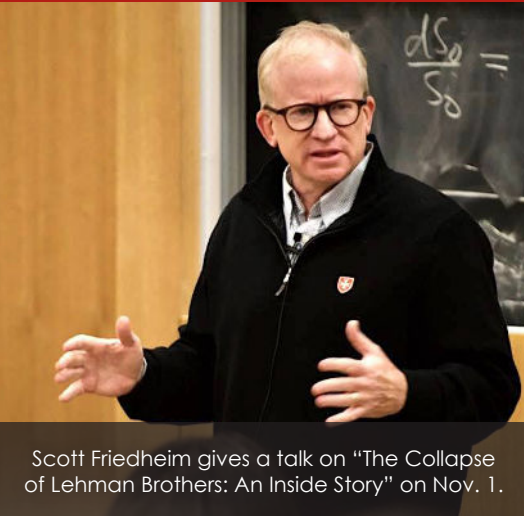




# THE BEACON

NEWSLETTER OF THE LUMEN CHRISTI INSTITUTE FOR CATHOLIC THOUGHT

WINTER 2019



Scott Friedheim gives a talk on “The Collapse of Lehman Brothers: An Inside Story” on Nov. 1.

## Forming Leaders for the Business World

When Alex Rothmeier arrived at the University of Chicago’s Booth School of Business in 2013, Catholics were the largest religious demographic there without an official student organization of their own. Furthermore, all of Booth’s peer schools—fellow members of the “M7” (the seven elite American private business schools that dominate MBA program rankings)—had Catholic student groups.

Lumen Christi’s executive director Thomas Levergood knew of Alex through his uncle, Steven Rothmeier, former chair of Lumen Christi’s board of directors. Levergood reached out to discuss a potential Catholic student group at Booth, and they began hatching plans.

Those discussions grew into a May 2015 event that brought Jim Perry, a member of Lumen Christi’s board of directors and co-founder of Madison Dearborn Partners, a Chicago-based private equity firm, to Gavin House to speak to 45 Booth students about the ethics of private equity. Perry’s talk made an impression on Alex, who stated in a 2015 *Beacon* interview, “it showed me, and others in the audience,

that there are powerful members of the business community who take their faith seriously and deliberately act in accordance with their belief systems.”

The following spring Lumen Christi partnered with Booth students to host a second event: a lecture by Maureen O’Hara, Robert W. Purcell Professor of Management at Cornell’s SC Johnson Graduate School of Management, on the ethics of arbitrage—the practice of simultaneously buying and selling assets in different markets in order to capitalize on price differentials. Around the same time, three Booth students who were inspired by these events applied for recognition of an official student group: Catholics at Booth (CAB). The group launched in fall 2016.

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## How The Laity Can Renew The Church

Fr. Michael Sweeney, OP, is a man on a mission. Early in his adulthood, he wanted to become an Oxford don and work with highly gifted graduate students. Today, the Canadian Dominican priest of the (American) Western Province has dedicated himself to developing and applying a renewed theology of the laity to contemporary issues of Church governance and lay formation. Inspired by the documents of the Second Vatican Council and the papal magisterium of John Paul II, Sweeney gives lectures, teaches courses, and leads workshops designed to enfranchise the laity in assuming agency and taking co-responsibility for the life of the Church.

In mid-November Lumen Christi hosted Sweeney for two stellar events. On November 15 Sweeney addressed the talk “How Catholics Can Realize the Royal Priesthood of the Laity and Rebuild a Church in Crisis” to a downtown lunch crowd of 125 at the University Club of Chicago. After an introduction from Lumen Christi Senior Fellow Russell Hittinger—a friend and associate of Sweeney’s—Sweeney tackled the abuse and cover-up crisis that resurfaced this summer in the American Church by way of diagnosing the problematic “paradigm” of how lay persons understand their role in the Church.

He began by noting that when most lay Catholics think or speak of “the Church” they have the hierarchy in mind. This signals that laymen don’t *identify with* the Church. This mentality might arise out of a common theological classification of states in life according to which a lay Catholic is one who is neither ordained (has received Holy Orders) nor is religiously consecrated. He is “lay by default,” forced to live in the absence of a positive calling, or the strength to accept and live out a vocation, to higher things.

This theological tradition, according to which there are imperfect and perfect Christians—imperfect Christians being the laity, perfect Christians being the ordained and consecrated—runs deep, Sweeney acknowledged. As evidence of this longevity Sweeney cited Honorius II, an early twelfth century Pope, who taught that “from the beginning the Church has offered two kinds of life to her children: one to help the insufficiency of the weak [lay life], the other to perfect the goodness of the strong



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# Lumen Christi Welcomes New Office Manager **Toni Sylvain**

This June Lumen Christi bid farewell to longtime office manager Bob Cummings, the Gavin House stalwart who since 2011 had managed the day-to-day operations of the Institute. With Bob departing for Corpus Christi, Texas, to assist the diocesan vocations director with his ministry, Lumen Christi opened a search for its new office manager.

The inimitable Bob found a worthy successor in Toni Sylvain. A New Hampshire native and 2016 graduate of Franciscan University of Steubenville, Sylvain's first career plans involved politics. While at Franciscan she was a member of the Center for Leadership, an institute devoted to preparing Catholic leaders who are committed to the dignity of each human person and faith's proper role in public life. Complementing her International Business degree coursework with courses on philosophical anthropology, the virtues, and Catholic social teaching, Sylvain developed interests at the intersection of faith with economics and American founding principles.

