



THE
Church
AND THE
Common
Good

Thomas Shaffer

Angela Morris is

a 14-year-old baby-sitter in

Pittsburgh who saved the lives

of four abandoned children.

Her story was prominent

in the newspapers¹ and on

radio and television, maybe

because reporters are on the

lookout for good news.

This address was given at the J. Reuben Clark Law School

BILL OF RIGHTS SYMPOSIUM,

October 28, 1994.

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There were four children, ages two to 10. Angela was employed to watch them while their parents went away for the weekend. The parents did not come back, and it took two weeks for public authorities to notice the situation.

The children are now in public custody; their parents were arrested; and Angela is back in high school, full-time.

some of the daytime baby-sitting so that Angela could go to some of her high-school classes. Then the two girls turned to Roxanne's sister, who is a year older. Then the three of them turned to three older boys—men, really, ages 18 and 19—who are high-school dropouts. This scruffy group of young people took turns watching the children, cooking for

"But the home tie is the blood tie. And had it meant nothing to us, any other place thereafter would have meant less, and we would carry no compass inside ourselves to find home ever, anywhere at all." — Eudora Welty

There was no heat in the house. For 16 days Angela heated water for baths in an electric coffee pot. She put the children in bed together so that they could keep one another warm. When two of the children got colds anyway, Angela was their nurse. She was very busy and sometimes felt overwhelmed. "One night," she said, "I broke down and started crying."

"I felt just like a mom," Angela said. When Angela is not away baby-sitting, she lives with her mother, in a single-parent home. Her mother works in a video store. Angela has been keeping house and baby-sitting younger children since she was 10 years old.

What interests me is that first, Angela somehow knew that she had to care for those children. And then she somehow knew what she had to do. Angela saw what the BYU Symposium called the *common* good. That is the good that is common for a community—in two senses: (1) This was for her an ordinary good, and (2) it was a good held in common—no person's access to this good is diminished because others have access to it. And Angela knew what to do because she had learned from her family and her neighborhood. Because of these other people, she had the virtues of compassion and courage (which are moral skills) and the knowledge it takes to care for children.

When Angela needed help, she turned first to her classmate and friend Roxanne Magrino, also 14, who took over

them, and entertaining them; the girls got to school often enough that their absence did not attract attention.

But they had no money and the house was soon without food. Angela then turned to her mother, who turned to Angela's grandmother. The two older women spent \$180 for food for the abandoned children. When the neighbors called the police and the police finally came, they found in the kitchen three dozen eggs, a gallon of milk, two loaves of bread (which Angela had put in the freezer), and three packages of frozen vegetables. The police found evidence of pizza, but the inhabitants had eaten all of the pizza. This was, after all, a household of children looking after children, and children prefer pizza.

The neighbors, not the teenagers, called the police. The teenagers did not want the children to be turned over to public authorities—because, they said, that would mean that the children would be divided up and parceled out to foster-parent homes. "In the end," Angela said later, "that's what happened anyway."

"I feel relieved that it's all over," she said. "But I feel like crying, too."

The theme in the BYU Symposium was the *notion* of the common good.² I can't tell what Angela Morris's notions are, but her story is about the common good in the most elementary way she and you and I know about it—need meeting need with other people's children, neighborhood, family, friends.

Angela and her friends and family know, as the African saying puts it, that it takes an entire village to raise a child.³

Family comes first in this story, I think, both as a notion and as a story: "[T]here may come to be new places in our lives that are second spiritual homes," Eudora Welty says. "But the home tie is the blood tie. And had it meant nothing

There is one last point to this story, and I want to cover it before I turn academic. These places of resort for Angela were not like the American family in Louisa May Alcott stories. Angela's family was fatherless, as millions of American families now are. Although she loved her mother enough to turn to her for help, she apparently spends most of her time with her friends—and she turned first to her friends.

