

The End of Martyrdom: Religious Liberty in Liberal Orders

C. C. PECKNOLD
The Catholic University of America
Washington, D.C.

“The revelation of Christ makes visible for the martyr the metaphysical disorientation that marks the false political order.”¹

ALEXIS DE TOCQUEVILLE observed in 1831 that Catholics were not only “the most obedient believers” but also “the most independent citizens” of American democracy.² So it should not be surprising that when American Catholics face threats to their own religious liberty as “obedient believers,” they will diligently turn towards the courts for political redress concerning any impending harm. However, this Catholic confidence in the protection of religious liberty, which it has been presumed liberal orders would inevitably provide in perpetuity, is increasingly eroding.

In 2010, Francis Cardinal George famously commented in remarks to a group of priests that he expected to die peacefully in his bed, but that his successor would die in prison, and his successor would “die a martyr in the public square.” After a martyred bishop, Cardinal George speculated, there would be a successor who “will pick up the shards of

¹ Erik Peterson, *Theological Tractates*, trans. Michael Hollerich (Stanford: Stanford University Press, 2011), 167-68.

² Alexis de Tocqueville, *Democracy in America*, trans. Gerald Bevan (London: Penguin, 2003), 338.

a ruined society and slowly help rebuild civilization, as the church so often does in human history.”³ The Cardinal’s words have power because while they acknowledge that there is no imminent threat of religious persecution in America—a comparatively preposterous notion, especially given the prevalence of actual Christian martyrs in other parts of the world today—there is nevertheless an almost apocalyptic suggestion that some kind of persecution looms on the not so distant horizon that cannot be repelled in the courts, and thus may demand another kind of response.

In America and Europe at least, the secular assumption is that persecution and other forms of religious violence are the result of too much attachment to religion.⁴ We belong to an enlightened political order which has saved us from religious violence, including martyrdom. This secular conviction makes it difficult for many not only to see the martyr *as* martyr, but also to see *as* the martyr sees. This suggests that contemplation upon the martyr provides an opportunity for us to think about the intelligibility of Christian witness in a secular age. This essay is thus an attempt (a) to make an historical argument for why we tend to think Christian persecution in general and martyrdom in particular is impossible in our modern liberal democratic orders, and (b) to return to Augustine’s *City of God* as a seminal source for rethinking the place of the martyr. The two parts of the essay, then, speak of the “end” of martyrdom in two senses: in terms of its cessation in the modern, and its completion in the antique. After such a temporal reversal, the conclusion will return to the modern by way of two Augustinian theologians who have bridged the modern-antique divide through the category of the martyr. I will conclude that reflecting upon the martyr draws us very near to the problem with liberty in liberal orders, including religious liberty.

³ Francis Cardinal George, O.M.I., “The Wrong Side of History,” *The Cardinals Column, Catholic New World: Newspaper for the Archdiocese of Chicago* (Oct. 21–Nov. 3, 2012), 1.

⁴ William Cavanaugh argues that religious/secular distinctions have been constructed largely by narrating religion as the source of violence and division so that the state could take up the task of securing peace and unity. See William Cavanaugh, *The Myth of Religious Violence: Secular Ideology and the Roots of Modern Conflict* (Oxford: Oxford University Press, 2009).

The End of Martyrdom: Making Persecution or Martyrdom Obsolete?

Reflecting on the French Revolution, Cardinal Jean-Marie Lustiger of Paris has said that the dispute between church and state in his country historically

turned on the question of whether there is some “absolute” that is manifested and embodied in the human institution of the state. . . . For those who affiliate themselves unconditionally with the agenda of the Revolution, national sovereignty is ultimately absolute. . . . The sovereign state cannot tolerate citizens appealing to any other tribunal. But the religious conscience does precisely that in appealing to God as the foundation and guarantee of all freedoms.⁵

Cardinal Lustiger’s observation about a sovereign state that cannot tolerate appeal to any other tribunal should haunt any serious Christian, or indeed any citizen who thinks that there are tribunals of faith and morals which are prior to, and transcend the state. There remains an intimate bond between Hobbesian absolutism and the Lockean social contract, a bond between political absolutism and liberal attempts to limit power that we cannot easily escape. The narrative of the state as savior, as a force that comes to limit the power of religion, to limit the presumed “violence of religion” in the wake of sixteenth-century theological protestations against the Catholic Church, works powerfully in the background of how modern liberal orders understand “religious liberty.” With Cavanaugh, I think this narrative is simply wrong. But I want to examine the mythology from the perspective of the martyr. There is something about “the myth of religious violence” that also encourages us to think about the end of martyrdom too—liberalism sets out to make martyrdom irrelevant, politically impossible.

⁵ Emile Perreau-Saussine, *Catholicism and Democracy: An Essay in the History of Political Thought* (Princeton: Princeton University Press, 2012), 13.

Medieval Mystical Migrations—Kantorowicz

In 1957, in his landmark study *The King's Two Bodies*, Ernst Kantorowicz demonstrated his own version of “the migration of the mystical”—especially the migration of the idea of the *corpus mysticum*—from the Church to a new polity-centered kingship, which he saw standing at the origins of the modern state. After the thirteenth century, he noted, such polities, constructed in relation to the Church, needed to endow political community with a mystical character. He observed the various ways in which the polity began to be spoken about in terms which made it “co-eternal with the Church.”⁶ Kantorowicz noted that just as there was a migration of the idea of the mystical from Church to state, there was also a concurrent shift in martyrdom as well: from *martyria pro fidei* to *martyria pro patria*, or put differently, from martyrdom for the celestial city to martyrdom for the earthly city alone. This was bound up with the kind of shift that was taking place in the idea of *patria* itself, which had become radically localized in the middle ages, in deference to the Church’s teaching about the mystical, heavenly *patria*. Kantorowicz summarizes his point well this way,

The Christian, according to the teaching of the early Church and the Fathers, had become the citizen of a city in another world. His true *patria* was the Kingdom of Heaven, the celestial city of Jerusalem...For the sake of that *communis patria* in heaven the martyrs had shed their blood.⁷

As early as the thirteenth century, but certainly by the fourteenth century, Kantorowicz finds evidence that “the crown of martyrdom began to descend on the war victims of the secular state.”⁸ He notes the rise of a “quasi-religious aspect of death *pro patria* as a ‘martyrdom’ clearly derived from the teaching of the Church,” an analogical adaptation of ecclesiastical forms of martyrdom to civic forms. He notes that this ecclesial “source was tapped persistently, especially in France where the

⁶ Ernst Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton: Princeton University Press, 1997), 232.