Following internships with the Acton Institute and Heritage Foundation, she led the fundraising and development programs for the College of William & Mary's Catholic Campus Ministry. When her fiancé took a position at the University of Chicago and she learned she would be moving to Hyde Park, Sylvain began looking for work. That's when she noticed the office manager position.

"I had only heard about Lumen Christi" before learning that it was located at the University of Chicago, Sylvain says. "When I saw the job opening I was drawn to it by virtue of my non-profit experience, but, more importantly, on account of the Institute's mission to advance Catholic faith and thought and to grow a strong Catholic culture at the University of Chicago and in broader communities."

Sylvain joined the staff in the midst of a very busy fall quarter,



but has adjusted smoothly. She and her now-husband have enjoyed attending events and getting to know the Hyde Park Catholic community.

Sylvain's aspirations for politics were redirected in light of her emergent conviction while at Franciscan that "politics is downstream of culture." Another conviction—that culture is, in an important respect, downstream of higher education—animates her present work.

"Both Catholic institutions of higher education and secular ones profoundly influence culture," Sylvain argues. "And I see Lumen Christi's focus on bringing Catholic scholarship to the secular university as a response to the call to evangelize and transform the social order from within by being salt and light and leaven for the world."

"The Church's relevance for all aspects of the intellectual life is shown," she continues, "by Lumen Christi's work to educate and broaden the thinking of Catholic and non-Catholic audiences here at the university and beyond."

"I'm excited to join the team here and to help further that mission and impact."

## Forming Business Leaders continued from front page.

According to its application, CAB "provides an opportunity for Catholic students to build community, deepen their faith through intellectual engagement and spiritual formation, and increase awareness of the Catholic perspective on campus." It is founded on four pillars that shape its programming: community, intellectual growth, spiritual development, and charitable engagement.

Luke Pacold, a 2016 Booth graduate working as a marketing manager for Abbott, a company that develops and markets healthcare products globally, was an inaugural co-chair of CAB. Pacold observed that according to an annually recurring Gallup survey, only one third of American employees report feeling engaged in their workplace, and fewer than a quarter say they are motivated to do outstanding work. The rationale for CAB, he explained, is to help equip Catholic business students at Booth to become the kind of leaders who can change workplace cultures for the better.

"We need to learn to ask the right questions," Pacold said, "deep questions of meaning and purpose, such as 'Why am I here?' 'What am I called to do?' and 'What really matters?'" Students need to "correctly answer those questions," he continued, "and then move from values to action."

"We need to learn to lead ourselves in a way consistent with our answers to those deep questions, including by practicing the virtues of faith, hope, and charity in our daily lives," he said.

Booth disperses limited funds to its student groups, and only under stringent conditions: group chairs have to submit funding requests at least half a year in advance and designate specific events as fund recipients. Given the annual turnover of CAB leadership, this timeline has proved impracticable. So this summer CAB turned once again to Lumen Christi for support and partnership.





One of this year's co-chairs is Peter Liubicich, who came to Booth fresh off working with the New York Yankees in client services. Wanting to transition into finance and investment banking, he was drawn to Booth's famed IB network and what he calls "its campus culture of paying it forward." When he heard about CAB, Liubicich decided to run for chair, wanting to stimulate his own faith and help other Catholic students grow intellectually and spiritually. Soon after being elected he met with Lumen Christi to discuss opportunities for future programming.

That meeting yielded its first fruit in an October lunch event hosted at Booth and cosponsored by Lumen Christi and CAB. Harry Kraemer, former chairman and CEO of Baxter International and currently an executive partner with Madison Dearborn, spoke with a group of twenty students about how his faith informs his professional life and how students can become and remain conscientious Christian business leaders. He also signed copies of his two best-selling books on business leadership, *From Values to Action* and *Becoming the Best*.

"I chose the topic I did due to the fact that there is a significant shortage of values-based business leaders in the world today," Kraemer told the *Beacon*. "It was fantastic to interact with these students and to see their sincere desire to set an example for what it really means to be a true Catholic leader."

Three weeks later Lumen Christi and CAB brought Scott J. Friedheim to campus for a public lecture. Friedheim is a prominent businessman with experience as the CEO of a New York Stock Exchange-traded company and is former Chief Administration Officer of Lehman Brothers, the global financial services firm that managed up to \$680 billion in assets before filing for chapter 11 bankruptcy in 2008. Friedheim spoke about his experience inside Lehman's executive suite during the collapse of 2008 and how the magnitude of the professional and personal loss he experienced influenced his faith.

The event drew 100 attendees, many of them Booth students, to Saieh Hall, home of the University of Chicago's storied Economics Department. Before the event, Lumen Christi hosted a private reception at Gavin House for Friedheim and members of CAB.

"Business leaders who are respected for doing the right thing invariably end up better than those who do not," Friedheim told the *Beacon* in explaining the importance of his lecture's topic. "And since scaling the summit of corporate America is often all-consuming, a lack of life balance often is a by-product. Other interests are suppressed or even eliminated. So I think it's very important for our best and brightest, who are about to embark on that journey, to proactively decide what degree of balance they want to achieve."