This group of friends is not like the kids-in-high-school groups I learned about from Andy Hardy and the Archie comics when I was a teenager. "They hang out, drifting from house to pizza parlor to train tracks," the *New York Times* said. The three young men should have had jobs, or have been in school, or both. (Of course, God has a sense of humor: If they had been good citizens, they would not have been around to help Angela and Roxanne.) Angela and Roxanne, who should not be running around with young men four or five years older than they are, obviously are not earning perfect attendance records in high school. They kept those four children well and fairly happy, but they were not good housekeepers. When the police came in, they



to us, any other place thereafter would have meant less, and we would carry no compass inside ourselves to find home ever, anywhere at all."⁴

Ann Landers reflected this sort of understanding when she replied to a young woman about an unreasonable husband. "To straighten this guy out," Ann said, "you'd have to start with his grandmother."⁵

Angela and her friends knew how to make a home and, for a while, a family, for the children, because they knew what home was, and knew what family was.

When Angela needed help, she turned first to a rather odd personal community where she trusted and was trusted. But she knew how to trust in *that* community because she learned something about trust at home. The children and her friends were her neighborhood, but she could be that way in a neighborhood because she came from a family. A neighborhood is a family of families.

When the teenagers had to come to terms with the brutal economic facts of caring for children in modern America, they turned to Angela's family. It's a nice twist on our middle-class jokes about the daughter or son in college who holds up a sign for the television cameras to catch at the football game: "Hi, Mom. Send money."

found a filthy house: Cleanliness was not next to godliness in this odd, Anne Tyler sort of family.⁶

The importance here is that much of our current political talk about "family values" is pie-in-the-sky at best and self-deceptive at worst. None of the political talk is of any value unless we find ways to locate values in families like the one Angela comes from and the one she and her friends made with each other, and, for a while, with those four abandoned children. The important "values"—the ones we seem to encompass when we talk about "the common good"—are in the story. We just have to be careful to be serious when we use the adjective "family" for them. I suggest that the way for a Jew or a Christian to be serious is to notice that God put us in families and that, as Karl Barth said: God will find us where he has put us.⁷

Believers mean something distinct when they say "family." It might be better to use a modifier that points to that deeper meaning. How about "Hebraic⁸ values"? Then we could talk about what it means to be a family within the

community of faith, and then about what it means to be a person in such a family. How about “Christian values”? or even “LDS values” and “Catholic values”?

People who read and listen and watch television responded to the Angela Morris story, I think, because our popular culture is in the process of taking a second look at its fling with radical individualism. We are in the process of remembering elements of the common good and deciding that some of our familiar political commitments are harmful—harmful to children, as the warnings on the pill bottles say.

Alexis de Tocqueville warned us in the 1830s that America would come to this situation: “Not only does democracy make every man forget his ancestors, but it hides his descendants and separates his contemporaries from him; it turns him back forever upon himself alone and threatens in the end to confine him entirely within the solitude of his own heart.”⁹ Ours was not then the culture of the sovereign self but now it has become so—a society of strangers.

At least our political notions have taken that turn. The

ideology of “enlightenment” was obsessed with bills of rights. Fortin sets up, in opposition to that obsession, ancient Greek and biblical emphases—not on rights but on duties.

A right, in the biblical way of thinking, is what you have to have in order to do your duty. The ways of thinking that Fortin contrasts with individualism can explain why an old man would plant a tree, or why a teenager in Pittsburgh knows and lives “a shared notion of the good life.”

“The ‘we’ of modern thought is not a community,” Fortin says. We modern Americans do not know what a true community is like. He means we modern American *thinkers*. Angela Morris knew, even if she didn’t have a theory for it.

The quibble I have with Fortin is that he is not clear enough about where we might learn what a true community is like—or, better, where we thinkers might, on a clear day, even *find* one. That is kind of odd, when you think about it. Fortin is a Roman Catholic priest, employed by a fine, old Catholic university to teach theology. And theology, his discipline, is the memory of the church. Does the

church know what a true community is like? Father Fortin doesn’t say.¹²

The answer he might give is that the church (I mean Christians in America) has not managed to preserve and teach what its scriptures and its memory have to teach about being a community. To a significant extent, the church in America has let the secular culture set the agenda. As I read the curious history of the matter, the church set out, more than a century ago, to make America work. The church did that instead of tending to its own agenda.

