

OPINIONS

Whose morality do we legislate?

Catholic Courier

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Rochester, NY 14624
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The Catholic Courier wishes to provide space for readers throughout the diocese to express opinions on all sides of the issues. We welcome original, signed letters about current issues affecting church life.

Although we cannot publish every letter we receive, we seek, insofar as possible, to provide a balanced representation of expressed opinions and a variety of reflections on life in the church. We will choose letters for publication based on likely reader interest, timeliness and a sense of fair play. Our discerning readers may determine whether to agree or disagree with the letter writers' opinions.

We reserve the right to edit all letters for length as well as legal concerns. With respect to errors in submitted text, we will correct spelling only. Anonymous letters and the use of pseudonyms are unacceptable.

Mail letters to: Catholic Courier, P.O. Box 24379, Rochester, N.Y. 14624. Please include your full name, phone number and complete address for verification purposes.

You can't legislate morality. We've all heard people say so. Some of us have said it ourselves.

In recent months, we've heard this maxim cited with regard to such diverse issues as gambling, smoking, same-sex marriages, physician-assisted suicide, recreational drug use and partial-birth abortions. During the coming months, the presidential campaign is likely to lead to even more discussion of legislated morality.

When people say you can't legislate morality, they generally mean creating laws will not make people act in a moral way. The underlying message is that we should not pass laws if people are going to break them anyway.

Of course, this "common sense" view overlooks a long-standing tradition of legislating morality in the United States and, in fact, in cultures worldwide.

We have laws governing whom people can marry, at what age they can marry, and how many people they can be married to at any given time. We have established laws demanding honest business practices, forbidding revenge killing, and so on.

Moreover, many of our civil laws evolved from a wide array of religious norms governing moral behavior — among them the Ten Commandments.

In other words, civil law is usually based on some form of moral law.

Moreover, it is misguided to contend that society should avoid making laws simply because they might not be obeyed.

People do murder, steal, drive while intoxicated in spite of numerous laws banning such behavior. But few people argue that we should abolish laws prohibiting homicide, protecting personal property or creating penalties for drunken driving.

Even though they do get broken, laws help to set moral limits. They guide citizens in determining their own actions. They provide references for educating children

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about acceptable behavior. They tell us what we can expect under most circumstances from other people. They can change

what people accept as morally permissible. They help society to operate — if not perfectly — at least reasonably.

But the real question underlying this supposed truism about not legislating morality is a concern for what kind of morality is being put into law. Or, in other words, about whose morality is being legislated.

Many religious people believe gambling is wrong, but the state has lottery games. Whose morality is at work?

Some religions allow polygamy — as the Mormons did in their early days — but monogamy is the legislated norm in the United States. Whose morality?

The New York State Senate has passed a law prohibiting partial-birth abortions, but despite pressure from a variety of religious groups — including the Diocese of Rochester and the New York State Catholic Conference — Assembly leaders won't allow it to get to the floor for a vote. Whose morality?

All too often, when people say you can't legislate morality, they really mean that they do not agree with the moral basis of a law currently codified or with an attempt to change a law with which they agree.

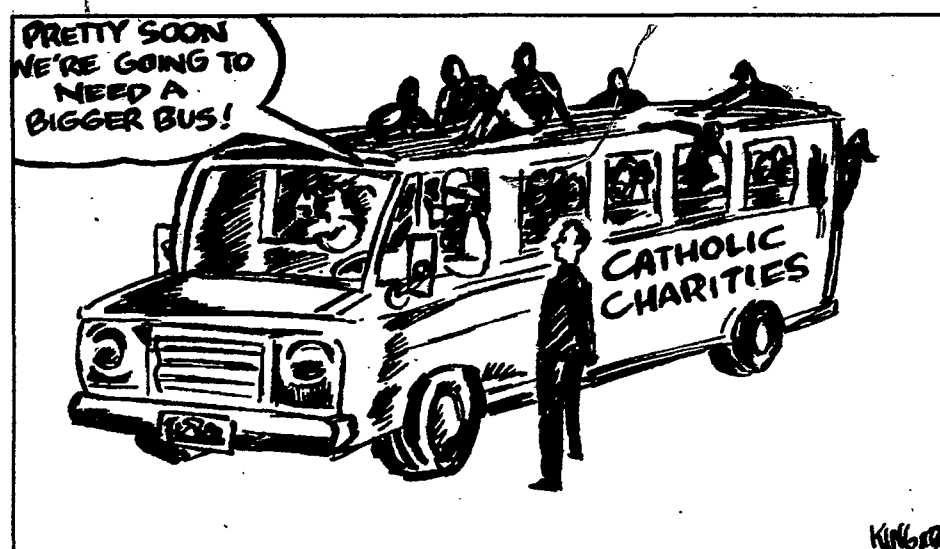
Moral understanding does change and, consequently, so do laws. At one time, for example, "good" Christians bought and sold slaves. But it gradually became understood that slavery is morally wrong. The law — and the belief that slavery was permissible — eventually changed.

