

A Bright Light in Academe

John Muggeridge

“**A** Christianity,” warned C.S. Lewis in the summer of 1943, “which does not see moral and religious experience converging to meet. . . . in the positive infinity of the living yet supernatural God, has nothing in the long run to divide it from devil worship.” Lewis’ “long run” turns out to have lasted just over fifty-one years. For it was in October, 2004, that Chris Cranmer, a technician serving on the Royal Navy Type 22 Frigate, *Cumberland*, made history when he obtained permission from his captain to practise satanism. Thenceforth, he was free to perform satanic rites on board and could expect to be buried according to the rituals of the so-called church of satan, should he be killed in action. And here one has to remember that traditionally Royal Navy captains exercise spiritual as well as secular jurisdiction over their crews. The Church of England authorizes them to marry as well as to bury, and at least until a hundred years ago, they would have been punished for failing to conduct Sunday services at sea. Nor is it as if Cranmer’s captain had acted out of turn. His decision to sanction devil worship received unqualified support not only from *H.M.S. Cumberland*’s chaplain, but also from Britain’s Ministry of Defence. An MoD spokesman pointed out that his department, being an equal-opportunities employer, “did not stop anyone from having their own religious values.”

The naval P.R. man has a point. In these multiculturalism-worshipping times, who could argue with not stopping anyone from having their own religious values? Nor need we worry about the adverse effect that Cranmer’s spell-casting might have on his shipmates. Now that wicca has gone legitimate, its supernatural claims have as little credibility among our reigning secularists as those of any other organized religion. Hollywood laughs at witchcraft almost as often as it sneers at Catholicism. We don’t drown witches any more; we invite them to ecumenical conferences. So what could possibly be wrong with a little bit of innocent ship-board necromancy?

Nothing; but there is everything wrong with a society whose leaders refuse to make a qualitative distinction between the pentagram and the Cross. Ours is the age of believe-it-yourself religion. Already progressive-minded Christian missionaries have begun to talk scathingly of “conversionism,” their task as they see it being not to wean pagans from error and superstition, but

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to make them feel better about their paganism. In a fallen world, such a subjectivist approach to creedal differences spells disaster. One thinks of a line from the *Adoro Te Devote* as translated by Gerard Manley Hopkins: “Truth Himself speaks truly, or there’s nothing true.” If there is no Truth, there can be no truth. We’re back to where the Children of Israel were under the rule of judges when “every man did that which was right in his own eyes.” Such ideological anarchy proved intolerable. No wonder the Israelites besought God for a king. They could not live without a universally recognized moral arbiter.

Neither can we. But instead of looking for an acceptable alternative to subjectivism, we’ve deified it. Choice is our god. It has replaced natural law as the standard for judging human behaviour. What is validly chosen is right. What obstructs valid choosing is wrong. And as with natural law, choice’s outcomes are immutable. A man may choose to be a woman, a woman a man, two members of the same sex husband and wife, and after birth certificates and marriage lines have been rewritten accordingly, they are so. Some day no doubt the courts will decide that a lunatic who has chosen to believe he is a poached egg is a poached egg. Already, as Hadley Arkes has observed, judge after judge, in disallowing state laws prohibiting partial-birth abortions, has insisted that an unborn baby can’t go on being an unborn baby once its mother has chosen to turn it into an abortion. To Their Honours, the evidence supplied by ultra-sound, which makes murderous nonsense of their logic, is irrelevant. Ideology trumps reason. And this perhaps is the most dangerous aspect of institutionalized subjectivism. It kills rationality. You cannot debate justice with someone who bases his argument on the premise that justice consists in him getting what he wants.

The judicial ramifications of such worship form the subject matter of Professor Arkes’ magisterial *Natural Rights and the Right to Choose*. Arkes is a Straussian, always a black mark in liberal academe, which in his case, however, has not prevented him from becoming the Edward Ney Professor of American Institutions at Amherst College, and getting five scholarly tomes published by Princeton University Press. Moreover, and this is mortal sin to our reigning progressivists, he reads history forwards, in accordance with the view of Pope Leo XIII, who in *Rerum Novarum*, his 1891 encyclical on the condition of the working classes, advised would-be reformers of their society to recall its members “to the principles from which it sprang.” For, argues Leo, “the purpose and perfection of an association is to aim at and attain that for which it is formed, and its efforts should be put in motion and inspired by the end and object which originally gave it being. Hence to fall

away from its primal constitution implies disease, to go back to it recovery.”

For Arkes, the primal constitution of the United States is—its Constitution. That collection of documents enshrines the notion of government as the handmaid of natural law. And, since natural law is written in all our hearts—none of us are surprised to learn that killing and stealing are wrong—natural law government can only be popular government. Marxists, of course, claim that “We, the People” is a hoax. What’s really meant is “We, the special interests,” and the War of so-called Independence was in fact nothing more than a struggle over markets between British and American capitalists. Arkes, however, a true disciple of Leo Strauss, takes the Founding Fathers at their word. He assumes, for example, that James Wilson, a member of the first U.S. Supreme Court, had no hidden agenda when he argued that, whereas in Britain the authority to govern came from above, in the United States “laws derived from the pure source of equality and justice must be founded on the consent of those, whose obedience they require.” Supreme authority, according to Wilson, belongs only to “Him Who is supreme.” Among His creatures there could be neither superiority nor dependence.

