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Dependence on God and Man: Toward a Catholic Constitution of Liberty*

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This article first sketches a "Catholic constitution of liberty" drawing on the paradoxical assertion in *Centesimus Annus* §41 that liberty is predicated on a dependent, obedient posture that is proper to rational creatures. I argue that the principles of a free society, antecedently cherished by classical liberals, with some variation, can be derived from this liberty of dependence. This article secondly develops a thesis about the possibility of a natural alliance between Catholic thought and classical liberalism, especially in regard to contemporary threats to the common good rooted in both collectivist and individualist attacks on the family and constituting a new formulation of the social question.

Liberty Constituted by Dependence

With the benefit of hindsight, it might be said that Milton Friedman, 1976 Nobel Laureate in Economics, made one of the most insightful pronouncements on the 1991 encyclical letter, *Centesimus Annus*, of John Paul II. After praising many features of the letter, he writes, "But I must confess that one high-minded sentiment, passed off as if it were a self-evident proposition, sent shivers down my back: 'obedience to the truth about God and man is the first condition of freedom.' Whose 'truth'? Decided by whom? Echoes of the Spanish Inquisition?"[1] Writing in a special issue of the *National Review*, Friedman is referring to a lengthy sentence in *Centesimus* §41.

This pronouncement is insightful because John Paul's statement about the "constitution of liberty"—to borrow Hayek's phrase—would have been easy

to miss among the many other elements of *Centesimus* that appeal to Friedman and other classical liberals. Yet, it is an arresting statement once one thinks it over, as it seems to endorse an account of liberty that is irreconcilable with our immediate, intuitive notions of liberty as well as the main notions of freedom advanced in the modern liberal tradition.[2]

Observe that John Paul predicates liberty on obedience. Obedience has two broad meanings. First, in the more common usage, obedience is a characteristic of a person who follows the will of another or who is submissive or subject to another's rule or authority.[3] Second, obedience is also a characteristic of a thing that exhibits natural or involuntary obedience, as in the dependence of the heavenly bodies on the motion of the universe. Thus, we say that the planets "obey" the laws of planetary motion.[4]

The first meaning of obedience describes persons who make a voluntary choice to follow the will of another; the second describes objects that find themselves (or, more accurately, *are found to be*) "involuntarily" subject to laws. *Centesimus* § 41 seems to advance the notion that human liberty is characterized by both senses of obedience: *aligning of the will* (first sense) *with the laws that we find ourselves involuntarily subject to* (second sense).

This idea about liberty is of course predicated on a prior idea about the nature of man—man is a rational actor with free will, a responsible agent, and a dependent creature who is governed like the beasts by rules and laws he does not get to make up. On these terms, then, liberty is characterized by a paradoxical *willed dependence* that seems to be oriented toward uniting the rational and animal natures of man. The free man rightly discerns the laws that govern him, and wills to be subject to them.

It is uncontroversial and relatively self-evident that human thriving depends on discerning and obeying the laws of nature that govern inanimate objects. Take the genius of flight, for instance. Flight seems like the very definition of liberation, as if the law of gravity has been dispensed with. It is only by virtue of *discerning and depending* on the laws of physics that we attain to what seems like freedom from the law, and this is generally uncontested. That which appears to be controversial and profoundly unsettling to at least one of the great liberal thinkers of the twentieth century is the idea that there are laws of nature governing persons—what John Paul II calls "the truth about God and man" and that these laws bear some relation to liberty.

I believe that Milton Friedman, as an empirical matter, would not hesitate to agree with the proposition that there are observable and knowable laws that govern human interactions—such as those belonging to markets, states, and institutions—and that obedience to such laws is one of the bases for a free society.

By *empirical*, I mean that Friedman would argue that knowledge of such laws arises from the observation and study of persons *as they are in the world* and not from religious or cultural propositions.

Thus, I propose two basic questions. The first: Why exactly is the Catholic constitution of liberty so unsettling to Friedman? This requires a more careful exploration of just what it is that Catholic thought proposes about the nature and character of liberty.

The second: Is there any natural alliance that can be conceived between Catholic thinkers and liberal thinkers in spite of the inherent difference between these traditions? I take it for granted that thinkers in the Catholic tradition would like to align themselves with the liberal tradition *so far as it is possible*—this may or may not be a warranted assumption—but for the purposes of this article, it is an adequate starting point.[5]

Dependence on Dependence: The Catholic Constitution of Liberty

To address the first question, I will add more to the story about the Catholic constitution of liberty. I posited above that on the Catholic account, liberty is predicated on *willed dependence* on the truth about God and man. Further than this, I propose that the idea of dependence inherent in the structure of liberty is itself the substantive "truth about God and man." If this is the case, then dependence is central to liberty in a recursive way. We might render "obedience to the truth about God and man" as "willed dependence upon dependence."

To see this, note in the first place that the core truths about man in Catholic thought can be captured by a double dependence: dependence on God—man is a creature of God; dependence on man—man is not solitary but *in-relation*.[6] Both dependencies begin with, and are in some way exemplified by, the dependence of the child in the womb (see Ps. 139:13–16). "You created my inmost being; you knit me together in my mother's womb" (Ps. 139:13 NIV). Furthermore, "For in him we live and move and have our being" (Acts 17:28). Because man is not merely a creature but a *rational creature*,[7] each of these dependencies involves a reciprocal responsibility.

A few notes of development are important. First, by "dependence" I mean either "the fact of having existence hanging upon, or conditioned by, the existence of something else"[8]—as in the dependence of man on God, or the dependence of a child on parents. In a wider sense, by dependence I also mean a "relation, or connection"[9] between persons that is a matter of fact beyond choice—as in

the case of both dependencies. For instance, if I say that I am dependent on my husband, I mean that my well-being *just is* affected by his actions and behaviors. In this sense, dependence is similar to relationship in the way that scientists tend to use the word. Is there a relationship between X and Y? Does Y depend on X? This is a structural kind of dependence that cannot be avoided.