Booth's student body certainly fits the description "best and brightest." According to the London-based magazine *The Economist*, Booth is the top MBA program in the world, and the 2019 US News & World Report MBA rankings has Booth tied with Harvard as America's best program. By helping shape the moral and spiritual compass of CAB members and the other Booth students who benefit from its partnership with CAB, Lumen Christi is 'paying forward' the benefits of the Catholic intellectual and spiritual tradition—an investment that will pay off in conscientious, ethically engaged business leaders who serve the common good and the Church.

CAB membership is up fifty percent this quarter as a result of Lumen Christi's partnership and Liubicich's efforts, such as arranging for a private guided tour of the Art Institute of Chicago and Mass at Holy Name Cathedral followed by brunch. More programming is in the works for the winter and spring, including a lunch lecture by a Booth professor on Pope Francis' writings on capitalism and a reception in downtown Chicago for Booth alumni and current students.

Alex Rothmeier, who planted the seeds for CAB's official recognition, "really believes that the programming Lumen Christi puts on is incredibly important to anyone in business." Liubicich agrees. "Catholics at Booth would not be nearly as successful without the support and guidance of Lumen Christi," he said, "and the importance of events like the lunch with Kraemer or the lecture by Friedheim can't be overstated. The opportunity to learn and receive advice from these individuals and others like them is something that students will carry with them during their own careers."



Students interact at Lumen Christi Institute-Catholics at Booth co-sponsored events in fall 2018.



# Christian Citizenship: A Paradox?

## How Should Christians Relate to their Politics?

How Christians should understand their faith's implications for politics is a timely topic to consider in an election year. Émilie Tardivel-Schick of the Catholic Institute of Paris (ICP) explored that question in a lecture on November 12, right after midterms. She also sat down with Lumen Christi for an illuminating podcast interview in which she further expounded her thoughts on Christianity, politics, and the state.

Tardivel-Schick is a French political philosopher and the Scientific Director of the ICP's Chair of the Common Good—a prestigious research position created in 2016—where she leads a team of philosophers, theologians, economists, and jurists in researching and organizing an annual conference devoted to the common good and its applications in contemporary society.

Her attraction to political philosophy having been kindled by an inspiring high-school teacher, Tardivel-Schick pursued graduate studies in philosophy and politics, and in 2010 she was elected to the ICP's faculty. The following year she sat in on a seminar on the Church Fathers taught by Jean-Luc Marion. It was in reading the Fathers that Tardivel-Schick discerned solutions to issues about Christianity and politics with which she had been grappling. And it was out of that seminar that her 2015 book *Tout pouvoir vient de Dieu—There is No Power But of God* (a reference to Romans 13:1)—grew.

In her book and lecture Tardivel-Schick looked to Tertullian, Justin Martyr, and Augustine, along with early non-biblical Christian texts, for guidance in interpreting St. Paul's teaching in Romans 13:1, "Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God." As she reads them, these figures and texts support an interpretation of this passage as endorsing neither a particular political arrangement—such as a monarchy or democracy—nor any "necessary or even privileged political expression." No political regime is itself, Tardivel-Schick contended, "specifically Christian."

However, the Gospel does teach that the universal common good provides standards by which political regimes can be judged. These standards include: One, the rejection of worship of the state or of human leaders of the state, such as Caesars; two, a concern for genuine peace—harmonious relations and the absence of violence; and three, legal respect for freedoms, especially religious freedom. By effectively guaranteeing these conditions, some particular po-

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litical expression, such as democracy, can be judged to be the most realistic guarantor of the universal common good and as such the political arrangement that Christians should work to establish and preserve in a particular time and place.

Expanding on condition one, Tardivel-Schick explained that early Christians living in the Roman Empire were commonly accused of two crimes: crimes against religion and crimes against the emperor (and the state). By refusing to sacrifice to pagan gods and insisting upon worship of the one true God, Christians signaled their rejection of Caesar's claim to derive his political power from his own divine authority. Christians, Tardivel-Schick explained, accepted the legitimacy of political power but held firmly (following Romans 13:1) that God is the sole source of whatever authority political leaders enjoy. By refusing to be complicit in immoral activity, the early Christians promoted the subordination of the civil law to the natural law wherever those two sets of laws conflicted. (Where they did not conflict, Tardivel-Schick stressed, Christians prided themselves on being especially obedient and dutiful civil subjects.)

Thus early Christians understood the Gospel to entail a particular way of living within their politics rather than rebelling against them in favor of the establishment of a "Christian polity." Instead of galvanizing such revolutionary tendencies, Tardivel-Schick argued, Romans 13:1 and the rest of New Testament teaching favor glorifying God through the patient suffering of unjust laws. In so doing, the martyr (which means "witness") demonstrated his unswerving fidelity to the natural law even at the cost of a gruesome death at the hands of political authorities. Not only was Christian martyrdom subversive of the divine pretensions of political authority in ancient Rome; it was, and remains, Tardivel-Schick explained in her interview, a corrective to the impulse to glorify God through coercive religious violence.