Arkes uses Abraham Lincoln to exemplify the statesman committed to reforming his society by recalling its members to the principles from which it sprang. Clearly by 1850 those principles had already begun to appear old and irrelevant in certain influential U.S. circles. Why else would Lincoln in 1854 have referred to “the teaching of my *ancient* faith that all men are created equal?” (italics added). He wanted to make the point, of course, that if we really are all created equal, then slavery, which was the all-absorbing issue of his day, is not only inhuman; it’s un-American. An originalist approach to the Declaration of Independence rules out ownership of one man by another. The only question, which for Lincoln wasn’t a question, was whether the negro was a man. Americans may trade cattle but not people. To establish beyond cavil the truth of that aphorism, Lincoln fought and won a civil war.

But for Arkes Lincoln is more than just a faithful intellectual son of his nation’s founding fathers. He is an example for succeeding generations of U.S. national leaders. The need to reaffirm our nation’s primal constitution is stronger today than perhaps at any time in our history. Slavery took away the liberty of an important section of U.S. society. Abortion goes beyond shackling. It takes away life. And without life, there can be no liberty to enjoy or happiness to pursue. Proponents of abortion talk about choice. But that concept is not mentioned in the Constitution. The Founding Fathers didn’t choose to dissolve the political bands which had connected the American people with Great Britain. It had in their opinion become necessary to

do so. Nor do non-psychopathic mothers choose to murder their unborn children. They come to believe that aborting them is their only recourse. And they are encouraged in this belief by abortion counsellors, whose job, after all, is to counsel abortion. But also by the death-ward tendency of current social legislation. Every step taken by the yankers-out of Mrs. Schiavo's feeding tube was, as *First Things* explained, strictly in accordance with the letter of the law. Her benighted parents were the ones who sought to save their daughter's life by appealing to Congress and the President.

So how did our nation's guardians of constitutional orthodoxy get this way? Arkes blames higher education. "The Laws of Nature and of Nature's God" still carry weight in non-academic circles. Visit a neighbourhood bar, and sooner or later you are likely to overhear someone say that such and such untoward behaviour on the part of a boss, a colleague, or an ex-wife "just isn't —ing right." In a faculty lounge, however, talk of this sort would be meaningless. The notion that ideas of right and wrong derive from anything more exalted than the conjunction of certain chemicals in the human brain would seem too ludicrous to merit consideration. To be a lawyer is to have gone to university, and lawyers become judges. No wonder, then, that their decisions reflect the moral nihilism that they had imbibed as undergraduates. No wonder too that they put such store by *Roe v. Wade*. For them that decision is the sexual equivalent of Lincoln's emancipation proclamation. In arguing that a woman's right to an abortion falls within the right to privacy protected by the Fourteenth Amendment, its authors have given the apostles of unfettered sexual expressionism some powerful legal weaponry. And there is not even a Geneva Convention to restrict its use. If the right to privacy protects abortion, why not bestiality? In our choice-drunk universe, a constitutional amendment originally designed to protect the rights of one minority has ended by being invoked to justify the indiscriminate culling of another. As for those members of that second minority who are lucky enough to have emerged from their mothers' birth canals in one piece: They face a world in which sexual preference, like taste, is something about which there can be no disputing.

The obvious cure for miseducation is reeducation. Those died-in-the-nylon subjectivists that populate our arts faculties are not open to reason. Having, after all, renounced its use, they are unlikely to respond to the most brilliantly constructed pro-life syllogisms. But what about the hordes of many-childrening Christian fanatics who last year gave George Bush the White House? Anti-choice logic should surely make an impression on them. Except that they too have been infected by subjectivitis. How could they not be

when the gospel of self-realization is preached on every hoarding, in every shopping mall, in every soap opera, in every popular song and in almost every movie? We had a student at our college who, poor fellow, was afflicted with one of the acutest stutters I have ever encountered. He chose to enroll in the radio broadcasting programme with a view to finding employment as a news reader. Nobody counselled him not to.

And even our most stalwartly anti-abortion president, as Arkes points out, fights shy of giving public expression to the natural-law argument against pre-natal killing. Three years ago he signed the Born-Alive Infants Protection Act. Arkes, as its author, was invited to witness him doing so. In private conversation, President Bush, Arkes remembers, having made some strong statements about the need to change American culture, and restore belief in the promises contained in the Declaration of Independence, concluded by asserting that the Born-Alive Infants Protection Act “establishes a principle in American law and American conscience: there is no right to destroy a child who has been born alive. A child who is born has intrinsic worth and must have the full protection of our laws.” Certainly. But what about a child threatened with destruction *before* he is born? Does he or does he not have intrinsic worth and full protection of our laws? The President wouldn’t say. His silence on this question, Arkes suggests, puts him in the same boat as those House Democrats who agreed to vote for the Born-Alive Infants Protection Act as long as the preamble and findings, its only overtly anti-abortion sections, were omitted. And so they were. And so the bill sailed through both Houses of Congress. Even Senator Edward Kennedy could hardly object to legislation protecting the lives of neonates.

Thus Arkes’ hope that his bill would at last touch off an unfettered national conversation on the constitutional implications of legalized abortion came to nothing. We continue protesting; our opponents continue sneering or, as in the case of Naomi Wolf, who famously pleaded in the *New Republic* for a kinder and a gentler feticide, condescending; while our political allies confine themselves to nodding sympathetically at our horror stories. But there is hope. There always is. It lies precisely with scholars such as Hadley Arkes, who have managed to keep their places in liberalism without sacrificing their principles. They are western civilization’s left-behind-men, who continue to resist the dictatorship of the libertariat from within its power base. *Natural Rights and the Right to Choose* was published by Cambridge University Press. Rarely can the pro-life argument have received such a prestigious endorsement. Who knows? Thanks to Arkes and his fellow members of the anti-choice *maquis*, we may yet attain that for which the United States was formed without having to fight another civil war.