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CHRISTIAN SOCIAL ETHICS IN THE UNITED STATES A Partial Survey of the Landscape

On the most basic level, all contemporary Christian just war theorists agree that war must be undertaken to stem threats to peace, justice and basic human rights. Unlike Augustine and Aquinas, most theorists today argue that war cannot be an act of retaliation, nor can it be an act of imperialistic aggression. Disagreement arises, however, when considering the kinds of threats to peace, justice and basic human rights that justify going to war.

In this article I undertake a daunting task.¹ I attempt to provide a brief survey of the state of social ethics in the United States and some of the important issues and controversial debates in this field. Doing justice to this topic would take far more space than permitted in this article. I therefore overlook many important areas of debate and significant work in Christian social ethics.² I propose here to focus on just a few of the most interesting and significant issues in the field of contemporary social ethics in the United States. Because I am a Christian ethicist, I will discuss the field of Christian social ethics, focusing on Catholic and Protestant ethicists, while mostly leaving out approaches to social ethics offered by philosophers and other religious traditions. In no way do I mean to imply that other religious and philosophical traditions have not offered important work in social ethics in the United States.

The article begins with a few general words about the history and general trends in Christian social ethics in United States. I will then focus on the following five areas: (1) the contribution of “ethics from the margins”; (2) the issue of poverty, with special attention to reactions to Pope Francis; (3) labor unions, inequality of wealth and power, and the common good; (4) real or imaginary threats to religious freedom; (5) growing opposition to the death penalty and (6) war and peace after 9/11. Each of these areas deserves its own lecture. In fact,

¹ This article is a revised version of an invited talk given at the John Paul II Catholic University of Lublin on April 28, 2015. I am deeply grateful for the invitation from the John Paul II Institute and the opportunity to publish this article in *Ethos*. I also thank two anonymous reviewers for helpful feedback on the text.

² In this regard, I think of Lisa Sowle Cahill’s bridging of bioethics and Christian social ethics, as well as Margaret Farley’s bridging of sexual ethics and Christian social ethics. See Lisa Sowle Cahill, *Theological Bioethics: Participation, Justice, and Change* (Washington, D.C.: Georgetown University Press, 2005) and Margaret A. Farley, *Just Love: A Framework for Christian Sexual Ethics* (New York: Continuum, 2006).

many Christian ethicists have devoted entire books to them. Thus, my remarks barely skim the surface of complex issues and conversations. Nonetheless, I hope that they provide the reader with some useful insight about the landscape of Christian social ethics in the United States today.

Gary Dorrien, the Reinhold Niebuhr Professor of Social Ethics at Union Theological Seminary, traces the historical development of social ethics in the United States in his magisterial book *Social Ethics in the Making: Interpreting an American Tradition*. He writes that the discipline of social ethics grew simultaneously with the Social Gospel movement, in which notable figures such as Washington Gladden and Walter Rauschenbusch decried the situation of the poor and the working class in the late 19th and early 20th centuries. Alongside of these towering figures stood Frances Greenwood Peabody, a less renowned ‘social gospeler.’ Peabody established social ethics as an academic discipline at Harvard University in 1880. Others quickly followed suit. They wanted to replace moral philosophy in college and seminary education with this new discipline, arguing that ethics must explicitly reflect upon society’s “ethical dimension.”³ According to Dorrien, “they resisted an ascending social Darwinism in the social sciences and an ascending radicalism in the socialist and labor movements. They were advocates of liberal reform, good government, cooperation, the common good, and the social gospel of Jesus.”⁴ Thus, the liberal-progressive strand of Protestantism gave birth to social ethics as a discipline in response to the deleterious effects of laissez-faire capitalism, social Darwinism and militant socialism. The belief that “Christianity has a social ethical mission to transform the structures of society in the direction of social justice” gave impetus to this new branch of Christian theology.⁵ Throughout the 20th century other Christian thinkers developed their own strands of social ethics: African-American, Roman Catholic, liberationist, feminist, womanist, mujerista, evangelical, neoconservative and others. While similarities and myriad differences exist among them, they all share one characteristic feature of Christian social ethics in the United States: they undertook their work in order to ‘change the world,’ not to succeed in academia.⁶

³ Gary J. Dorrien, *Social Ethics in the Making: Interpreting an American Tradition* (Chichester, U.K.; Malden, MA: Wiley-Blackwell, 2009), 6; see also 15-51 for broader discussion of inception of the discipline.

⁴ *Ibid.*, 7.

⁵ *Ibid.*, 1.

⁶ *Ibid.*, 2.

THE CHALLENGE OF “ETHICS FROM THE MARGINS”⁷

Although it may be true that Christian social ethics has largely concerned itself with transforming unjust social structures more than gaining a foothold in the university, it has also often failed to challenge the status quo. As Latina Christian ethicist María Teresa Dávila puts it, “the biggest challenge facing Christian ethics in its engagement with US civil society is that often the major themes of Christian ethics—love of neighbor, idolatry, sin, just war theory, the option for the poor, the sanctity of life, admonitions against wealth—end up being co-opted or shaped by the dominant ideology operative in United States.”⁸ She rightly argues that far too often Christian ethicists have been willing to conform their thinking to militarism, neoliberal capitalism, racism and/or sexism in the churches and in society, or at least to remain tacitly complicit with social injustices. Some Christian theologians and ethicists have contended that any ethics arising from the dominant Eurocentric paradigm in the United States remains dubious, if not unfaithful to the Gospel. Former President of the Society of Christian Ethics Miguel A. de la Torre goes as far as saying “in some cases, the ethics advanced by the dominant culture appears to rationalize these present power structures, hence protecting and masking the political and economic interests of those whom the structure privileges—in effect, an ethics driven by the self-interest of Euroamericans.”⁹ Members of the dominant culture resist losing their power and privilege. Therefore, their ethics will not bring “liberative change” for the marginalized and oppressed. While the powerful and privileged remain either blinded to or supportive of the oppressive social structures fortifying their power, only marginalized persons can fully comprehend those structures and “propose with any integrity liberative ethical precepts.”¹⁰ De La Torre thus echoes black liberation theology pioneer James Cone and Latin American ethicist Francisco Moreno Rejon: only theology and ethics from within marginalized communities can truly herald the Gospel message of liberation for all.¹¹ According to De La Torre, Christian ethics must “crucify power and the privilege that comes from it so that justice and love can instead reign.”¹² For this reason, Christian ethics must be done “from the margins,” to use De la Torre’s phrase.

⁷ I borrow this term from the title of Miguel A. De La Torre’s book *Doing Christian Ethics from the Margins* (Maryknoll, NY: Orbis Books, 2012).

⁸ María Teresa Dávila, “The Role of Latino/a Ethics in the Public Square: Upholding in Challenging the Good in a Pluralistic Society,” in *Wading through Many Voices: Toward a Theology of Public Conversation*, ed. Harold J. Recinos (Lanham, MD: Rowman & Littlefield, 2011), 83.

⁹ De La Torre, *Doing Christian Ethics from the Margins*, 4.

¹⁰ *Ibid.*, 12.

¹¹ *Ibid.*, 13; see also xii. De la Torre also makes this argument in *Latina/o Social Ethics: Moving Beyond Eurocentric Moral Thinking* (Waco, TX.: Baylor University Press, 2010).

¹² De La Torre, *Doing Christian Ethics from the Margins*, 11.

Nowhere has the tendency of Christian social ethics to support the status quo been more blatant than with regard to racism in the United States. As James H. Cone has repeatedly argued, Christian theologians and ethicists—as well as the Churches—remained largely silent “during 244 years of slavery and 100 years of legal segregation and spectacle lynching.”¹³ History proves Cone right. In the period from 1877-1950 approximately 4,000 blacks were lynched in twelve Southern states. As President Barack Obama recently mentioned, during that period White Christians in United States justified slavery, segregation, and gruesome lynchings in the name of Christ.¹⁴ Yet, the vast majority of Christian social ethicists throughout much of the 20th century—including doyens of the discipline Walter Rauschenbusch, Reinhold Niebuhr, Msgr. John A. Ryan, John Courtney Murray SJ and Stanley Hauerwas—did not prioritize combatting racism in their scholarship or activism.¹⁵ They largely left white supremacy and racism unchallenged.

This unfortunate situation spawned liberationist perspectives beginning in the 1960’s from among African-American, Latina/o, Asian and white feminist Christian ethicists who understood the Gospel mandate to challenge the unjust status quo and desired to speak from their experiences and for themselves.¹⁶ For example, beginning in the 1980’s with her groundbreaking work in womanist ethics, Katie Geneva Cannon, aimed to “debunk, unmask, and disentangle the historically conditioned value judgments and power relations that undergird the particularities of race, sex and class oppression.” She sought to rectify “the pervasive white and male biases deeply embedded” in Christian theology and

¹³ James H. Cone, “Black Theology and Black Catholics: A Critical Conversation,” *Theological Studies* 61, no. 4 (2000): 732. See also James Cone, *God of the Oppressed* (Maryknoll, NY: Orbis, 1997), 46-53. There were a few exceptions, as Dorrien notes. See for example, Dorrien, *Social Ethics in the Making: Interpreting an American Tradition*, 30. Charles E. Curran mentions Daniel Maguire as an exception among Christian ethicists. See Charles E. Curran, *Catholic Moral Theology in the United States: A History* (Washington, D.C.: Georgetown University Press, 2008), 269.

¹⁴ Jamelle Bouie, “Christian Soldiers: The Lynching and Torture of Blacks in the Jim Crow South Weren’t Just Acts of Racism. They Were Religious Rituals,” *Slate*, Feb. 10, 2015, http://www.slate.com/articles/news_and_politics/politics/2015/02/jim_crow_south_s_lynching_of_blacks_and_christianity_the_terror_inflicted.html?wpsrc=sh_all_dt_em_bot.

¹⁵ On Niebuhr and Ryan, see Dorrien, *Social Ethics in the Making: Interpreting an American Tradition*, 213-14, 677. On Niebuhr see also DeLaTorre, *Latina/o Social Ethics: Moving Beyond Eurocentric Moral Thinking*, 1-17; Traci C. West, *Disruptive Christian Ethics: When Racism and Women’s Lives Matter* (Louisville, KY: Westminster John Knox Press, 2006), 3-35. On Rauschenbusch and Hauerwas, see DeLaTorre, *Latina/o Social Ethics: Moving Beyond Eurocentric Moral Thinking*, 7, 24-26. On Catholic ethicists generally, see Bryan N. Massingale, “The Systemic Erasure of the Black/Dark Skinned Body in Catholic Ethics,” in *Catholic Theological Ethics Past, Present, and Future: The Trento Conference*, ed. James F. Keenan, SJ (Maryknoll, NY: Orbis Books, 2011). On Christian theologians in general, see Cone, *God of the Oppressed*, 43-56.