Asked during her interview about the degree to which Catholics should try to be socially and politically engaged, Tardivel-Schick responded that the Gospel calls Christians to be actively involved citizens. The "first degree" of such involvement, she argued, is to vote.



And so, she said, “the Christian has to vote,” even while knowing that no platform or agenda will perfectly align with the Gospel.

Tardivel-Schick’s lecture raised interesting questions from the audience. Is there tension between (a) the example of the martyrs, who suffered unjust laws even to the point of death rather than agitating to overturn them, and (b) the imperative to align political and legal systems with the conditions of the common good? Tardivel-

Schick insisted that what she called “papal theocracy”—the pope and bishops ruling over temporal affairs—is contrary to the Gospel; is this assertion consistent with magisterial teaching about the confessional state?

Tardivel-Schick’s thoughtful scholarship elicits these and similar questions amid a cultural atmosphere requiring from Christians care and conscientiousness concerning their political participation.

## How the Laity Can Renew the Church continued from front page.

[the consecrated].” Gratian, a contemporary of Honorius’ and the father of canon law, endorsed the same distinction.

Hand in hand with this schema, Sweeney continued, goes a sense that clerics and religious are to manifest holiness or personal piety to a greater degree than those burdened with secular concerns—the laity. Sweeney shared that as a young Dominican he was taught that religious life is a more perfect manifestation of the following of Christ than anything else is, even marriage, notwithstanding that marriage, unlike religious consecration, is a sacrament.

Understandings such as these belittle the lay state, Sweeney argued, and discourage lay participation in the Church. When these understandings shape the paradigm of how clergy and laity interact, the proper role of the laity is construed as fundamentally passive: they have the right and responsibility to receive spiritual goods from their priests and sometimes are invited by the clergy to participate in delegated priestly tasks. That such delegated participation is called “extraordinary,” as in “extraordinary ministers,” goes to show that it is not proper to the laity as such.

Guided by the important Dominican theologian Yves Congar, the Second Vatican Council articulated for the first time in the history of the Church, Sweeney said, a proper apostolate of the laity. The dogmatic constitution on the Church, the 1964 document *Lumen Gentium*, states that the laity, “by their very vocation, seek the kingdom of God by engaging in temporal affairs and by ordering them according to the plan of God” (§ 31). Two paragraphs later the document states: “The lay apostolate ... is a participation in the salvific mission of the Church itself. Through their baptism and confirmation all are commissioned to that apostolate by the Lord Himself” (§ 33).

Although some statements in other documents of Vatican II stand in tension with them, Sweeney said, these teachings on the lay apostolate coupled with the papal magisterium of John Paul II provide a sound basis for formation in lay mission. Sweeney insisted that laymen should understand themselves as ordained by Jesus to share in the royal priesthood of all the baptized, whose ministry in the world mediates Christ’s saving work. Laymen are, by virtue of their very baptism, made participants in Christ’s mission; it is not by way of incorporation into clerical mission that the laity enjoy ecclesial agency.

Since each Christian has apostolic dignity simply by virtue of his or her baptism, Sweeney continued, the way that clerics, consecrated persons, and the laity understand and relate to each other should be modeled on a paradigm of co-responsibility for the Church’s single end, which is (citing John Paul II’s 1979 encyclical *Redemptor Hominis*) that “each person may be able to find Christ, in order that Christ may walk with each person the path of life” (§ 11).

Sweeney has devoted himself to putting these teachings into action. In 1997 he co-founded the Catherine of Siena Institute, a formation program whose purpose is to assist parishes in lay formation. To date, the Institute has addressed over 100,000 Catholics throughout the world. More recently,

he has founded and now directs the Lay Mission Project, a lay formation program based in the Diocese of Sacramento. The Project offers an intensive and affordable online three-year certification program in theology and catechetics designed to equip lay leaders to bring the light of Christ into their secular professions and communities.

Connecting this theology of the laity to summer scandals involving ex-Cardinal McCarrick, Sweeney suggested that the dominant paradigm, though by no means the only source of problems, is nevertheless a serious impediment to the formation of cultures within the Church in which the commission and cover-up of abuse by clerics, and the resistance to lay involvement, would be much harder to sustain and escape repercussion.

Following a lively Q and A session Sweeney headed back to Hyde Park to participate in a panel discussion at the University of Chicago titled “The Catholic Church in Crisis.” Together with Hittinger and Kim Daniels, Associate Director of the Initiative on Catholic Social Thought and Public Life at Georgetown University and a member of the Vatican’s Dicastery for Communication since 2016, Sweeney explored issues of clericalism, governance, organizational dynamics, seminary formation, and possible avenues for reform.

During the panel discussion Sweeney emphasized that the lay, ordained, and consecrated vocations must each be accorded equal dignity, understood as conducing toward the Church’s single end in an equal way, and that persons from the three states in life should be given equal voice in discerning how the Church can live out her missionary mandate. Absent ecclesial structures and governance that align with these standards, Sweeney ventured, the cultural changes requisite for true reform of the clergy will not be forthcoming.

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# 2018 Summer Seminars Shape Future Faculty

Lumen Christi's 2018 Summer Seminars, offered for the tenth consecutive year, afforded 67 doctoral students and junior faculty the opportunity to gather at prestigious academic institutions for discussion of important texts and topics from the Catholic intellectual tradition. Attracting first-rate applicants from an international pool, the seminars are unique learning experiences that prepare young scholars for life as Catholic academics who will bring the light of Christ into the contemporary university.