That has worked out to mean compromise after compromise with such historical and shameful facts as slavery, racism, imperialism, and the exploitation of children. It has worked out, this year, to mean a political situation in which our most prominent leaders are telling us that the way to see to children such as those Angela cared for in Pittsburgh is to deny public benefits to them—or, if not to the elder two, to the third and fourth.

The doctrine of the church, as well as the popular view of what American civility now requires, is that popular morals are secular and religious morals are private. It is impolite, in most of academic America, even in church-related schools, to teach religious reasons for public action.¹³ (That is less true at BYU than at Boston College or Notre Dame, and I applaud you Mormons for making it so.)

All of which means that I finally have an argument to make: Having concluded both that the morals of what Father Fortin calls “political hedonism” are inadequate and that real people in America don’t follow those morals much anyway, the place to turn to locate morals that might support the common good is the church.

I want to suggest that the highest compliment one could pay a lawyer or a law teacher is the compliment Robert Bellah recently paid to one of my favorite Christian thinkers, Stanley Hauerwas. Bellah said that Hauerwas is “an uncompromising Christian who thinks about matters of great

public concern.”¹⁴ (He might have added that Hauerwas insists on doing his thinking in the church.) I wish that focus—pray for it—for all of us American Christians.

Here are some ideas of what we might think about if we think in the church about a theological agenda that is devoted to the common good:

First: The church is going to have to catch up in its support for families. I grew up an evangelical Christian and then became a Roman Catholic; the church (churches) I know best has lost ground to secular culture during all of my adult life. You Mormons have done better for families than anybody else I know of, except possibly some Jews. The rest of us need to learn from you. I invite you to become our ever more strident teachers.

Second: The church has to devote itself to overcoming the glitter. Our children have to be drawn away from what Ronald Dworkin describes as putting all of our eggs into the choose-and-act basket.¹⁵

If children are taught that the good is what they chose—

that what makes it good is that they choose it (which is the moral heart of radical individualism)—they will grow up to choose glitter. Glitter not only leaves them with shallow morals; it also drives them away from their families, their homes, and their communities.

Third: The church should reclaim its place in popular and political argument. That does not mean so much teaching its people what they believe as teaching them that what they believe matters.

During the last decade the polls have shown, again and again, that *80 percent* of Americans are “God-fearing churchgoers who pray daily and hold traditional family values,” as a recent newspaper story puts it.¹⁶ What has happened to us believers is that we have been gulled by a small minority of opinion makers and spin doctors into believing that our worship, our prayer, and our religious ethics don’t matter—don’t have a *bearing* on the good we have in common.

That is a bad notion. False. Pernicious. Corrupt. Daniel Conkle, one of our lawyer-professor colleagues, says the notion was invented by the federal Supreme Court; the legal principle, he says, is that “religion does not matter . . . in the public domain.” It is “a private good that lacks public significance.”¹⁷ Abraham Lincoln and Thomas Jefferson did not know that; neither did Jesus.

Fourth: I suggest that this theological agenda, in public, should begin and end with what Jesus called the least of his brethren. Leaders in my denomination have talked about this as *preferring the poor*, evaluating every public decision in terms, first, of its impact on the people Angela Morris and her friends and her mother and her grandmother reached out to help.¹⁸

This means, according to Penelope Leach’s recent book on the way we treat children, two things: (1) Seeing to the basic needs of children, as Angela and her helpers in Pittsburgh did, and then (2) supporting the family rather than inventing new obstacles for the family to overcome.¹⁹