A second point is that responsibility, or "dependability," is the correlate of dependence for rational creatures. When a rational creature discerns a law (of dependence) that he finds himself governed by, he inescapably accepts or denies the dependence.[10] For instance, a man who discerns that he is dependent on God (his existence is hanging on a creator) inescapably responds to this fact. He might exhibit piety, for instance, toward God. Likewise, a man who discerns that his infant son *just does* depend on him inescapably responds to this fact. He accepts responsibility (accepts the dependence on him) for his son, or he denies it in some respect. In each case, the acceptance of dependence (or responsibility) is constituted by a personal gift from one to the other: the man gives thanks to God; he gives care and support to his son. These gifts, constitutive of responsibility, also bind persons together.[11]

Finally, note that dependence and responsibility play the part of both facts and norms. The child *just is* dependent on her mother. The mother *just is* responsible for her child. These are facts. They are also norms. Mothers should seek to become more responsible. Children should seek to depend more fully (and appropriately) on mothers.[12]

Dependence on God

In Catholic thought, the dependence of man on God refers first and foremost to the fact of creation and the source of man's being. It refers, however, also to the general dependence of man on the rules and laws governing both nature and human nature, as described above. Finally, the notion of the dependence of man on God extends—in a way central to social thought—to the fullness of revelation in Christ and his Church.

This last point is articulated in *Gaudium et Spes* § 22, "The truth is that only in the mystery of the incarnate Word does the mystery of man take on light."[13] It is also expressed in the clear and patient insistence of the popes that without Jesus Christ and his Church there is no possibility of the right ordering of social reality. Although *Quas Primas* (1925), the great encyclical on Christ as King, comes easily to mind in this respect, Pius XI was even more direct on this point in his first encyclical, "On the Peace of Christ in the Kingdom of Christ" (*Ubi*

arcano Dei consilio): "Because men have forsaken God and Jesus Christ," he wrote, "they have sunk to the depths of evil."[14]

Dependence on Man

The other dependence central to Catholic thought is that of man on man. "Man, in fact, is not a solitary being" as the *Compendium* states.[15] This teaching refers, in the first place, to man's dependence on other men for his own coming to be. Here is no theory of a state of nature with unitary adults of the species. Man is not conceived "in society" but rather "in another person." His first awareness is of the *other*: her warmth, her beating heart, and her voice. He is not alone, but wholly *within another*. "In you I live and move and have my being." Such dependence may be deemed a vertical dependence.[16] The same phenomenon is referred to sometimes as the "fundamentally relational character of human persons." I submit that the language of relation, although valid as far as it goes, is not quite strong enough.

When man is born, he continues in a relationship of vertical dependence with his parents, while entering into a relationship of horizontal dependence with his brothers and sisters. Horizontal dependence is based less on need and more on mutual experience and the love characteristic of friendship. The horizontal dependence of children in the family mirrors the horizontal dependence of parents on each other. Siblings learn mutual trust and responsibility from parents who practice the same. Horizontal dependence, we may suppose, is the basis for solidarity.

Finally, when man "leaves his father and mother and clings to his wife" (Gen. 2:24) he establishes a horizontal dependence with his wife that in turn gives rise to new persons in dependence. The dependence in marriage is voluntary because it is entered into freely.[17] However, after establishing marriage, the voluntary, mutual dependence of husband and wife gives rise to new involuntary dependencies. The family therefore contains within itself every kind of dependence: voluntary and involuntary, as well as vertical and horizontal. For this reason, the family is the school of dependence and responsibility. It is from the dependence found by nature in the family that man learns *all other dependencies and responsibilities* that characterize a good human life, including the dependencies and responsibilities necessary for friendship, religion, civic participation, and citizenship. The family thus conceived is also, as I will argue, the testing ground for claims about liberty and nature.

To sum up: I have sketched briefly the double dependence that I claim is substantive of the "truth about God and man," on which the willed dependence of liberty is predicated. It is not possible—to my mind—to overstate the case for *dependence* as the chief characteristic of the metaphysical reality of man. There is something wonderfully paradoxical about dependence as constitutive of liberty—liberty is typically equated with personal autonomy and *in-dependence*. No wonder Friedman, for whom "the individual is the ultimate unit of society," finds himself so uncomfortable with *Centesimus* § 41.[18]

From Liberty of Dependence to the Free Society

Is there any sensible way of moving from this liberty of dependence to the antecedently specifiable norms and principles of a free society? If not, we might accuse Catholic thought of simply redefining liberty to mean something that practically it does not mean. Although the concern deserves a lengthy treatment beyond the scope of this article, here I simply sketch a brief answer by considering what sort of free society might be implied by the notion of liberty of dependence as described so far.[19] I believe there are at least five special doctrines related to dependence that we would expect to find in such a society.

Natural Dependence as Constitutive of the "Good" in Society

First, in a society founded on a constitution of liberty of dependence, one should find a *doctrine of dependence as constitutive of the "essential goodness" of society*. A society founded according to such an understanding of the constitution of liberty conceives of itself as being "built up" by persons giving and receiving in accordance with proper, natural dependencies.[20] When my young daughter climbs into bed with me in the night because she is afraid and needs me, and when I accept this, then the society I am conceiving of will declare that her chubby arm around my neck is the most valuable thing in human social life—the ultimate "that for the sake of which." In saying this, there is no contradiction with the conviction that the dignity of the individual is also the "that for the sake of which" of human society.

To see this, recall G. K. Chesterton's tremendous manifesto in *What's Wrong with the World* about the little girl with gold-red hair—one of the greatest paeans to human dignity ever penned:

> All the kingdoms of the earth shall be hacked about and mutilated to suit her. She is the human and sacred image; all around her the social fabric shall sway and split and fall; the pillars of society shall be shaken, and the roofs of ages come rushing down, and not one hair of her head shall be harmed.[21]

Yet Chesterton's vignette is incomplete without his reference to "the pride of a good mother in the beauty of her daughter."

> The whole parable and purpose of these last pages, and indeed of all these pages, is this: to assert that we must instantly begin over again, and begin at the other end. I begin with a little girl's hair. That I know is a good thing at any rate. Whatever else is evil, the pride of a good mother in the beauty of her daughter is good. It is one of those adamantine tendernesses that are the touchstones of every age and race. If other things are against it, other things must go down. If landlords and laws and sciences are against it, landlords and laws and sciences must go down. With the red hair of one she-urchin in the gutter, I will set fire to all modern civilization.[22]

This pride of the mother is the very "it" for which "other things must go down"—not the hair by itself and not even the girl by herself. Human dignity needs a covering, the way the naked human body needs clothes, and the mother's pride is the safeguard of her daughter's dignity. The vignette is further incomplete without the substituted indignation of the narrator, Chesterton himself. What then, in turn, swells the reader to a great pride is not reflection on the solitary beauty of the child—but rather a sense that a place where one can stand, and take a stand too, is the correlative pride and responsibility of a father of that girl. For her good, the father, or we standing in for the father, "will set fire to all modern civilization." The reason we are moved is that this protectiveness, essentially related to dependence, is right. It is right that girls, even ugly ones, should cause men to set fire to all civilization for their good.