¹⁶ See Dorrien, *Social Ethics in the Making: Interpreting an American Tradition*, 390-446.

ethics and the ignoring of black women's experience in these fields.¹⁷ More recently, Black Catholic ethicist Bryan Massingale has argued that "black people are usually acted upon and seldom actors in U.S. Catholic moral discourse. Their voice and agency are muted, absent, erased—and at the same time opposed, feared, and resisted. Such practices and attitudes could not but render Catholic ethical reflection in matters of race inadequate and impoverished, if not absolutely erroneous."¹⁸ Massingale, a Catholic priest and former president of the Catholic Theological Society of America, also concluded in his carefully documented book that the Catholic Church's teaching on racism has been too sporadic and lacks the same kind of rigorous social analysis that one finds in the Church's teaching on economic justice and war and peace.¹⁹

Many voices of Latina/o Christian ethicists have echoed the critiques of African American scholars and likewise combatted marginalization in society and in the academy. Ismael García has described the struggles of Hispanics to be fully accepted as equals in the United States, arguing that both minority ethnic groups and the dominant culture must eschew the "cultural imperialism" that sees the "values, culture and ways of life" of other groups "not only as being different but also being deviant."²⁰ In his view, "the dominant culture, through the use of negative stereotypes, attitudes, and gestures, expresses the kind of suspicion about [Hispanics] that makes [them] doubt [their] own skills and talents."²¹ Ada María Isasi-Díaz, one of the earliest and most renowned Latina theologians in the United States, called particular attention to the oppression of Hispanic women and more generally denounced the racism, sexism, economic injustice, and hyper-individualism of American society.²² She and other U.S. Latina theologians have insisted that theological and ethical reflection address "lo cotidiano—the everyday lives—of Latinas," which are marked by "oppression and injustice."²³

¹⁷ Katie G. Cannon, "Hitting a Straight Lick with a Crooked Stick: The Womanist Dilemma in the Development of a Black Liberation Ethic," in *Feminist Theological Ethics: A Reader*, ed. Lois K. Daly (Louisville, KY: Westminster John Knox Press, 1994), 33-35. On Cannon's work, see Dorrinen, *Social Ethics in the Making: Interpreting an American Tradition*, 584-92.

¹⁸ Massingale, "The Systemic Erasure of the Black/Dark Skinned Body in Catholic Ethics," 118.

¹⁹ See Bryan N. Massingale, *Racial Justice and the Catholic Church* (Maryknoll, NY: Orbis Books, 2010), 74.

²⁰ Ismael García, *Dignidad: Ethics through Hispanic Eyes* (Nashville, TN: Abingdon Press, 1997), 25.

²¹ *Ibid.*, 26.

²² Dorrinen, *Social Ethics in the Making: Interpreting an American Tradition*, 646-54.

²³ Ada María Isasi-Díaz, *En La Lucha-In the Struggle: Elaborating a Mujerista Theology* (Minneapolis, MN: Fortress Press, 2004), xii. See also Davila, "The Role of Latino/a Ethics in the Public Square," 73.

There can be no doubt that “ethics from the margins” has prophetically challenged white Christian ethicists to rethink the nature of their work. Both black liberation ethics and Latina/o liberation ethics insist that the point of departure for ethical reflection must be encountering and contemplating real people’s palpable suffering created by unjust social structures.²⁴ Christian ethics in North America may still be dominated by metaethical and disciplinary questions rather than “praxis-oriented ethical paradigms.” Many scholars are still preoccupied with “how you think” rather than “what you do,” as De La Torre contends.²⁵ However, the increasing presence of black and Latina/o scholars has contributed to a noticeable turn towards discourse on solidarity with the marginalized, the promotion of economic and social justice, and confronting racism and white privilege among Christian social ethicists.²⁶ The work of leaders such as Cone, Isasi-Díaz, Massingale, M. Shawn Copeland, De La Torre and others has begun to impress upon US Christian social ethicists that Jesus Christ is “the oppressed one whose task is that of liberating humanity from inhumanity.”²⁷ The work of such liberationist theologians and ethicists should

²⁴ See D á v i l a, “The Role of Latino/a Ethics in the Public Square,” 84. Dávila writes: “Latina/o theology’s most promising gift is its focus on the concrete experience of the marginalized, the oppressed, and the victims as centers of theological reflection and praxis for justice.”

²⁵ D e L a T o r r e, *Latina/o Social Ethics: Moving Beyond Eurocentric Moral Thinking*, 4. See also *Doing Christian Ethics from the Margins*, xiii-iv. James H. Cone also recently accused members of the Society of Christian Ethics with working on arcane topics divorced from the harsh realities of the oppressed. See Gloria A l b r e c h t, “The Heresy of White Christianity,” *Cross Currents* 64, no. 3 (2014): 346-52. As I have written elsewhere, I agree that Christian ethics should be concerned more with praxis and confronting injustice. See Gerald J. B e y e r, “Workers’ Rights and Socially Responsible Investment in the Catholic Tradition: A Case Study,” *Journal of Catholic Social Thought* 10, no. 1 (2013): 117-54.

²⁶ See Bryan N. M a s s i n g a l e, “Has the Silence Been Broken? Catholic Theological Ethics and Racial Justice,” *Theological Studies* 75, no. 1 (2015): 133-55; M. Shawn C o p e l a n d, “Revisiting Racism,” *America*, July 7, 2014, <http://americamagazine.org/issue/revisiting-racism>; Christopher S t e c k, “Catholic Ethics as Seen from Padua,” *Journal of Religious Ethics* 39, no. 2 (2011): 365-90; D á v i l a, “The Role of Latino/a Ethics in the Public Square: Upholding in Challenging the Good in a Pluralistic Society,” 81-89; James F. K e e n a n, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London–New York: Continuum, 2010), 211-16; C u r r a n, *Catholic Moral Theology in the United States: A History*, 268-69. For recent specific contributions to ‘praxis-oriented’ ethics, see for example C. Melissa S n a r r, *All You That Labor: Religion and Ethics in the Living Wage Movement* (New York, NY: New York University Press, 2011); David H o l l e n b a c h, *Refugee Rights: Ethics, Advocacy, and Africa* (Washington, D.C.: Georgetown University Press, 2008); Kristin E. H e y e r, *Kinship across Borders: A Christian Ethic of Immigration* (Washington, D.C.: Georgetown University Press, 2012); Alexnader M i k u l i c h, Laurie M. C a s s i d y, and Margaret R. P f e i l, *The Scandal of White Complicity in US Hyper-Incarceration: A Nonviolent Spirituality of White Resistance* (New York, NY: Palgrave Macmillan, 2013).

²⁷ James Cone cited in Jamie P h e l p s, “Communion Ecclesiology and Black Theology,” *Theological Studies* 61, no. 4 (2000): 686.

not be seen as monolithic; it is diverse in methods and content.²⁸ Nonetheless, each has attuned a growing cadre of white ethicists to the gospel message of liberation and the ongoing, systematic, sometimes overt but often covert racial and cultural oppression in the contemporary United States.²⁹ As the title of one important volume on racism and white privilege indicates, the silence has been broken, at long last.³⁰

I do not mean to imply, however, that all is well. For starters, even if the discipline of Christian social ethics has pivoted towards directly confronting racial, cultural, and economic oppression, this more prophetic strand of social ethics still meets much resistance in the academy. Moreover, in spite of success stories like John A. Ryan's influence on the New Deal and Martin Luther King's pivotal role in the Civil Rights movement, the efforts of Christian ethicists have rarely translated into large-scale societal progress. In the words of Lutheran ethicist Cynthia Moe-Lobeda, "Christian ethics in the North Atlantic world has not significantly enabled church or broader society to craft ways of life to counter both ecological destruction and the economic violence that mark our day."³¹ Of course, the most impactful of all U.S. Christian theologians, Martin Luther King Jr., helped move American society towards his vision of a beloved community.³² However, the killings of several black men, women, and children by white police officers in recent years painfully remind us that the American society remains far from that vision, as more than four hundred Catholic theologians recently opined in a joint statement.³³ Given the persistent gaps between whites and minorities in income, wealth, unemployment, and educational achievement, enduring discrimination in education, housing, and

²⁸ García, *Dignidad: Ethics through Hispanic Eyes*, 77. See also Dorrien, *Social Ethics in the Making: Interpreting an American Tradition*, 590-94, 646-56. This brief discussion cannot do justice to the myriad thinkers and approaches.

²⁹ My own work on racism and white privilege, which is particularly indebted to Massingale and Cone, can be found in Gerald J. Beyer, "The Continuing Relevance of Brothers and Sisters to Us to Confronting Racism and White Privilege," *Josephinum Journal of Theology* 19, no. 2 (2012): 1-29, and "Why Race Still Matters: Catholics and the Rise of Obama," *America*, May 18, 2009, <http://americamagazine.org/issue/698/article/why-race-still-matters>.

³⁰ See Laurie M. Cassidy and Alexander Mikhlich, *Interrupting White Privilege: Catholic Theologians Break the Silence* (Maryknoll, NY: Orbis Books, 2007).

³¹ See Cynthia D. Moe-Lobeda, *Resisting Structural Evil: Love as Ecological-Economic Vocation* (Minneapolis, MN: Fortress Press, 2003), 17. Moe-Lobeda draws here on DeLaTorre, *Doing Christian Ethics from the Margins*.

³² On King as theologian and ethicist, see Dorrien, *Social Ethics in the Making: Interpreting an American Tradition*, 390-5; Rufus Burrow, *God and Human Dignity: The Personalism, Theology, and Ethics of Martin Luther King, Junior* (Notre Dame, IN: University of Notre Dame Press, 2006).

³³ See David Cloutier, "Statement of Catholic Theologians on Racial Justice," <http://catholicmoraltheology.com/statement-of-catholic-theologians-on-racial-justice/>.

the criminal justice system, and the attempts to deny minorities their right to vote, much work needs to be done.³⁴ The fact that in nineteen states white Christians are now a minority should give them more opportunities to hear the voices of their brothers and sisters of color and to recognize more clearly the Gospel's requirement of solidarity with the oppressed.³⁵

In addition to continuing racial disparities and discrimination, some worry that the discipline of Latina/o ethics itself has eschewed the "revolutionary dimension" of Latin American liberation theology's option for the poor in favor of demonstrating "how Latino/as are excluded from the American dream." According to Dávila, liberationist ethics must "radically question the Dream itself."³⁶ M. Shawn Copeland also maintains that black liberation theology and ethics has not sufficiently confronted the systemic oppression arising from U.S. "imperialism, neocolonialism, capitalism, and the practices of democracy."³⁷ In spite of the fruitful efforts of Christian ethicists working "from the margins," U.S. neoliberal capitalism, consumerism, excessive individualism, racism, sexism, militarism and imperialism constantly threaten to dilute, distort, and

³⁴ See Catholic Charities USA, "Poverty and Racism: Overlapping Threats to the Common Good" (2008), <https://files.catholiccharitiesusa.org/files/publications/Policy-Paper-Poverty-and-Racism.pdf?mtime=20150819174643>; The Eisenhower Foundation, "What Together We Can Do: A Forty Year Update of the National Advisory Commission on Civil Disorders: Preliminary Findings" (2008), <http://eisenhowerfoundation.org/docs/Kerner%2040%20Year%20Update.%20Executive%20Summary.pdf>. On voting, see Spencer Overton, *Stealing Democracy: The New Politics of Voters Suppression* (New York: W.W. Norton & Company, 2009). On hyper-incarceration of blacks in the U.S., see Mikulich, Cassidy, and Pfeil, *The Scandal of White Complicity in Us Hyper-Incarceration*. I discuss these issues more fully in Beyer, "The Continuing Relevance of Brothers and Sisters to Us to Confronting Racism and White Privilege."

