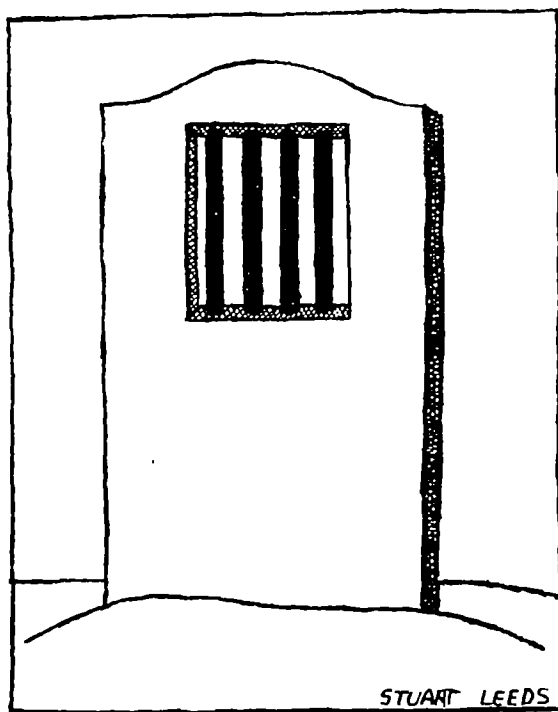


The death penalty continues to be applied for a variety of offenses (including "economic crimes") in the Soviet orbit, and in most of the countries of Asia and Africa regardless of the ideological character of their regimes. In some countries, indeed, it seems somewhat abstract to speak of capital punishment: What does this term mean in a country where entire populations are subjected to genocide (as in "liberated" Cambodia) or where political dissidents are routinely murdered in their beds by agents of state security (as in a respectable number of other Third World countries)? Odious as this Supreme Court decision is, it does not invalidate the fact that this country is still an oasis of decency in an increasingly tyrannical world; what the decision does do, however, is create more distance between the United States and those few other democracies that should be our allies in decency.



Historically one must ask, quite simply, whether a particular action continues a tradition or whether it reverses tradition, be it for better or for worse. Thus, in making a moral judgment about a country in which the police use torture, it is important to ask whether this has always been so or whether this is a creative innovation of the present government. The historical context of the Supreme Court decision is, in this sense, morally pejorative: The decision reverses what had been a humanizing trend. I, for one, find it difficult to assess the overall impact of the Supreme Court on the quality of being human in America. Some Supreme Court actions have certainly been humanizing, others have not. I suspect that there is no particular pattern to be found here, and that this institution of our system, like the others, is a very mixed bag in moral terms.

Some will undoubtedly relate this decision to the one on abortion that the Supreme Court made in

1973. The comparison leaves me uneasy. I happen to have a position on abortion that differs from that of the "pro-life" forces; on the other hand, I believe the 1973 decision was a very bad one, especially sinister in the Court's utilization of the concept of "meaningful life."

Be this as it may, the two phenomena are morally discrete: On a scale of cruel actions the execution of a middle-aged prisoner is rather far removed from the abortion of, say, a four-week-old fetus. Capital punishment is, always has been, a phenomenon *sui generis*. What perhaps does link the two decisions is a peculiar combination of moral arrogance and intellectual crudity—and a sad combination it is when found in the highest court of the land.

What of the future? There is little ground for optimism. No moral leadership is to be expected on this issue from any of the presently plausible candidates for the Presidency: Jimmy Carter, as Governor of Georgia, signed the very death penalty statute that has just been upheld; President Ford has a record of being in favor of capital punishment for certain crimes; Ronald Reagan has been an unambiguous supporter of capital punishment and also signed a death penalty statute during his governorship of California. The Congress, insofar as it is that part of our political system that is most responsive to popular pressures, is likely to go on reflecting a public opinion that (mainly due to rising crime rates) has been increasingly favorable to capital punishment. And it will be a long time, if ever, until the Supreme Court reverses itself. Thus the issue will be where it was before the recent intermission in the annals of executions in this country—on the conscience of individual prosecutors, jurors, judges, and state governors. The best hope, now as then, is that many of these individual consciences will be in agony.

## EXCURSUS II

### *Richard John Neuhaus on* **A Carter Presidency and the Real Watershed**

Political pundits who equate cynicism with sophistication are having a hard time trying to look unsurprised. The near-epiphany of Jimmy Carter on the American horizon obviously portends something quite new. Efforts to explain just what it is that is new regularly employ the metaphor of a watershed. A watershed involves a point of parting, a new configuration, a redirection of history into a different course. It is a matter of deep currents rather than surface controversies; it is the phenomenon of which political "issues" are the epiphenomena.