⁷ *Ibid.*, 234–5.

⁸ *Ibid.*, 244.

leading politicians began to deploy the forces of religious sentiment systematically and make them subservient to the undisguised political goals of the new *corpus mysticum*, the national territorial monarchy.⁹ Now self-sacrifice on the battlefield, for the sake of the political *corpus mysticum*, was at least analogous with “the canonized martyrs for the *corpus mysticum* of the Church, the head of which was Christ.”¹⁰ Similarly, “just as Christ laid down his life for his corporate body, so was the Prince supposed to sacrifice his life for the commonweal.”¹¹ The chief problem with the analogy, of course, is the eternal-temporal distinction. What gave martyrdom *pro fidei* its essential character was that it conformed to the eschatological revelation of the sacrifice of Christ. To extend martyrdom to the temporal *patria* was, as Eric Voegelin once put it, “to immanentize the eschaton,” creating a new mystical patriotism through a transferred understanding of self-sacrifice, not in witness to Christ the truth, but for the sake of the *patria*.¹² If the martyr is an occasion for contemplation, this had the effect of also shifting the object of contemplation away from Christ and towards the temporal *patria*. This was possible and arguably legitimate because the temporal *patria* was so closely associated with the Church, as the mystical body of Christ, that it wasn’t seen as a “turning away” at all. Yet by the sixteenth century, that close association between the temporal and the eternal had shifted.

Kantorowicz pays special attention to the late medieval Gallican origins of these shifts, but early and middle and late modern examples of political philosophy can be marshaled in support of Kantorowicz’s thesis that these shifts not only were transferred embodied allegiances from the body of Christ to the temporal state but shifted the way early modern thinkers imagined the idea of martyrdom itself: in effect, these “migrations of the holy” made it easier for people to contemplate *martyria pro patria* than to contemplate *martyria pro fidei*. As we will see, the early modern Machiavelli offers a revealing example of these trends prior to the formation of the modern social contract tradition.

⁹ Ibid., 249.

¹⁰ Ibid., 256.

¹¹ Ibid., 269.

¹² Eric Voegelin, *Science, Politics and Gnosticism* (Chicago: Gateway, 1968), 89.

Pre-Liberal Migrations: Machiavelli's God

It is often said that Machiavelli was an “objective realist,” the founder of *realpolitik*, but a close look at the closing chapters of *The Prince* reveals him as a passionate and mystical patriot intent on reframing political sovereignty in just the ways that Kantorowicz noted, not only as a new kind of *corpus mysticum*, but also as the locus for contemplation on true sacrifice.

Consider the metaphors he uses for Italy, which he hopes to unify through an act of political imagination. Towards the end of *The Prince*, he exhorts the readers to free Italy from “the barbarians,” in terms oddly reminiscent of Augustine’s *The City of God Against the Pagans*. The liberty of Italy is analogous to the liberty of Israel, the prototypical *patria*. Similarly, Moses is imagined as the prototypical Prince. Machiavelli writes, “If, as I said, it was necessary for the people of Israel to be enslaved in Egypt to make known the virtue of Moses . . . then at present, to make known the virtue of an Italian spirit, it was necessary for Italy to be reduced to her present conditions, and that she be more enslaved than the Hebrews.”¹³ Machiavelli likened Italy to “the promised land of greatness and glory,” and he likened the Prince to a prophet of God, who must sometimes enslave a people to make known the virtue of the Italian spirit.

In *Machiavelli's God*, Maurizio Viroli notes how Machiavelli understood Moses especially as the paradigmatic ruler who was willing to do evil for the sake of the common good, and was thus rewarded with God’s friendship, for God rewards even those who do evil for the sake of the state—for love of ‘*patria*.’ In Viroli’s telling, Machiavelli understands God’s love of nation expressed not only through killing Egyptians, but by executing 3,000 of his own people in order to instill a sense of terror in them.¹⁴ Obviously, in the light of orthodox Christian belief, this is a heretical view of God—capricious and nationalistic. But precisely because he thinks that civil religion is necessary, Viroli can commend Machiavelli’s God. In his view, and presumably Machiavelli’s, Israel is

¹³ Niccolo Machiavelli, *The Prince*, trans. Peter Bondanella (Oxford: Oxford University Press, 2008), 87.

¹⁴ Maurizio Viroli, *Machiavelli's God*, trans. Anthony Shugaar (Princeton: Princeton University Press, 2012), 61-5.

not a special *patria*—except in one sense: her civil religion is exemplary for all other nations that want to mystically enshrine the prince as well as the polity.

For more than a millennium and a half, Christ had been proclaimed as the long-awaited Messiah, and the Church was not only the new Israel but the very body of Christ, an extension of the Incarnation for the redemption of humanity until the end of time. Yet tellingly for Machiavelli, now a new redeemer is expected—a redeemer which is not exactly Christ, but is analogous to him, a new Prince. Just the same, he expects Italy to be a new Israel. He imagines Italy “left as lifeless” and awaiting “the man who may heal her wounds . . . who can cure her of those sores that have been festering for so long.”¹⁵ It is as if Italy is exiled Israel, a lifeless Diaspora, which awaits Christ who may heal her wounds, and unite her in himself. This is precisely what Machiavelli looks forward to: the resurrection of Italy as a new *corpus Christi*, as the national head in which all the cities and towns can subsist in the one Italian spirit. It is a kind of unholy exaltation of Italy as the body of Christ.