This kind of societal change comes only slowly, after careful thought and prayer. And sometimes — as in the case of slavery — as a result of unfortunate violence.

So as we debate the moral issues of our day, we need to keep in mind some genuine truths:

You can legislate morality.

You just have to be careful whose morality you accept as your legislative guide.



Objects to columnist's self-praise

To the editors:

A book was published in 1980 called "Catholicism," by Father Richard P. McBrien, a professor of theology at Notre Dame. The Committee for the Doctrine reviewed it. Some of their concerns included confusion on the virginal birth, perpetual virginity of Mary, and the foundation of the church. The committee also cited presentations "not supportive of the Church's authoritative teaching as would be expected in a text titled 'Catholicism.'"

Father McBrien came out with a new edition in 1994 which the committee says has not adequately addressed many of the same points raised in the first edition.

Yet, Father McBrien gives himself nothing but praise in his column.

We need absolute truths; not relative truths. We don't need opinions and dissenting views. Don't we get enough of that in the secular newspapers?

I would like to see our diocesan paper become a true Roman Catholic publication. Give us more writings by priests like Father Albert Shamon. Print excerpts from the Catechism of the Catholic Church and more of the writings of our beloved Holy Father. And remove Father McBrien's column from our Courier.

Theresa Trickler
Swift Street
Waterloo

Emergency room specialist finds clarity in church stand on extraordinary

To the editors:

About a month ago, you ran (a column) about the use of extraordinary methods of prolonging life that also discussed conflicting opinions from the hierarchy regarding them (*Catholic Courier*, April 18, *The Moral Life*: "Recent headlines prove Synod prophetic").

Understanding that the hierarchy has

no better education in this area than the average well-educated person goes a long way in explaining this. Even those of us in the profession disagree!!

Those of us on the front lines realize that the Catholic Church has the clearest position by far on these issues. It is founded on faith not only in this life but in the hereafter.

'Prize' winner helps clear air

To the editors:

Whenever the Opinion pages of the *Catholic Courier* are near ignition — heated as they often are by fiery charges and counter-charges, and sizzling with incendiary questions such as who is a "gutsy" bishop, or who are the "heretics" and perhaps the "hypocrites" in the Church — Father Raymond Hill, Rochester, invariably introduces a dollop of his good humor to help clear the air.

His was the profound question (May 9) about the meaning of the mysterious balls in the *Courier's* April 18 issue: two sets of pawn shop symbols or what? To the editor they were only air bubbles, perhaps like Lawrence Welk's. In any case Father Heisel, a reluctant winner in a genuine non-contest, was promised a T-shirt. To complete this newsworthy story with another question: may we have a photo of the winner in his *Courier* T-shirt?

E. Leo McMannus
Venice, Florida

EDITORS' NOTE: Unfortunately, we're still awaiting the shirts' arrival at the Courier office. The first one out of the box will go to Father Heisel, who recently lamented that his "prize" did not arrive in time for wearing in the Memorial Day parade. But the shirt — and a photograph — definitely will arrive in time to capture Father decked out for his next parade.

The hierarchy needs to argue less about what separates themselves, define the origins and bases of their theology, and present a united concept. This needs to be disseminated "from the rooftops," not in the confined spaces of family grieving rooms after the fact.

Thomas Benzoni, DO
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