I doubt that those two policies, which, I suggest, should be the policies of the church, would lead us to say that our greatest public need today is the abolition of aid to dependent children. But a big part of this policy—and I think Leach tends to neglect this—is that it not get too far away from what Angela and her helpers knew in their bones: They knew how to prefer those children to themselves.²⁰ That is the essence, as Coach Paterno taught Father Fortin, of what the common good is: Victory belongs to the team.²¹

Fifth: The church has to figure out what it has to say and how it is to say what it has to say. The place to start here is to recognize, as Michael Baxter puts it, that politics is “the art of achieving the common good through participation in the divine life of God. . . . The primary political setting in which this ordering occurs is the church. . . . Christianity is *always already* political.”²²

Baxter admits that this will probably involve the church becoming troublesome. You Mormons and we Catholics try too hard not to be troublesome. In both cases, our not being

troublesome rests on vivid memory. The memory of the church, so far as you are concerned, includes the martyrdom of Joseph Smith and the struggles of the 19th-century Saints in the West. The memory of the church, so far as we Catholics are concerned, includes the persecuted immigrants who came here as Catholics in the 19th century and who have had a long, tough time trying to be part of Protestant America.²³

Still, I suppose the memory of the church also includes the fact that Jesus of Nazareth did not flinch from stirring up trouble—nor from the political and legal consequences of stirring up trouble. You could even say that the gospel memory of the church tells us the test for whether we are *being* the church in the world is whether we are being troublesome.²⁴

Protest is the word for that. Neither your tradition nor mine has been high on protest. Neither have most American Protestants, despite their historical name. If we want to learn about what it might mean for Christians to protest we probably have to turn to modern Christian troublemakers like Martin Luther King, Jr., and to historical models like the 16th-century Anabaptists.²⁵

Protest is not insular. Protest and common good fit together. Protest contemplates the good of people who are not protesting; it has to do with the good that people in a society share. Free speech is an interesting example. My colleague John Howard Yoder has shown how the origin of free speech in our law goes all the way back to John Milton and the English Bill of Rights of 1689, which was a demand by Christians for the freedom necessary to preach the word of God. That bit of church history shows how “the faith community does not accept the dismissive accusation that its commitments apply ‘only to believers,’” Yoder says. “The transcendent leverage of God’s revelation includes staking claims on the wider world rather than withdrawing from it,” Yoder says. Everyone shares in the good of freedom of expression—even if the inventors of

F I R S T : T h e c h u r c h i s g o i n g t o h a v e t o c a t c h u p i n i t s s u p p o r t f o r f a m i l i e s I i n v i t e y o u t o b e c o m e o u r e v e r m o r e s t r i d e n t t e a c h e r s .

party line that people hear from us lawyers, us professors, and us *thinkers*, has taken that turn. Angela and Roxanne knew what to do when they found themselves, at the age of 14, with a family of six. But our rights-saturated rhetoric cannot explain what they did or explain why anybody would want to do something like that.

American families could have used a better party line, but they have not been taken in as much as we academics think they have. Contrast the picture Tocqueville saw in his crystal ball with what happened to those children in Pittsburgh. Or with the way Rabbi Harold Kushner describes what happens in Jewish families at the time of the Jewish New Year:

*The Torah readings . . . tell the story of Abraham and Sarah, of their longing to have a child to carry on their family traditions, of the birth of Isaac when his parents were old. . . . I have always believed that those readings were chosen to make the point that human history is the story of what happens to husbands and wives, to parents and children, and not what happens to kings and armies. When the entire congregation gathers for worship on Rosh HaShanah, the message they hear stresses the importance of passing on a tradition from generation to generation, from parent to child.*¹⁰

Our theories need work. That, at least, is a relevant suggestion to make to a group of lawyers, at a university, most of you associated with a religious tradition that values the family in deep, consistent practice as well as in theory.