Watersheds are more accurately described in retrospect. Certainly they are more safely declared in retrospect. But retrospect is a luxury not afforded

the present moment. We have only the present in which to discern the signs of the times in the hope that we do not miss the meaning of the moment that is ours. Thus, in the sure knowledge of our uncertainty, we try to describe the nature of this watershed, taking care that desire and intuition not be allowed to run too far in advance of evidence.

The watershed, we are told, is that Carter represents the passing of the old guard in the Democratic Party and, potentially, in the nation. Maybe so, but that is a shallow and always variable flow of events. By definition, old guards pass. Of equally modest interest is Carter's coming in to conquer from so far outside, although the iconoclast in each of us is undoubtedly gratified by the confounding of the political experts.

More penetrating observers see the watershed in the reunion of North and South and, inseparable from the tortured history of that relationship, the final acceptance of black and white in one national community. If the appearance of that community turns out to be realized in public policy and everyday life, it is a development of immeasurable importance to the American experiment. Without belittling the beauty of the Mississippi delegation, black and white together, singing "We Shall Overcome," it is nonetheless a development within a direction already established. It signals vindication of what we had hoped for and perhaps dared to expect. It is at long last, and still partially, satisfaction; but it is not, not really, surprise. It is a course advanced but not determined in 1976. Its watershed was the Civil War, with the secondary and corrective watershed being *Brown v. Board of Education*, 1954.

Others specify the crucial change as the way in which we understand morality in public life. That, I believe, comes closer to the mark. If this is where we locate the watershed, it must be acknowledged that the watershed would not have been possible without all that is meant by Watergate. Yet the new direction is more than a resurgence of old moral values. It is more precisely the public assertion of the religious sources from which those values emerge and on which they depend. Of course this assertion is closely connected with the other more widely noted changes in relationships between North and South, black and white, insider and outsider. But the key factor is the religious factor. That is, what many commentators have dismissed as rhetorical froth or even as clever manipulation of residual religious sensibilities is in fact the genuinely new thing in what may come to be called the Carter era.

If this analysis is correct, it signals not simply a new political style but a major cultural shift of watershed proportions. Indeed, Carter is but one political evidence of a much greater cultural change. The shift we may be witnessing is not only in the definition of the American experiment but in Western culture's understanding of modernity. The linkage between modernity and secularization is dramatically challenged. The Carter option is not a regression to a religiously based premodern public

morality; it is emphatically postmodern to the extent that modernity is understood in terms of the secularization of public life. To put it simply: The Carter era could signal the end of the public hegemony of the secular Enlightenment in the Western world.

Not since Woodrow Wilson has an American President persuasively articulated the Jewish-Christian religious foundation of public morality. With Wilson, however, it was thought he was drawing upon the residual, left over, forces of a religion in rapid decline. For almost fifty years an ascendant and thoroughly secularized cultural élite has denigrated Wilson for his moralism, his confusion of reality with a Calvinist ethic that was no longer either attractive or plausible. Since then American public life has been afflicted by schizophrenia: divided between the secularism of the élite and the most deeply held beliefs of most of the American people, which continue to be tied to the Jewish-Christian, the biblical, tradition.

This gap between the élite and the people has been widely sensed in recent years. Some tried, with momentary success, to exploit it for partisan purposes, appealing to "Middle America" or "The Real American Majority." Jimmy Carter is obviously not insensitive to opportunities for political exploitation; but the fascinating thing about him is that he embodies the bridging of that gap.

The division Carter promises to heal can be traced back to the very beginnings of the Republic. It is evident in the tensions between the Puritans and the philosophes, between sacred and profane, between the seventeenth-century religious definition of the American experiment and the eighteenth-century Enlightenment's militantly secularist definition, between pilgrims keeping an historical covenant and rationalists devising a social contract. In American public discourse, both political and legal, the secularist side of these tensions has been dominant during these two hundred years and has enjoyed an almost complete monopoly during the last forty.

This failure to keep these two traditions in lively tension explains a large part of the alienation of the American people from the public life. As Hannah Arendt and, more recently, Ernest Becker have argued so eloquently, vital engagement in the affairs of the polis is related to the quest for immortality. Such engagement cannot be elicited when politics is divorced from the belief systems that bear the hope of immortality and ultimate meaning. For the great majority of Americans those belief systems are inescapably religious.

