hammond (ed.), *King Richard III. The Arden Edition of William Shakespeare*, London-New York: Methuen, 1981.

52. F.W.J. Schelling, *Of Human Freedom*, tr. by J. Gutmann, Chicago: The Open Court Publishing Company, 1936, p. 69. Cf. *Philosophische Untersuchungen über das Wesen der menschlichen Freiheit und die damit zusammenhängenden Gegenstände*, in: *Sämtliche Werke*, Vol. VII, p. 390 sq.

53. A. MacIntyre, *After Virtue*, Duckworth, London 1987 (first edition: 1981), esp. ch. XV: "The Virtues, the Unity of a Human Life and the Concept of a Tradition". - Not less important is MacIntyre's new book: *Three Rival Versions of Moral Inquiry*, London: Duckworth, 1990.

54. P. Ricoeur, *Temps et récit*, vols. I-III, Seuil, Paris 1983-1985 (esp. vol. III, pp. 352-359) and *Soi-même comme un autre*, Paris: Seuil, 1990.

55. An unbiased survey of the main problems and arguments is to be found in the last chapter of D. W. Hamlyn's *Metaphysics* (Cambridge etc.: Cambridge University Press, 1984, esp. pp. 201-218). See also B. Williams, *Problems of the Self*, Cambridge etc.: Cambridge University Press, 1973, and D. Parfit, *Reasons and Persons*, Oxford: Clarendon Press, 1984.

56. I have tried to show this in a paper entitled "Phänomenologie der Zeiterfahrung und Poetik des Zeitromans in Paul Ricoeurs 'Temps et récit'", *Mesotes* (Vienna), 1/1991, pp. 28-36

Chapter IX
Religion, the Voluntary Sector, and the State:
Some Reflections from Emerging Democracies

Karla W. Simon

As countries all over the world are emerging from periods of non-democratic rule, lawyers from those countries and Western experts who are working with them have had to consider in detail theories about the role of the voluntary sector¹ in a modern, democratic, market-oriented society. Religious feelings, in general, and religious organizations, in particular, have played and continue to play a significant part in the development of the voluntary sector. Thus, the way we look at state regulation of the sector necessarily has implications for religious organizations and the views they espouse or the principles they embody. This paper contains some reflections on the theoretical underpinnings of state regulation of both sectarian and nonsectarian voluntary organizations and attempts to draw some conclusions that may have general applicability to the relationships between the state and the voluntary sector worldwide.

Public Functions of Voluntary Organizations—The Influence of Religion

Regardless of religious tradition, in all societies that are democratic—and even some that are not—the voluntary sector is comprised of organizations and associations of individuals in two groups, each of which principally performs one of two basic functions. The first group includes organizations that exist principally to serve the public benefit in that they perform services for society as a whole as distinct from a small group of individuals. The second group includes organizations that exist to benefit their members rather than society as a whole. Although they may perform some services that have a broader public benefit, that is not the principal purpose for their existence. Religion historically has played a role in the coming into being of both of these groups, but it is far more important for the former than for the latter. Religion continues to play a role in the voluntary sector in most countries because religious organizations have traditionally provided outlets for pluralistic and democratic impulses of private citizens.

In all religious traditions the role of religious organizations (church, synagogue, mosque, temple) in the development of the society and of the society's tolerance for a vital and prolific voluntary sector is quite significant. The Judaeo-Christian and Islamic traditions, for example, significantly favor the existence of a large voluntary sector, because they encourage private citizens to perform charitable acts for the benefit of the larger society or to give money to finance the performance of such acts by their particular religious group. The same is true, but to a lesser degree, in societies influenced by Buddhism, Confucianism, and Hinduism.² However important the historical influence of religion on the growth of the voluntary sector may have been, the continuing importance of religion in the sector at the present time depends to a great degree on how secularized a society may have become. Nevertheless, societies still tend to carve out special rules for religious voluntary organizations in their regulatory schemes, which suggests that religion is venerated and granted certain privileges.

Looking first at public benefit organizations, it is clear that social development in most countries focused initially on having the religious organization itself perform charitable functions that were of benefit to the society and that were not performed by the state. But that trend continued

to the present day only in certain countries in which religion continues to play a very dominant role in the society. In those countries, for example, religious organizations have become the major providers of hospitals for the poor and underprivileged or homes for the destitute. In those countries it is the religious organizations that comprise most of the voluntary sector, and questions regarding the role of the state versus the role of the voluntary sector are really questions about the role of the state versus the role of the major organized religion(s). But these situations tend also to have permitted nonsectarian public benefit organizations to grow up alongside religious ones, and they too play a real role in permitting private individuals to have outlets for doing good. Thus, even in countries where religion dominates the voluntary sector, regulation of the voluntary sector involves regulation of nonsectarian organizations as well as religious ones.

In many other countries public benefit organizations have moved away from the primary influence of religion. The voluntary sector in those countries is comprised of numerous organizations that perform all sorts of functions, some of which are traditional state functions and some of which are not. In those countries, such as the United States, the way the state and the voluntary sector interact is not connected to religious organizations and their operations in any fundamental way. In those countries questions of state regulation therefore are not focused primarily on religious organizations, but there may be special rules that apply to religious organizations and that limit the interference of the state in their activities.