Therefore, the example illustrates that it is difficult to celebrate human dignity without also—at the very same moment—celebrating the responsibilities they create. Human dignity, although primary and most basic, cannot stand on its own. It is instead like, to take another image from Chesterton, how it is hardly possible to revere an infant unless held in his mother's arms.

Priority of Natural Associations

Second, in a society that is consistent with the Catholic constitution of liberty one should expect to find a *doctrine of the priority of natural associations*. The duty of the state would be to foster space for the voluntary and involuntary

associations in which people live out personal responsibilities and dependencies in accordance with nature and in relation to the common good. Private property will be defended and supported on the grounds that it is critical to the dependency of the family on the father (and mother), indeed, that private property is necessary for the continuing extension in time of the relationship of dependence and dependability shown incipiently in biological generation: private property humanizes and socializes biological generation.[23] Going back to Chesterton again we find that he pleaded for property for the family of the girl on exactly these grounds, as does Pope Leo XIII in *Rerum Novarum*. Ordinary markets considered as natural institutions will generally be supported and defended on the grounds that they are a form of free association in which people trade goods and services that increase proper dependency and responsibility.[24]

A society that conceives of itself along these lines will privilege families and the formation of families. It will not undermine the responsibility that family members have for each other. It will take pains to provide assistance to those families who supply relationships that are "like family" for those who lack family—especially adoptive families, churches, and religious brothers and sisters. Speaking critically, a free society will limit some so-called adult freedoms for the sake of children who are dependent—but the state we are thinking of will view those limits as *for the sake of freedom*, not against.[25] For instance, the state might limit marital separations to the most extreme cases, and would categorically reject the killing of dependent children, the sick and infirm, and the elderly.

Here we can glimpse how this liberty of dependence implies a doctrine of freedom in society that is not quite a manifesto of individual liberty, as Hayek might have wanted it—rather a manifesto of social freedom that requires freedom of the individual so that he can be dependent and responsible. Instead of creating immunity for the individual—we create immunity for the individual and those for whom and to whom he is responsible: liberty not for himself but for others.

In a nutshell, the question is what form of sociability is primary and what form is secondary. In maintaining that the family in its relationships of dependence is paradigmatic of free human relationships, I am rejecting the view that the summit and paradigm of free human relationships is best illustrated by arms-length market transactions between autonomous and independent strangers. Such arms-length transactions may easily be understood as special cases of dependency, where the dependency is mainly conventional and contractual, consequent to human will and not prior to it. On the other hand, it is difficult, if not impossible, for such arms-length transactions to be taken as primary to explain how relationships of genuine dependence (necessary for human flourishing) can arise from them.

Social Freedom

A third implication of the Catholic constitution of liberty might be called "social freedom." Let us name families and associations, as we have so far conceived of them, as dependency groups—that is, *groups the members of which are dependent on one another to achieve a common good*. A society that takes dependency seriously would take dependency groups seriously and therefore want to limit the interference of some groups into the affairs of other groups as well as limit the interference of the state into the affairs of groups—for the reason, at least, that such interference tends to replace rich and diverse relationships of dependence, protective of the dignity of individuals in these dependency groups, with diluted and uniform relationships of dependency, typically not of persons on persons but of persons on institutions or bureaucracies. To limit such interference would be desirable, not only for the life of the groups *per se*, but also for the sake of the individuals who would be deprived of meaningful dependence relationships without the group, thus limiting their opportunity to give of their gifts and exercise (limited) authority in real ways.

A society that conceived of itself according to the Catholic constitution of liberty would therefore hold in common something like a *doctrine of noninterference for special kinds of groups*; for instance, it would set the bar for interference rather high for naturally occurring groups such as families, neighborhoods, and churches. Certain civic groups might also qualify for a preference for noninterference in addition to firms and businesses, under some conditions.[26] Recall that Hayek favors a negative definition of freedom in society, "the state in which a man is not subject to coercion by the arbitrary will of another or others."[27] From this we might say that the doctrine of noninterference for natural groups is a negative freedom too, but it is a negative social freedom because it applies to groups as the unit and not to the individual. Thus we have derived, in some sense, the principle of subsidiarity, which is also best rendered in its negative version. Higher-order groups should not intervene in the life of lower-order groups unless those lower groups cannot fulfill their proper function, and then only with a view to restoring lower-order groups to their proper function, not to replace them.

A common difficulty about subsidiarity is how exactly one identifies the proper function of a subgroup within a hierarchical structure. The proper function of a subgroup is to achieve its common good. The difficulty about proper functions is a difficulty about common goods. Define the common good of an association as that which is wanted or needed by each of its members but cannot be attained at all, or attained easily, by any member acting on his own. If some association is sufficient to attain that good, then that association would need to form no further

dependency group with other associations to attain it; therefore, its common good would specify its function, and any higher association's procuring it would constitute undue interference.

Note that natural institutions on this concept are just associations that provide goods that could not have been willed antecedently because the subject of willing them does not exist or does not exist as stipulated—prior to the group. The family, for instance, is a natural institution because children do not exist prior to the family to contract into a family association. The family must be provided for by nature, prior to voluntary associations, precisely to provide preconditions for contracting into, or willingly accepting, any association at all.

My task here is to show that the Catholic constitution of liberty is indeed a constitution for our antecedently cherished principles of liberty. To complete the argument, one must connect subsidiarity so understood with these principles. This is easy to do, as these principles include the liberty of association. The cherished principles of the classical liberal tradition are not simply the freedom to pursue individual goods as individuals but to pursue common goods together with others in what I have called dependency groups.

It follows that subsidiarity is a principle of social freedom—analogous to concepts of social justice and social charity. A society that conceives of itself as embodying the liberty of dependence thereby posits a strong connection between dependence and common goods by way of associations. Without dependencies, associations would not be needed, and no common goods could be identified. These observations also help to make clear that subsidiarity cannot be opposed to solidarity because subsidiarity is the clear and obvious foundation for solidarity. Love requires consistency in the giving and receiving of gifts. There is no love without freedom; neither is there solidarity without subsidiarity.

Social Charity

Love, considered in relation to dependence, has another precondition besides liberty, namely, inequality. I maintain that a fourth pillar of a free society based on liberty of dependence will be a *doctrine of acceptance of natural difference*. In what follows, I explain how this assertion of inequality within the constitution of liberty is also congruent with a just concept of liberty.