³⁵ See Jonathan Merritt, "White Christians Are Now a Minority in 19 States," *The National Catholic Reporter*, March 6, 2015, <http://ncronline.org/news/faith-parish/white-christians-are-now-minority-19-states>. Some minorities resist being called 'oppressed,' particularly if they have attained economic and/or political power. However, minorities are disproportionately represented among the nation's poor. According to the recent Catholic Charities USA report "Poverty and Racism: Overlapping Threats to the Common Good," 33% of African-American children suffer from poverty, 28% of Latino children, 27% of Native American children, while only 10% of white children in the United States today. See Catholic Charities USA, "Poverty and Racism: Overlapping Threats to the Common Good," 3. The forty-year update of the Kerner Commission's Report, which was called for by Lyndon B. Johnson in 1968, confirms these statistics. It also states that poor blacks are 3 three times as likely to live in "deep poverty," while poor Latinos are twice as likely. The Eisenhower Foundation, "What Together We Can Do: A Forty Year Update of the National Advisory Commission on Civil Disorders: Preliminary Findings," 21. I discuss this issue in more detail in "The Continuing Relevance of Brothers and Sisters to Us to Confronting Racism and White Privilege."

³⁶ Dávila, "The Role of Latino/a Ethics in the Public Square," 80.

³⁷ M. Shawn Copeland, "Black Political Theologies," in *The Blackwell Companion to Political Theology*, ed. Peter Scott and William T. Cavanaugh (Malden, MA: Blackwell Pub., 2004), 276, 283. Cited in Dávila, "The Role of Latino/a Ethics in the Public Square: Upholding in Challenging the Good in a Pluralistic Society," 82.

co-opt the Gospel call to personal and social transformation.³⁸ As sociologist Alan Wolfe has contended, “Americans from the earliest times have shaped religion to account for their personal needs.” American culture has largely “transformed Christ, as well as all other religions found within these shores. In every aspect of the religious life, American faith has met American culture—and American culture has triumphed.”³⁹ In other words, Latina/o and black Christian ethicists and theologians must be careful to resist the strong tendency in the United States to distort and remake religious values in the service of agendas antithetical to the Gospel.

POVERTY, INEQUALITY AND THE MARKET

While racial and cultural oppression long represented a glaring lacuna in U.S. Christian social ethics, since its inception scholars in the discipline have focused on poverty and economic justice.⁴⁰ U.S. contemporary Christian social ethicists continue to draw attention to the problem of global and domestic poverty and economic injustice. Broadly speaking, there are three ‘viewpoints’ among them. One group of scholars believes that deep and widespread poverty should shock our consciences, especially given the highly concentrated wealth both in the United States and globally. Many of these ethicists maintain that capitalism inherently generates such poverty, and should therefore be either dismantled or radically transformed.⁴¹ This group might be called ‘market

³⁸ See D á v i l a, “The Role of Latino/a Ethics in the Public Square,” 83. See also Robert D. P u t n a m and David E. C a m p b e l l, *American Grace: How Religion Divides and Unites Us* (New York, NY: Simon & Schuster, 2010), 315, 319, 443-71. On the corrosive effects of U.S. excessive individualism, see E.J. D i o n n e, *Our Divided Political Heart: The Battle for the American Idea in an Age of Discontent* (New York, NY: Bloomsbury USA, 2012). For a theologian’s perspective on Christianity’s accommodation to neoliberal capitalism, see for example Joerg R i e g e r, *No Rising Tide: Theology, Economics, and the Future* (Minneapolis, MN: Fortress Press, 2009) and Vincent Jude M i l l e r, *Consuming Religion: Christian Faith and Practice in a Consumer Culture* (New York, NY: Continuum, 2004). In a similar vein, philosopher Michael Sandel argues that the U.S. no longer simply has a market economy but has become a “market society.” The values of the market, where everything can be bought and sold, have permeated most spheres in life in American society, including religious life. See Michael J. S a n d e l, *What Money Can’t Buy: The Moral Limits of Markets* (New York, NY: Farrar, Straus and Giroux, 2012).

³⁹ Alan W o l f e, *The Transformation of American Religion: How We Actually Live Our Faith* (New York, NY: Free Press, 2003), 2-3. Cited in D á v i l a, “The Role of Latino/a Ethics in the Public Square,” 83, n. 47.

⁴⁰ See D o r r i e n, *Social Ethics in the Making: Interpreting an American Tradition*, 674-75.

⁴¹ Dorrien refers to several Christian socialists, such as Beverly Wildung Harrison and Cornel West. See Gary D o r r i e n, *Economy, Difference, Empire: Social Ethics for Social Justice* (New York, NY: Columbia University Press, 2010), 133-42. For other examples, see Mary E. H o b g o o d, “Poor Women, Work and the U.S. Catholic Bishops,” *The Journal of Religious Ethics* 25, no. 2

critics.’ Another group partially agrees with this diagnosis. They acknowledge that the plague of poverty is both real and unacceptable. However, these social ethicists believe that the market economy can and should be reformed, to one degree or another, in order to promote more widespread participation in the economy and material well-being.⁴² This group might be aptly described as ‘market reformers.’ A final group of Christian thinkers stresses that capitalism, particularly American neoliberal or what is also known as Anglo-Saxon capitalism, has in fact significantly reduced poverty.⁴³ Further reductions in poverty require spreading the market economy and the virtues of capitalism as far as possible.⁴⁴ This group, whom I shall call ‘market defenders,’ often blames a ‘culture of poverty’ and governmental economic intervention for hampering individuals, communities and nations from fulfilling their potential as economic actors.

Within these groups there are certainly differences among particular thinkers.⁴⁵ Moreover, some important Christian ethicists may not fit neatly into any

(1997): 307-29; Rieger, *No Rising Tide: Theology, Economics, and the Future*. Also relevant to this group are scholars such as David Schindler and William Cavanaugh, whom Matthew Shadle calls communitarians. See Matthew Shadle, “Twenty Years of Interpreting *Centesimus Annus* on the Economy,” *Journal of Catholic Social Thought* 9, no. 1 (2012): 182-91.

⁴² For examples, see Moe-Lobeda, *Resisting Structural Evil: Love as Ecological-Economic Vocation*, esp. 41-44; David Hollenbach, *The Common Good and Christian Ethics* (Cambridge: Cambridge University Press, 2002); Thomas Massaro, *United States Welfare Policy: A Catholic Response* (Washington, D.C.: Georgetown University Press, 2007); Daniel K. Finn, *Christian Economic Ethics: History and Implications* (Minneapolis, MN: Fortress Press, 2013); Christine Firer-Hinze, “Economic Recession, Work, and Solidarity,” *Theological Studies* 72, no. 1 (2011): 150-69; Ronald J. Sider, *Just Generosity: A New Vision for Overcoming Poverty in America* (Grand Rapids, MI.: Baker Books, 2007).

⁴³ I discuss various models of capitalism, including the neoliberal model in Gerald J. Beyer, *Recovering Solidarity: Lessons from Poland’s Unfinished Revolution* (Notre Dame, IN.: University of Notre Dame Press, 2010), 3, 32-36. Following Jerzy Szacki and others, I contend that “as an economic school of thought, neoliberalism assumes three things. First, economic growth alone, most often measured as GDP, fosters human and ecological well-being. Second, the state should continually shed its responsibilities in favor of privatization. Third, the unfettered market always leads to the best outcomes. On the philosophical level, neoliberalism views human freedom as freedom from constraints, particularly in the economic sphere. In the practical realm, this rejection of freedom understood as freedom realized in solidarity with others led to a ‘sink or swim’ attitude in socioeconomic policy.” See Beyer, *Recovering Solidarity*, 3 and Jerzy Szacki, *Liberalism after Communism*, transl. by Chester Adam Kisiel (Budapest: Central European Univ. Press, 1995), 137-38.

⁴⁴ See Robert Benge, *The Ethic of Democratic Capitalism: A Moral Reassessment* (Philadelphia: Fortress Press, 1981); Michael Novak, *The Spirit of Democratic Capitalism* (New York, NY: Simon and Schuster, 1982); Samuel Gregg, *Tea Party Catholic: The Catholic Case for Limited Government, a Free Economy, and Human Flourishing* (New York, NY: Crossroad, 2013); Robert A. Sirico, *Defending the Free Market: The Moral Case for a Free Economy* (Washington, D.C.: Regnery Publishing, 2012).

⁴⁵ I have chosen these terms for each group for the sake of referring to them concisely. I recognize they may not capture all of the scholars I list in each group. I do think these categories are

these categories.⁴⁶ In addition, ethicists in one camp might in some ways agree with ethicists in another. For example, a growing number of ‘market critics’ and ‘reformers’ acknowledge the environmental unsustainability of the current global economic system.⁴⁷ In this vein, many Christian ethicists have turned their attention to environmentalism or ‘creation care,’ with some even advocating a ‘biocentric’ or ‘ecocentric’ approach to ethics instead of ‘anthropocentric’ ethics.⁴⁸ Some thinkers in the reformist camp agree that neoliberal capitalism does more harm than good, but unlike the first group they point to other forms of capitalism, such as the ‘mixed’ economies of the Scandinavian or Rhine models, as a superior alternative to socialism (I advocated this position in my book *Recovering Solidarity*).⁴⁹ Like all typologies, this one is imperfect. Nonetheless, I think it captures the general contours of the debate among Christian ethicists concerning poverty in the United States today.

Among Catholics, the varying interpretations of John Paul II’s encyclical *Centesimus Annus*, which was widely commented on in the United States, point to the different assessments of the market economy at this stage in history.⁵⁰ For example, Catholic scholars Michael Budde and Robert Brimlow contended that the encyclical gives its blessing to capitalism and world liberalism, thereby betraying the Gospel: “These are indeed the dominant themes of *Centesimus Annus*. Market capitalism is sanctified as natural and, in fact, God-given; individualism is raised to theological prominence, and the Gospel demands to poverty, selflessness, community, communal ownership, sacrifice, denial, neighborliness, charity, and on and on fall by the wayside and are not even mentioned in the encyclical ... Subsumed under the cloak of world liberal-

descriptively accurate, for the most part, and avoid the ideologically-laden categories of liberal, progressive, neoconservative and the like.

⁴⁶ See for example DeLaTorre, *Doing Christian Ethics from the Margins*, 59-92 and Dorrinen, *Social Ethics in the Making: Interpreting an American Tradition*, 683-88.

⁴⁷ See for example Moe-Lobeda, *Resisting Structural Evil: Love as Ecological-Economic Vocation*, and Finn, *Christian Economic Ethics: History and Implications*, 203-4, 340-41.

⁴⁸ See for example Moe-Lobeda, *Resisting Structural Evil: Love as Ecological-Economic Vocation*; Mark E. Graham, *Sustainable Agriculture: A Christian Ethic of Gratitude* (Cleveland, OH: Pilgrim Press, 2005); *Green Discipleship: Catholic Theological Ethics and the Environment*, ed. Tobias L. Winright (Winona, MN: Anselm Academic, 2011). On ecocentric and biocentric approaches to ethics, see Willis Jenkins, *Ecologies of Grace: Environmental Ethics and Christian Theology* (Oxford–New York, NY: Oxford University Press, 2008) and Larry L. Rasmussen, *Earth Community Earth Ethics* (Maryknoll, NY: Orbis Books, 1996). Jenkins describes but rightly eschews the dichotomy.

⁴⁹ See Bayer, *Recovering Solidarity*, 32-36, 44-47. See also Rebecca Todd Peters, *In Search of the Good Life: The Ethics of Globalization* (New York, NY: Continuum, 2004).