Tellingly, Machiavelli’s “new Israel” is redeemed not by grace but by glory: “Everything,” Machiavelli writes of Italy, “has converged for your greatness.” And he exhorts his Italian princes, “God does not wish to do everything.” God has only led them to the promised land: “the rest you must do for yourself.”¹⁶ The analogy has a vaguely Pelagian ring to it. Italy could be redeemed and unified only by prudence, political wit, and force; creating a certain mythology was an essential part of that need to reconstitute the allegiances of the people around a new body politic. He paints an image of biblical proportion, drawing on the book of Exodus most explicitly: “We now see here extraordinary, unprecedented signs brought about by God: the sea has opened up; a cloud has shown you the path; the rock has poured forth; here manna has rained.”¹⁷ Just as he likens Italy to Israel, he also likens the Prince to Christ. Indeed, in terms very much reminiscent of how the Church speaks of itself as the new Israel, Machiavelli generates a “co-eternal” understanding of the state. In his distorted view, both God and the Church looked favorably on this

¹⁵ Ibid., 88.

¹⁶ Ibid.

¹⁷ Ibid.

shift, and he saw a sign of support for this in the fact that a Florentine politician, Giovanni de' Medici, had recently become Pope Leo X (the very same pope who excommunicated Luther in 1521).

This new, distinctly holy, sense of state sovereignty was set strongly against claims to "papal absolutism," which he saw developing in response to the Protestant reforms. As the Catholic Church argued for the privilege of papal intervention in the ecclesial affairs touched upon by a sovereign state, the rising impulse was to espouse that republican liberty must be a freedom *from* ecclesial action, and positively this was because the *patria* itself was to be understood as a power "absolute by nature." It is here that we see not only the shift of the mystical from the Church to the state, but also a shift in the concept of negative and positive freedom. Now it is the state which sees itself as the protector of religious freedom, a negative freedom *from* the "absolutist" claims of the Catholic Church; and it is the state which also sees itself as the sole locus of a positive liberty, freedom for religion which serves the ends of the state securing liberty.

John Neville Figgis notes that such early modern intellectual movements helped to transfer the "halo of sanctity that had hitherto been mainly the privilege of the ecclesiastical" to "the holiness of the State."¹⁸ It is for this reason that Machiavelli could love his *patria* more than his own soul. Indeed, Machiavelli praised the people of Florence for defying the pope, because they loved their city more than their souls. Shifts in the locus of liberty, and the migrations of the holy, did not occur, however, without also changing how we think about self-sacrifice. In *For the Love of Country*, Maurizio Viroli points out the soteriological and eschatological dimensions of Machiavelli's belief that God regards these Florentinians as "saviors of [their] countries" who will "enjoy eternal beatitude" precisely because they were willing to sacrifice their soul for the sake of their city.¹⁹ As Viroli notes, for Machiavelli, the Catholic religion was in need of reform, but not necessarily the kind Protestant reformers offered, and certainly not the earlier reforms, such as those associated with the mendicant movements. The mendicant saints, like Francis

¹⁸ John Neville Figgis, *Political Thought: From Gerson to Grotius 1414-1625* (New York: Harper, 1960), 93.

¹⁹ Maurizio Viroli, *For Love of Country: An Essay on Patriotism and Nationalism* (New York: Oxford University Press, 1997), 38-9.

and Dominic, encouraged humility and obedience to the bishops. These were precisely the wrong sort of exemplar, and the wrong sort of citizen, because they conformed themselves to Christ's sacrifice, not to the sacrifice which would make Italy great.²⁰ *True religion*, for Machiavelli, was *only* the religion of state—just as the only *reason* which counted was *the reason of state*—and so the true reform of Christianity would come only from being conformed to the city.²¹ Similarly, being a “martyr” could only mean being a martyr for one's *patria*, where all self-sacrifice was ordered to the ends of the state, which now alone seemed to enjoy divine eternal favor.

Machiavelli's God sounds very much like the nominalist God of absolute power, who does not act in accordance with the goodness of his nature but acts capriciously, according to his will—which may, for the purpose of establishing a people, cause evil.²² The heterodox Machiavelli understands that the state exists to make citizen-saints, and the pinnacle act of such citizen-saints is self-sacrifice for country, and thus the citizen-saints exist for the glory of the state. The analogy to martyrs has disappeared. The citizen-saints are not analogous to martyrs, they are the new martyrs. This tautology is underwritten by a shift in the end of sacrifice, from Christ to Italy. Sacrifice is understood by him no longer in terms of conformity to Christ's sacrifice, the true end of sacrifice which is truly present in the sacrament of the altar, and in the saint conformed to the reality of sacrifice, but now sacrifice can be understood solely in terms of the love of country, which is by nature absolute.

Modern Liberal Orders

Included in his analysis in the *The Myth of Religious Violence*, Cavanaugh intimates that, like Machiavelli, Thomas Hobbes also eliminates the possibility of martyrdom for Christ, but more subtly, and for different reasons. For Hobbes, the absolutist “Christian” state makes martyr-

²⁰ Ibid., 206.

²¹ For a fuller account of these transformations in Machiavelli, see Maurizio Viroli, *From Politics to Reason of State: The Acquisition and Transformation of the Language of Politics 1250-1600* (Cambridge: Cambridge University Press, 2005). Emphasis mine.

²² See Michael Allen Gillespie, *The Theological Origins of Modernity* (Chicago: University of Chicago Press, 2009).

dom obsolete. As Cavanaugh writes, “Thomas Hobbes assumed the fittingness of dying for the mortal god, Leviathan. Christian martyrdom, however, he restricted only to those who died for proclaiming one single article of faith ‘Jesus is the Christ.’”²³ No other article of the faith could count as martyrdom save that one claim, which was detachable from other ecclesial and creedal claims. Yet while formally admitting such a witness to Christ, he materially denied it. For Hobbes, “those who oppose the laws of the civil state for any other doctrine do so for private ambition and deserve their punishment. . . . There can be no martyrs in a Christian commonwealth, for one cannot witness to those who already believe.”²⁴ Hobbesian absolutism, which so carefully circumscribes what can count as martyrdom, seeks to eliminate especially every possible cause of disobedience to the state (our mortal god). In this way, Cavanaugh concludes, “Hobbes eliminates the possibility of martyrdom for Christ.”²⁵ In the words of Figgis, at this point, “the religion of the State has replaced the religion of the Church.”²⁶

Now an objection will arise. It will be said that modern liberal orders came to save us not only from religious violence, but also from this sort of political absolutism. Yet these pre-liberal elements of absolutism, which also intimate a kind of religious understanding of political self-sacrifice, are not absent from the new social contract theorists. If one believes that there is a very bright line between Hobbes and Locke, the suggestion that these pre-liberal strands are still potent in the newly forming liberal orders will be most likely rejected. But are not these pre-liberal elements apparent in contemporary challenges concerning religious liberty?