In one of the most fascinating sections of the *Constitution of Liberty*, Hayek squarely rejects the idea that there is any factual equality among human beings.[28] Eugene Miller, a student and interpreter of Hayek argues that, for Hayek, "the relevant fact about human beings is not equality but difference."[29] Hayek therefore attempts to locate the reason for equal treatment under the law in some notion

of dignity that is prior, or distinct, from factual realities about man. Miller and others have wondered whether this doctrine of inequality does not undermine Hayek's general case for liberty. In my reading of this passage, it really is central to Hayek's concept of freedom, but Hayek himself has not quite seen through to the complete story.

Hayek stumbles around an argument that is captured by the following phrase: "A society that does not recognize that each individual has values of his own which he is entitled to follow can have no respect for the dignity of the individual and cannot really know freedom."[30] Here I believe that Hayek has hit on the beginning of a notion of dependence. What he wants to say is that difference—inequality—is the basis for a fundamental appreciation for the dignity of the person, and for freedom. What I think he is missing is the following piece, which I have drawn from Catherine of Siena—factual material and spiritual inequalities form *the basis* for dependence and responsibility.

> All these I have given indifferently, and I have not placed them all in one soul, in order that man should, perforce, have material for love of his fellow. I could easily have created men possessed of all that they should need both for body and soul, but I wish that one should have need of the other, and that they should be My ministers to administer the graces and the gifts that they have received from Me. Whether man will or no, he cannot help making an act of love.[31]

In essence, if we are not different, I need nothing from you. If we are not unequal, I cannot give anything to you. The market arises as a natural institution. Plato observes in his *Republic* that because of differences in natural inclination and talent, which leads to specialization and a division of labor, the market is the means by which the specific talents of each, naturally and without coercion, contributes to the greater flourishing of the whole. A member of a society of equals might logically devote himself to self-subsistence, and regard social cooperation as contrived.[32]

This giving and receiving that takes place in dependency relations is what the Catholic tradition has called love. Further, the mutual exchange of gifts binds men to each other—and this unity is what we call solidarity—or social charity. Thus we might say that Hayek is right. Factual inequality *is required* for freedom—not because we have to be respected for being different, but because without it we lack reason to be responsible for anyone.

For Catholic thought, the move from difference or inequality to solidarity is nearly reflexive. I know of no systematic attempt to explore the importance of inequality—rooted in dependence—as a precondition for the free society. One

must take care, of course, that in emphasizing the value in dependence or difference or inequality, one fosters no complacency about unjust inequalities.[33] Yet, for all the concern over inequality, there has been relatively little concern for the opposite danger: egalitarian social policies—to the extent that they succeed—undermine the possibility of true solidarity. Ironically, egalitarian policies are usually sold under the banner of solidarity. However, if inequality functions so as to create opportunities to love, then to eliminate the difference eliminates the opportunity. Solidarity accompanies articulations of role and structure. An orchestra or sports team, with difference and specialization, shows an intensely high degree of solidarity. But uniformly situated members can at best constitute an alliance or pack, for "similars do not constitute a state" as Aristotle points out.[34]

In sum, a society that conceived of itself in accordance with the liberty of dependence would also regard inequality in nature to be a kind of gift that gives rise to the social glue required for unity. It would understand intuitively that equality does not create unity but only uniformity. Could we find here the kernel of the reason why, as Charles Murray has pointed out, we may now be facing the greatest class divisions ever experienced in the United States, and this after a half-century of policies aimed at the equalization of outcomes?[35]

I complete the argument here by tracing the connection between inequality and freedom, which I do as follows. Charity is the addressing of inequalities in freedom. Institutional efforts to replace charity entirely—often even in part—besides depending on coercion, such as the collection of monies through taxation and the distribution of receipts through heavily regulated procedures, do not succeed in removing the need for charity. Free public schools, for instance, were instituted to replace charity schools, yet there is no less need today for charity schools. In a sober assessment of the state of public education, the United States acknowledges (as much today as at the release of the 1966 Coleman Report) that we have an education system that is failing the most vulnerable children. These are the children of the poor, the less well educated, and the minorities. I posit here that a society will be more free to the extent that it succeeds in relying on charity, as I have defined it here, and not on institutional or bureaucratic mechanisms that deprive individuals and groups of the opportunity to address injustices by the mutual exchange of gifts—gifts that involve persons and groups taking actual responsibility for the needs of others.

Religious Freedom

The fifth and final principle one would expect to find in a society that conceives of itself in the manner of the liberty of dependence, is *a doctrine of religious freedom*. Persons dependent on God can practice real, willed dependence on God, only if they chose to obey the law of dependence they find themselves subject to. This choosing, which is obedience in the first sense, requires the lack of coercion in religion and all areas that pertain to its proper application and scope in human life. It will be difficult to go much further on this point without making reference to *Dignitatis Humanae* as an articulation of the norms and ideals we would expect to find in a society taking the Catholic constitution of liberty seriously.

Dignitatis Humanae makes heavy use of the language of rights and duties in keeping with a robust tradition in Catholic political thought. But I find the language of dependence and obedience easier going for grounding the "right" to religious freedom. The reality is the same; but language matters. I am not the first to question whether the language of rights can do the work that we hope it will do for us.[36] Count me among the skeptics, but I may be the first to say that there is possibly no more mischievous area for the language of rights than in this area of religious freedom. For example, I have argued in other contexts that emphasizing the right to religious freedom in the contemporary political battle over the HHS mandate may in fact doom the cause from the beginning.[37] The reason is that every true right must be based on some underlying fact inherent in the order of things, and whatever they may say, everyone actually perceives this, just as they perceive and ultimately hold that an unjust law is no law. Very few people will be loyal to a procedural concept of justice if they do not see how it preserves that which they regard as substantive justice. Just so here. If the Church makes no case grounded in the substantive order of things—that man *just is* dependent on God—then it seems to participate, unwittingly perhaps, in the secularization of society. Furthermore, secularization has threatened all other liberties grounded in natural dependence. For this reason, I can think of no area where rights language is perhaps more problematic than this one.

Practically speaking, the society I am describing would of course privilege churches, church communities, and the natural rights of parents to teach religion to their children. All schools would be religious schools, and prayer would be taken seriously as an essential part of civic life.