In saying that Carter has the promise of healing this historic division, the implication is that he will not simply replace the secular definition of American with a religious definition. No, he represents a marriage, or a remarriage, that is beyond the divorce. To be sure, the early Enlightenment notion that religion will either wither away or can be relegated to the purely private realm is repudiated. But the Enlightenment's essential understanding of the public role of reason apart from religious authoritari-

anism is carefully preserved. Realizing that the visions and values of a religious people cannot be excluded from the public realm requires major readjustments in the way we conduct our public business. Realizing that faith can no longer be isolated from public reason requires major readjustments in the ways Jews and Christians understand their religion. The politics of Enlightenment rationalism divorced from religious vision becomes sterile and alienating, and that is what has happened in modern America. The politics of religious vision untempered by public reason becomes fanatic and divisive, and that is what must not be permitted to happen. Carter's task and promise is not the replacement of one with the other, but the reunion of both.

Some of the readjustments required touch upon the usual and perplexing debates about Church-State relations. Carter says he subscribes to the conventional wisdom of secular separationism, and there is no reason to doubt his sincerity. The substance and style of his politics, however, challenge the abstract separationism he professes. If the shift he portends is politically realized, the consequences will make mandatory a comprehensive rethinking of the concepts and policies connected with present clichés about "separation of Church and State." I for one would welcome such a reexamination of the divorce between public and private belief, a divorce that has been so debilitating both to our public life and to the vitality of the Jewish-Christian tradition.

It has been a long time since we have had a President who could speak believably about "love aggressively translated into simple justice." Believably, because there is a convincing coherence between his pronouncements and his prayers, between his political theory and his reading of the scriptures. Perhaps it has not happened since Wilson and, before him, Lincoln. The difference with Carter is that he speaks this way after, rather than before, we have had our whirl with modern secularism. A few years ago secularized theologians wrote anxiously about "the future of belief"; today we all are anxious still, but we have at least been stripped of secularist illusions by the manifest bankruptcy of unbelief. Americans are ready to believe again, and upon President Jimmy Carter may fall the ominous responsibility to articulate the national faith through a lively union of public reason and biblical hope.

One wonders if Carter himself is fully sensitive to the awesomeness of the task to which he aspires. In one of the least remarked statements of his acceptance speech in New York he expressed the hope for a peace "in which our own ideals gradually tend to become a global reality." It is a stunning expression; the kind of thing American leaders have not dared to say in a long time, especially not leaders who select their words with serious intent. To some critics it must suggest globalism, manifest destiny, and a host of other presumably discarded illusions. But to some of us, and maybe to Jimmy Carter, it speaks of

something universally true in the American experiment, of a hope that cannot be contained in one country, of a fulfillment toward which all people, whether they know it or not, aspire. Jonathan Edwards would have been comfortable with the expression, as would Thomas Jefferson. It is the hope emblazoned on the back of every dollar bill, "Novus Ordo Seclorum."

How wondrously strange if, after two hundred years, it is Jimmy Carter from Georgia who is raised up to signal the way in resuming the pilgrimage, in renewing the contract, in committing ourselves again to the covenant. But of course we, or more likely our grandchildren, will know more about all this in retrospect.

## QUOTE/UNQUOTE

### Humility

Why was man created on the last day?  
So that he could be told, when pride takes hold of him: God created the gnat before thee.

—The Talmud

### Plumbing the Depths

Q. Have you changed?

A. I've been a changed man every day of my life from the day before. But the last year has been a good time for me, in beginning to figure out what I think is important.

Q. What is important?

A. As I say, I'm just beginning to figure it out. Any answer that I give you, I'm afraid, would be very incomplete at this point.

Q. How about an incomplete answer?

A. I don't think I'd be very happy with it.

—Interview with John Ehrlichman in *People*, June 21, 1976

### Revolutionary Christianity: Still Waiting

This...is not [said] to dismiss Marxism but rather to indicate that unless there is a continuing critique of Marxism from within Christianity then there can be no continuing dialogue.

...Even if traditional theism is regarded as an inadequate mode of describing them, both the Marxist and existentialist options are blatantly reductionist. In the dialogue with Christianity neo-Marxists are struggling to avoid this residual positivism.

Revolutionary leaders, from Lenin to Castro, have been in no doubt that there is within Christianity something of revolutionary importance. What this might be can only be discovered in praxis, but it will not emerge if Christians simply become Marxists.

—Alistair Kee, "Attitudes Toward Revolution," *Book Forum*, Vol. II, No. 2, 1976