Looking secondly at mutual benefit organizations, the role they play in societies can vary widely. In some they are prevalent and provide outlets for social (chess clubs), economic

(trade unions and business leagues), religious (spiritual guidance groups),³ and political (political parties) desires of their members. In others the state restricts their ability to exist because it does not want to encourage freedom of association. Many mutual benefit organizations do perform functions that have a broader social or public benefit purpose, but they exist principally to serve their members and not the public at large. Although these organizations do not take the place of the state in that they ordinarily do not perform state functions, the way the state views them and the freedoms it accords them are both important in assessing the way the voluntary sector is regulated. But because religion is not a predominant influence in the growth of these organizations, the way the state regulates them does not have any important implications for religion. And because these organizations do not take on public roles, they will not be the principal focus of this paper.

Relationship to the State—Organizations Performing State Functions

In the traditional view in the United States and Western Europe, there are two levels on which private voluntary organizations that perform a public benefit relate to the state. These ways of relating to the state are the same whether the organization is religious or not. On the one hand, as suggested above, voluntary organizations function on a parallel course to that of the state, performing functions that are traditionally performed by the state or that might be performed by the state. They do this because private citizens believe that the state has not undertaken to perform those functions or because the state does not perform them well.

On the other hand, such organizations are regulated or controlled by the state as the representative of the people to assure that the organizations founded by private citizens perform these functions in a way that provides a positive benefit for society. Thus, the state permits them to exist and to perform public functions so that it may encourage democracy and pluralism. It views the organizations as expressions of a minority view that is not represented by what the state

itself does or the way in which it does it. At the same time the state regulates such organizations as the representative of the majority view to ensure that they do in fact serve the general public in some essential way. These statements are true of the way the state looks at both religious organizations and those that do not have religious roots except in the most generalized way.

The recent experience in the emerging democracies of East/Central Europe does not cause us to retreat from this description of the way voluntary organizations and the state

interact, but it does cause us to consider it in a new light. Because these societies have in recent years depended on the state to perform many social services, as they emerge into democracy and into market economies they view the need to encourage the development of a voluntary sector as having two principal components. One of these is the desire to encourage democracy and pluralism, in accordance with the traditional view expressed above. The other is the need to privatize some of the state functions, encouraging their takeover by private organizations. It is not clear which of these components will be dominant in any given situation. But it is important to recognize that many in East/Central Europe believe that the latter purpose for the voluntary sector is equally as important as the former. Thus, what we have called public benefit organizations or organizations that perform state functions are being permitted in many of these countries primarily so that they can step in and completely take over functions that have previously been performed solely by the state.

The reasons why the state is looking to privatize some of its functions are both economic and social.⁴ In many circles in East/Central Europe, the assumption is being made that it will be easier to balance the state's budget by simply removing certain functions from it (e.g., prison supervision and garbage collection, but not education). The idea is that even though tax exemptions and other state subsidies may be provided to the organizations to encourage them to perform these functions, it is much less expensive to do that than it is to continue to have the state provide the services itself. The economic impetus for the creation of private organizations that will take over state functions thus comes principally from the state and not from a private impulse to do good or to have an outlet for minority views.

The social impetus for the creation of voluntary organizations that will perform state functions is different. In many countries in East/Central Europe the stifling of private voluntarism has led to a lack of citizen control over societal actions. This in turn has led to a lack of democratic sentiment that may stifle economic development if it is allowed to continue. There are numerous people in these countries who want to privatize state functions because they believe that is the only way to permit private citizens to participate in many economic activities. There are, for example, no private companies that perform garbage collection services. It is thought that one way to create the opportunity for private enterprise in this area is to allow private companies that will be state subsidized to begin to take over state functions, on the theory that eventually they will become self-sustaining and thus totally independent of the state.

Comparing the traditional democratic view of voluntary organizations with the view currently being developed currently in East/Central Europe, we can see that the state will continue to play a very important role in the voluntary sector that is not wholly consistent with the role it plays in Western Europe or the United States. To understand more fully the way the state and the sector interact in more traditional democracies, I will explore in the next section a more detailed example of what currently happens with respect to state control in the field of private education.

Private Education—An Example of a Public Function

A good example of a state function that is frequently performed by voluntary organizations is private education. This is not a substitute for public education, but, in the societies where it exists, is an alternative to it. Although in earlier times there was a good deal more private education (both sectarian and nonsectarian) in democratic societies, more recent history shows a trend toward universal state—provided public education. But, in the United States, there has also been a parallel trend in favor of private education from the primary level through the university level. This has been encouraged by the state through the provision of tax benefits and the relaxation of certain state burdens. In other countries, such as those in the Western Europe, there is a tradition of private education before the university level, but virtually none at the university level. Here again the state has subsidized the voluntary sector activities in important ways. In each instance the private sector educational efforts exist alongside and as alternative to, not as a substitute for, public education.

This difference in what has developed in various societies is obviously attributable to significant differences in views about the role of the state versus the role of the private sector in accomplishing the goal of having a well-educated public. In democratic societies, such as those in the U.S. and Western Europe, the decision to support or not support a wide range of educational vehicles is made democratically. In the U.S., as opposed to Western Europe, a higher societal value appears to be placed on pluralism and educational choice, which is reflected in the state's being willing to encourage the existence of more private schools. In Western Europe, the general societal view appears to be that the state does a better job of providing university education, and so private universities, while not forbidden in most cases, nevertheless do not have the same societal support they do in the United States. In East/Central Europe, on the other hand, the state previously suppressed private education consistent with its view that permitting it would undermine the state's control over information flows to its citizens. Thus, the state did not perform all educational functions because it thought it was the superior provider of the educational services, but rather because it wanted to prevent possibilities of destabilization of its control. As the countries of East/Central Europe emerge from communism, it is

likely that the state will loosen its control over the performance of educational functions, but it is not yet clear which model of private sector involvement in education will be used.