Although we have seen only small divergences in the Catholic constitution of liberty with that of self-proclaimed twentieth-century classical liberals up to now (such as Friedman and Hayek), here is an important divergence. The "fatal conceit" of modern classical liberalism is to have misjudged the need to ground

liberties in a Christological anthropology. Following from this, they have harbored what seems to be an undue optimism in the power of the free society to move toward order, efficiency, and progress, on its own and on the basis of some kind of freestanding impetus. It is true, of course, that these important social goods cannot be attained through government planning. However, I believe, it is also true that they cannot be achieved without real dependence on God, the latter taking the form of widespread spiritual virtues and actual attachment, directly or indirectly, to the Church—as conduit of that grace that is alone reparative of fallen human nature.

Thus arises the familiar paradox: How can these religious goods, so vital for social health, be safeguarded when the true religion is not privileged and when religious practice is left to the free response of men? A good question, indeed! And one that may be answered with another: Where do spiritual virtues come from at all? A simplistic response would refer us back to an earlier idea: that proper dependence learned in the family is the source of all other healthy dependence relationships. Piety toward God is usually predicated on piety for the father.[38]

Note by the way that in the matter of religious liberty, modern classical liberals; that is, dominant liberal thinkers of the nineteenth and twentieth centuries tend to be at odds with actual classical liberals, meaning Cicero, for instance, and the American founders who relied on Cicero. To see this, note that nothing is more important for liberty than the rule of law. But Cicero in *De Legibus*, and he was followed by the Founders in this, believed that the rule of law presupposed a fundamental act of piety toward God, whereby we choose to base our laws on the pattern of God's eternal and natural law. That is why, they held, law is even called law, "from the word 'choice.'" The fundamental act of freedom is an act of obedience to the law of God as the pattern for all laws made by men. This truly classical understanding of liberty, as connected with a substantive freedom to worship God, is very much in accordance with the constitution of liberty that I have here articulated.

Summary of the Above

Taken together, the doctrines one would expect to find in a society based on the liberty of dependence would look a great deal like the principles already explicit in Catholic social and political thought. These principles, I have argued, understood in this way are basically congruent with antecedently cherished notions of liberty. If these doctrines seem to diverge from classical liberalism in certain ways, most notably with respect to dependence as a constitutive good, analogized for instance to the child in the womb and the possibility of right order arising

without religion, then the native appeal of the doctrines and their coherence and power might lead us to expect that it is modern classical liberalism that needs to be adjusted. In those cases the doctrines based on dependence seem to be in better accord with true classical liberalism.

Alliance between Classical Liberalism and Catholic Thought

I noted at the beginning of this article that Friedman's discomfort with the Catholic constitution of liberty raised two important questions. I have up to now tried to answer the first, identifying just where the discomfort comes from by unpacking the Catholic constitution more fully. I turn now briefly to consider the second: whether, in spite of certain tensions, there is the possibility of an alliance between Catholic thought and the modern classical liberal tradition and whether such an alliance would be desirable.

New Social Question

Michael Novak has often urged that the question as to what the causes of wealth are is more important than what the causes of poverty are. This has been a critical insight. With the remarkable economic growth of the nineteenth century, popes and other social thinkers around the turn of the twentieth century observed: *now not all men are poor*. Pius XI referred to this in 1931 as the "social question"—the fact that new economic realities allowed a growing minority of men and women to escape the extreme poverty that had characterized nearly all of human society since the beginning.[39] But the escape of a few had produced a depressing division into two classes—the poor and the nonpoor—with the vast majority located in the poor class.[40] Considering this formulation of the social question, Novak has wanted to say that concern for the poor requires an earnest effort to know the causes of wealth. This is a task for economic and social science. How is it that men now escape what was considered inescapable? Novak has wished to see a more pronounced acknowledgement that democratic capitalism is the best hope for alleviating poverty and reducing oppressive tyranny.[41] He has hoped that his work would encourage the Church—and indeed intellectuals of all faiths—to see that wealth creation is not accidental. It can be fostered, sustained, and encouraged. Therefore, the vast majority of poor need not remain poor.

I believe that a contrary correction is needed for Catholic social thought today. Today we must take an earnest and hard look, not at what the causes of wealth are but at what the causes of poverty are. The reason is that, in the context of

the staggering economic growth in the twentieth century—arguably the "new things" of today—we must notice that, despite its being apparently attainable in principle, it happens that *now not all men are rich*. Or, if one wants to make it clear that we reject a materialistic framework of this question, we could rephrase it in the following way: *now not all men are thriving*. As I have said elsewhere, a brief survey of the major social trends in the United States in the last half-century tells a "tragic story about women, and men too, failing to flourish while living in one of the most prosperous nations on earth."[42] Today, at least in Western democracies, the vast majority of people live above even the most generous poverty thresholds.[43] The not-poor now constitute about 85 percent of the population. But what about that other 15 percent that is not stable and seems poised to grow? Today's reality calls for reframing the social question: What are the causes of poverty?

We can take as a basic summary answer what Ron Haskins, Brookings senior fellow in economics, said in his recent Congressional testimony,[44] that "almost everyone who studies poverty and economic mobility agrees: progress against poverty [since 1960] has been modest or nonexistent" in spite of massive support for poverty programs (one trillion annually). He goes on to say, "most analysts would agree that the dissolution of the two-parent family, little progress in improving the educational achievement of the poor … and the decline of work among men are major factors in accounting for our lack of progress."[45] Notably, these three factors are not independent. Family dissolution plays a causal role in both educational stagnation and the decline of work among men.

It is not just family breakdown *simpliciter* that is to blame. Family breakdown is both a cause and an effect in contemporary poverty. Robert Fogel, winner of the 1993 Nobel Prize in economics, declared in his final manuscript: "In rich nations, the principal characteristic of those afflicted by chronic poverty is their *spiritual estrangement* from mainstream society."[46] Fogel characterizes this estrangement as a lack of *immaterial* resources—the *virtues* required for self-realization and participation in social institutions. This "spiritual capital," he points out, cannot be redistributed. It comes from two sources—religious revivalism and family solidarity—or, as I would put it, it derives from relationships of dependence on God and man.

Fogel's assertion is backed up by numerous studies. The evidence suggests that not only strong families but also religiosity are associated with upward mobility. For example, a recent AEI collaboration among sociologist Brad Wilcox and economists Joe Price and Robert Lehrman, found that

> Important cultural changes of the last several decades—growing individualism, declining religiosity, and a more progressive orientation toward family

> life—have also left their mark on families. In particular, the growing share of Americans who indicate that they have no religious affiliation or only rarely attend religious services are *especially likely to postpone or forego marriage, and more likely to divorce.*[47]

That is to say, family breakdown, the single most important cause of stagnation in poverty, is itself strongly associated with weak religious practice.

