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This is not a new question for either politicians or moralists. Mario Cuomo, former mayor of New York, delivered an address on the subject at Notre Dame University many years ago. Antonin Scalia, US Supreme Court Justice, spoke on the same topic to the Gregorian University in Rome in 1996. Cuomo stressed that sometimes practical judgements have to be made when immediate condemnation of a policy will do more harm than good. He cited the reaction to a decree of Pope Gregory XVI who condemned the slave trade in 1840. Few Catholic bishops in the country preached the abolition of slavery at the time, when even some priests in the South owned slaves. In that period Catholics were mainly a foreign minority, not well accepted by the general population. Believing that protests would not alter the situation, except to make it worse, the bishops remained silent.

It is important to situate the question in the political and social circumstances of today. If we look at the problem not so much in the abstract, but in the concrete situation of the political system in which the politician has to work, our moral judgements will have more chance of being both prudent and just.

We are not living in countries where the political system is monarchical and directive, where, for instance the motto held was “Cuius regio eius religio” (religion is to be that of the ruler). Our system is not totalitarian as was Germany under Hitler, Spain under Franco, or where religion is under Communist rule. We live under a democratic system of government, controlled by a constitution which only the majority can change, where the ruling political party is elected by the people. The role of the politician in this situation is quite different from the above systems.

The difference is critical for understanding how morality and public policy may be reconciled in conscience. The value of a liberal, democratic state under a constitution is that people agree to allow the opinion of the majority to be the rule of law, even when they might be opposed in principle to one or other majority opinion, rather than run the risk of continuous civil war where nobody’s system is accepted and there is no tolerance, no freedom to live with human dignity. A vital condition to be respected is that they will not be forced to act against their conscience. Despite its drawbacks and compromises, the democratic system seems to avoid serious conflict better than other systems, and positively allows greater freedom of life and expression to all. People
are still free to disagree and say so in non-violent ways and, more importantly, retain the freedom to follow their religion and conscience.

**Our question is twofold:** Should a politician, elected to represent all the people of a state coerce those in disagreement with his religious beliefs to follow his morals (or those of his church)? And, from the other angle, must or may he follow or promote what the majority want despite his personal moral stance?

**What is the relationship between public policy and personal (religious) morality?**

We are speaking of a democratic society. Public policy and personal (religious) morality are related in so far as both are concerned with right and wrong and with the welfare of the individual and the community. They are distinct in that, on the one hand, public policy is mainly concerned with the common good as delineated by the pluralist nature of modern democracies, and individual acts only when they touch the common good. Public policy looks to feasible ways of protecting and promoting human dignity, ways that will work. Personal morality, on the other hand, is particularly concerned with individual morality guided by conscience (informed by a particular philosophy or religious beliefs). Generally, individual morality, if it is to be truly called morality, is equally concerned with the common good of the society. Freedom, individual rights and discriminations will necessarily be limited by the need for good order and the common good of the society, especially by the freedom and rights of others to follow their moral conscience. One has only to think of road codes and building regulations or laws regulating smoking to realise how much our personal freedoms are curtailed for the common good.

At this point it is important to note that political science and practical politics are not the same as the philosophy of law or theoretical ethics. The theoretical principles of ethics or the philosophy of law rigidly and universally applied may not work in an imperfect society. Medieval philosophers and theologians were aware of this when, for example, St Thomas Aquinas, pointed out that the further you move from the theoretical principle to the practical implementation the less likely the principle as such will apply. Generally, in a democratic society, we do not expect the law to cover every aspect of our lives. In reality, the law covers basic matters necessary for orderly living and protects basic human rights; law cannot cover every aspect of human living. For this reason prudence is regarded as such a vital virtue. The expectations of a litigious society tend to be more demanding as far as the individual’s rights and good are concerned.

**Whose morality should the state legislate for?**

If a pluralist, democratic society is to function well, that is, provide for the basic needs of all its citizens and protect their fundamental human dignity and freedoms, the state must see to it that the different groups within that society respect the right of the other to live, and live according to their conscience. People in a democratic society accept a constitution by which they allow the voice of the majority to rule while retaining the freedom to proclaim their own point of view and, according to a peaceful process, try to change the majority opinion when they are in disagreement with it.

The system may not be perfect and may not protect or promote everything that I believe in, but it seems to be the most workable system to avoid civil and factional wars in a state, and at the same time, grant me my basic human freedoms.
Fundamentally, I protect my rights and freedom by respecting yours. There are plenty of examples, including Iraq, where such principles are not in force and where nations are in continuous states of civil war or disturbance. The Twentieth and Twenty-first Centuries have harboured a number of totalitarian systems where those who disagreed with the system were either obliterated or lost their basic freedoms.

We are searching, therefore, for the best way in an imperfect world to promote human dignity in a way that will work, will be helpful and not divisive to the point of non-functioning or, worse, destructive. In the concrete this comes down to which overall public morality can we agree to share and promote? The Vatican II Declaration on Religious Liberty gave us a good working principle with the approach that, although error does not have rights, people do, even people whom I might consider to be in error. Respect for the dignity of the person is paramount. To protect this principle it would seem better to legislate only for those acts which have an essential bearing on the common good or public welfare. On the negative side it does no good to try to ban absolutely activities where history has shown that the law or the society cannot control in practice, and where, in fact, the principle of the lesser of two evils might obtain (perhaps, for example, prostitution, all abortion, all gambling, all use of alcohol). After all, as Jesus taught, “Your Father who is in heaven... makes his sun rise on the evil and the good and sends his rain on the just and unjust” (Mt 5:45), and in the parable on the wheat and the weeds: “Then do you want us to go and gather them [the weeds]? But he said, No: lest in gathering the weeds you root up the wheat along with them. Let both [wheat and weeds] grow together until the harvest…” (Mt 13:28-30). That is not to say that public policy should not try to eradicate evils by education and formation of conscience.