Even though these particular outcomes reflect important societal differences, we can see emerging from this discussion two roles of the democratic state discussed previously. One role is that of the state as supervisor of the function that it is permitting the private schools to perform. It exercises that supervisory role on behalf of the society because of the enormous importance of education to the society. It seeks to ensure that the education provided by the private schools is adequate to satisfy general community standards. Rather than mandating that all children must attend public schools,⁵ the state performs its supervisory role by setting standards and requiring certifications, etc. This principle of state supervision is well—accepted in democratic societies that want to encourage and develop the voluntary sector and it is regarded as a prerequisite for the existence of such a sector.

The other role of the state that we can discern is to encourage the existence of private schools. As we have noted, there are several reasons why it may choose to do this. One is

to provide an outlet for those whose views about education differ from the majority views embodied in the public education system; religious schools are the principal example of this reason for encouraging private education. Another is to permit private persons to perform roles it is having difficulty performing, such as in providing special education. A third is to relieve itself of the financial burden of providing highly specialized or otherwise very expensive educational outlets, such as medical schools.

The latter two reasons just described clearly support the state's decision to encourage private education by providing tax exemptions and other benefits to private schools. Although it is difficult to prove the hypothesis, one can assume that the state thinks it is less expensive and more efficient to provide tax benefits than to require that taxes be paid so that the state can monopolize the education market. It is also arguable that the state should provide tax benefits to encourage pluralism, although the relationship between the decrease in revenues and an economic benefit derived from the increase in voluntary activities is not so easily quantified.

Lessons for Emerging Democracies in East/Central Europe

What this discussion from our own experience suggests is that the theoretical underpinnings supporting the encouragement of the voluntary sector in East/Central Europe are not that far removed from the theories that support our own sense of the ways in which these organizations relate to the state. It also suggests that our experience is relevant for those countries even though they may appear to be arriving at similar conclusions from a very different starting point. The lessons that can be drawn from the more democratic countries make it clear that the state has a significant interest in permitting the voluntary sector to assume some of its traditional functions. It should thus encourage that to happen by providing subsidies in the form of tax and other benefits. This sense of the role of the state versus the role of the voluntary sector appears to have broad applicability to most situations the world over.

We can also suggest another general principle and that is that the voluntary sector itself should not forget that encouragement and supervision are closely intertwined. It would be absurd for the state to allow organizations that it permits to take over its functions to do so in a way that abuses the citizenry. While garbage collection may not be as important as education, it is nevertheless important to have the state continue to exercise an oversight function to ensure that the private voluntary organization that assumes its role does so in the public interest.

From the previous discussion it is therefore possible to draw some conclusions that have general applicability the world over. But it is not always sensible to generalize, and important societal differences will always need to be reflected in the laws that are adopted by any society to regulate the voluntary sector.

Religion and the State—An Important Footnote

In the previous discussion, only very brief mention has been made of a very important issue about state regulation of the voluntary sector. Many countries that do not have the democratic traditions with which we are familiar in the United States are much harsher than we are with respect to the ways in which the state is permitted to control the activities of these organizations. The principal reason for this is that the state views voluntary organizations as having a potentially destabilizing influence. It therefore retains the ability to outlaw them at will for activities that are inconsistent with its views.

An example of such a situation can be found in Egypt, where the state wants to retain certain powers so that it will be able to prevent fundamentalist Islamic organizations from undermining it by their efforts to establish a religious state. Egyptians would view it as laughable for Americans to think in terms of exporting our views of religious freedom to them. Indeed, we can see the effects of the differences in the laws of the two countries—fundamentalist organizations are conducting their activities in the United States rather than in Egypt because our laws protect their

religious freedom while the Egyptian laws do not. Thus, in Egypt they are not permitted to preach their views, but in the United States they are.

In addition to trying by direct religious influence to undermine the state, something else very interesting is happening in Egypt at the present time. Many fundamentalist Islamic organizations are performing important state functions (such as schooling, day care, feeding the poor, providing basic medical care, etc.) for what are admittedly political as well as religious and charitable reasons. They are seeking to gain respect and influence by proving that they care and the state does not.

What are the implications of these problems for the theses I have propounded in this paper? Whose views of the relationship of the state and voluntary organizations ought to prevail? These are troubling questions that cannot be easily answered. It is thus difficult to generalize beyond the statements made in the previous section, and I invite the suggestions of the readers as to how these issues should be addressed.

Notes

1. I am referring here to the voluntary sector rather than the third sector, although the latter term is in common usage the world over. Third denotes the sector that is third in the grouping state, business community, and voluntary organizations or civil society. Many scholars are pointing out that in organizational theory the voluntary sector should be the first sector because it predates the development of the state and business. See, e.g., Tandon, "Civil society is the first sector," PCD Forum.

2. Zhang, "The Voluntary Sector in the People's Republic of China, in the Nonprofit Sector and the Global Community," in Yamamoto, *Japanese Private Philanthropy in an Independent World*, JCIE Papers, No. 11.