In this light it is compelling that Pius XI taught, in unison with Leo XIII, that the "loss of national wealth is brought about more by a destruction of morals than by any other source."[48] By a destruction of morals, these popes meant mainly divorce. It is hard to find a more serious threat to morals, properly and broadly understood and according to the Catholic constitution of liberty, than divorce, which challenges the dependence of spouses on each other and eviscerates the dependence of children on parents.

Family Is the Testing Ground for Claims about Liberty and Nature

In contemplating the causes of poverty one is drawn to consider the bizarre but, in fact, predictable similarities between Marxist-collectivism, on the one hand, and Western individualism, on the other.

There is no finer testament to the triumph of Western individualism, perhaps, than the Court's opinion in *Planned Parenthood v. Casey*, insisting that the dependent unborn offspring of the mother could imply no claim to life, not even on that offspring's mother. The constitution of liberty favored by the Court includes no requirement that a mother on whom someone is dependent be herself dependable. Note that it should not be cause for comfort that Casey does not extend this personal liberty to all killing, but only this particular form of killing another who is uniquely dependent on its mother—that would be like taking comfort in the fact that a cancer was attacking no other organs except the vital nerve center of the brain. It is in fact chilling how the right to abortion is carefully crafted to destroy only one particular human relationship—the one that is paradigmatic of all other forms of human dependence.

Casey's ideology was not new so much as a particularly clear, even climactic statement of a view that had been present in earlier divorce jurisprudence. After all, "liberalized" divorce law similarly insists that spouses can make no claim on each other, not even someone who, in fact, is highly dependent and vulnerable. The fact that the flourishing of a wife *just is* dependent on the actions of her husband, and vice versa, cannot be taken to imply a legal obligation under the

individualist ideology. In the same way, the fact that a baby *just is* dependent on her mother creates no obligation.

The cases are alike in purporting to advance liberty by rejecting the structure of dependence inherent in nature and in reality. *Liberty is defined* in this case precisely *as a personal immunity against dependence*. What is called "privacy" is actually the attribution to a domain of someone's power, by an act of will, to deny the relationship of dependence. It is private because it denies that society has a (compelling) interest in the source of the bonds on which society depends. As we have seen above, if unity is a good of social life, society would affirm obligations deriving from natural dependence and seek to assist its members in fulfilling these obligations.

Compare these clear articulations of liberal individualism with Marxian collectivism, taking for our example a familiar text from the 1847 statement of the Principles of Communism. Engels predicts that communist society

> will transform the relations between the sexes into a purely private matter which concerns only the persons involved and into which society has no occasion to intervene. It can do this since it does away with private property and educates children on a communal basis, and in this way removes the two bases of traditional marriage—*the dependence (rooted in private property), of the women on the man and of the children on the parents*.[49]

Marx and Engels knew exactly what they were up to: the attack on potentially resistant structures of civil society via the dependence of wives on husbands and children on parents. One might even forget today, but their favored means to these ends were two so-called family policies unwaveringly supported by communist parties across Europe—liberalized divorce and universal education in state schools.

I posited earlier that social freedom and social charity are not opposed but require each other. A corollary is that individualism and collectivism—Pius XI's twin rocks of shipwreck—are not opposite extremes in the end, but one single error, namely, *getting it wrong about dependence as constitutive of social good.* Liberal individualists begin by protecting individuals from the claims of others rooted in nature and culture-forming institutions of civil society.[50] When the claims must be met—who shall support the single mother with child?—they are transferred to the collective, which grows in power. On the other hand, collectivists begin by denying property to the individual, rendering him unable to meet any personal claims of dependency, which leads in turn, as Engels describes, to the meanest form of individualism in which sexual relations are a purely private

matter and children are denied any possibility of depending on mothers, fathers, or siblings.[51]

Ironically, the liberal democracies of the West seem to have achieved the collectivist goals of Marx and Engels more efficiently than the socialist regimes of the East. The steady liberalization of divorce laws, propped up by new and wildly efficient contraceptive technologies, facilitated a demographic transition of epic proportions—with "lowest-low" overall fertility rates, historical low percentages of married households, and rapidly rising rates of nonmarital fertility.[52] This phenomenon has led to a loss of personal and social wealth, as documented above. As a matter of fact, it has also led to the gradual appropriation of larger and larger shares of private property through taxation to support the wreckage of family breakdown and to implement ever more untenable collectivist solutions.

In fact, from a pragmatic perspective, it is difficult to envision a more peaceful and effective path to collectivism than through a system of legal reforms aimed at reducing the dependency and responsibility inherent in the natural family. While Hayek and others have noted the socializing tendency inherent in welfare states, it has rarely been noted that at the heart of every welfare state is the attempt to supply for individuals what families have not supplied. The impulse is not a wrong one, but the remedy to the loss of a family must be appropriate to the loss. It must be another family—someone who can be like a brother, or like a father, or like a mother. Relationships of dependency and responsibility are not avoidable and cannot be supplied adequately by institutions devoid of a credible capacity to love.[53]

A final note completes this observation about the collectivist-individualist synthesis. While twentieth-century jurisprudence has been passionate about increasing individual "freedoms," it has seemed to care little for one important facet of personal sovereignty—income and property. For instance, there is no "mystery clause" to defend the supreme right of individuals to keep any share of their property consistent with their own private meaning of the universe.[54] This critical omission falsifies the notion that Western liberal democracies are genuinely intent on expanding personal liberties. It would be better to say that they are intent on entrenching a particular concept of liberty and nature, in which dependence rooted in nature is interpreted as against liberty, rather than constitutive of it. Rather, liberty consists precisely in the denial of this dependence. On this view, liberty is not dependence on dependence but is *independence from dependence*.

Two points can be derived from these considerations about the new social question. First, the family—not property or labor—is the primary testing ground for claims about liberty and nature. Second, there is a natural alliance between

the cause of modern classical liberals and the cause of the natural family because the fate of the family appears to be bound up with the fate of private property in various political and economic frameworks. To see this, note that the two great streams of human tragedy in the twentieth century—Marxist-socialism and Western liberal democracy—have each tended to assault both the family and property. It is this insight that is the basis for a possible alliance between Catholic thought and modern classical liberalism.