This summer Lumen Christi hosted four seminars. The first, taking place from June 10 to 13 and hosted in partnership with several organizations at the University of Notre Dame and the Catholic Research Economists Discussion Organization (CREDO), was the third annual iteration of "Economics and Catholic Social Thought: A Primer." Led by a team of scholars comprising Martijn Cremers (Notre Dame), Andrew Yuengert (Catholic University), Mary Hirschfeld (Villanova), and Msgr. Martin Schlag (University of St. Thomas – MN), the seminar drew twenty doctoral students and faculty from fields such as finance, economics, history, political philosophy, and moral theology to the University of Notre Dame for three days of discussion. The Primer is designed to help participants better understand foundational principles of Catholic social teaching and to apply these principles to considerations involving topics common in economics, business, and finance. To that end the primary texts covered by the syllabus included social encyclicals such as Leo XIII's *Rerum Novarum* (the 1891 encyclical on the conditions of workers, considered the font of Catholic social doctrine), secondary literature, and case studies.

The seminar drew participants from elite institutions such as MIT, New York University, Northwestern, and University of Florida. Schlag celebrated daily Mass for the group and Cremers hosted several meals at his home near campus.

Asked about their experiences at the seminar, one participant called it a "wonderful gift from God." Another said, "I found the seminar instructive and enjoyable in every way." A third reported, "The seminar was really outstanding. I thought the format, the topics chosen, the management of our time, and the cross-section of participants to be excellent."

Participants also said they would put what they learned at the seminar to use in their own teaching. One attendee planned to incorporate aspects of the seminar into the managerial economics class

he teaches for MBA students; another wanted to integrate Catholic social thought into his teaching in the University of Chicago's core program; several said they would structure their courses on Catholic social teaching to reflect seminar conversations.

Two weeks later, from June 27 to July 3, Lumen Christi hosted "St. Thomas Aquinas on Free Choice," a seminar led by Fr. Stephen Brock (Pontifical University of the Holy Cross in Rome), an expert on the thought of Thomas Aquinas and veteran leader of Aquinas seminars (this being his fourth for Lumen Christi). Held this year at the University of Chicago, the seminar gathered seventeen humanities PhD students for discussion of the Angelic Doctor's writings on free choice and free will, comparing and contrasting them to modern philosophical accounts of those topics. The syllabus included ten 2.5-hour sessions and consisted mostly of selections from Aquinas' corpus, but also included supplementary material by Plato, Aristotle, Immanuel Kant, and Elizabeth Anscombe. Sessions were interspersed with daily morning Mass at nearby St. Thomas the Apostle Parish and by evening meals and socials.

*"Coming from a secular university, these sorts of opportunities are vital for my development as a Catholic scholar."*

The participants hailed from institutions like Princeton, Ohio State, Baylor, Saint Louis University, and University of Chicago. They spoke highly of the seminar's influence on their thinking and research. One attendee, working toward his doctorate in philosophy, reported, "this seminar is certainly one of the highlights of my career to date." Another, a student of systematic theology at University of Toronto's Wycliffe College, said the seminar "was easily one of the highlights of my graduate studies." A third said, "rarely have I enjoyed such intense and intelligent discussion of quite difficult philosophical topics."

Perhaps Lumen Christi's most celebrated seminar, "The Thought of John Henry Newman," met July 7 to 14 for the sixth straight year in Oxford's Merton College. Led by Fr. Ian Ker, an English priest and the world's leading Newman authority, this seminar brought fifteen doctoral students and faculty to the setting of Newman's early academic career for an immersive exploration of the life and thought of the man whom Pope Benedict XVI beatified in 2010 and who has been an inspiration for countless converts to Catholicism since his own Roman homecoming in 1845.

Student participants, gathered together from institutions such as Yale, University of Virginia, and the Catholic Institute of Paris and representing disciplines as diverse as English, healthcare ethics, phi-



losophy, and medieval studies, enjoyed a week of Oxford-style sessions—in which a participant prepares a short paper summarizing an assigned text and then leads discussion after fielding feedback from Ker. They also visited Newman’s old rooms in Oriel College and his retreat and study at nearby Littlemore College, the site of his conversion. Daily Mass was celebrated at Merton’s beautiful chapel, built in the thirteenth century, and in Newman’s private chapel at Littlemore. Participants also had ample time to explore Oxford’s many sights and to take in England’s World Cup semifinals match from local pubs.

Students were amazed by Oxford’s storied beauty and the serene, retreat-like quiet of the seminar, which introduced them to the major works and themes of Newman’s long career as both an Anglican and Catholic thinker. Calling it “exceptional in every sense” and “a truly superior academic experience,” several reported that they would use what they had learned in undergraduate courses they teach at their home institutions. One student said, “coming from a secular university, these sorts of opportunities are vital for my development as a Catholic scholar, and I am extremely grateful to Lumen Christi for the opportunity.”