3. The effort here is to distinguish those religious organizations that perform mainly private spiritual functions for the religion's adherents from those that also perform functions that benefit the larger society as well.

4. See Putnam, *Making Democracy Work*. The thesis of this book is that the citizen participation in civic society is important not only for the development of democracy but for economic development as well.

5. The United States Supreme Court struck down a state's compulsory public education law in *Pierce v. Society of Sisters*, 68 U.S. 510 (1924).

Chapter X

New Evangelization in Latin America: Some Introductory Ideas

Peggy J. Badra

Although the term was coined by Pope John Paul II in 1981 during the CELAM Assembly (Latin-American Bishops's Conference) in Port-Au-Prince, Haiti, New Evangelization had been going on in Latin America for some 25 years. The Episcopal Conferences of Medellin and Puebla contributed the vision for this New Evangelization, and it is being implemented due to the work of many Christian communities together with several religious orders, congregations and lay groups working in poor sectors.

The main point of the New Evangelization is the evangelization of the cultures or, according to Boff, "evangelization and cultures". What is the meaning of "culture" and "evangelizing" and why talk about New Evangelization, *at this time*?

"Everything is imbued with culture as the integration of nature, society and symbols. Therefore, we can talk of material culture (the group of tools and technology with guarantees survival); social culture (power relations, rules of behavior and the social division of work), symbolic culture (the meaning of things, philosophies and doctrines, popular and national holidays). Everything human is a source of culture."¹ When we talk of Latin America we will use the term "culture" in the plural, due to the lack of a unique homogeneous culture in the region.

The Church is responsible for evangelization, a role which assumed special importance in Latin America in the context of the Conquest of the Amerindian lands. Basically, "to evangelize" means in this context the announcement, realization or production of the "good news." But, if the Church long ago took charge of the evangelization, there remains need for a New Evangelization in order to *complete* and to *deepen* the first evangelization of the Conquest. Hence, we will look very briefly into the history of the evangelization of the Amerindian lands and later point to the new Evangelization as a process for deepening and completing the first evangelization.

First Evangelization: The Conquest

The history of the first evangelization is a vast territory whose vast store of documents and important facts cannot be treated justly in a few opinions and some daring conclusions. Hence, we will limit ourselves to drawing a general picture of the Conquest and first evangelization as a context for the rest of this paper.

The first evangelization was undertaken in the XVI century upon the arrival of the Spanish conquerors to the Amerindian lands, as a part of what the Spanish Kings called the Conquest of the Western Indies. The Spanish Crown pretended to annex the "new" lands and to incorporate the Indians into the Catholic Church. Papal Decree "Inter cetera" given by Alexander VI to Ferdinand and Isabella of Castile, gave Castile the "power, authority and total free and inclusive jurisdiction" over the lands and stressed the religious motive for such donation: "Wishing . . . that the name Of Our Saviour be introduced in those regions." These were the bases for the configuration of a colonizing and missionizing state. There remained only to establish the means necessary to fulfill this new evangelizing responsibility: the prerogatives of action and the *institutions* that would carry out the decisions. The Decree "Universalis Ecclesiae" (1508) by Julio II "gave the Crown of

Castile the right of universal trust (. . .) that allowed the control of the missionary evangelization and the life of the Church in America," (i.e. the presentation of Bishops, the administration of the religious property, the financing of the whole Church and missionary organization). In 1522 Adrian VI gave the King the right of selecting, examining, sending and possible veto of missionaries. All these prerogatives briefly mentioned enabled the Kings to interfere in the control of the properly religious matters in the Amerindian lands.

The Supreme Royal Council of the Indies (El Consejo Real y Supremo de Las Indias) was created in 1524 which would be in charge of all the matters including those missionary and ecclesiastical related to the overseas colonies. Through this Institution all the powers given to the Kings by the Papal Decrees would be executed. The communication between the Bishops, missionaries and the Holy See passed by means of this organism: nothing would go to Rome except through this Supreme Royal Council of the Indies, "and every pontifical or Roman document was subject to the restrictions by the 'placet Regio'."5

As we see, the project pretended to annex the "discovered" lands and the incorporation of the Indians to the Catholic faith. This was to be carried out by the collaboration of missionaries, soldiers and conquerors. In this respect, it is important to consider the ambiguity of the Hispanic model of "evangelization," inasmuch as the colonizing and missionary state would facilitate the evangelization of the natives but could not be free from the economic, social and political interests subjacent to the Conquest. This ambiguity would soon show in the evolution of events.

The defense of the natives' freedom, the fight against slavery, the "encomiendas" and "reparticiones" were heated subjects that created controversy among the missionaries, the logic of the Conquest and the interests of the Spanish and Portuguese Crowns.

This brief retrospective will help us to understand the New Evangelization as a need to deepen and to complete the first evangelization.

First one must note the divided reality of Catholic Latin America, inhabited by poor and suppressed majorities. This is symptomatic. Undoubtedly then, the first evangelization must be deepened and completed.