⁵⁰ See Shadle, “Twenty Years of Interpreting *Centesimus Annus* on the Economy”; G. Darrin, *John Paul II. “Centesimus Annus”: A Bibliography*, http://www.shc.edu/theolibrary/resources/bibliog_cent.htm.

ism, the Gospel is made subject to the dominant powers and empires.”⁵¹ David Hollenbach, SJ, representative of the ‘market reformers,’ maintained that “it would be a serious mistake to think that the Pope has blessed the form of capitalism existing in the United States today. In fact the encyclical is a major challenge to much recent U.S. economic and social policy.”⁵² Conversely, Michael Novak, whose vigorous defense of the market economy is well known, contended that “in *Centesimus Annus* Rome has assimilated American ideas of economic liberty.”⁵³

More recently, the varying reactions to Pope Francis’ economic teachings mirrors the divergent opinions among Christian social ethicists concerning capitalism.⁵⁴ The pope’s critiques of the capitalist economy have resonated with those Americans who perceive that it has unjustly created ‘winners’ and ‘losers.’ Even President Obama cited the Pope’s words in *Evangelii Gaudium* approvingly in his own speech on economic inequality.⁵⁵ However, many voices have criticized Pope Francis as being a naïve utopian, uninformed about capitalism’s success in alleviating poverty.⁵⁶ Among Christian scholars, the “market defenders” have notably challenged the pope. For example, Fr. Robert A. Sirico posted a 10 minute video on the Acton Institute website explaining how Pope Francis overlooks the power of the market to unleash the forces of good and virtue.⁵⁷ Samuel Gregg stated that “there are just too many unexamined assumptions about the economy that have made their way into this document.” Among other issues, Gregg laments that Pope Francis failed to acknowledge that “opening up markets throughout the world has helped to

⁵¹ Michael L. B u d d e, *Christianity Incorporated: How Big Business Is Buying the Church* (Eugene, OR: Wipf & Stock, 2007), 128.

⁵² David H o l l e n b a c h, “The Pope and Capitalism,” *America*, May 1, 1991: 591. For similar views, see Daniel K. F i n n, “Nine Libertarian Heresies Tempting Neoconservative Catholics to Stray from Catholic Social Thought,” *Journal of Markets and Morality* 14, no. 2 (2011): 487-503, <http://www.marketsandmorality.com/index.php/mandm/article/viewFile/49/46>; and John T. P a w l i k o w s k i, “Government and Economic Solidarity: The View from the Catholic Social Encyclicals,” *Bridges* 7, no. 3-4 (2000): 281-295.

⁵³ Michael N o v a k, “Tested by Our Ideals,” in *A New Worldly Order: John Paul II and Human Freedom*, ed. George Weigel (Washington, D.C.: Ethics and Public Policy Center, 1992), 142.

⁵⁴ This article was written before Pope Francis’ landmark encyclical *Laudato Si*. Therefore, it does not take account of the pope’s critiques of capitalism therein.

⁵⁵ See Barack O b a m a, “Remarks by the President on Economic Mobility,” <http://www.whitehouse.gov/the-press-office/2013/12/04/remarks-president-economic-mobility>.

⁵⁶ See Michael Sean W i n t e r s, “Libertarians Become Vocal Critics of *Evangelii Gaudium*,” *The National Catholic Reporter*, Jan. 30, 2014, <http://ncronline.org/news/politics/libertarians-become-vocal-critics-exhortation>.

⁵⁷ “Video: Rev. Robert A. Sirico Comments on the Economic Views of Pope Francis in *Evangelii Gaudium*,” <http://blog.acton.org/archives/63186-video-rev-robert-sirico-responds-pope-francis-economic-views-evangelii-gaudium.html>.

reduce poverty in many developing nations,” especially in East Asia. He also maintains that redistribution policies such as foreign aid, which Francis seems to recommend, have largely failed to alleviate poverty.⁵⁸ Cardinal Timothy Dolan penned a controversial *Wall Street Journal* opinion piece, which several Christian ethicists interpreted as erroneously implying Pope Francis actually appreciates the “virtuous capitalism” of the United States, but decries the “exploitative racket for the benefit of the few powerful and wealthy” in many developing nations.⁵⁹

On the other hand, several Christian ethicists in the ‘market reformer’ and ‘market critic’ circles have lauded Pope Francis’ prophetic critique of capitalism.⁶⁰ Dávila acknowledges the ongoing debates about whether Francis’ musings about the sources of economic justice “make actual economic sense” or exhibit Marxist leanings. However, she affirms Pope Francis’ “challenge for the church, especially the church in the U.S., to faithfully and authentically live out the preferential option for the poor.”⁶¹ Meghan Clarke likewise believes that the Pope has appropriately challenged “us to look in the mirror” in the United States. If we do we will recognize that poverty, homelessness and indifference to the poor abounds.⁶² Bishop of San Diego Robert McElroy, who earned doctorates in political science from Stanford and moral theology from the Pontifical Gregorian University in Rome, offered a thorough and positive appraisal of Pope Francis’s economic teachings. In support of Pope Francis’s, McElroy strongly indicted the global economy for producing injustices both at home and abroad. He decried international trade regimes that “often victimize incipient markets in staggeringly poor countries.” He also chided the United States and other economically advanced nations for backtracking on their pledge to give 7% of their GDP towards poverty alleviation by 2015. He posited that this equivocation would lead to the deaths of millions of children

⁵⁸ Samuel Gregg, “Pope Francis and Poverty,” *National Review*, Nov. 26, 2013, <http://www.nationalreview.com/corner/365004/pope-francis-and-poverty-samuel-gregg>. See also R.R. Reno, “Pope Francis and the Market,” *First Things*, no. 2 (2014), <http://www.firstthings.com/article/2014/02/francis-and-the-market>.

⁵⁹ Card. Timothy Dolan, “The Pope’s Case for Virtuous Capitalism,” *Wall Street Journal*, May 23, 2014. See the ethicists’ critiques in Thomas Reese, “Theologians Critique Cardinal Dolan’s Defense of Capitalism,” *National Catholic Reporter*, June 6, 2014, <http://ncronline.org/blogs/faith-and-justice/theologians-critique-cardinal-dolans-defense-capitalis>.

⁶⁰ In addition to the sources below, see also David Cloutier, Charles M.A. Clark, Mary Hirschfeld and Matthew A. Shadle, “Theological Roundtable: Pope Francis and American Economics,” *Horizons* 42, no. 1 (2015): 122-55.

⁶¹ María Teresa Dávila, “The Incarnational Principle of Divine Love: The Preferential Option for the Poor in the Francis Moment,” *Political Theology Today*, Dec. 13, 2013, <http://www.political-theology.com/blog/the-incarnational-principle-of-divine-love/>.

⁶² Meghan J. Clarke, “The Dignity of the Vulnerable,” *America*, Jan. 6, 2014, <http://americamagazine.org/issue/joy-world>.

annually across the globe. In addition, he lamented that political leaders in the U.S. have neglected “the gross disparities in income and wealth and barriers to mobility” and deep cuts to governmental assistance to the poor. Unlike the market defenders, Bishop McElroy argued that governments must play a key role in creating job growth, “a humane threshold of income, health benefits and housing.” Clearly admonishing economic libertarians, he stated that Pope Francis has unambiguously taught that “Catholic teaching on economic justice is clear and binding.” Therefore, those who advocate systematic cuts to necessary governmental assistance for the poor “clearly reject core Catholic teachings on poverty and economic justice.”⁶³

In my judgment, most of what Francis has said about economic justice echoes his predecessors Pope Benedict and Pope John Paul II. A longer essay would adduce myriad similar and clear critiques of capitalism uttered by Pope John Paul II and Pope Benedict.⁶⁴ The attempt to contrast Pope Francis on the economy with Saint John Paul II (whom Fr. Robert A. Sirico claimed advocated the “free economy”) is inaccurate and unfortunate. However, Francis chooses words and phrases that grab attention in the age of sound bites in a way that previous popes did not. Take for example, his references to “the worship of the golden calf of old,” “the cult of money” and “the dictatorship of an economy which is faceless and lacking any truly humane goals.” The two previous popes, who were both professors, said similar things about capitalism in a much more academic style. Pope Francis speaks in a way that leaves no room for smug complacency about the fact that more than 1 billion people still live in extreme poverty, even if capitalism has lifted hundreds of millions out of economic misery:

We can only praise the steps being taken to improve people’s welfare in areas such as health care, education and communications. At the same time we have to remember that the majority of our contemporaries are barely living from day to day, with dire consequences. A number of diseases are spreading. The hearts of many people are gripped by fear and desperation, even in the so-called rich countries (*Evangelii Gaudium*, no. 52).

In other words, Pope Francis conveys that what has been done to alleviate poverty may be good, but not good enough. In my estimation, he would give

⁶³ Robert W. McElroy, “A Church for the Poor,” *America*, Oct. 21, 2013, <http://americamagazine.org/church-poor>. See also Robert W. McElroy, “Market Assumptions,” *America*, Nov. 3, 2014, <http://www.americamagazine.org/issue/market-assumptions>.

⁶⁴ See for example, John Paul II, *Centesimus Annus*, no. 41-42, John Paul II, “What Church Social Teaching Is and Is Not,” *Origins* 23, no. 15 (1993): 256-258 [Vatican translation of speech in Riga, Latvia]; Benedict XVI, *Caritas in Veritate*, no. 36, 69. I discuss Saint John Paul’s critiques of capitalism in *Recovering Solidarity*. On Pope Benedict, see Gerald J. Beyer, “Neither Socialist nor Libertarian: Pope Benedict’s *Caritas in Veritate* on the Proper Role of Government in the Economy,” *Josephinum Journal of Theology* 17, no. 1 (2010): 157-67.

global capitalism a C+ for poverty reduction thus far. He thinks we can do much better. Moreover, like his predecessors he clearly rejects what is commonly called neoliberal capitalism (or what has also been referred to as the “Washington consensus”):

In this context, some people continue to defend trickle-down theories which assume that economic growth, encouraged by a free market, will inevitably succeed in bringing about greater justice and inclusiveness in the world. This opinion, which has never been confirmed by the facts, expresses a crude and naïve trust in the goodness of those wielding economic power and in the sacralized workings of the prevailing economic system. Meanwhile, the excluded are still waiting (*Evangelii Gaudium*, no. 54; cf. 204).

In the light of Pope Francis’ critiques of global capitalism, several questions arise. Is his assessment of capitalism’s history of alleviating or exacerbating the problem of poverty and human misery accurate? Second, does the pope believe that capitalism is an inherently unjust system that cannot be reformed?

Let me start with the second question. Frankly, sometimes it appears that he believes capitalism is inherently unjust. In other words, he echoes Marxist/radical critiques of capitalism. Take for example the following words from the exhortation:

The worship of the ancient golden calf (cf. Ex. 32:1-35) has returned in a new and ruthless guise in the idolatry of money and the dictatorship of an impersonal economy lacking a truly human purpose. The worldwide crisis affecting finance and the economy lays bare their imbalances and, above all, their lack of real concern for human beings; man is reduced to one of his needs alone: consumption (*Evangelii Gaudium*, no. 55).