Classical Liberalism and the Natural Law

More than this, such an alliance is not merely utilitarian, a mere *modus vivendi* that binds Catholics and liberal thinkers for the moment in common cause for the sake of expediency. Instead, it would appear that there is a deep basis for friendship in a common approach to thinking about human realities that might be described as related to the natural-law tradition. Of course, it is absurd to suggest that Hayek and Friedman think of themselves as working in the natural-law tradition. However, each of them, as empirical social researchers, stress a certain respect for laws that govern human interactions. Each believe such as Smith and Burke and Pope Leo, too, that there is a necessary "acceptance" of "the way things are" and that the way things are provides a prior restraint on what states can and should do regarding markets, property, or family.

We might note, in this context, that modern classical liberals tend to emphasize natural laws of markets, states, and institutions—rules of engagement most consistent with the common good of political society. These laws include for instance the role of incentives, the natural existence of markets, the natural diffusion of information through market mechanisms (and thus the impossibility of planned economies, that is, contrived and conventional economies), the importance of the rule of law, the balance of powers, and so on. Catholic thinkers on the other hand have tended to emphasize the natural laws of persons, including the primacy of the family and the importance of intermediary or culture-forming institutions and civil society. For this reason, insofar as the "laws of markets, states, and institutions" identified by liberal thinkers and social empiricists are *correct laws*, one must admit the possibility of a real and fruitful alliance between Catholic thought and the liberal tradition. Such a friendship would be based in a shared concept that there are laws governing human affairs that we have no possibility of changing without suffering peril. Flaunting the one set of laws puts societies inexorably on a road culminating in the serfdom aptly described by Hayek; flaunting the other puts individuals and dependency groups on the road to self-

destruction portrayed by Tolstoy, and later, by Solzhenitsyn, whose Templeton lament that "men have forgotten God" yet sits unappreciated.

This, then, is the task I propose for lovers of freedom, to unite a sound understanding of the natural laws of markets and states, with a full concept of the good society based on dependence on God and man. *Freedom depends on it, and we depend on it*. "Truth and freedom either go together hand in hand, or together they perish in misery."[55]

Notes

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1. Milton Friedman, "The Pope, Liberty, and Capitalism: Essays on *Centesimus Annus*," special supplement, *National Review* 43, no. 11 (1991): S3–S4.

2. By the modern liberal tradition, I mean that stream of liberal thought beginning largely in the late nineteenth century that gradually divorces itself from religious assent and from the classical language of natural law. I am thinking for instance of J. S. Mill, *On Liberty*: "The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it." This also includes Friedman and Hayek.

3. *OED Online*, September 2015, s.v., "Obedient, adj. and n." Accessed November 11, 2015, http://www.oed.com/view/Entry/129548?redirectedFrom=obedient.

4. *OED Online*, "Obedient."

5. *Catechism of the Catholic Church*, 2nd ed. (Washington, DC: United States Catholic Conference, 1997), 1738:

> Freedom is exercised in relationships between human beings. Every human person, created in the image of God, has the natural right to be recognized as a free and responsible being. All owe to each other this duty of respect. The right to the exercise of freedom, especially in moral and religious matters, is an inalienable requirement of the dignity of the human person. This right must be recognized and protected by civil authority within the limits of the common good and public order.

6. *Compendium of the Social Doctrine of the Church*, April 2, 2004, nos. 108–10, http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html.

7. The phrase "rational creature" is found extensively in Catherine's *Dialogue* and proves especially valuable in this context for emphasizing dependence, a consequence of "creatureliness." See for instance, "Open the eye of your intellect, and gaze into Me, and you shall see the beauty of My rational creature," and "everything has been created for the service of man, to serve the necessities of rational creatures, and the rational creature has not been made for them, but for Me, in order to serve Me with all his heart, and with all his affection." Catherine of Siena, *The Dialogue of the Seraphic Virgin Catherine of Siena*, trans. Algar Thorold (London: Kegan Paul, Trench, Trubner & Co., 1907), 14, 36.

8. *OED Online*, September 2015, s.v., "Dependence, n."

9. *OED Online*, "Dependence."

10. Note that for Thomas, this discerning of the laws by which man and all of creation are governed is just what it means to say that there is a natural law. The law must be understood as a law in order to be a law. "The natural law" is the rational creature's participation in the eternal law—which is the government of things in the mind of God. See Aquinas, *Summa Theologiae,* Ia-IIae, 91, 3.

11. This reciprocal treatment of dependence and responsibility evokes the standard reciprocal treatment of rights and duties in Catholic political thought, but the metaphysical framework of dependence and responsibility seems to be preferable on a number of levels. Note also that Karol Wojtyła's *Love and Responsibility* makes a valuable contribution to the philosophy of man as factually and normatively responsible. "Gift" is central to his work on responsibility. However, to my knowledge, analysis of the reciprocal relationship between responsibility and dependence is not explicitly present in Wojtyła's work.

12. I save treatment of what constitutes appropriate dependence for a future exposition.

13. Pope Paul VI, pastoral constitution *Gaudium et Spes* (December 7, 1965), no. 22.

14. Pope Pius XI, encyclical letter *Ubi Arcano Dei Consilio* (December 23, 1922), no. 28. For an example of a more explicit treatment of this principle, see for instance, *Ubi Arcano*, no. 31:

> Is it to be wondered at then that, with the widespread refusal to accept the principles of true Christian wisdom, the seeds of discord sown everywhere should find a kindly soil in which to grow and should come to fruit in that most tremendous struggle, the Great War, which unfortunately did not serve to lessen but increased, by its acts of violence and of bloodshed, the international and social animosities which already existed?

15. *Compendium of the Social Doctrine of the Church*, no. 110.

16. Vertical dependencies are defined as those in which the dependence has the character of "having existence hanging upon." It is tempting to think of these as relationships

in which all the dependence is on the contingent person—the one who is dependent, and all the responsibility is on the person prior in being. But this is not so. Although parents principally have responsibility for children, children have responsibility for their parents when they assume the use of their capacity to reason. By the same token, men have a type of responsibility for God—God is not dependent but he desires man's love.

17. This is not unrelated to the fact that the "obedience to the truth about God and man" that I called willed dependence is sometimes characterized as a marriage. See for instance Ephesians 5:31–32: "'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.' This mystery is a profound one, and I am saying that it refers to Christ and the church." See also the theological scholarship on the covenant tradition.

18. Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 2002), 5.

19. The complete treatment of the relation between Catholic social thought and the free society envisioned by Hayek, Friedman, and other modern (self-described) classical liberals would require the question raised here in addition to the question of which elements in the *Constitution of Liberty* would have to be rejected by Catholic thought. I am unable to answer the second question in the current treatment. The first question I treat here far too briefly.