The word we associate with the evangelization is "inculturation": the New Evangelization is precisely that, the inculturation of the gospel, which was never achieved during the first evangelization. Let us define the term:

Inculturation: is the process through with the culture takes in the gospel based on its own cultural molds; only in this way a true evangelization can be produced; an encounter of a specific culture and the evangelical proposal.²

The evangelization of the Conquest did not respect the Indian culture that was developing in the Amerindian lands: the violent invasion of the Indian world began with the dispute regarding the nature of the Indians: human or beasts? Small children without mental capacity? The invasion of their lands and resources, the destruction of their temples, the conversion by force: "The voice of gospel is only listened to where the Indian also hears the thunder of arms". (Cited by Boff from a citation by Lewis Hanke in the Introduction to his book on Bartolome de Las Casas, *The only way to attract the people to the real religion, [Del unico modo de atraer a todos los pueblos a la verdadera religion]*, Mexico, Fondo de Cultura Economica, 1975, p. 59.) Bartolome de Las Casas was precisely one of several exceptions which must be noted as examples of a peaceful method in evangelization. Nevertheless, the first evangelization was violent, "There was a great amount of objective violence, since the confrontation between European and Indian people was deeply unequal. In reality there was not a dialogue with mutual listening and learning."³The Indians, who

understandably resisted the gospel and did not recognize the sovereignty of the King and the Pope as representative of God, were victims of frequent massacres.

Together with the objectives of the Conquest, annexation of the "discovered" lands and the integration of the Indians into the Catholic Church, there was another element which heightened the overbearing and destructive attitude of the conquerors: the Pope was the representative of God Himself on earth and the Church, the Institution that revealed His message. "According to the dominant ideology at that time, the "orbis Christianus" represents the planned order of God on earth. Popes, Kings and princes must spread by all means this order."⁴ Within this parameter missionaries did not have anything to learn from the Indians, they brought the true religion which leads to salvation.

In addition to the evangelization initiated 500 years ago connected with the interests of the Conquest "there was, however, another type of inculturation through popular Catholicism. This is not a decadent form of the official Catholicism, on the contrary, it has its own profile based upon devotions to the saints and religious holidays. This type of Catholicism does not have as its subject the clergy and the church apparatus, but the people, lay and devout. Without the control of the official church, it assumed the popular cultures and was able to be incultured in the terms of popular representations. For this reason it is more authentic, for it is an original creation of the Christian people in our continent. Despite its contradictions it remains the sole inculturation of the Christian message in Latin America (. . .)"⁵

New Evangelization

The first evangelization meant the indoctrination in a faith already codified and finished. There was not an intercultural dialogue with could have generated a possible new version of the faith with cultural Indian and black tools. The catechism destroyed both since it forced them to adapt to the Iberian uses and habits.⁶

The inculturation of the gospel according to the New Evangelization supposes an opposite attitude. It abandons the imposing and dominating attitudes and the lack of knowledge of the pre-Conquest cultures, to focus attention today on the situation of the vast majority of the people of Latin America. This open disposition to the cultures of these majorities, generally called popular cultures, could be identified as a dialogue.

During the Conquest there was no intercultural dialogue between missionaries and the evangelized, but only imposition, ignorance and lack of appreciation of the Indian cultures.

Each one of these cultures has a very long history, however none of them remained untouched by the significance of this encounter. All of them must redefine themselves, even though not accepting the existence of the others in the same way. (. . .) We know that the encounter was not symmetric. Spain and Portugal came in an enterprise of conquest politically assumed by both crowns. They also came in an evangelizing enterprise, strictly controlled not only in relation to doctrine but also to the organization of the personnel dedicated to the methods of obtaining new members. On the Indian side, on the other hand, the encounter was endured. They did not look for it or want it; it threatened their physical and cultural survival (. . .) However, in spite of its asymmetry the encounter was decisive for all parts involved, not only for the conquered, but also for the conqueror.⁷

Evangelization was, in this sense, "a transposition of the institutions, symbols, concepts and the moral habits of European and Christian culture."⁸ "In this perspective, for the Amerindians the

Conquest was not only the occupation of their territory, but also a total deconstruction of their universe of meaning, a cosmic catastrophe."⁹

In order to succeed in the inculturation of the gospel the New Evangelization sees dialogue to be essential, that is to allow questioning in the light of cultures with all their characteristics.

Social Critique

A close look at the reality of the people of Latin America shows us a panorama of poor vast majorities, lacking decent human conditions, subjected to situations of injustice along with powerful and wealthy elites. The poor, the dominated native cultures, the blacks, the women, those who are suffering in Latin America are the privileged though not the exclusive addressee of the good news of the gospel today. Jesus' message of good news is perceived especially through the poor since this implies overcoming of the abandonment and helplessness to which they are subjected:

An evangelization that does not involve the poor directly and does not confirm the hope of an alternative new society, that does not defend the cause of the poor, their struggles, their lives loses its Christian substance and betrays the historical Jesus who was a poor man of this world and identifies with the poor (. . .)."10

If evangelization means to carry the good news, the New Evangelization is called to announce the good news to this suffering people. The Church of our days, the Church of the new Evangelization is sensitized by the suffering of this vast majority and committed to accompanying it and to announcing the good news within its context.

The Church has slowly achieved a clearly and deep awareness that its fundamental mission is evangelization and that this cannot be achieved without a permanent effort to know the reality and adapt the Christian message to man today in an attractive, convincing and dynamic manner.¹¹

The good news will be such for our people as long as it is real, i.e., it is not merely a repetition of Christian doctrine, but inserted in and constructed upon the needs of reality. To say "based upon," however, is to suggest the main implication of the dialogue between Church and cultures: the evangelization of the Church itself. What has the Church to learn from the poor? What has the Church to say to its interlocutors?