Following C. B. MacPherson, the dividing line between Hobbes and Locke can be understood as wafer thin. MacPherson argued that both were “possessive individualists” whose social contract theories each required submission to an overarching political power to secure an expansive economy.²⁷ In this sense, both Hobbes and Locke can be

²³ Cavanaugh, *The Myth of Religious Violence*, 176.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Figgis, *From Gerson to Grotius*, 124.

²⁷ C. B. MacPherson, *The Political Theory of Possessive Individualism: From Hobbes to Locke* (Oxford: Oxford University Press, 2011).

understood as “absolutists,” even if Locke has provided a more “tolerant” and gentler version of it. We need not look far to see this point. For Locke, tolerance was not extended to anyone who would have metaphysical, moral, or theological reasons that could challenge the basic voluntarist framework of the social contract itself—any ancient, realist metaphysical or theological challenge to the social contract was deemed intolerable because it threatened the stability of the liberal order constructed out of the consent of individual will rather than in conformity with an objective Good. For this reason, Locke thought that neither atheists nor Catholics could be tolerated.²⁸ Why atheists and Catholics? Locke thought atheists, though they were a very small minority, posed a threat because he did not think they could develop the kind of virtues necessary for governing, which he thought included belief in a Creator, and belief in the moral law—the problem with atheists was that they followed no “potentate” but themselves. But the more serious threat was from the more numerous Catholics, who posed a potentially grave threat because they followed the transcendent dictates of a “foreign potentate” whose teachings could order the lives of citizens to ends which might contradict the ends of the state.

A thinker like Rousseau—whose anthropology denies basic Catholic doctrines such as original sin, and whose sociology denies the institution of the Eucharist, the apostolic nature of bishops, and the formation of saints through the life of the Church on pilgrimage—can lay the ground work for a more tolerant embrace of atheists, but Rousseau expands Locke’s intolerance towards Catholics, indeed, for all Christians. Rousseau revealed his antipathy towards Christians when he declared that “they know better how to die than how to conquer.”²⁹ Yet the problem for Rousseau was not really so very different from that of his pre-liberal forefathers. It is not so much that Christians know better how to die, but that devout Christians would not make good citizens, because they were ordered not to the general will but to God’s will.³⁰ Would it not follow that, for Rousseau, the only account of sacrifice wor-

²⁸ John Locke, *A Letter Concerning Toleration*, first published 1689 (Indianapolis: Hackett, 1983), 50-1.

²⁹ Jean-Jacques Rousseau, *On the Social Contract* (London: Dover, 2003), 95.

³⁰ For a helpful discussion of this point, see Emile Perreau-Saussine, *Catholicism and Democracy*, 14-36.

thy of contemplation would be those sacrifices that were ordered to the general will?

Rousseau certainly recognized the importance of religion for politics, and he envisioned a new enlightenment form of civil religion. Other liberal theorists like Montesquieu simply sought to redirect the old religion. Those were the two modes of the enlightenment approach to civil religion: either replace and construct a new civil religion, or co-opt the existing religion to serve the ends of the state. The American founders rejected Machiavelli and Hobbes, embraced Locke, and preferred Montesquieu to Rousseau. They used the language of the Puritans to claim that authentic Christianity entails virtue directed toward the building up and defense of the republic.³¹ But in all of this, we can see the general trend of shifting the locus of liberty, sacrifice, and redemption from the Church to the state in a way which makes plausible the thesis that the modern state has made us ambivalent or indifferent not so much to self-sacrifice or liberty, but to self-sacrifice and liberty which is ordered to anything which precedes or transcends the ends of the social contract, or the republic, or the nation.

Alexis de Tocqueville, however, stands as an important check against this narrative—or perhaps he is the first theorist to see clearly the problems inherent in liberal political principles. Famously admiring the system of localized self-government in pre-Civil War America, he saw in America forms of the social contract that differed from the European forms. He saw America as a place which could check all of these tendencies to centralization and absolutism, and marveled at so many different creeds living in relative peace and harmony—noting especially the welcome place of Catholics in this American experiment, a social contract which miraculously seemed not to be at odds with Catholicism. America not only seemed immune even from Locke's vicious intolerance of Catholics, but seemed to incline to the very flourishing of Catholicism.

Yet Tocqueville also worried about our democratic experiment. He worried that democracy held within it the same absolutism that can readily be seen in earlier social contract theorists such as Hobbes. Tocqueville imagined the possibility of a new kind of invisible tyranny

³¹ Viroli, *Machiavelli's God*, 19-20.

emerging in American democracy. In a famous passage of *Democracy in America*, he notes that while tyrannous kings of old could discipline bodies, the tyranny of the majority could discipline souls. He writes: "Formerly tyranny employed chains and executions as its crude weapons; but nowadays civilization has civilized despotism itself."³² Where ancient regimes, emperors, kings, and princes had once used physical violence, "our democratic republics have made it into something as intellectual as the human will it intends to restrict."³³ That is, in present-day democracies, Tocqueville recognizes that we are now free of a certain kind of religious violence: we should have no fear of an *auto-da-fé* in the public square, and on the surface, that seems to be unrelievedly good news. There will be no "red martyrs," no burnings-at-the-stake, no imprisonment for the sake of the Gospel. *There will be no visible persecution at all.* Yet Tocqueville advises us that this should not make us think that persecution is not possible. In fact, he writes that "democratic republics" can become even more tyrannical precisely because their "everyday persecutions" will have become *invisible*. In democratic republics so deformed, he fears, the tyranny will not be visible. It "*leaves the body alone and goes straight for the spirit.*"³⁴ Persecution will simply not look like it once did, with a Roman proconsul saying "You will think as I do or you will die." Rather democratic persecution will be far more subtle, insidious and pernicious: "You are free not to think like me . . . but from today you are a pariah among us . . . when you approach your fellows, they will shun you like an impure creature."³⁵

Tocqueville fears that the sovereign will of the majority will be worse than the sovereign will of even the most wicked and capricious monarch (as Plato also suggests in the eighth and ninth books of *The Republic*). "It is the very essence of democratic government that the power of the majority should be absolute, for in democracies nothing outside the majority can keep it in check."³⁶ He notes that the power of the majority is not only omnipotent but also "irresistible." It is irresistible because

³² Alexis de Tocqueville, *Democracy in America*, trans. Gerald E. Bevan (London: Penguin Books, 2003), 298.