Thus, according to Catholic scholar Lew Daly, Francis correctly perceives that “Capitalism is not just ‘broken’; it is inherently out of control, in a late phase of development, because a libertarian creed with mistaken precepts about human nature has infected political institutions, economic elites and even the church.”⁶⁵

On the other hand, Francis sometimes implies the belief that while capitalism in its present form is unjust and ineffectively deals with poverty and human suffering, it can be infused with moral virtues in a way that creates a more just and peaceful world. In other words, he appears to at times adopt a reformist approach to capitalism. He calls for political reforms, greater solidarity with the poor and a return of economics and finance to “an approach which favors human beings” (*Evangelii Gaudium*, no. 58). This idea, or hope, of reforming capitalism coheres with the historical position of Catholic social teaching,

⁶⁵ Quoted after W i n t e r s, “Libertarians Become Vocal Critics of *Evangelii Gaudium*.”

which holds that “the economy, in all its branches”⁶⁶ can and must be guided by the proper moral considerations, as Pope Benedict put it.

The more complex issue is whether or not the global economy has been as successful at alleviating global poverty as Sirico and others maintain. Conversely, has it failed as badly as Pope Francis implies? The answer depends on the optics and metrics one uses. Pope Francis rightly condemns the massive amount of poverty and suffering that presently exists. His optic is the Gospel and Catholic social teaching on the economy, which spells out the demands of the gospel in concrete form. His gaze remains oriented toward a future world, one which will better foster the human rights of all and the common good. As Pope Francis put it in *Evangelii Gaudium*, no. 192:

Yet we desire even more than this; our dream soars higher. We are not simply talking about ensuring nourishment or a ‘dignified sustenance’ for all people, but also their ‘general temporal welfare and prosperity.’ This means education, access to health care, and above all employment, for it is through free, creative, participatory and mutually supportive labour that human beings express and enhance the dignity of their lives.

Marian Tupy of the Cato Institute rejects Francis’ critique of capitalism because the pope fails to produce evidence. In his view, “capitalism, compared to other systems, does very well at bringing people out of poverty.”⁶⁷ Some data seem to support this contention. The United Nations Development Programme and other organizations have referred to an “unprecedented” decrease in poverty in the last two decades. A UNDP 2013 document on poverty reduction states “Globally, the number of extreme poor has dropped by 650 million in the last three decades, a level of progress humankind had never seen.”⁶⁸ This amounts to a decrease from 43 percent in 1990 to 22 percent in 2008 of the world’s population living in extreme poverty.⁶⁹

On the other hand, the well-known economist Jeffrey Sachs provided a robust, empirically-grounded defense of Pope Francis’ view. Sachs expressed gratitude to Pope Francis for decrying the deleterious effects of the “globalization of indifference.” Among these effects are: historically high levels of income inequality in the United States and other societies, six million youths under the age of five unnecessarily dying per year and poor people around the world tremendously suffering with no assistance. According to Sachs, all

⁶⁶ Benedict XVI, *Caritas in Veritate*, no. 45.

⁶⁷ Quoted after Winters, “Libertarians Become Vocal Critics of *Evangelii Gaudium*.”

⁶⁸ United Nations Development Programme, “Fast Facts: Poverty Reduction,” http://www.undp.org/content/undp/en/home/librarypage/results/fast_facts/poverty-reduction/.

⁶⁹ See James R. Rogers, “What’s Behind the Stunning Decrease in Global Poverty,” Nov. 26, 2013, <http://www.firstthings.com/onthesquare/2013/11/whats-behind-the-stunning-decrease-in-global-poverty>.

this occurs “at a time of unprecedented global wealth.” Moreover, either the annual paychecks of a few hedge fund owners or Pentagon’s expenditures for one day or one dollar per year from each person in economically advanced nations could make up the global fund to fight AIDS, tuberculosis, and malaria shortfall of \$1 billion, which will lead to “considerable death and suffering.” Yet, the “globalization of indifference” scorned by Pope Francis continues to allow massive amounts of preventable disease, suffering and death.⁷⁰

Much evidence supports Sach’s contention that Pope Francis’ critique of the globalization of indifference is compelling. According to World Bank data, about 900 million people live in extreme poverty, surviving on less than \$1.90 a day.⁷¹ A recent UNESCO report stated that “59 million children of primary school age and 65 million adolescents of lower secondary school age” are denied the right to education globally. More than 700 million adults remain illiterate.⁷² UNICEF reports that about 29,000 children under the age of five die each day due to preventable diseases.⁷³ In recent decades roughly 100 million women have died prematurely due primarily to the neglect of female health care and nutrition, especially during childhood.⁷⁴ Meanwhile, the nations of the world spend 1,604.3 billion dollars annually on military spending.⁷⁵ The U.N. has estimated that it would cost 30 billion dollars to end world hunger (experienced by 850 million people daily), a drop in the bucket compared to annual military spending.⁷⁶

In addition, the philosopher Thomas Pogge, the Leitner Professor of Philosophy and Public Affairs at Yale, has cogently argued that the high level of persistent global poverty is inexcusable and could be largely eradicated if the will existed. According to Pogge, 868 million people suffer from chronic hunger and malnutrition. About 844 million lack access to potable water. Pogge states that 2.5 billion do not have access to decent sanitation. In addition, “2 billion

⁷⁰ Jeffrey D. Sachs, “Market Reformer,” *America*, March 24, 2014, <http://americamagazine.org/issue/market-reformer>.

⁷¹ Marcio Cruz, James Foster, Bryce Quillin, and Philip Schellekens, “Ending Extreme Poverty and Sharing Prosperity: Progress and Policies,” *World Bank Group Policy Research Note*, October 2015, <http://pubdocs.worldbank.org/pubdocs/publicdoc/2015/10/109701443800596288/PRN03-Oct2015-TwinGoals.pdf>, 5.

⁷² UNESCO, “Education 2030: Incheon Declaration towards Inclusive and Equitable Quality Education and Lifelong Learning for All,” http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/ED_new/pdf/FFA-ENG-27Oct15.pdf, 10.

⁷³ UNICEF, “Goal: Reduce Child Mortality,” <http://www.unicef.org/mdg/childmortality.html>.

⁷⁴ Amartya Kumar Sen, *Development as Freedom* (New York, NY: Knopf, 1999), 104-07.

⁷⁵ Project Plowshares Website, <http://plowshares.ca/wp-content/uploads/2012/08/FINAL-VERSION-2015-ARMED-CONFLICT-REPORT.pdf>.

⁷⁶ See “The Price of Hunger,” *Los Angeles Times*, June 26, 2008, <http://articles.latimes.com/2008/jun/23/opinion/ed-food23>

lack essential medicines...1 billion lack adequate shelter...775 million are illiterate...215 million children are child labourers.” About 1/3 of all human deaths, 18 million every year, result from preventable illnesses. Moreover, “in the last 22 years 400 million people died from poverty-related causes.”⁷⁷ Pogge also contends that the metrics most often used in global poverty counts grossly underestimate the number of poor.⁷⁸ Pogge, like Pope Francis, posits the need for a more democratic and just global financial and political architecture (i.e. democratizing global governance) in order to reduce poverty more robustly and efficiently. In other words, while ‘market defenders’ tout global capitalism’s reduction of poverty, Pogge adds his sharp mind to the critique of “the globalization of indifference” that continues to wreak havoc on the world’s poor.⁷⁹

I agree with much of Pope Francis’ diagnosis of the “new tyranny” of global capitalism. There is no excuse for a world in which a small minority has incredible resources at their fingertips, while the majority suffers severe deprivations. However, I think that the Pope’s case would be strengthened if he acknowledged the progress that has been made, at least in some parts of the world, to a greater degree. Of course, like Pogge we should carefully examine how those who tout the success of global capitalism measure this progress. Furthermore, one can point out that the vast majority of people who climbed out of poverty live in China (about 500 million). However, while abhorring the severe and persistent deprivations in many parts of the world, we should also acknowledge success and signs of hope when and where they happen. For example, I find the gains made by the living wage movement in the U.S. to be hopeful, even if the number of working poor in the U.S. remains staggering.⁸⁰ As Christian ethicist C. Melissa Snarr has written, religious coalitions have greatly contributed to the success of this movement.⁸¹ The Mondragón cooperative in Spain, along with many others, have demonstrated that worker participation and solidarity can lead to a system of labor that is both productive

⁷⁷ Thomas P o g g e, “Poverty and Violence,” *Law, Ethics and Philosophy* 1, no. 1 (2013): 89, <http://www.raco.cat/index.php/LEAP/article/view/294762>, and Thomas P o g g e, “A Global Plan to End Poverty,” http://fora.tv/2013/02/27/Philosopher_Thomas_Pogge_A_Global_Plan_to_End_Poverty.

⁷⁸ See Thomas P o g g e and Sanjay G. R e d d y, “How Not to Count the Poor,” <http://www.columbia.edu/~sr793/count.pdf>, and Thomas P o g g e, “Poverty and Violence”: 87–111.

⁷⁹ See also Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* (Cambridge, UK; Malden, MA: Polity, 2008), and Thomas P o g g e, *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric* (Cambridge, UK– Malden, MA: Polity, 2010).

⁸⁰ See The Working Poor Families Project, “About the Working Poor Families Project,” <http://www.workingpoorfamilies.org/about/> and <http://www.epi.org/pay-agenda/>.

⁸¹ See C. Melissa S n a r r, *All You That Labor: Religion and Ethics in the Living Wage Movement* (New York, NY: New York University Press, 2011).

and respects the dignity and rights of workers.⁸² Such cooperatives echo John Paul II's call for workplaces where "on the basis of his work each person is fully entitled to consider himself a part-owner of the great workbench at which he is working with everyone else."⁸³

On the macro scale, Brazil, for example, halved the number of people in poverty from 1981 to 2005 by turning away from the neoliberal paradigm and investing in education and social services.⁸⁴ In general, the key is discerning what measures have worked in places that have reduced poverty. Succinctly put, Pope Francis rightly condemns the naïve optimism about the ability of the market alone to alleviate human misery. The global market economy is not an autonomous entity whose mechanisms will spontaneously bring about the common good, as neoliberals often maintain. Nor is it a juggernaut that uncontrollably wreaks havoc in the lives of the world population. Human choices—moral choices—always determine the way the market economy functions. Those policies and practices that have been chosen by governments, NGOs, corporations and business leaders that have led to greater human and ecological well-being should be highlighted, replicated, adapted and defended against the attacks of 'market fundamentalists.'⁸⁵

WAR AND PEACE AFTER 9/11

In addition to economic justice, Christian social ethics has devoted increasing attention to questions of war and peace. In the first half of the 20th century, prominent ethicists such John C. Ford, SJ, H. Richard Niebuhr and Reinhold

⁸² On Mondragón, see William T. Cavanagh, *Being Consumed: Economics and Christian Desire* (Grand Rapids, MI: William B. Eerdmans Pub. Co., 2008), 27-28. On the merits of worker ownership schemes more broadly, see Gar Alperovitz, *America Beyond Capitalism: Reclaiming Our Wealth, Our Liberty, and Our Democracy* (Hoboken, NJ: J. Wiley, 2005), 81-89, and Dorrén, *Social Ethics in the Making*, 683-88.

⁸³ John Paul II, *Laborem Exercens*, no. 14. John Paul II continued: "A way towards that goal could be found by associating labour with the ownership of capital, as far as possible..."

⁸⁴ See "Fighting Poverty in Emerging Markets: The Gloves Go On, Lessons from Brazil, China and India," *The Economist*, Nov. 26, 2009, <http://www.economist.com/node/14979330>.