20. I will put off until another article a treatment of good or natural dependencies and bad or unnatural dependencies.

21. G. K. Chesterton, *What's Wrong with the World* (New York: Dover Publications, 2007), 214.

22. Chesterton, *What's Wrong with the World*, 213.

23. Pope Leo XIII, encyclical letter *Rerum Novarum* (May 15, 1891), no. 13:

> A right to property, therefore, which has been proved to belong naturally to individual persons, must in like wise belong to a man in his capacity of head of a family; nay, that right is all the stronger in proportion as the human person receives a wider extension in the family group. It is a most sacred law of nature that a father should provide food and all necessaries for those whom he has begotten; and, similarly, it is natural that he should wish that his children, who carry on, so to speak, and continue his personality, should be by him provided with all that is needful to enable them to keep themselves decently from want and misery amid the uncertainties of this mortal life. Now, in no other way can a father effect this except by the ownership of productive property, which he can transmit to his children by inheritance.

24. There may be an inherent criticism of markets that are wholly "impersonal." At the same time, the obvious function of some markets is to reduce certain forms of

dependency and create other forms. These difficulties, and related ones, I save for an extended treatment.

25. See for instance David Blankenhorn, *The Future of Marriage* (New York: Encounter Books, 2007), 20: "In short, I favor limiting certain adult freedoms in the name of child well-being and the health of marriage as an institution."

26. Note that the literature on the theory of the firm, especially the property rights literature, explicitly attempts to identify the firm as a "natural structure" with organically occurring boundaries.

27. Friedrich Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960), 11.

28. Hayek, *The Constitution of Liberty*, 87.

29. Eugene F. Miller, *Hayek's The Constitution of Liberty: An Account of Its Argument* (London: Institute for Economic Affairs, 2010), 78.

30. Hayek, *The Constitution of Liberty*, 70.

31. Catherine of Siena, *A Treatise on Divine Providence*, in *Late Medieval Mysticism*, ed. Ray C. Petry, The Library of Christian Classics, vol. 13 (Philadelphia: Westminster Press, 1957), 282. See also Aquinas, *Summa Theologiae*, II-II, 32, 5.

32. Plato, *Republic* (Oxford: Clarendon Press, 1955), 49.

33. Of course, the most fundamental differences, or inequalities, such as those between man and woman, are not a matter of difference of degree on the same scales but rather a matter of the application of different and complementary scales.

34. Aristotle, *Politics*, II.2 (Kitchener, ON: Batoche Books, 1999), 23.

35. Charles Murray, *Coming Apart* (New York: Cox and Murray, 2013), 1–13.

36. See for instance Russell Hittinger, "The Problem of the State in *Centesimus Annus*," *Fordham International Law Journal* 15, no. 4 (1991): 952; also Alisdair MacIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1981); and Mary Ann Glendon, *Rights Talk* (New York: Free Press, 1991).

37. Erika Bachiochi and Catherine Pakaluk, "The Pill Is Not Good for Women," *National Review*, February 21, 2012, http://www.nationalreview.com/article/291514/pill-not-good-women-erika-bachiochi-catherine-r-pakaluk?target=author&tid=902996.

38. Mary Eberstadt, *How the West Really Lost God* (West Conshohocken, PA: Templeton Press, 2013), 165.

39. Robert Fogel, *The Fourth Great Awakening: The Future of Egalitarianism* (Chicago: University of Chicago Press, 2000), 139.

40. Pope Pius XI, encyclical letter *Quadragesimo Anno* (May 15, 1931), no. 3.

41. Michael Novak, *The Spirit of Democratic Capitalism* (Lanham: Madison Books, 1991), 28.

42. Catherine R. Pakaluk, *Promise and Challenge: Catholic Women Reflect on Feminism, Complementarity, and the Church* (Huntington: Our Sunday Visitor, 2015), 157.

43. There is variation in how poverty is measured over time, but best recent estimates suggest that around 15 percent of US households are at or below the poverty threshold.

44. Ron Haskins, "How to Reduce Poverty and Increase Economic Mobility," Testimony for the U.S. House of Representatives Committee on Agriculture, Subcommittee on Nutrition, October 27, 2015, http://www.brookings.edu/research/testimony/2015/10/27-reduce-poverty-increase-economic-mobility-haskins.

45. Haskins, "How to Reduce Poverty"; see also the American Enterprise report: Bradley Wilcox, Robert Lerman, and Joseph Price, *Strong Families, Prosperous States: Do Healthy Families Affect the Wealth of States?* American Enterprise Institute and Institute for Family Studies, October 19, 2015, http://www.aei.org/publication/strong-families-prosperous-states/. Also Raj Chetty, Nathaniel Hendren, Patrick Kline, and Emmanuel Saez, "Where Is the Land of Opportunity? The Geography of Intergenerational Mobility in the United States," *Quarterly Journal of Economics* 129, no. 4 (2014): 1553–1623.

46. Robert Fogel, *The Fourth Great Awakening: The Future of Egalitarianism* (Chicago: University of Chicago Press, 2000), 203.

47. Wilcox, Lerman, and Price, *Strong Families, Prosperous States*, 10.

48. Pope Pius XI, encyclical letter *Casti Connubi* (December 31, 1930), no. 91.

49. Friedrich Engels, *Principles of Communism* (Scottsdale: Prism Key Press, 2013), 28, emphasis mine.

50. "[A]fter World War II the Court began to insert itself into what James Madison called the 'internal' objects of state governments, particularly the culture-forming institutions, including education, religion, marriage and government's domestic control over matters of life and death." See F. Russell Hittinger, *First Grace* (Wilmington: Intercollegiate Studies Institute, 2007), 188.

51. Engels, *Principles of Communism*, 28.

52. See Ron Lesthaeghe and Lisa Neidert, "The Second Demographic Transition in the United States: Exception or Textbook Example?" *Population and Development Review* 32, no. 4 (December 2006): 669–98.

53. I mean here to draw a distinction between small, church-based, charitable institutions populated by individuals with a vocation to love (such as professed religious orders), and state-based institutions that would make no claim to love those dependent on them, nor have any reputation for doing so.

54. Planned Parenthood of Southeastern Pa. v. Casey 505 U.S. 833 (1992), https://supreme.justia.com/cases/federal/us/505/833/.

55. Pope John Paul II, encyclical letter *Fides et Ratio* (September 14, 1998), no. 90.