Ernest L. Fortin, whose essay on the common good appears in the current Boston College alumni magazine,¹¹ attends to the theory with a quotation he has from Virgil by way of Joe Paterno: “You must be a man for others.” Garrison Keillor said it another way in September, in Lake Wobegone, Minnesota: We have got to help one another more. Fortin sees an alternative to the political ideology we Americans borrowed from the French and the Scots 200 years ago. That

free speech were not so much interested in human rights as they were interested in being the church.²⁶

A principal document of the Second Vatican Council, the pastoral constitution on the church in the modern world, begins with a similar sentiment: "The joys and the hopes, the griefs and the anxieties of the women and men of this age, especially those who are poor or in any way afflicted, these too are the joys and hopes, the griefs and anxieties of the followers of Christ."²⁷

This is not a matter of poking around and adopting politically popular movements. "The faith community" has to know what it is up to, and why it is up to what it is up to. And to do that, it has to have a politics of its own—"by letting one's life overlap with the lives of others on the same pilgrimage . . . by teaching one's children, even in Babylon, the songs of Zion, which the Babylonians cannot understand," Yoder says.

"A precondition for authentic protest is the accessible and in some sense objective criterion for calling into question the way things are . . . both to stand in judgment on where things have gone and to point the way of renewal."

Protesters from the church should notice that they can afford to be right. Yoder says that the memory of biblical Israel "experienced by the exiles and brought with them into Babylon provides a more whole and wholesome vision of family, work, community, and human flourishing than is provided by the cult of the imperial priests or the law of the imperial police, and does so with a psychic and cultural leverage that is effective 'from below' because it is authorized 'from beyond.'"²⁸

There are a couple of sad outcomes in Angela Morris's story. The sad consequence that made her want to cry is that those children are now in the custody of the Commonwealth of Pennsylvania—among strangers, split up, longing for their mother (or maybe for Angela Morris).

I spend much of my professional time now working on cases involving children, most of them in situations like that. I wish I could tell you how we could do better. My present point is that the question of how to do better is one the church should be talking about. It's not that we just automatically *know*. It is that we know, or should know, how to work it out. That and the fact that, if we have the courage to try, we can afford to be right.

Which only suggests to me the other sad thing in Angela's story: There is no evidence in the story that she turned to the church or that she would have found help there if she had.²⁹

NOTES

1. The newspaper sources I am using include the *New York Times*, Sept. 26, 1994, p. A-12, col. 4; the *New York Times*, Sept. 27, 1994, p. A-20, col. 4; the *New York Times*, Sept. 28, 1994, p. A-17, col. 1; the *South Bend Tribune*, Sept. 28, 1994, p. A-1, col. 1; and the *New York Times*, Mar. 13, 1994, sec. 13, p. 7, col. 4.

2. The notion of common good is often used to justify and instruct institutions and governments, but it has its roots in the claim that persons share in and support a good that is beyond their individual inter-

ests—"the antithesis of Bentham's claim that the interest of the community is simply 'the sum of the interests of the several members who compose it'" John Langan, S.J., "Common Good," in James F. Childress and John Macquarrie (eds.), *The Westminster Dictionary of Christian Ethics* 102 (1986), quoting Jeremy Bentham's *Principles of Morals and Legislation*.

3. Michael Ryan, "What Our Children Need Is Adults Who Care," *Parade Magazine*, Oct. 9, 1994, pp. 4, 6, quoting Marian Wright Edelman.

4. Quoted in Patrick H. Samway, "Walker Percy's Homeward Journey," *America*, May 14, 1994, p. 16. Henry Louis Gates, Jr., noticed a similar point with reference to African-American family life, in a context that is helpful for understanding Angela Morris. "Self-confidence," he said, "is bred in the home." C-Span, "Booknotes," Oct. 10, 1994, discussing his new book *Colored People* (1994).

5. In her column of Sept. 4, 1994.

6. All of Tyler's novels are family novels, and all of the families in them are odd and inclusive. The principal character in *The Clock Winder* (1972) is a young woman who is older but otherwise not unlike Angela Morris; a character in that novel speaks of events in family life as "scenes and quarrels and excitement . . . artificial stitches knitting us all together" (at 153-154).