Finally, from July 21 to 28, longtime seminar leader Russell Hittinger (University of Tulsa and co-chair of Lumen Christi’s Program in Catholic Social Thought) led his eighth consecutive semi-

nar, this time alongside Fr. Michael Sherwin, OP (University of Fribourg) on the topic “Truth and Authority in Augustine’s *City of God*,” which Hittinger had last taught in 2014. The seminar treated fifteen humanities doctoral students and several faculty auditors to a fine-combed analysis of the theological and philosophical themes of Augustine’s most comprehensive work, *De Civitate Dei*, with an eye toward how truth and authority function in the bishop of Hippo’s arguments. Students from Cambridge, Notre Dame, Harvard, and Florida State gathered at the Dominican School of Philosophy and Theology and then the University of California, Berkeley, for ten sessions.

One PhD student from Baylor studying historical theology said of the seminar that it “was Christian academic learning at its best—careful reading and argument amongst a community of friendship and shared living. This is a rare but necessary kind of educational enterprise.”

In 2019 Lumen Christi will expand its seminar programming to include an undergraduate, Hittinger-led seminar in California on Augustine; a seminar titled “Business and Catholic Social Thought: A Primer” at Notre Dame; a doctoral seminar in France on René Girard; and several more. The 2019 seminar offerings will be available early in the new year on Lumen Christi’s website.





# How Should Judges Judge?

This fall the federal judiciary gripped the nation's attention as Americans traded fear and hope about what Brett Kavanaugh's appointment to the Supreme Court would entail for key issues in social morality. On October 4, while picketers protesting Kavanaugh gathered down the street, a professor from Harvard up in the conference room of Jenner & Block's law offices was delivering an address on how judges should issue judgments.

Lumen Christi partnered with several legal societies to host Harvard Law School's Bussey Professor of Law, Joseph Singer, to lecture on "Judging as Judgment." Speaking to a crowd of ninety that included many judges, Singer, a specialist in property law, conflict of law, and federal Indian law, spelled out his vision for how judges should handle hard cases.

It is said that judges should not make the law but simply apply it, acting as umpires who neutrally administer the rules. And there's good reason for this. Deference to judicial precedent, the desire to make equality under law a reality, and respect for the role of judges within a democracy of elected legislators are all grounds for judges to simply "apply the rules" to the facts of a case. But that only works when cases are easy, Singer argued, and cases are not often easy. When they're hard, judges cannot avoid making judgments that invoke normative evaluations.

Singer contended that in hard cases judges have to draw upon various sources in order to judge well. These sources involve not only judicial precedent and the intent of the legislature that passed a statute, but also contemporary legislative records and the social history and context of the statute in question. Judges cannot just "apply the rules" in hard cases since such cases are hard in part *because* the meaning, scope, and purpose of the rules themselves are in question.

To illustrate his point Singer appealed to a statement in Title II of the 1964 Civil Rights Act, which states that discrimination on the basis of race or religion is prohibited in all "public accommodations" as defined in that same section. Later in the section it is stated that the following are public accommodations: hotels, restaurants, entertainment and sports facilities, and gas stations. The question Singer raised is whether the Civil Rights Act prohibits racial discrimination in public retail stores.

Only two or three courts have heard cases founded upon that



question, Singer said, and they have ruled that the Act does not prohibit such discrimination. These decisions would surprise most Americans, he said, and rightly so. For one thing, Congress has at its disposal language that can make clear when an enumerated list is intended to be exhaustive. The Title II section does not invoke such language. Second, the accommodations listed in Title II were those most likely to be segregated and to turn away customers; considered in historical context it could be that Congress simply

wanted to signal that such places were not *private* accommodations, and did not intend the list to be exhaustive of public accommodations. Finally, legislatures often deliberately make the language of statutes indeterminate when more specific language would perhaps fail to garner an adequate number of votes. Legislatures do this hoping that judges will interpret the laws well in the absence of specified text.

Given that the Civil Rights Act does not include language signaling an intent to articulate an exhaustive list, Singer reasoned, then it is either very badly written or else was meant for judges to interpret rightly. In either case, the courts have to construe the law. In so doing they should look to the various sources Singer had already mentioned.

For example, the most recent federal public accommodations law, the Americans with Disabilities Act (ADA) of 1990, includes retail stores in its list of public accommodations in which discrimination is prohibited. And the 46 states (including DC) with public accommodations laws all include retail stores. So when judges have to decide whether the five states (all southern) permitting racial discrimination do so lawfully, will they rule affirmatively simply on account of the absence of explicit mention of retail stores in the 1964 Act?

They shouldn't, Singer said. Judges should consider a ruling's potential social consequences and also evolving societal evaluative judgments before deciding a case.

He clarified that while he's not unsympathetic to the view that the intent of the laws' framers should guide judicial interpretation, it doesn't seem more democratic for judges to defer to the views of

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long-removed elected officials more than to contemporary lawmakers (views reflected, for example, in the ADA's inclusion of retail stores).

Ultimately it is not rules, but reasons, that should govern judges' judgments, Singer said. The prospect of having to draft an opinion in-principle acceptable to the losing party is a very helpful exercise for arriving at reasoned evaluative judgments. Singer tries to impart this to his students. In one class he has taught for 25 years he invites them to vote on a case as if they were judges. He then conscripts one student to draft a mock majority opinion (representing the majority vote), distributes that opinion to the group, and then has the "court" vote again. Always, Singer reported, at least two students

would change their minds on the second vote (most recently it was six students)—on account of, he suspects, having been forced to grapple with well reasoned, fair presentations of both sides of the issue as articulated in the mock opinion. Singer also grades students on how well they can characterize opposing perspectives and respond appropriately to them without caricature or evasion.