³³ Ibid.

³⁴ Ibid., 298, emphasis added.

³⁵ Ibid., 299.

³⁶ Ibid., 287.

the majority has “moral ascendancy” as a collective concentration of enlightenment and wisdom that would always be lacking in individuals. The majority has “immense actual power . . . and when it has once made up its mind over a question, there are . . . no obstacles which might . . . even retard its onward course long enough to allow it time to heed the complaints of those it crushes as it goes by.”³⁷ It is “an invisible power which cannot be bound.” Most famously, he states that this power does not reside in external forces, but in our daily “habits of the heart”: “habits are forming at the heart of freedom which one day could be fatal to its liberties.”

Many have read Tocqueville optimistically, suggesting that he only briefly entertains such worries. But to the contrary, his fears become more pronounced the longer he observes American democracy. In the more somber second volume, he returns to this fear of a “civilized despotism.” He imagines: “If despotism were to be established in present-day democracies, it would probably assume a different character [than ancient despots]; it would be more widespread and kinder; it would debase men without tormenting them.”³⁸ It is here that Tocqueville expresses his most famous statement concerning the shadow side of democracy. The sovereign will of the majority could quite easily become “an immense protective power” that would appear to be “fatherly,” but whose patriarchy would “keep [people] in perpetual childhood” and would daily reduce human freedom largely through a deformed understanding of liberty, equality, and toleration.

Thus the ruling power, having taken each citizen one by one into its powerful grasp and having molded him to its own liking, spreads its arms over the whole of society, covering the surface of social life with a network of petty, complicated, detailed, and uniform rules through which even the most original minds and the most energetic of spirits cannot reach the light in order to rise above the crowd. It does not break men’s wills but it does soften, bend, and control them . . . it does not tyrannize but it inhibits, represses, drains, snuffs out, dulls so much effort that

³⁷ *Ibid.*, 290.

³⁸ *Ibid.*, 804.

finally it reduces each nation to nothing more than a flock of timid and hardworking animals with the government as shepherd.³⁹

It is common to note the implications of Tocqueville's concerns for political tyranny as a "type of organized, gentle and peaceful enslavement."⁴⁰ But no one to my knowledge notes that implicit in his worries about tyranny is a fundamental worry about a new kind of persecution that cannot be seen. In the "Author's Introduction," Tocqueville alerted readers to his fundamental worry that democracy could become a great providential blessing (his great hope), or it could become "a kind of religious terror."⁴¹ Does Tocqueville mean that America could become a terror to religion or that America could become a terror by becoming a religion? Perhaps he means both things at once. He is certainly well aware that the founders designed checks upon the threat of majoritarianism, but he nevertheless harbored this very palpable sense that there remained no guarantee that America itself could not become a religious terror. What does this have to do with persecution (visible and invisible), and martyrdom (which can only be visible)?

The early church persecutions that Christians had once suffered under absolutist, monarchical or imperial rule were simpler and more dramatic; they were more visible but, as a result, they were *less effective*. Tocqueville imagined that through the mechanisms of democracy, a tyrannous people could discipline souls in a quiet way, in a way that would be invisible, and thus more corrosive to souls. Perhaps at this point, we can admit the plausibility of Hobbesian absolutism still having its way with us. Perhaps that absolutism has been tempered by Locke and Montesquieu, by fragments of the natural law and the divine law mediated through the Founders and Puritans alike, but Tocqueville does not

³⁹ Ibid., 806.

⁴⁰ See Sheldon Wolin, *Tocqueville between Two Worlds: The Making of a Political and Theoretical Life* (Princeton: Princeton University Press, 2003); Pierre Manent, *Tocqueville and the Nature of Democracy* (Lanham, MD: Roman & Littlefield, 1996); Joshua Mitchell, *The Fragility of Freedom: Tocqueville on Religion, Democracy, and the American Future* (Chicago: University of Chicago Press, 1999); and Paul Rahe, *Soft Despotism, Democracy's Drift: Montesquieu, Rousseau, Tocqueville, and the Modern Prospect* (New Haven, CT: Yale University Press, 2010).

⁴¹ Tocqueville, *Democracy in America*, 15.

think so. He thinks that not only has it not been tempered, but it can be more absolute and tyrannical, more persecuting and disciplinary, not less, precisely because it has found new invisible means for the coercion of souls. Tocqueville envisions that a new kind of invisible persecution could emerge. But since martyrdom involves blood and death—and thus is visible by definition—Tocqueville could not claim that there is such a thing as an invisible martyr. In this sense, liberal democracy may never admit martyrs, but it may be the most highly disciplined of polities precisely because it practices forms of coercion that must remain invisible to be effective.

When we hear the statistics about persecution of Christians abroad, we are broadly sympathetic, we are pragmatic, and we want to help—most especially by exporting the blessings of democracy abroad, so as to eradicate persecution and martyrdom. But for the same reasons that we think democracy might be the solution to persecution abroad, deep down, we do not think that persecution or martyrdom is possible here. But what if that's wrong? What if Tocqueville's counter-factual has become factual? What if liberal democracy has not delivered Christians from persecution, but has developed new, innovative and invisible forms of it? What would that mean for Christians? What would it mean for the political order? Most important, should this lead to a counsel of despair, or to an opportunity for rethinking the relationship between Christians and liberal democratic orders? In the second part of this essay, I will attempt to answer these questions.

Christ, the End of Martyrdom

As suggested at the beginning of this essay, recent challenges to religious liberty in the United States have raised the terrible specter of an impending persecution that could involve visible disciplines, such as financial loss, imprisonment or even (almost unthinkable in America) a martyr's death in the public square. It should now be clear why such cries fall on deaf ears. For many observers, including faithful Christian observers, such worries are at best overheated persecution fantasies, and at worst they trivialize the bloody persecution of Christians in other parts of the world.⁴² If persecution and martyrdom are not really possi-

⁴² Candida Moss, *The Myth of Persecution: How Early Christians Invented a Story of*

ble in the United States, then it seems exactly right to call foul on those Christians who are crying wolf in the public square.