7. Karl Barth, *Ethics* 193 (Dietrich Braun ed., Geoffrey W. Bromiley trans. 1981).

8. I use this term to describe the ethical tradition of Jews and Christians. I mean to invoke something particular and, in vital ways, unitary. I am not talking about sappy ecumenism; nor am I talking about "diversity" or "multiculturalism." Modern American efforts at diversity turn out to be something like the opposite of what they claim to be. They seem to me to be trendy, vacuous ways to talk about what was once called "the melting pot." See Louis Menand, "Being an American: How the United States is Becoming Less, Not More, Diverse," *Times Literary Supplement*, Oct. 30, 1962, p. 3. The same, I think, is true of the "multi" in "multiculturalism." See Martin E. Marty, "From the Centripetal to the Centrifugal in Culture and Religion: The Revolution Within This Half Century," 51 *Theology Today* 5 (April 1994).

9. Quoted in Thomas H. Clancy's review of Wilfred M. McClay, *The Masterless: Self and Society in Modern America* (1994), *America*, May 14, 1994, p. 29.



10. Harold S. Kushner, *To Life! A Celebration of Jewish Being and Thinking* 111–112 (1993).
11. “Recovery Movement,” *Boston College Magazine*, Summer 1994, p. 18; another version of the essay appears as “Human Rights and the Common Good,” *Catholic Commission on Intellectual and Cultural Affairs Annual* 1 (1994).
12. Compare Michael J. Himes and Kenneth R. Himes, O.F.M., *Fullness of Faith: The Significance of Public Theology* 17 (1993): “[P]ersonal does not mean ‘private.’ The person is constituted by the communities of which he or she is a member. A genuinely personal decision is also public, in that it is the act of one who emerges from various communal contexts and who affects others by his or her act.” Both of these authors are also Roman Catholic priests, and each of them is a teacher of theology—Michael Himes at Boston College. Their communitarian theology rests on the mainline Christian doctrine of the Trinity—the notion being that, if God is a person, and three persons in one, then God’s life is a shared life. The doctrine is “an essentially and radically political statement” in their view. “[E]xistence does not precede entry into relationship. It *is* relationship. Being *is* being related. Coming into communion with others is not subsequent to existence. Being at all is being with. So central is this to the Christian tradition that the principle is both derived and elevated into the meaning of ‘God’” (at 59).
13. See Thomas L. Shaffer, “Erastian and Sectarian Arguments in Religiously Affiliated American Law Schools,” 45 *Stanford Law Review* 1859 (1993).
14. On the book jacket of Hauerwas’s *Dispatches from the Front: Theological Engagements with the Secular* (1993).
15. “Medical Law and Ethics in the Post-Autonomy Age,” *Bill of Particulars* 21 (Spring 1993). Both this point about the church, and my first point, are reflected in a note written to me by my colleague Professor Eileen Doran (Oct. 19, 1994): “[T]he Catholic Church isn’t nearly as involved with the business of children as it once was. When I was a child [growing up on a farm near Pittsburgh], the Church had everything to do with my family. I went to school and the priests and sisters knew me, they knew about my family, what my family might need, when someone was sick. On the weekends, our priest came to the house every Sunday for dinner or dessert and he usually brought with him someone who needed some company—either an older person in the parish or a child who was temporarily living at the rectory because he had no where else to stay. I remember that the Church, in many ways, helped to raise my family. I know that when my brothers were going through difficult times, my parents went to our pastor, not therapists, for counsel. Although I believe the parish I live in now is more active than most in meeting the needs of its community, it isn’t the same church that helped my parents.”