"Being a judge is complicated," he concluded. In a political climate in which the federal judiciary is both presented with cases of increasing social and moral consequences and scrutinized relentlessly by the public, this may be obvious. The importance of judges judging well, a topic to which Singer's address contributed stimulating food for thought, is no less for that.

## Fall 2018 At a Glance

### Graduate Student Reception

A social event hosted by Lumen Christi & the Calvert House Catholic Center.



### Lecture on "Can Transcendence be Organized?"

German sociologist Hans Joas spoke on debates about reform in the Catholic Church



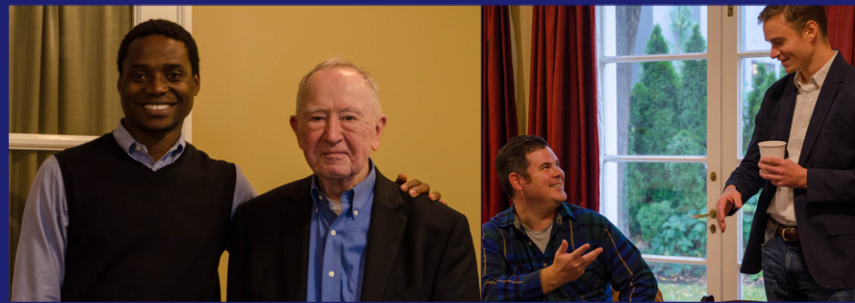
### Weekly Non-Credit Course with Fr. Paul Mankowski, SJ

An introduction to 20th century Christian apologists who articulated compelling visions of Christian faith and practice with style and wit.



### Master Class on "Councils and Popes: Who's in Charge?"

Georgetown historian Fr. John O'Malley, SJ, led students through the central Church documents on papal authority.



### Lecture on Belgian Priest and Astrophysicist Georges Lemaître

Cornell physicist Jonathan Lunine discussed Lemaître's faith and contributions to astrophysics and cosmology.







# THE BEACON PROFILE

## Peter Casarella

Associate Professor of Theology at the University of Notre Dame

### How did you first get connected with Lumen Christi?

Around 1998 or early 1999, Thomas Levergood reached out to me in Washington, DC. I had recently been appointed to the Catholic Common Ground Committee, which was still based in New York. Thomas wanted to co-sponsor an event with Common Ground and asked for my help. We met once in Washington, where I introduced him to the woman who would soon become my wife. At that time, Lumen Christi mainly focused on liturgy of the hours, and I do not think they had sponsored many conferences. Cardinal George, whom I had met once before when he was in Yakima, had only recently returned to Chicago as the new Archbishop. The event dealt with Catholic identity at the secular university and included David Tracy, Robin Darling Young, and two brilliant graduate students from the

local area, Sarah Bond in art history and Stephen Lewis in literature. The atmosphere was very convivial, and I think it was the beginning of a strong bond between the Cardinal and David Tracy.

### What do you research?

I have three main areas of research. I wrote a dissertation on Nicholas of Cusa (1401-1464) and his theology of the Word. That project forced me to learn about the history of medieval theology, and many of my engagements with Lumen Christi have been with regard to these topics. Second, I am interested in contemporary theological aesthetics, especially the work of Hans Urs von Balthasar. Finally, I am the son of a Colombian mother and an Italian-American father and have accompanied the Hispanic Catholic community since my college days. That commitment has blossomed into work as a Latino theologian, which is now my main area of research at Notre Dame. Some people find these three topics a bit eclectic. Actually, I see them building upon one another since Latino/a theology cannot ever attempt to remove surgically the Catholic tradition if it intends to remain a vibrant part of the intellectual discourse of the Church. The opposite dynamic also holds true. Right now, I am writing a book in Latino/a theology called *The God of the People*. It looks at the interface between the Catholic intellectual tradition, including Thomistic thinking about the common good, and the vibrant and relatively new reality of Latino/a Catholicism.

### Tell us about some of the pastoral ministries in which you're involved.

My contribution to pastoral ministry has a long history and extends to different continents since I also work right now with CELAM (the Latin American Episcopal Council) and the Pontifical Council for the Promotion of Christian Unity. Since I was a teenager I have had the desire to integrate my Latino background with a vocation to ask questions about Catholicism and in the service of the Church. What I am doing now is actually the fulfillment of a life's dream. I had known Bishop Kevin Rhoades (of Fort Wayne-South Bend) since he was a seminary professor. I moved to Notre Dame shortly after his appointment as the local ordinary, and we had already discussed my involvement in Hispanic Ministry before my arrival. It has been a blessing to work with him and in some ways this collaboration has a lot of continuity with my friendship with Cardinal George. We just ordained eleven men to be Hispanic permanent deacons for our diocese. I accompanied these men from the beginning. It has been a blessing to see the seed planted in the original vocation that is now bearing fruit a hundredfold in our diocese. One of these deacons works at Our Lady Queen of Hungary, which is a largely Mexican parish, in South Bend. When I give talks there, I know that I am blessed with a palpable integration into what Pope Francis calls "the holy people, faithful to God." I get a lot of energy and more than a little theological insight from that accompaniment.