The Church evangelizes itself when it confirms that the poor, "In the midst of their misery, still manage to live the fundamental values of Jesus' utopia: solidarity, sharing, fraternity, historic patience, faith in God and hope against all hope. The Christian experience lives on these realities and this personal experience of the poor is what evangelizes the hierarchy and all Christians who have not lost sensibility for evangelical values."

In this process of evangelization there is not an evangelizer and an evangelized as two factions inside the Church; both mutually evangelize themselves constructing a Church as a fraternal community (. . .) What is developing in Latin America under that influence of the Spirit is a huge "ecclesiogenesis," the genesis of a church that is based upon the gospel in confrontation with the world of injustice and poverty and shows its liberating strength.¹²

The Church cannot present itself as a completed reality already established, but rather as an open reality that must be built in contact with the contradicting reality that is seen on the continent.¹³

New Evangelization today wants to be a concrete answer to a concrete context. In this sense, the Church's message is made to depend upon a reality which interpellates and challenges the Church itself and thus evangelizes it.

Evangelization today must contribute good news that is really "good" and "news." It is "good" as long as it represents a hope and a concrete proposal for overcoming poverty and achieving liberation. It is "news" precisely because inasmuch as it is a novelty that the evangelical message should emerge from the above-mentioned dialogue of Church and cultures, in contrast with the "good news" of the Conquest evangelization. New Evangelization faces a reality where human life itself is threatened by poverty and misery, and in this context the good news must be a reaffirmation, protection and promotion of life itself:

To take up the cause of life, of the means of life, to help develop an ecological sense full of love, respect and protection of all types of life (all that lives deserve to live) is to realize the nucleus of the gospel of He who said: "I came that you might have life, and have it more abundantly" (Jn. 10, 10). This search of life is carried out in obedience to the gospel rather than simply an instinct for survival. On the basis of its internal motivation Christianity must respond to this universal challenge to preserve the sacred system of life.¹⁴

This proposal that the preservation of life must be a priority for a Christian inspired by the words of Jesus, whose own death was transformed into life, finds a similar expression in the writings of F.C. Scanone, S.J. when he says:

Rather than proving whether God exists or not, it is about verifying and creating—in the present Latin-American situation—the new man and the new civilization toward which we are moved by such compelling reality.¹⁵

Popular Religiosity

Moved by the "fullness of life," Latin American Christians are called to read the signs of our times through the light of this compelling reality and to fight to promote life in those situations which lack it. In this light, New Evangelization begins to appear as the deepening and completion of the first evangelization. First evangelization must be completed precisely because it is necessary "to assume the challenge of reality" and "create a new man and new civilization toward which we are moved by such compelling reality." In the words of Boff:

(. . .) the Continent is characterized by huge social strata of poverty and marginalization of blacks, Indians, women, workers. An evangelization that does not denounce the historic injustice of this situation, and does not build upon its own faith a potential for popular mobilization, will hardly escape the critique of complicity with the dominant order and of infidelity to Jesus' dream.¹⁶

When the Church gets close to the popular cultures of Latin America it finds them subjected to impoverishment mechanisms, but it also notices the presence of a popular religiosity as an evidence of an incultured Christ and wisdom, in the people.

Popular religiosity remains today a foundational cultural synthesis for Latin America—produced in the XVI and XVII centuries, it zealously guards the variety and interconnection of the Indian, black and European substrates. Popular religiosity in this sense can be considered as one

of the few, though not the only, expressions of the Latin American cultural synthesis which permeates all its epochs and at the same time all its dimensions: work and production, human settlements and life styles, language and artistic expression, political organization and everyday life. In its role as a foundational deposit of the cultural identity it has had to endure, perhaps more than any other institution, the attempt of Modernity to subordinate the popular cultures to dictates of instrumental reason.¹⁷

It is that incultured faith which made it possible to resist and which represents the chance to assume the new challenge of the historic change without falling into the secularism of culture.¹⁸

Popular religiosity, according to Scanone,¹⁹ originated from a social change and throughout history has withstood other events of no lesser social impact in our societies such as the emancipation process. This popular religiosity today actively participates in the production of other social changes in the history of the people of Latin America. The New Evangelization centers its attention upon popular religiosity because it is an authentic product of Latin America popular cultures and especially because it involves a human potential for historical resistance, liberation and transformation of the structures that for our people are sources of physical death and cultural impoverishment. The poor and the humble are the ones who first live this type of religiosity which provides a decisive force of total liberation, spiritual as well as socio historical."²⁰

Basic Christian Communities

In the next paragraphs we will try to present some characteristics of popular religiosity, taken from two articles which collect the experience of a sister who has been sharing and learning from popular religiosity, as well as the opinions of members of a popular Christian community in Caracas, Venezuela.

Popular religiosity manifests one fundamental characteristic: the union of faith and life. This religiosity has its own slow rhythm according to the events of everyday life. "Our people know how to pray and express this in every experience at work, at home, when someone is ill or has died, or to give thanks, etc."²¹ The religious experience is based mainly upon relations to God and to the Sacred.

The relation to God is established through Sacraments: That is, to baptize the child, to lead him to the First Communion, because these are events which are experienced as knots tying to God."²² It is also relevant to mention the importance the sacrament of Confirmation is achieving at the present time. This Sacrament is becoming a sort of "bridge" between youth and the community encouraging a Christian commitment regarding the urgent needs of the community and participation in religious celebrations and catechesis.