⁸⁵ The popes refer to the 'idolatry of the market,' which is tantamount to what others have called 'market fundamentalism.' See for example John Paul II, *Centesimus Annus*, no. 40, and Pope Francis, *Laudato Si*, no. 56. Stan Duncan defines market fundamentalism as "the slavish adherence to the principles of free markets as if they were unassailable dogma." In other words, it is a kind of "new religious faith." Stan G. Duncan, *The Greatest Story Oversold: Understanding Economic Globalization* (Maryknoll, NY: Orbis Books, 2010), 44. On market fundamentalism, see also Rieger, *No Rising Tide: Theology, Economics, and the Future*, 14-15, and Sandel, *What Money Can't Buy: The Moral Limits of Markets*.

Niebuhr wrote significant articles concerning war.⁸⁶ However, according to J. Bryan Hehir there had been a longstanding lack of interest in and development of just war theory in the United States. In the 1950's a resurgence of interest in the tradition and its tenets took place. Historical events after 1950 largely stimulated the renewed interest in American scholarship in particular.⁸⁷ The Vietnam War, the nuclear arms race and the Gulf War prompted John Courtney Murray, Paul Ramsey, James Turner Johnson and others to reconsider elements of the just war theory. As Richard B. Miller pointed out in the early nineties, since then there has been disagreement on the number of its principles and their nature, their application, the usefulness of just war theory and whether or not Christians can espouse such an ethic given the novel realities of modern warfare.⁸⁸

After 9/11, U.S. Christian ethicists once again began to focus more intently on questions of war and peace. For certain, Christian scholars have done creative and important work on the ethics of nonviolence and peacebuilding.⁸⁹ In addition, Christian ethicists addressed pressing and new questions such as the torturing of suspected terrorists⁹⁰ and the morality of using drones to kill

⁸⁶ See their writing in *War and Christian Ethics: Classic and Contemporary Readings on the Morality of War*, ed. Arthur Frank Holmes (Grand Rapids, MI: Baker Academic, 2005); *War in the Twentieth Century: Sources in Theological Ethics*, ed. Richard Brian Miller (Louisville, KY: Westminster–John Knox Press, 1992), xvii.

⁸⁷ See J. Bryan Hehir, "Just War Theory in a Post Cold-War World," *Journal of Religious Ethics* 20, no. 2 (1992): 239-40.

⁸⁸ Miller, who defends the usefulness of just war theory, argues that "despite a growing interest in and knowledge about the just-war tradition, a consensus about the number, meaning and relative weight of its criteria is still elusive." He demonstrates his claim with examples. See Miller, *War in the Twentieth Century: Sources in Theological Ethics*, xvii.

⁸⁹ See for example Eli Sasaran McCarthy, *Becoming Nonviolent Peacemakers: A Virtue Ethic for Catholic Social Teaching and U.S. Policy* (Eugene, OR: Pickwick Publications, 2012); Gerald Schlabach, *Just Policing, Not War: An Alternative Response to World Violence* (Collegeville, MN: Liturgical Press, 2007); Robert J. Schreiter, R. Scott Appleby, and Gerard F. Powers, *Peacebuilding: Catholic Theology, Ethics, and Praxis* (Maryknoll, NY: Orbis Books, 2010); Ronald J. Sieder, *Nonviolent Action: What Christian Ethics Demands but Most Christians Have Never Really Tried* (Grand Rapids, MI: Baker Publishing Group, 2015); Glen Harold Stassen, *Just Peacemaking: The New Paradigm for the Ethics of Peace and War* (Cleveland, OH: Pilgrim Press, 2008); John Howard Yoder, *The War of the Lamb: The Ethics of Nonviolence and Peacemaking* (Grand Rapids, MI: Brazos Press, 2009); John Paul Lederach, *The Moral Imagination: The Art and Soul of Building Peace* (Oxford–New York: Oxford University Press, 2005). See also the discussion of the Just Peacemaking Perspective in Mark Allman, *Who Would Jesus Kill?: War, Peace, and the Christian Tradition* (Winona, MN: Saint Mary's Press, 2008), 239-52.

⁹⁰ On torture, see for example *Religious Faith, Torture, and Our National Soul*, ed. David P. Gushee, J. Drew Zimmer, and Jillian Hickman Zimmer (Macon, GA: Mercer University Press, 2010); Christine E. Gudorf, "Feminist Approaches to Religion and Torture," *Journal of Religious Ethics* 39, no. 4 (2011): 613-21; William T. Cavannah, *Torture and Eucharist: Theology, Politics, and the Body of Christ*, (Oxford, UK–Malden, Mass.: Blackwell Publishers, 1998); John Perry, *Torture:*

enemies from a distance.⁹¹ However, given the limitations of this paper, I will focus on just one acute issue after 9/11: the question of whether or not preventive war can be considered a just cause.

On the most basic level, all contemporary Christian just war theorists agree that war must be undertaken to stem threats to peace, justice and basic human rights. Unlike Augustine and Aquinas, most theorists today argue that war cannot be an act of retaliation, nor can it be an act of imperialistic aggression.⁹² Disagreement arises, however, when considering the kinds of threats to peace, justice and basic human rights that justify going to war. Most notably, just war theorists argue about whether or not only a defensive war in response to an act of aggression constitutes just cause. Several influential just war theorists contend that preemptive and sometimes even preventive wars fall within the limits of just cause. Other Christian ethicists and the United States Catholic Conference of Bishops resist this interpretation of just cause. They contend that just war theory's "presumption against violence" rules out preventive wars, and seriously question the justifiability of preemptive strikes in most cases.⁹³

Religious Ethics and National Security (Maryknoll, NY: Orbis Books, 2005); Darrell Cole, "Torture and Just War," *Journal of Religious Ethics* 40, no. 1 (2012): 26-51; Derek S. Jeffreys, *Spirituality and the Ethics of Torture* (New York, NY: Palgrave Macmillan, 2009); Nahed Artoul Zehr, "Moral Landscapes and Ethical Vistas: American Responses to the War on Terror," *Journal of Religious Ethics* 41, no. 3 (2013): 514-39; Kenneth R. Himes, "Why Is Torture Wrong?," *Journal for Peace and Justice Studies* 21, no. 2 (2011): 42-55. A few Catholics have strangely attempted to justify the form of torture known as waterboarding. See Christopher Blosser, "Catholic Advocacy of Torture: A Teaching Moment for Catholic Bishops?," *First Things*, Dec. 2, 2010, <http://www.first-things.com/blogs/firstthoughts/2010/02/catholic-advocacy-of-torture-a-teaching-moment-for-the-catholic-bishops>; and Mark Oppenheimer, "Defender of Waterboarding Hears from Critics," *New York Times*, Feb. 26, 2010, http://www.nytimes.com/2010/02/27/us/27beliefs.html?_r=0.

⁹¹ On drones, see Mary Ellen O'Connell, "Flying Blind: U.S. Combat Drones Operate Outside International Law," *America*, March 15, 2010, <http://americamagazine.org/issue/729/article/flying-blind>; Mary Ellen O'Connell, "Unlawful Killing with Combat Drones: A Case Study of Pakistan, 2004 – 2009," *Notre Dame Law School Legal Studies Research Paper No. 09-43* (2010), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1501144; DeLaTorrre, *Doing Christian Ethics from the Margins*, 103; Patrick T. McCormick, "Attack of the Drones," *U.S. Catholic* 70, no. 8 (2005): 46-48; David Swanson, "Drones for Christ," *Sojourners Magazine*, 2013, no. 7: 16-19; Mark J. A. Hillman and Tobias L. Wright, "Obama's Drone Wars: A Case to Answer," *The Tablet*, Aug. 18, 2012, and Kenneth R. Himes, *Targeted Killing and the Ethics of Drone Warfare* (Lanham, MD: Rowman and Littlefield, 2016).

⁹² For an illustration of Augustine's view, see Augustine, "Reply to Faustus the Manichean," in *War and Christian Ethics*, ed. Arthur Frank Holmes (Grand Rapids, MI: Baker Book House, 1975), 64. For Aquinas' view, see Thomas Aquinas, *Summa Theologiae*, II.II.40.1.

⁹³ The United States Catholic Conference of Bishops famously used this phrase in their 1983 pastoral letter "The Challenge of Peace". See United States Catholic Conference of Bishops, "The Challenge of Peace," in *Catholic Social Thought: The Documentary Heritage*, ed. David J. O'Brien and Thomas A. Shannon (Maryknoll, NY: Orbis Books, 1992), no. 120. On this issue, see Helmut David Baer and Joseph E. Capiuzi, "Just War Theories Reconsidered: Problems with Prima

According to Michael Walzer's widely-used distinction, preemptive wars are undertaken to address a "sufficient" threat. Walzer specifies the level of threat by enumerating three conditions: (1) manifest intent to injure exists in the present moment, (2) current, active preparation to do so must be present, and (3) waiting greatly magnifies the risk of jeopardizing territorial integrity and/or political sovereignty.⁹⁴ In contradistinction, preventive wars attempt to quell threats that are not imminent, but may pose a threat to a nation's security at some point in the future.⁹⁵ Although divergent stances among Christian thinkers on this issue predate 9/11, the war in Iraq brought this disagreement into sharp relief.⁹⁶ For example, renowned exponent of just war theory Jean Bethke Elshtain claimed that Iraq's possession of weapons of mass destruction represented a 'preeminent threat.' Although she marshals evidence to prove that Iraq already had such weapons, nowhere in her argument does she demonstrate that the threat of their use was imminent. Thus, in terms of Walzer's categorization, she in fact describes a preventive war in the case of Iraq as a *casus belli*.⁹⁷ In likewise fashion, Michael Novak declared that the Iraq war was not a preventive war, but adduced evidence of a threat posed by Saddam Hussein that "would come without imminent threat."⁹⁸ The possibility of Hussein conspiring with terrorists to use chemical and biological agents to cause mass destruction in a major Western metropolis, in his words, fell "somewhere between 0 and 10."⁹⁹ Although this points to a real threat, this kind of probability certainly does not fit Walzer's definition of preemptive war. Thus, Novak also defended the justifiability of preventive wars, even though he stated otherwise. Moreover, he contended that in situations like Iraq under Hussein, regime change can constitute a just cause.¹⁰⁰ For his part, George

Facie Duties and the Need for a Political Ethic," *Journal of Religious Ethics* 33, no. 1 (2005): 119-37. The authors, who disagree with this view, cite James Childress, Lisa Sowle Cahill, and Richard Miller as proponents of the "presumption against violence thesis." See also Tobias L. Wright, "The Liturgy as a Basis for Catholic Identity, Just War Theory, and the Presumption against War," in *Catholic Identity and the Laity*, ed. T. Muldoon (Maryknoll, NY: Orbis, 2009), 134-51.

⁹⁴ See Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York, NY: Basic Books, 2006), 80-81. Walzer justifies preemptive, but not preventive wars.

⁹⁵ See *ibid.*, 75-80.

⁹⁶ Helmut David Baer and Joseph Capizzi mention that James Turner Johnson rejected the 'presumption against violence' interpretation of just war theory in the nineties. See Baer and Capizzi, "Just War Theories Reconsidered: Problems with Prima Facie Duties and the Need for a Political Ethic," 125.

⁹⁷ See Jean Bethke Elshtain, *Just War against Terror: The Burden of American Power in a Violent World* (New York, NY: Basic Books, 2003), 185-90.

⁹⁸ Michael Novak, "'Assymetrical Warfare' and Just War," *National Review*, July 10, 2003, <http://www.nationalreview.com/article/205864/asymmetrical-warfare-just-war-michael-novak>.