### As an academic theologian, what role do you see yourself playing in helping the American Church move forward in these dark times?

The sexual abuse crisis has indeed darkened our times. I try not to look at the "American" Church as an isolated reality but as one part of the larger whole that is global Catholicism. Cardinal George actually wrote a thesis on this topic and spoke passionately to my undergraduate classes at DePaul about it a couple of times. Unfortunately, predatory priests and bishops who turn a blind eye can be found in almost every corner of the world. It's somehow not enough to say that we are an *ecclesia semper reformanda* (a Church always in need of reform). Catholic universities need to get off their soapboxes and look at their own practices of hiring.

*I try not to look at the "American" Church as an isolated reality but as one part of the larger whole that is global Catholicism.*



We need to trade notes across continents about best practices and the need for transparency. Pope Francis wrote a letter to Cardinal Marc Ouellet in 2016 saying: “the hour of the laity has come,’ but it seems the clock has stopped.” I agree with this statement wholeheartedly. We need to synchronize our watches and work in a collaborative manner with priests and bishops to restore the credibility of the Church. The task is immense, but I am still hopeful.

### **What is the value that a place like Lumen Christi provides for the Church in the academy?**

As I mentioned, I came on board when it was still on its first legs and watched Lumen Christi expand and flourish over the last twenty years. It still astonishes me how a small group of introverted graduate students with no funds could become an international research center with events on multiple continents. I think its primary mission should still be prayer. Thomas realized before almost anyone else that Catholic intellectual formation needed to take place outside of Catholic colleges and universities. In a sense, I knew about the importance of Lumen Christi even before I met Thomas since Yale College had had an active Catholic campus ministry, but nothing like Lumen Christi, at least in my day. My early work with Louis Dupré, an openly Catholic philosopher at a secular campus, prepared me for this collaboration. Catholics in secular settings need a forum for reciting the psalms, going to Mass, and debating the big questions about the nature and meaning of existence. Lumen Christi, in my mind, is the template for that synergy as well as for the integral evangelization of the intellect. I am grateful to have learned about it when I did and hope to see more secular schools adopt its wisdom.



### **Lauren Beversluis**

MA student at the University of Chicago Divinity School

#### **What is your area of study and what is the focus of your current research?**

I study the history of Christianity at the Divinity School, and I am particularly interested in the history of biblical exegesis in late antiquity, especially in visual culture. My current research focuses on early Christological metaphors that simultaneously express the earthly and the heavenly—the two natures of Christ and (through Christ) the salvation of the Christian. Imagery such as the “living stones,” the ark, the tomb, the burning bush, and the crux invicta contains deep theological meanings and insight into the Christian faith tradition at its origins and beyond.

#### **How did you first hear about LCI? Which event did you first attend, and why?**

I first heard about the Lumen Christi Institute when I arrived on campus in the fall of 2017, and I was very happy to be able to attend Father Stephen Brock’s master class on the metaphysics of St. Thomas Aquinas. One of my goals going into graduate school was to study in further depth the *Summa theologiae*, the eight (!)

volumes of which I had received as a college graduation gift. I felt extremely blessed to have the opportunity to closely read the text with other students and so eminent a Thomas scholar as Fr. Brock.

#### **What role do you think the Institute has played in your intellectual growth at the University of Chicago?**

The Lumen Christi Institute has played an important role in my education here at Chicago, supplementing the secular model of religious studies at the Divinity School with a deeper and more faithful engagement with the Catholic intellectual tradition. Lumen Christi’s wide range of programming has opened up new avenues into the world of Catholic imagination and culture, with which heretofore I had little experience. It has helped to unify for me the academic and religious spheres of life in a way that gives due respect to the integrity of both.

#### **Is there a particular event (or encounter with a scholar) that has had a strong impact on you?**

I really enjoyed the non-credit course this past spring on Flannery O’Connor, “the hillbilly Thomist,” with Fr. Paul Mankowski. I had not read O’Connor’s works in any depth before, and I was delighted to explore the ways in which she incorporates the sacramental into the everyday and the humanly grotesque or banal. To me, O’Connor presents the Catholic imagination in its fullness in a way that gets at the original and enduring experience of truth and the faith in our daily lives, giving us the eyes to see what is always before us.

#### **What do you plan to do after you have completed your degree from the Divinity School?**

Hopefully, I will begin doctoral studies in the history of Christianity and continue with my research in the scriptural exegesis and sacred art of late antiquity.





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## Save the Date

Jan 24  
**Mark Scott, OCSO**  
*Superior of New Melleray Abbey*

Feb 2  
**Candlemas Celebration**  
Chanted Mass & symposium on sacred music

Feb 15  
**Symposium on Action versus Contemplation: Why an Ancient Debate Still Matters**

Joseph Mueller, SJ (Marquette), Russell Hittinger (University of Tulsa), and John O'Malley, SJ (Georgetown) enjoy conversation with the audience during the October 13 symposium on "Vatican I: Loss and Gain with Papal Governance of the Catholic Church." **You can enjoy video and audio of this and our other events on our website, YouTube Channel, and podcast platforms.**