What should we do as individuals and as religious groups or churches? Firstly, don’t manipulate religion for political ends. Then, let us be consistent with our ethic, especially our ethic of life, as Cardinal Bernadin insisted: the dignity of human life principle applies not only to abortion, but to waging war, capital punishment, health care, care of the disabled and aged, euthanasia, road safety, to list but a few examples. If we are consistent about the right to life then we must seriously consider the right of all people to share in the goods of creation, the oppression of minorities, discrimination. A consistent ethic of life will see the promotion of social justice in general to be as important as regulating sexual morals. More people were hanged in London in 1834 for homosexual offences than for murder.

In a democratic society the individual and the group retain the right to struggle to have their basic values respected in ways that will work, and where they can collaborate with other people. Being simply condemnatory and divisive will not help form public policy. If Christians want to develop their culture through gospel values they must work within the society to change attitudes.

The Christian tradition has always taught that law must be according to right reason. It is not coercion but rational argument, enlightened by the Spirit, and love of neighbour that is going to persuade others of the value of a Christian culture. If our reasoning is not good enough to convince the majority then we should examine our premises, our position and our conclusions to see if they are as good and reasonable as we think. A basically authoritarian stance will not move the thinking and educated of today; paternalism has had its day. You need to be well informed to have a voice in
public. The Christian who believes in gospel values and wants to see a better system has to begin personally by living morally according to the faith professed, and working through civil action (committees or politics) for a better society. For, the question is not about the validity of gospel values but about translating the teaching into public policy in a democratic society. That implies respecting at the same time the human dignity, rights and conscience of others. If the great commandment is charity, then the Christian will lead others to truth through love.

**The politician, morality and public policy.**
This is, perhaps, the most contentious area. The majority of politicians belong to political parties. Where do they stand and what can they do when the party they adhere to endorses a moral position which is contrary to their church teaching and or personal morality?

Firstly, it is important to call to mind what was said above about the nature of and positive benefits of a democratic society compared to other forms of government. Secondly, in this culture we must ask who is it that the politician is elected to serve? Generally speaking, the politician is elected to serve all the people whether they be atheists, Muslims, Christians, Jews, animists or agnostics, whether they believe in the right to life of the unborn, the equality of men and women, or hold the same attitude to the nature of marriage, and so on. The politician takes an oath to follow the constitution of the state, and to provide a situation where all citizens can live in human dignity, with as much freedom as possible while respecting the constitution and the rights of others, their religious beliefs and practices along with freedom of speech.

It is one thing to allow the laws which exist, say permitting and paying for abortion or embryo stem cell research, the detention of refugee children, to continue, since an individual politician of one or other party is limited, especially in public discourse, to what he or she can do to change accepted party policy. Yet, this does not take away the duty to live according to conscience and the faith that the politician professes, and do what can be done to change attitudes. To exit political life might do more harm to the cause overall than to remain and continue to work for the betterment of society. At least, there will be times when a conscience vote on important moral issues is allowed by the political party.

Even when politicians are asked before an election whether they support the party’s stand on an issues like abortion, they can, I believe, say that they will not publicly oppose the party’s line because it is a democracy and they can do nothing else if they are to remain members of the party and still work for all the positive consequences they believe this party will try to achieve if elected. Of course, the politician should make clear his or her personal position or moral stance and endeavour to live accordingly. In the party room and on the floor of parliament they can abstain from voting for what is against their conscience. There is a long moral tradition of practising the principles of cooperation in good and evil. These principles are as valid today as ever and apply not only to bioethical matters but equally to the political field. The principles of cooperation will be most helpful for the politician in forming a right conscience in such conflicting circumstances.
The situation is different where, in the example before the media, a Catholic politician publicly and actively promotes and stands for a moral position which is contrary to a clear and definitive Catholic Church teaching. Whatever about the person’s position before God in conscience, the public political figure in that situation can hardly be considered in full communion with the Church. How the Church leaders should react is not so clear. We have seen the different reactions of the bishops in the US to John Kerry’s stand on abortion. It is one thing to reaffirm that this stand is contrary to Church teaching and that the politician should examine his or her conscience before receiving the Eucharist. It is not so clear that threats of excommunication or public refusal of communion are going to redeem the situation. After all, Jesus made a point of sharing the table of all and sundry, and was criticised by the religious legalists of his time: “And when the Pharisees saw this, they said to his disciples, Why does your teacher eat with tax collectors and sinners?” (Mt 9:11) Hopefully, we have learnt from the English Reformation and from modern principles of relationships that dialogue and mediation will achieve much more than confrontation.

At the same time it seems somewhat simplistic to declare that the private person and the public politician are two different people when it comes to actively supporting public policy. Tony Abbott, M.P. and Minister for Health in the Australian Federal Government, seems to have stated it in a more nuanced and acceptable way when he affirmed, “I wish that my department didn’t do this (funding 75,000 abortions a year)… Tony Abbott the person has a whole series of views which Tony Abbott the Minister can’t always have, because there is a sense in which as a Minister you are obliged by your office to carry out certain functions.”

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