⁹⁹ *Ibid.*

¹⁰⁰ See *ibid.*

Weigel contended that just cause understood as “defense against aggression” must include the ability to undertake “military action to deny rogue states” the capacity to cause large-scale destruction with weapons of mass destruction.¹⁰¹ Weigel’s concern is to deny the possibility of such a scenario by eliminating the capabilities of such rogue states to use weapons of mass destruction. He too speaks of threats in the future, not imminent threats, and thus calls for a notion of just cause that encompasses preventive wars.

In 2003 more than 100 Christian ethicists, including Miguel De La Torre, Stanley Hauerwas and Shawn Casey, expressed their disagreement with a preemptive war against Iraq in a joint statement, thereby disagreeing with Weigel, Novak, Elshtain and the Bush administration.¹⁰² Quoting The Catechism of the Catholic Church, then President of the United States Catholic Conference of Bishops Wilton Gregory declared that in order to justify war the damage inflicted by the aggressor must be “lasting, grave and certain.”¹⁰³ Unlike Elshtain, Novak and Weigel, the bishops concluded that this was not the case regarding the threat Hussein posed.¹⁰⁴ They also directly challenged “dramatically expanding” the “traditional” understanding of just cause to incorporate preemptive and preventive wars “to overthrow threatening regimes or to deal with the proliferation of weapons of mass destruction.”¹⁰⁵ Protestant theologian George Hunsinger also claimed the war in Iraq violates just war theory, arguing that “historically” just cause has been limited to cases of “(a) self-defense (b) against acts of aggression and (c) used as a last resort.” Unlike Bishop Gregory, however, Hunsinger makes clear that self-defense can include preemptive strikes, but preemption is only justifiable in response to an attack planned for the immediate future.¹⁰⁶ Catholic ethicist Mark Allman concurs that just war theory has long allowed for preemptive wars, but deems preventive wars “nothing more than hawkish political realism dressed in the cloak of self-defense.” In his view, the Bush administration tried to justify preventive use of force.¹⁰⁷

¹⁰¹ George Weigel, “Moral Clarity in a Time of War,” in *War and Christian Ethics: Classic and Contemporary Readings on the Morality of War*, ed. Arthur Frank Holmes (Grand Rapids, MI: Baker Academic, 2005), 385.

¹⁰² See De La Torre, *Doing Christian Ethics from the Margins*, 106.

¹⁰³ Bishop Wilton Gregory, “Letter to President Bush on Iraq,” United States Catholic Conference of Bishops, <http://www.usccb.org/issues-and-action/human-life-and-dignity/global-issues/middle-east/iraq/letter-to-president-bush-from-bishop-gregory-on-iraq-2002-09-13.cfm>. See also Catholic Church, National Conference of Catholic Bishops, “The Challenge of Peace: God’s Promise and Our Response,” in *Catholic Social Thought: The Documentary Heritage*, ed. David J. O’Brien and Thomas A. Shannon (Maryknoll, NY: Orbis Books, 1992), 512, no. 86.

¹⁰⁴ See Gregory, “Letter to President Bush on Iraq.”

¹⁰⁵ Ibid.

¹⁰⁶ George Hunsinger, “Iraq: Don’t Go There,” *Christian Century*, Aug. 14-27, 2002: 10.

¹⁰⁷ Allman, *Who Would Jesus Kill?: War, Peace, and the Christian Tradition*, 214-15.

Thus, it is clear that disagreements persist about whether or not just cause includes preventive and/or preemptive wars, or if just cause solely arises after an act of aggression. In addition to this debate, some have argued that to wage war for a just cause is not equivalent to fighting against an unjust cause.¹⁰⁸ In other words, undertaking war merely as self-defense without having concern for a just order after the war would not constitute a just cause.¹⁰⁹ Other Christian ethicists added that the appropriate response to terrorism such as the 9/11 attacks should be police action, not war. This approach would entail the U.S. and other nations collaborating to bring terrorists to justice just as police forces apprehend dangerous criminals within their domestic jurisdictions.¹¹⁰

SOME PRESSING ISSUES IN NEED OF SUSTAINED ATTENTION

To conclude this paper, I would like to briefly point to other issues that have commanded the attention of Christian social ethicists in the United States and demand further reflection. There are many important issues that Christian social ethicists are engaging and must continue to engage. However, I will focus on just two.¹¹¹

In the last several years, difficult questions about how to protect the right to religious freedom and freedom of conscience of all citizens in a pluralistic democracy have arisen. For example, whether or not Christian employers should be required by federal legislation (known as the Affordable Care Act) to provide

¹⁰⁸ G.E.M. Anscombe makes this argument in her essay "The Justice of the Present War Examined." See G.E.M. Anscombe, "The Justice of the Present War Examined," in *War in the Twentieth Century: Sources in Theological Ethics*, ed. Miller, 125-37.

¹⁰⁹ In this vein, Michael Walzer has called for an expansion of the just war theory to include *jus post bellum*, or justice after the war. He maintains that recent experiences of post-war chaos in Kosovo, East Timor and Iraq prove the necessity of this amendment to just war theory. See Walzer's introduction to his book Michael Walzer, *Arguing About War* (New Haven, CT: Yale University Press, 2005), xiii. For detailed discussions of *jus post bellum* in recent Christian thought, see Mark Allan and Tobias L. Wright, *After the Smoke Clears: The Just War Tradition and Post War Justice* (Maryknoll, NY: Orbis Books, 2010); Allan, *Who Would Jesus Kill?: War, Peace, and the Christian Tradition*; Kenneth Himes, "Intervention, Just War and U.S. National Security," *Theological Studies* 65, no. 1 (2004): 154-57. For a discussion of *jus post bellum* in the case of Iraq, see Jean Bethke Elshtain, "Tightly Tied to the New Iraq," *Foreign Policy*, Oct. 21, 2009, <http://foreignpolicy.com/2009/10/21/tightly-tied-to-the-new-iraq/>; and George Weigel, "Just War and Iraq Wars," *First Things*, 2007, no. 4: 14-20, <http://www.firstthings.com/article/2007/04/just-war-and-iraq-wars>.

¹¹⁰ See Tobias L. Wright, "Just Cause and Preemptive Strikes in the War on Terrorism: Insights from a Just Policing Perspective," *Journal of the Society of Christian Ethics* 26, no. 2 (2006): 157-181. This approach is discussed in more detail in Schlabach, *Just Policing, Not War: An Alternative Response to World Violence*.

¹¹¹ Parts of the following section are excerpts from "John XXIII and John Paul II: The Human Rights Popes," published in *Ethos* 27, no. 2 (2014): 92-137.

health insurance coverage including contraception has raised questions about religious freedom. A number of Christian churches and individual Christian employers have tried to use the courts to protect their rights as Christians not to be complicit in what they consider the immoral use of contraception. The Obama administration offered a compromise which would purportedly avoid the problem, requiring insurance companies to pay if the employer refused to provide that coverage. The Obama administration argued that this policy would prevent objectors from having to provide this insurance coverage themselves, while promoting the social good of reducing the spread of sexually transmitted diseases and decreasing unintended pregnancies. However, the critics still believe they would be involved in providing contraception, some forms of which they contend are abortifacients.¹¹²

This issue prompted respected Christian ethicists such as M. Cathleen Kaveny, David Hollenbach SJ, Michael Moreland, David L. Schindler and David Gushee to engage the complicated questions about religious freedom in a pluralistic democracy anew.¹¹³ Given space limitations I cannot rehearse their argument here. Succinctly stated, whose freedom of religion, and whose freedom of conscience do we propose to protect, particularly when competing claims are raised that are rooted in different faith traditions and/or judgments reached in conscience? When should the exercise of religious liberty be constrained in order to protect the rights of others? Was a Catholic school properly exercising its religious freedom when it fired a teacher for becoming pregnant outside of wedlock (which violates the morals clause of her contract)?¹¹⁴ Error may not have rights, but “a person has rights even if he [or she] is in error,”¹¹⁵ as Cardinal Angelo Scola once put it. Violations of labor rights, such as the right not to be fired without cause, should not be excused in the name of religious liberty.¹¹⁶

¹¹² See William A. Galston et al., “The Bishops & Religious Liberty,” *Commonweal*, May 30, 2012, <https://www.commonwealmagazine.org/bishops-religious-liberty>.

¹¹³ See Hollenbach, “Religious Freedom, Morality and Law: John Courtney Murray Today”; David Hollenbach and Thomas A. Shannon, “A Balancing Act: Catholic Teaching on the Church’s Rights and the Rights of All,” *America*, March 5, 2012, <http://americamagazine.org/issue/5131/article/balancing-act>; William A. Galston et al., “The Bishops & Religious Liberty,” *Commonweal*, May 30, 2012, <https://www.commonwealmagazine.org/bishops-religious-liberty>; David L. Schindler, “The Repressive Logic of Liberal Rights: Religious Freedom, Contraceptives, and the ‘Phony’ Argument of the *New York Times*,” *Communio* 38, no. 4 (2011): 523-547; David Gushee, “Do For-Profit Corporations Have Religious Liberties?” (April 8, 2014), <http://baptistnews.com/news/item/28547-do-for-profit-corporations-have-religious-liberties>.

¹¹⁴ See Meghan Clark, “Truly Scandalous: Fired for Choosing Life,” *Millennial*, Feb. 6, 2014, <http://millennialjournal.com/2014/02/06/truly-scandalous-fired-for-choosing-life/>.

¹¹⁵ Angelo Scola, “The Nature and Scope of Religious Freedom in Our Contemporary Culture,” *Communio* 40, no. 2-3 (2013): 321.

¹¹⁶ For discussion, see Gerald J. Bayer, “Strange Bedfellows: Religious Liberty and Neoliberalism,” *National Catholic Reporter*, Feb. 15, 2012, <http://ncronline.org/news/politics/strange-bedfellows-religious-liberty-and-neoliberalism>.

The Catholic tradition has elaborated principles dealing with the appropriate relationship between moral law and civil law in cases when religious tenets of Catholicism clash with the rights of citizens. These principles do not construe every instance of civil law conflicting with the Church's teaching "as a direct threat to Catholic religious freedom."¹¹⁷ From Augustine to Aquinas to Vatican II, Catholicism has never held that the entirety of the moral law (the Church's moral teachings) must be reflected in civil law. This element of the Catholic tradition must be kept in mind in deliberations about religious freedom. *Dignitatis Humanae* stated that freedom can be constrained by law when public order is threatened but "the freedom of man is to be respected as far as possible and is not to be curtailed except when and insofar as necessary" (no. 7). Balancing the right to religious freedom with the demands of public order, which must be understood with regard to truth about the human person, will require patience, dialogue, good will, and prudential reasoning among all those involved. As I have written elsewhere, the concept of public order from *Dignitatis Humanae* delimits the sphere within which civil laws must reflect the fullness of the Church's moral teaching. However, determining just what constitutes a true threat to justice, public peace, and morality (thereby requiring legal prohibition) involves prudential judgment and often involves controversy.¹¹⁸

There are real threats to religious liberty across the globe today.¹¹⁹ However, those who sincerely wish to protect religious liberty must recognize cases where it is not being abused. As Archbishop Blase J. Cupich of Chicago recently stated, "not every claim of religious freedom is valid."¹²⁰ For example, in the U.S. several Catholic universities, the Association of Catholic Colleges and Universities, and the Association of Jesuit Colleges and Universities have claimed that their right to religious liberty exempts them from the authority of the National Labor Relations Board (NLRB).¹²¹ According to Vatican II's Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*,

¹¹⁷ Hollenbach and Shannon, "A Balancing Act," 25.