Relation to the Sacred takes place in so-called "devotions": "Devotion to a saint,—in the house there is a special place, with an altar for him or her. People talk and pray to the saint everyday, especially on his or her feast; people bring flowers and light a candle."²³ In this way faith is situated in space: besides the Church it needs a place where it is expressed at the very foundation of everyday life. Faith is also located in time: the community never lets pass a patron saint's day without celebration; and much celebration during Christmas or commemoration during the Holy Week. "The faith is lived with joy and happiness; our people translate their faith into popular joy. That is the reason why the drums, the "gaita", the "tamunague" and the "galeron" are always present in the procession."²⁴

Another way of relating to God and to the Sacred is through a vow. "That is, a most urgent need is presented, a benefit is asked and one promises to answer with some personal commitment.

This is the origin of the promises, made in search of help and protection."²⁵ This continuous reference to God is also evidenced in the language:

* "I have to change the roof of the house because it gets wet. I do not know when, I have no money... but God is not dead and is not traveling either."

* "God might be late, but never forgets."

* "God helps those who help themselves."

* "Don't give up hope, God will save you in the end."

"If we were asked to define the spirituality theologically of the Christian groups, we would say it is "Christo-centric: prayer and life (. . .)"²⁶ Here follow a number of experiences and observations by some participants in a Basic Christian Community:

* "What keeps me participating in my community, although I have been through hard difficult moments in life, is the stimulating strength I receive after every meeting. I am always willing to know a little more of Jesus' life, and through that knowledge I can understand my brother." " We began attending to the meetings in order to 'learn', but it turned out that the group is the 'engagement' that rules our spirit."

The Christian community creates its own values, attitudes, communication, dialogue, sharing, openness, solidarity, compassion, mercy, happiness, *hope* and *commitment*. The best description of a basic community church is the testimony of those who belong to it. Among all of the testimonies presented in the mentioned article, there are three basic common aspects: the person's relation with his or her own self, to God and to the others. Let us read the testimonies:

* "Now I feel more secure, I am a guide in the group, I esteem myself, they need me. . . ."

* "Before this, I was a person full of complexes. I was living like a "robot," doing housekeeping but always feeling a lack of something inside of me."

* "I think my life began to change since I belonged to the Christian group. I have felt as if God is now closer to me, guiding and giving me the gift of patience and forgiveness, because before I used to lose control very easily and to offend my children."

* "I am a young woman, I have two daughters and a husband. We love each other a lot but this was not enough for me, I used to feel sadder than a prisoner because I was really a prisoner of my complexes, and if I were like this, what could my daughters expect with such a kind of mother? But our Lord, who is the wisest man in the world, is the one who made things good for our family. I feel today that I have changed, that I am able to understand people, to control my violent character and to calm myself down."

* "I feel there are many people within my community (*barrio*) who appreciate me; I owe this to my group. I seem to be somewhat indispensable in my *barrio*. For example, people feel discouraged when a manifestation is needed for some public service (especially lack of water) and I am not around."

* "They consult me about any doubt they have; especially when someone dies they look for me to do the prayer."

* "I realize that a deep change happened in my life; from that point I began to live a life without anxiety, fear and selfishness."

* "To belong to the Christian community is to start following Jesus... is to live the experience of fraternity, mentioned many times by Jesus from the very moment when he became our eldest Brother to take us to the Father."

* "I found myself in a corner. I met people who extended a hand and invited me to participate in the Christian group. From this invitation came the First Communion of my daughters (with myself as the teacher in family catechesis), as well as the possibility of being a member of both the "buying society" and the Bible course(...) We are all aware of the fact that we are a big and united family: in both good and bad times—lack of water, worst transportation service and the everyday abuses... Well, it brings joy to know that a baby is born and it is painful when the right of life is taken away from one child of the barrio."

* "I have found a big family to which I feel very close, because they have been sharing with me happiness and sadness. The happiness and sadness of each one belongs to everybody in the Christian community. That is the reason why a marriage, a baptism, a baby, a birthday are everybody's happiness. It is also a joyous celebration that someone has got a degree, has travelled, has come back, has found a job, just every good thing that happens to someone."

* "Life in a Christian community is complexly satisfying because there we can speak about our problems, our sadness, our happiness and also find a consoling word when needed . . ."

Conclusion

The writings of Boff and Scanone basically point towards the liberation of the poor and stress the need to center attention on the popular culture and the liberating potential in the popular religiosity, in order to face the challenges of civilization. To Boff, the main challenge for the New Evangelization in Latin America is not only the announcement of the good news of the liberation but also to help in its production."27 "To evangelize in the Latin American context implies principally to share the life of the poor: without that dimension, there will be no good news worthy of that name and able to put into effect the memory of Jesus and the Apostle's actions."28

To Scanone, "the present historical challenge for the Latin American people consists then (. . .) in achieving a vital synthesis through its cultural heritage--human and Christian--and the valid points of progress, for the liberation of society and modern culture. This synthesis has to be creative, it cannot be a copy of other models that do not correspond to one's cultural idiosyncrasy and the Christian sense of life that inspires it."29 This is the present challenge for Latin-American people precisely "because it is here (in the rural or barrial culture) where the step towards a modern and urban culture takes place. It is important that they do not loose their own values and their human and Christian symbols, even though it is good that they transform them."30

"Some ways must be found so that, assuming technical scientific, economical and political rationality, all the sense of gratuitousness and transcendence that the Latin American has in his/her relation with the land and the community is preserved."31

Both authors hold the opinion that evangelization in the cultures (Boff), or evangelization of the cultures (Scanone) must begin from the popular religiosity that has remained as the only inculturation with characteristics of the Christian faith proper to the people from the first evangelization.