Gerald Schlabach, for example, recently chastised American Catholics for thinking they were persecuted, when the reality was simply that they had been “outvoted” in their “Constantinian” bid to control the culture. He writes, “Sooner or later, even while advocating energetically for more just laws and policies, any church that wades into these waters must accept that it has gained all the deference it is going to get . . . minority traditions have known this for a long time. To be outvoted is not to be persecuted.”⁴³ Schlabach makes a helpful distinction between being “outvoted” and “persecution.” There is a difference between a law allowing abortion in America, and state-mandated abortions in China. As long as the state respects the religious liberty of its citizens by granting exemptions, it cannot be said to be persecuting those citizens. In Schlabach’s view, Christians ought to temper their temptation to see state-mandated policies that actively promote contraceptive and abortifacient drugs as persecutorial. They might lament their loss of cultural control, but they should not delude themselves into thinking that they are persecuted (even invisibly so).

Certainly when one considers the visible violence against Christians in other parts of the world, this seems like exactly the right counsel. Yet the distinction seems to put us back to the point where we have come to think that persecution (and martyrdom) is not possible in liberal democracies. The worst that can happen to Christians is that they are outvoted, which doesn’t necessarily mean that their will must be conformed to the majority will. But what if it has that effect? Can we now dismiss the Tocquevillian notion of an invisible coercion, which perhaps could take the form of a kind of “religious terror,” in which everything must be conformed to the needs of the state?

Christians have speculated about an end to persecution before. Most famously, there was the peace of Constantine, who made Christianity a *licita religio* in AD 313, a putative end to persecution. The martyrs were still venerated, but it became possible for many fourth-century

Martyrdom (New York, NY: Harper One, 2013).

⁴³ Gerald W. Schlabach, “Outvoted, Not Persecuted: Four Lessons about Religious Freedom,” *Commonweal* 134 (October 1, 2012): 22-24

Christians to think that persecution might become a thing of the past. There were very elaborate and hopeful attempts to speculate about a persecution-free future. Emperor Julian the Apostate, in his brief attempt to return the empire to pagan polytheism, temporarily set such hopes on hold, but they were soon to return. The hope for an end of persecution is, after all, a good hope to have if you love your children, or your neighbors, since persecution is first and foremost always a sign of a grave injustice against humanity. In the face of “stings of fear, the tortures of sorrow, the distresses of hardship, and the dangers of temptation,” Augustine thinks it is almost inevitable that every age will imagine an end to all of this.⁴⁴ To respond to Schlabach’s concerns, and those of many others, I want to return briefly to Saint Augustine. In those early centuries, in which a persecution-free world first became imaginable for Christians, Augustine sets himself the task of making the martyr the center of his confident message to a pagan world teetering at the brink. Then I will conclude the second part of this essay with reference to two Augustinian theologians, Erik Peterson and Joseph Ratzinger/Pope Benedict XVI, who provide us with contemporary ways of contemplating persecution through the martyr in the midst of our debates over the freedom of the Church in liberal orders.

Sacrifice and Martyrdom in Augustine’s *City of God*

It is more common to associate Augustine’s *City of God* with his famous contrast of two cities than it is to associate the work with the themes of sacrifice and martyrdom. Readers will be aware of the discussion of martyrs in the first book of the *City*, and also in the last book, but they might reasonably doubt the prominence I want to ascribe to them. Nevertheless, I want to suggest that the themes of sacrifice and martyrdom are inextricable from his two cities narrative, and I hope to show why this matters for reflecting on martyrdom in liberal orders too.

Consider one of his most concise and famous formulations from the end of *City* 18:

The mortal course of the two cities, the heavenly and the earth-

⁴⁴ Augustine, *City of God*, trans. Henry Bettenson (London: Penguin, 2003), 18.49. Unless otherwise indicated, citations from the *City* are from this translation.

ly, [are] intermingled from beginning to end. One of them, the earthly, has created for herself from any source she pleased, even out of men, false gods to worship with sacrifice; the other, a heavenly pilgrim on earth, does not create false gods, but is herself created by the true God, whose sacrifice she is herself.⁴⁵

Why does Augustine say that the heavenly city on pilgrimage (the Church) is herself the sacrifice? We would expect him to say, after his earlier treatment in Book 10.6, that Christ was the true and perfect sacrifice, but how are we to think of the Church as this sacrifice? This is an extremely important question for understanding our themes. For St. Paul, it is clear that we are to offer our bodies as a living sacrifice: “I appeal to you therefore, brethren, by the mercies of God, to present your bodies as a living sacrifice, holy and acceptable to God, which is your [*logiké latreia*]” (Rom 12:1).⁴⁶ Augustine is struck by this verse, and especially its connection to the subsequent verse: “Do not be conformed to this world, but be transformed by the renewing of your mind” (Rom 12:2). Augustine sees an intimate connection between the body as a living sacrifice in verse 1 and the re-formation of the soul in verse 2 according to the *form* of the “fire of love,” which he takes as an image of the sacrifice of Christ, which we have “received from his beauty.”⁴⁷

It should be evident from this that Augustine has a strongly *participationist* understanding of Christ’s sacrifice. “This being so,” Augustine writes, “it immediately follows that the whole redeemed community, that is to say, the congregation and fellowship of the saints, is offered to God as a universal sacrifice, through the great Priest who offered

⁴⁵ Augustine, *City of God*, trans. William Green (Cambridge: Harvard University Press, 1995), 18.54. [*Sed a vero Deo ipsa fit cuius verum sacrificium ipsa fit.*]

⁴⁶ This phrase, *logiké latreia*, might be best rendered as true worship, or worship characterize by the *logos*, but however we render the phrase, the early Church Fathers rarely fail to connect it with the sacrament of the altar, that is, with the Eucharist. See Jeremy Driscoll, O.S.B., “Worship in the Spirit of Logos: Romans 12.1-2 and the Source and Summit of Christian Life,” *Letter & Spirit* 5 (2009): 81; Robert J. Daly, *Christian Sacrifice: The Judaeo-Christian Background before Origen* (Washington, DC: The Catholic University of America Press, 1978), 243; Michael Thompson, “Clothed with Christ: The Example and Teaching of Jesus in Romans 12.1-15.13,” *Journal for the Study of the New Testament Supplement Series* 59 (Sheffield: JSOT, 1991), 78-86.

