

# Sides formed over Ten Commandments

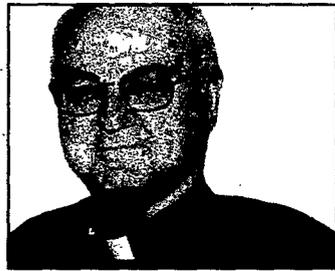
Toward the end of summer a dispute in Alabama over the placement of a monument dedicated to the Ten Commandments came to a head. A lawsuit had been brought against the action of the chief justice of the Alabama Supreme Court, Roy Moore, for having situated the granite monument in the rotunda of the state Judicial Building in Montgomery two years ago.

A federal court ordered the monument removed on the grounds that its prominent presence in the courthouse, without any other symbols of other religious traditions, violated the separation of church and state.

Justice Moore defied the court order and appealed to the U.S. Supreme Court, which refused to hear the case. He remained defiant until his eight fellow justices on the Alabama Supreme Court ordered the building manager to remove the monument to avoid a \$5,000-a-day fine.

The associate justices also voted to suspend their colleague, pending the outcome of a trial before the Alabama Court of the Judiciary to determine whether he violated state ethical standards in defying the court order. If that tribunal should rule against him, he would be permanently removed from his seat on the state's highest court.

Many of Justice Moore's supporters picketed the courthouse before and after his removal from the bench and the subsequent removal



Father Richard McBrien

## Essays in Theology

of the monument itself. Some complained that the court was taking God away from them, as if God were somehow embedded in that block of granite. Others implied that the nation's whole legal system would collapse if the monument were not restored to the rotunda.

It is a matter of some interest that no discernible number of Catholics, mainline Protestants or Jews joined the protesters. Such groups generally respect the need for an official separation of church and state.

They recognize that in a pluralistic society, which is no longer limited to Protestants, Catholics and Jews, no one religion, nor any denomination or sect within a religion, should be allowed to impose their beliefs on the rest of the community.

They also understand that keeping the government's hands off religion does not prevent its full and public exercise. It only prohibits the government from putting its stamp of approval on one religious tradition, without regard for the faith (or nonbelief) of all

other citizens.

Not more than a few blocks from where I am composing this column — on the campus of the University of Notre Dame — there is a private home with the Ten Commandments posted on a sign in the front yard.

No judge is going to order that sign removed. It is on private property, and was placed there by a private citizen, whom I happen to know. The removal of the monument in Montgomery, Ala., has not had, nor will it have, any impact whatsoever on the homeowner's freedom to post the Ten Commandments or any other religious symbol on his lawn, nor does it compromise the freedom of a private corporation or a private educational institution.

When all is said and done, God has not disappeared from our midst because of this latest court decision. Indeed, the founders of the nation and framers of its Constitution would have been pleased with the outcome.

Roy Moore's in-your-face action of placing the monument in the rotunda and his subsequent defiance of a court order did not advance the cause of religion one bit, but it did strike at the constitutional basis and unity of our society.

Fortunately, both religious freedom and constitutional government remain in full vigor.

Father McBrien is a professor of theology at the University of Notre Dame.

## Says column minimized nature of sin

To the editor:

Sister Patricia Schoelles' column "Sin reflects a state of life, not an act" (Sept. 4) expresses a view that is not in conformity with Catholic moral teaching. Sister Schoelles believes that "Sin is less about individual pieces of behavior, individual acts, as it is a matter of 'being,' or a condition of the whole person." This is a rehash of the false theory of "Fundamental Option" that decried Catholic morality as being "too act-oriented." This theory has raised havoc in modern religious education and especially with regard to the area of sexuality, and has therefore been specifically censured by the Church as undermining its traditional doctrine of mortal sin.

The fact is that it is not a fundamental orientation of a person's entire life but one's free choices expressed in grave acts against the moral law of God and the teachings of the Church which determines our basic response to God, our very moral identity, and our eternal destiny. This "Fundamental Option" theory which held that "individual actions (against the moral law of God) are not sufficient to constitute mortal sin" was reprobated in the Church's 1975 "Declaration on Certain Problems of Sexual Ethics" (10). It was also repudiated in Pope John Paul II's "On Reconciliation and Penance" (1984) wherein the Pope noted: "Care will have to be taken not to re-

duce mortal sin to an act of 'fundamental option' as is commonly said today — against God, intending thereby an explicit and formal contempt for God and neighbor. For mortal sin exists also when a person knowingly and willingly, for whatever reason, chooses something gravely disordered... (One's) fundamental orientation can be radically changed by individual acts." (No. 17)

If the "Fundamental Option" theory is indeed being favored in the moral theology given in the diocese, it should be a matter of concern as leading to the loss of the sense of sin and the deadening of consciences that Pope John Paul II has repeatedly deplored.

James Likoudis  
Montour Falls

## Acts are key to sinfulness

To the editor:

Sisters Schoelles' September 4 column "Sin reflects a state of life, not an act" does not fully reflect the Catholic Church's teachings on the nature of sin. The entire column is devoted to Lutheran Dorothee Solle's perspective. While not denying that Solle may have some valid thoughts regarding sin, one has to look no farther than the *Catechism of the Catholic Church* to realize that there are serious flaws in her theology. The Catechism clearly states that sin is by its very nature "an act contrary to reason." It quotes St. Augustine by saying, "sin is an utterance, a deed, or a desire contrary to the eternal law." Solle — and I assume Schoelles — believes that sin is not about "individual pieces" and "individual acts." However, St. Augustine is quoted in the Catechism stating that acts of sin are like "... a number of light objects that create a large mass" (St. Augustine, *Faust* 22:PL 42, 418). Solle's theology has the danger of trivializing sin. One has only to read Genesis to understand the importance of one act of disobedience. Of course, sinful acts ultimate-

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