The New Evangelization does not propose a radical rejection of the results obtained in the first evangelization in order to initiate a really authentic project in Latin America. Scanone warns that

it would be an "inauthentic form of living the present" to pretend "to build a future without a past, absolutely breaking away with it (. . .)."32 Our tradition is also European and any project in Latin America must consider, from the beginning, these roots: it must assume the faults and inauthenticities from the past, but from a perspective that is willing to overcome them.

The new Evangelization incorporates all that was done in 500 years of proclaiming and experiencing the Christian message; it gives the opportunity for spiritual reflection in the sense of being aware of the limits and distortions received through its connection with the colonizing project; this includes conversion, the break away with a certain type of past and certain type of mental and institutional models of the Church. Finally, it is essential to try new evangelization under the sign of dialogue, of the encounter between faith and subjugated cultures, between witnessing-cultures and new cultures in a perspective of integral liberation.³³

The good news the New Evangelization announces and works to realize in Latin America calls us to participate in the creation of the new man, to build a society in solidarity, human and full of life. Such creation begins precisely when the liberating project begins. The first step to take in that project is to attempt to overcome the faults and contradictory ways of acting in the past; this implies an explicit questioning of the established order. "This leads to *undermining* the identification of the established order with what *truly is*."³⁴

It is necessary to restore to Latin America what was taken away: life, justice, human dignity, respect for native cultures. . . . The New Evangelization has an important role in this constructive task (which is de-construction and construction), because it places itself on the side of the poor. "an evangelization that does not contribute to the urgent process of generating a united society, with participation, equality, diversity and communion, does not fulfill its theological task, does not serve the Triune-God who wants to be recognized and verified in these human practices."³⁵

History's going to save us -we were
thinking
Going to save us -were we dreaming?
It wasn't all just uprising, barricades,
bonfires:
in our heads it was a dress of bubbling
foam, a
Rhine maiden of clear eyes, smiling,
standing
at the door, hand outstretched
toward a hungry and waiting people.
But there was no one in the door way.
Nor in the house.
Instead we stumbled. They shoved
us inside. We broke our teeth
going in, got our jaw smashed.
We found tools and weapons and we
fought, we struggled, we worked
and continued
fighting. But it's true old Marx,
that history is not enough.
Important occasions,

man makes them.
It's real, live man who does it,
who masters it, who will fight.
History by itself does
nothing, dear friends.
It does absolutely nothing.

—Padilla, Cuban poet. [This poem was taken from Leon Eisenberg, "The 'Human' and 'Nature' of Human Nature," *Science*, 1976, p. 172.]

Notes

1. Leonardo Boff, *Nueva Evangelizacion* (Buenos Aires: Editorial Lumen, 1990), pp. 17, 18.
2. *Ibid.* p. 20.
3. *Ibid.*, p. 134.
4. *Ibid.*, p. 90.
5. *Ibidem*
6. Pedro Morande, *Cultura y modernization en America Latina* (Madrid: Ediciones Encuentro, 1987), p. 171.
7. Boff, p. 6.
8. Morande, *op. cit.*, p. 175.
9. Boff, p. 107.
10. *Ibid.*, p. 79. Cited by Boff from Puebla, No. 85.
11. *Ibid.*, p. 70.
12. *Ibid.*, p. 94.
13. *Ibid.*, p. 93.
14. *Ibid.*, p. 79.
15. J.C. Scanone, S.J., "Del itinerario filosofico hacia el Dios Vivo," 27 *Stromata*, 1971.
16. Boff, p. 79.
17. *Ibid.*, p. 35.
18. Morande, p.150.
19. Scanone, "Reflexiones sobre la no-creencian en America Latina," 34 *Stromata*, (1978), p. 116.
20. Scanone, "Enfoques teologico-pastorales latinoamericanos de la religiosidad popular", 40 *Stromata*, (1984).
21. Pola Margarita Perez Marin, "La religiosidad popular en la nueva evangelization" 457 *SIC* (Centro Gumilla, Caracas), August, 1992, p. 304.
22. *Ibid.*, p. 304.
23. *Ibid.*
24. *Ibid.*
25. *Ibid.*
26. Comunidad del barrio Bolivar, Petare, "Comunidades cristianas: esperanza nuestra", 457 *SIC*, (August 1992), p. 304.
27. Boff, p. 11.
28. *Ibid.* p. 8.

29. Scanone, "La mediacion historica de los valores: Aporte de la perspectiva y la experiencia latinoamericanas," 40 *Stromata*, (1984), 98-99.
30. *Ibidem*.
31. Scanone, "Reflexiones", 34 *Stromata*, (1979).
32. Scanone, "Hacia una dialectica de la liberacion", 27 *Stromata*, (1979).
33. Boff, p. 93.
34. Pedro Trigo, S.J., "Crear Hoy en America Latina", 460 *SIC*, (December, 1983), 445.
35. Boff, p. 98.