⁴⁷ Augustine, *City of God*, 10.6.

himself in his suffering for us—so that we might be the body of so great a head—under the form of a servant.”⁴⁸ To complete the thought upon Romans 12, Augustine makes explicit the relationship between Christ’s sacrifice, the sacrifice of Christians, and the Eucharist:

This is the sacrifice of Christians, who are “many, making up one body in Christ.” This is the sacrifice which the Church continually celebrates in the sacrament of the altar, a sacrament well-known to the faithful where it is shown to the Church that she herself is offered in the offering which she presents to God.

Becoming acceptable to God because of what it has received from his beauty, it seems clear, is bound up with becoming partakers of the divine nature, which has been revealed to us in Christ’s *logiké latreia*: that is, a different kind of worship than that offered by the pagans (since he quite explicitly contrasts this kind of worship with the kind of worship demanded by “this age”). In Augustine’s view, it is clearly fitting to see this at the heart of his two cities narrative, as we saw in book eighteen. After all, the connection is already in St. Paul, who opens his letters to the Romans by rebuking those who exchanged true worship of God for unnatural worship of the creature, and “exchanged natural relations for unnatural” (Rom 1:26). Thus at the heart of his narrative concerning the contrast of two cities is really a Pauline narrative about contrasting forms of worship, both marked by sacrifice, but only one being a true and perfect *logiké latreia*, the divine form which is worshipped rightly, and can thus be habituated in Christians as “living sacrifices.”

This tells us a great deal about the importance of sacrifice in Augustine’s *City*, but very little about martyrdom. Yet the logic of martyrdom naturally follows. If we return to the end of *City* 18, we find Augustine reflecting at length on the martyrs. He has done it before, for example in the first book of the *City*, where he contrasts the honor suicides of Roman Stoicism with “the behavior of Christian women.”⁴⁹ Or where he chides pagans who worship false gods, yet received refuge in Christ’s

⁴⁸ Ibid., 10.6.

⁴⁹ Ibid., 1.19.

Church, and especially “in the shrines of his martyrs.”⁵⁰ Each he takes as signs of the two cities intermingled yet distinguishable from one another.⁵¹ Augustine is consistently interested in situating the Gospel “amid terrible persecutions and the manifold tortures and deaths of martyrs” precisely because he thinks that the Church is herself the sacrifice of Christ, which is at the heart of martyrdom.⁵² It is always the participationist account of sacrifice that shapes his view of martyrdom: “he suffered, he died, he rose again, showing by his suffering what we ought to undergo for the cause of truth.”⁵³

It is tempting to think that martyrs are made by kings or emperors or even heretics. Instead, martyrs are made by God; they have received the beauty of the divine form. The martyrs are martyrs for the sake of their enemies. For Augustine, the blood of the martyrs speaks to kings, throughout history, “by whose laws the Church was being devastated.”⁵⁴ So the martyr is not simply a sacrifice, but also an evangelist, one whose body and spirit have become the very presence of the *logiké latreia* of Christ. It is hardly a wonder that so many martyrdoms in the early church were described in Eucharistic terms.⁵⁵ Augustine sees the martyr not only as an evangelist, and as the presence of Christ, but also as witness to social and political truth; he hopes that the blood of the martyrs might awaken even persecuting kings to the “true king of the ages” (*vero rege saeculum*), whose name “they had ruthlessly tried to remove from the earth.”⁵⁶ Could kings or emperors see the truth of the martyr and thus bring an end to martyrdom? Augustine thinks this is entirely possible for limited periods of time, but that we should not think that

⁵⁰ Ibid., 1.34.

⁵¹ There is an unfortunate habit, especially in students but also some scholars, of assuming that *permixtum* (translated as commingled or intermingled) means indistinguishable. Augustine does not mean this at all, but rather that the two cities are mixed without confusion.

⁵² Augustine, *City of God*, 18.50.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ See, for example, *The Martyrdom of Polycarp*, in *The Apostolic Fathers*, vol. 2, ed. Kirsopp Lake, trans. William Heinemann, Loeb Classical Library (Cambridge: Harvard University Press, 1965).

⁵⁶ Augustine, *City of God*, 18.50.

persecution and martyrdom could ever be brought to an end by the rulers of this age, or even by heretics.

Augustine observed (and predicted) in *City* 18 that as the world became Christian, the devil would increasingly stir up heretics to oppose Christian doctrine—and these heretics could torment the souls of the devout in ways that far exceed the harm that kings and emperors could bring to the body. One is reminded of Tocqueville’s “civilized despotism” in Augustine’s view that heretics could effect a softer, gentler but more insidious persecution, not of the body, but of the soul. Whether the persecution comes from kings or heretics, Augustine makes the essential point that the martyr is not caused by persecution, but emerges as a divine cause of grace in the Church becoming what she is herself, the sacrifice of Christ. Neither kings nor heretics should be feared for what they can do to the body and the soul, but they are themselves an occasion for the Christian to grow in holiness and wisdom. All enemies of the Church, Augustine says, can thus train the Church in two ways. If the enemies have the power to do bodily harm (as kings do), then they train the Church in *patient endurance*. If the enemies have distorted the truth of the Christian faith with “perverse notions,” and persecute the heart, then “they train her in *wisdom*.”⁵⁷ Remarkably, Augustine says that neither kind of enemy can really harm the Church—there is not a hint of apocalypticism in his embrace of persecution and martyrdom.

There is something pervasively *oblative* about Augustine’s account of the Christian life, and the martyr is really an icon of how this should be manifested in every Christian life, whether there is a threat of physical harm or not. Augustine writes that while an end to martyrdom might bring “great consolation, especially to the weak,” the truth is unalterable: “all who want to live a devout life in Christ suffer persecution.” Even in times of tranquility, even when those outside the pilgrim city “do not rage,” there will still be invisible forms of persecution that are no less real. The Christian will never escape those “who by their unprincipled behavior torment the feelings of those who live devout lives.” If not in their bodies, Christians will still “suffer this persecution . . . in their hearts.”⁵⁸

⁵⁷ Ibid., 18.51.

⁵⁸ Ibid.