- My colleague Professor Christine Venter grew up in Zimbabwe. In a note to me (Oct. 12, 1994), she wrote, “My father died while we five kids were all in school, and my mum was having problems with my brother (the youngest and only boy with four sisters). Christian Brothers College, where he attended school, contacted my mum and asked if they could participate in his upbringing, as kind of a father figure. They also told my mum not to worry about his school fees for the rest of his school career. That, on a small scale, is the kind of church that we need.”
16. Jill Lawrence, “Poll reveals disgruntled American mind-set,” the *South Bend Tribune*, Sept. 21, 1994, p. A-1, col. 2, reporting on a poll of 4,809 people by the Times-Mirror Center for the People and the Press.
17. “Different Religions, Different Politics: Evaluating the Role of Competing Religious Traditions in American Politics and Law,” 10 *Journal of Law and Religion* 1, 6–9 (1993–1994).
18. See Stephen J. Pope, “Proper and Improper Partiality and the Preferential Option for the Poor,” 54 *Theological Studies* 242 (1993).
19. See Lisbeth B. Schorr, “Stabilizing the Family Balancing Act,” *Washington Post Book World*, March 6, 1994, p. X3, reviewing Leach’s *What Our Society Must Do—And Is Not Doing—For Our Children Today* (1993); see also Deborah E. Lipstadt, “Pediatric and car-pool Judaism aren’t enough. Young people easily discern their parents’ priorities and quickly figure out that parents consider Judaism kids’ stuff,” *Moment*, Oct. 1994, p. 24.
20. Himes and Himes, note 12 *supra* 61: “The most fundamental human right is the right to exercise the power of self-giving. . . . All other rights are derivative. All consequent rights are claims to preconditions for community, the locus of self-giving.”
21. Guy Trebay, “Our Local Correspondents: The Giglio,” the *New Yorker*, June 4, 1990, pp. 78, 89, gives a curious and even humorous example of this from his childhood in the Italian American community of Greenpoint, New York. An annual custom there, at Our Lady of Mount Carmel Parish, is to move a giant statue of St. Paulinus, the *giglio*, in procession. It weighs tons; the men of the parish get under the statue (out of sight) and lift it up. The fraternity of “lifters” once had a rare Irish member who “had a slight heart attack under the giglio, [but] . . . he didn’t want them to stop and let him out.” The (Italian) parishioner who told Trebay the story said, “I get a very strong feeling from the giglio, although for me it’s not that much a connection to the Church or to the Saint. It’s a connection to my father.”
22. Michael J. Baxter, C.S.C., “Overall, the First Amendment Has Been Very Good for Christianity—NOT!: A Response to Dyson’s Rebuke,” 43 *DePaul Law Review* 425, 441 (1994).
23. See Thomas L. Shaffer and Mary M. Shaffer, *American Lawyers and Their Communities* ch. 5–7 (1991). One of the ways Italian Americans (and Jewish Americans as well) did this was stubborn attention to preservation of family traditions. Elizabeth Stone, “Stories Make a Family,” the *New York Times*, Jan. 24, 1989, sec. 6, p. 29, col. 1, provides charming examples from her own family. Gay Talese argues that the force of such family traditions are part of what makes it difficult for an Italian American to be a mainstream modern American writer. “Where Are the Italian-American Novelists?” *New York Times Book Review*, March 14, 1993, p. 1.
24. Such a set of propositions is developed carefully and with careful attention to scripture in two of John Howard Yoder’s books—*The Politics of Jesus* (1972) and *The Priestly Kingdom: Social Ethics as Gospel* (1984).
25. See Yoder’s “The Ambivalence of the Appeal to the Fathers,” in D. Neil Snarr and Daniel Smith-Christopher (eds.), *Practiced in the Presence: Essays in Honor of T. Canby Jones* (1994), at 245.
26. “Christianity and Protest,” 3 *Faith and Freedom* 8 (1994).
27. “Gaudium et Spes: Pastoral Constitution on the Church in the Modern World (Second Vatican Council, 1965),” in David J. O’Brien and Thomas A. Shannon (eds.), *Catholic Social Thought: The Documentary Heritage* (1992), at 164, 166, 18.
28. Note 26 *supra*.
29. I am grateful for the suggestions of Eileen Doran, Stanley Hauerwas, Nancy J. Shaffer, Christine Venter, and John Howard Yoder.