¹¹⁸ See Beyer, "Freedom, Truth, and Law in the Mind and Homeland of John Paul II," *Notre Dame Journal of Law, Ethics and Public Policy* 21, no. 1 (2007): 141-46, <http://scholarship.law.nd.edu/ndjlepp/vol21/iss1/2>. See also Hollenbach, "Religious Freedom, Morality and Law: John Courtney Murray Today," 89; David L. Schindler, "The Repressive Logic of Liberal Rights: Religious Freedom, Contraceptives, and the 'Phony' Argument of the *New York Times*."

¹¹⁹ See Scola, "The Nature and Scope of Religious Freedom in Our Contemporary Culture": 317-33.

¹²⁰ Blaise J. Cupich, "Address to the Chicago Federation of Labor," Chicago, Sept. 17 2015, <http://www.archdioceseofchicago.org/person/cupich/pdf/LaborUnionAddress091715.pdf>, 7.

¹²¹ See Susan Stabile, "Blame It on Catholic Bishop: The Question of NLRB Jurisdiction over Religious Colleges and Universities," *Pepperdine Law Review* 39, no. 5 (2013): 1317-1345; Marie Rhode, "Labor Board: Adjunct Professors at Catholic University Can Form Union," *National*

the right to unionize without fear of reprisal ranks among the “basic rights of the human person.”¹²² Therefore, it is hard to imagine how recognizing unions violates the religious freedom of Catholic universities in the light of *Dignitatis Humanae*. The Declaration rightly claimed the freedom for the Church to preach the Gospel (see no. 13). According to Catholic social teaching, one important component of this evangelization is promoting justice and the human rights of all people.¹²³ Thus, it is a non-sequitur to argue that the state compelling a Catholic institution to uphold its own teaching violates its religious freedom. Admittedly, NLRB oversight involves determining whether or not a Catholic university is a ‘religious institution’ worthy of exemption from labor laws may be excessive government intrusion. However, this problem can be avoided by allowing a free and fair union election to take place among the workers without NLRB involvement.¹²⁴ In a forthcoming book, I argue that Catholic universities must generally do much better at embodying Catholic social teaching in their treatment of their employees and in all of their institutional policies and practices.¹²⁵

Another urgent question surrounds the right to life and capital punishment. John Paul II rightly condemned the culture of death and affirmed the right to life of all human beings from conception until natural death. He also urged halting the use of the death penalty as a punishment against capital offenders.¹²⁶ His numerous criticisms of the death penalty contributed much to the growing opposition to the death penalty and sparked an evolution of the Catholic Church’s teaching on capital punishment.¹²⁷ It would seem that John Paul II made clear

Catholic Reporter, April 25, 2014, <http://ncronline.org/news/faith-parish/labor-board-adjunct-professors-catholic-university-can-form-union>.

¹²² Second Vatican Council, *Gaudium et Spes*, no. 68.

¹²³ See P a u l VI, *Evangelii Nuntiandi*, nos.13, 14, 27, 29, 31, 41; J o h n P a u l II, *Centesimus Annus*, nos. 5, 54; *Message of His Holiness Benedict XVI for the World Mission Sunday 2011*, http://www.vatican.va/holy_father/benedict_xvi/messages/missions/documents/hf_ben-xvi_mes_20110106_world-mission-day-2011_en.html; F r a n c i s, *Evangelii Gaudium*, nos. 176-87; *Compendium of the Social Doctrine of the Church*, nos. 62-67, http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html.

¹²⁴ See Peter S c h m i d t, “Adjuncts Appeal to Higher Power in Debate over Unions at Religious Colleges,” *The Chronicle of Higher Education*, Dec. 9, 2013, <http://chronicle.com/article/Adjuncts-Test-Faith-of/143493/>; S t a b i l e, “Blame It on Catholic Bishop: The Question of NLRB Jurisdiction over Religious Colleges Anduniversities.”

¹²⁵ The book is tentatively titled *Solidarity or Status Quo? Catholic Social Teaching and The Mission of Catholic Higher Education* (in progress) See also B e y e r, “Labor Unions, Adjuncts, and the Mission and Identity of Catholic Universities,” *Horizons*, 42, no. 1 (2015): 1-37.

¹²⁶ See J o h n P a u l II, *Evangelium Vitae*, nos. 27, 40, 56.

¹²⁷ See the excellent treatment of the evolution of Catholic teaching on capital punishment: E. Christian B r u g g e r, “The Catholic Moral Tradition,” in *Where Justice and Mercy Meet: Catholic Opposition to the Death Penalty*, ed. Vicki Schieber, Trudy D. Conway and David Matzko McCarthy (Collegeville, MN: Liturgical Press, 2013), 113-25; E. Christian B r u g g e r, “The Church and Capital Punishment in the Modern Period,” in *Where Justice and Mercy Meet: Catholic Opposition to the*

his opposition, as he stated “I therefore renew my appeal to all leaders to reach an international consensus on the abolition of the death penalty, since ‘cases in which the execution of the offender is an absolute necessity are very rare, if not practically non-existent’ (Catechism of the Catholic Church, no. 2267).”¹²⁸ Nonetheless, Cardinal Avery Dulles and others have argued that John Paul II stopped short of explicitly positing the right to life of murderers and theoretically acknowledged that the State has the right to execute criminals “in some cases.”¹²⁹ Catholic politicians and judges have used this putative ‘loophole’ in order to justify and exercise their authority to end the lives of criminals.¹³⁰

However, Christian ethicists and death penalty abolitionists have undertaken a concerted effort to eliminate capital punishment both through intellectual analysis and advocacy. Groups like Murder Victims’ Families for Human Rights have also powerfully testified to the Gospel’s liberating call to forgiveness while advocating for the abolition of the death penalty. The Catholic Mobilizing Network to End the Use of the Death Penalty creates educational programming, publicly advocates and lobbies politicians.¹³¹ Perhaps above all Sr. Helen Prejean’s personal story as a death row minister, which inspired the movie *Dead Man Walking*, and her books, articles and speeches have raised public consciousness of the heinous nature of capital punishment.

Christian scholars have also played a role in the declining support for capital punishment.¹³² Catholic ethicists maintain, as I have argued elsewhere, that the Church does not ever allow for ‘capital punishment,’ both in theory and practice. Even on the level of principles, it only allows for ‘legitimate defense.’ Thus, the Catechism (#2263-7) discusses cases where it may be necessary to defend the public against an unjust aggressor in a section titled “Respect for Human Life.” There the Catechism does not even use the phrase capital punishment because it forbids lethal punishment. It only permits legitimate de-

Death Penalty, 126-36; Msgr. Stuart W. Swetland, “The Catechism in Historical Perspective,” in *Where Justice and Mercy Meet: Catholic Opposition to the Death Penalty*, 137-48; Msgr. Stuart W. Swetland, “The Death Penalty in the Catechetical Tradition,” in *Where Justice and Mercy Meet: Catholic Opposition to the Death Penalty*, 149-162.

¹²⁸ J o h n P a u l I I, “Angelus” (Vatican, Dec. 12, 1999), http://www.vatican.va/holy_father/john_paul_ii/angelus/1999/documents/hf_jp-ii_ang_12121999_en.html.

¹²⁹ A. D u l l e s, *Church and Society: The Laurence J. McGinley Lectures, 1988-2007* (New York: Fordham University Press, 2008), 369. See also Tadeusz Ślipek, SJ, *Kara śmierci z teologicznego i filozoficznego punktu widzenia* (Kraków: Wydawnictwo WAM, 2000).

¹³⁰ See Gerald J. B e y e r, “The Capital Punishment Conundrum of Catholic Politicians,” *National Catholic Reporter*, Oct. 3, 2011, <http://ncronline.org/news/peace-justice/capital-punishment-conundrum-catholic-politicians>.

¹³¹ See Catholic Mobilizing Network to End the Use of the Death Penalty, <http://catholicsmobilizing.org/>.

¹³² Although about 60% of Americans still support it, this is a 20% decrease since the 1990’s. See Death Penalty Information Center, <http://deathpenaltyinfo.org/national-polls-and-studies#gallup2014>.

fense against an unjust aggressor as a last resort, i.e. when no other means exist.¹³³ Moral theologian E. Christian Brugger has meticulously explained the change in Church teaching to this current position in great detail.¹³⁴ Succinctly stated, Catholic teaching forbids capital punishment in the United States and in most countries, here it is implausible to imagine someone already imprisoned could be an unjust aggressor who posed a threat to society up to and at the moment of his execution.¹³⁵

Other Christian scholars have argued forcefully against capital punishment on biblical, theological, sociological and moral grounds.¹³⁶ In September 2011 the execution of Troy Davis, who many experts believed was wrongly or not conclusively convicted, prompted almost 400 Catholic scholars to issue a statement calling for an end to capital punishment.¹³⁷ Protestant theologians issued a similar statement, which was signed by more than 450 scholars, ministers and bishops.¹³⁸ More recently, editors at *America*, *National Catholic Register*, *National Catholic Reporter* and *Our Sunday Visitor*—four major Catholic newspapers—jointly called for an end to capital punishment.¹³⁹ In short, a growing number of Christian scholars, activists, and ordinary citizens are trying to foster a culture of mercy by advocating for the abolition of the death penalty. They hope that Pope Francis’ recent call for a world-wide ban of capital punishment will lead to definitive change in Catholic teaching and laws around the globe.¹⁴⁰ They also hope that more states will follow the eighteen that have already outlawed capital punishment in the U.S.

¹³³ See B e y e r, “The Capital Punishment Conundrum of Catholic Politicians.”

¹³⁴ See E. Christian B r u g g e r, *Capital Punishment and Roman Catholic Moral Tradition* (Notre Dame, IN: University of Notre Dame, 2014); E. Christian B r u g g e r, “Rejecting the Death Penalty: Continuity and Change in the Tradition,” *Heythrop Journal* 49, no. 3 (2008): 388-404. My own position on Catholic teaching concerning capital punishment is indebted to his work.

¹³⁵ See B e y e r, “The Capital Punishment Conundrum of Catholic Politicians.”

¹³⁶ See *Where Justice and Mercy Meet: Catholic Opposition to the Death Penalty*, ed. Schieber, Conway, and Matzko McCarthy. See also Tobias Winright’s works on this issue.

¹³⁷ See the letter “A Catholic Call to Abolish the Death Penalty,” <http://catholicmoraltheology.com/a-catholic-call-to-abolish-the-death-penalty/>.

¹³⁸ See “An Appeal to End the Death Penalty—Signed by Christian Theologians and Ethicists in the United States,” <http://www.gopetition.com/petitions/an-appeal-to-end-the-death-penalty-signed-by-christian.html>.

¹³⁹ See “Editorial: Catholics Publications Call for End to Capital Punishment,” *National Catholic Reporter*, March 5, 2015, <http://ncronline.org/news/peace-justice/editorial-catholic-publications-call-end-capital-punishment>.

¹⁴⁰ See Laura I e r a c i, “Pope Francis Calls Death Penalty ‘Unacceptable,’ Urges Abolition,” *National Catholic Reporter*, March 20, 2015, <http://ncronline.org/blogs/francis-chronicles/pope-francis-calls-death-penalty-unacceptable-urges-abolition>. See also Pope F r a n c i s, “Address to the Joint Session of the United States Congress,” Washington, Sept. 24, 2015, https://w2.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco_20150924_usa-us-congress.html.