It is at this point, at the end of *City* 18, that Augustine introduces a new possibility for martyrdom in the post-Constantinian peace. It is the notion of an invisible persecution from enemies who are (a) all potential citizens of the pilgrim city, and (b) serve to train Christians to become *logiké latreia*. He employs the category of “heresy” for this constant, invisible persecution, and thus ties Christian witness to orthodoxy in a new way. Regardless of the kind of persecution, visible or invisible, Augustine says that every persecution should bring consolation to the true Christian.

Against those who would imagine the end of martyrdom, those “weak” Christians who take consolation in imagining some cessation of persecution, Augustine cheerfully insists that “*no limit can be set to the number of persecutions which the Church is bound to suffer for her training.*”⁵⁹ Augustine does not mean that there will be no end to persecution. He means that it is not a limit that we ourselves can set, or should want to set. Why? Because, Augustine writes, the last persecution will be extinguished by Christ himself, in person, at the end of time.⁶⁰ To proclaim any other person or process or polity as the end of martyrdom, in all its forms, is literally to proclaim an anti-Christ, or another kind of worship.

To proclaim the end of martyrdom, then, is also to try to take control of time: “It is not for you to know the times, which the Father has reserved for his own control.”⁶¹ It is thus not only a doxological apostasy, but also an eschatological apostasy, one that sees “this age” as an end in itself. To proclaim, with Machiavelli, Hobbes, and Locke that martyrdom has been rendered obsolete by “a new order for the ages” would be an essentially heretical and blasphemous claim that the state has become the body of Christ and has extinguished persecution. To think that we have arrived at the end of persecution and to think that liberal democracy has brought such an end would only indicate a false eschatology. Just when we think we have arrived at the end of persecution, we know that we have arrived at a false faith, a false hope, and most likely a false love of *patria*, which will be distinguishable by false sacrifice and worship.

It sounds like a counsel of despair. Yet there is no despair in his

⁵⁹ Ibid., 18.52.

⁶⁰ Ibid., 18.53.

⁶¹ Ibid.

counsel at all. Augustine continually counsels Christians not to be afraid, not to be grieved, but to be joyful and devout, to love one's neighbors, even enemies. There is enormous hope and confidence, especially when, at the end of the *City of God*, he discusses the martyrs. In book 22, the martyrs play a crucial part in his closing arguments to the Romans. The Romans claim that Christians are weak; they claim that they need to resist Christ, and return to pagan virtues if Rome is to endure. Augustine retorts: "Martyrs endured the bitter enmity and the savage cruelty of the world . . . they overcame the world not by resisting but by dying."⁶² Where the pagans offer sacrifices to their gods, Augustine is keen to emphasize that Christians do not make sacrifices to martyrs, but that the martyrs have become partakers of Christ's sacrifice:

We do not in those shrines raise altars on which to sacrifice to the martyrs, but to the one God, who is the martyrs' God and ours; and at this sacrifice the martyrs are *named*, in their own place and in the appointed order, as men of God who have overcome the world in the confession of his name. . . . Indeed, the sacrifice itself is the Body of Christ, which is not offered to them, because they themselves are that Body.⁶³

Here Augustine stresses that the martyr has been raised up to conformity with Christ's Body. That is to say, that martyrs can be named martyrs only because they have been wholly conformed, in their bodies, to the sacrifice which is the Body of Christ—and this is why so many miracles are associated with the shrines and relics: the martyr is evidence of a life that has participated in the holiness of Christ, which alone is acceptable to God. Since Christian martyrdom is evidence of a life that has been wholly conformed to Christ's sacrifice, the miracles associated with martyrs are themselves nothing other than "the faith which proclaims that Christ rose in the flesh and ascended into heaven with the flesh."⁶⁴ Augustine once told his catechumens, as they looked upon the Eucharist

⁶² Ibid., 22.9.

⁶³ Ibid., 22.10.

⁶⁴ Ibid., 22.9.

for the first time, to “become what you are.”⁶⁵ In the martyr, Augustine sees the reality under cover of sacrament revealed in the flesh.

However, Augustine leaves some things unanswered in light of our contemporary context. How can the Christian be conformed to Christ’s sacrifice in those times of tranquility which Augustine says will be marked by subtler, less visible persecutions of the heart? What about the Tocquevillean possibility? In these next, concluding sections, I will turn to Erik Peterson and Pope Benedict as Augustinian theologians who call us to contemplate the martyr, even when persecution might be subtle or hidden from our view.

Peterson and Ratzinger on the Theo-Political Vision of the Martyr

Erik Peterson, a German theologian of the mid-twentieth century who was a convert to Catholicism and was also a friend of Karl Barth and Carl Schmitt, opened his famous essay “Witness to the Truth” this way:

When we enter a church and turn our gaze to the altar, we are rarely aware that the altar on which the holy sacrifice is offered contains the relics of martyrs, that it is very often built over the bones of the martyr. Nevertheless, we should take a moment to ponder this fact, for the Church’s practice of offering Christ’s sacrifice over the burial place of a martyr seems to express a very particular conception of the martyr’s relation to the Church.⁶⁶

Like Augustine, Peterson understood that the Eucharist was the source and summit of the Church, and the martyr “made public” the secret of the Eucharist in a dramatic and visible way. The martyr does not appear from nowhere—the martyr who dies in the public square is formed in Holy Communion. Peterson admits, much as Augustine does, that there are times when there are more martyrs, and times when there are fewer—but to deny martyrdom is to deny the very existence of the Church.⁶⁷ That is because, in Peterson’s view, “the martyr demonstrates

⁶⁵ See, for one instance of this counsel, Letter 227, in Augustine, *Letters* (Hyde Park, NY: New City Press, 2005).

⁶⁶ Peterson, *Theological Tractates*, 151.

⁶⁷ *Ibid.*, 157.

the public claim of the Church of Jesus Christ.”⁶⁸ In the martyrs’ confession in the public square, “subject to public judicial proceeding and the penalties of public law,” the “martyr leaps beyond this world’s concept of ‘public’ and demonstrates in his words the public claim of another, a coming new world.”⁶⁹ The “witness” of the martyr demonstrates the irreducibly public nature of religion—the public nature of the Eucharist, sacrifice, and worship—it makes visible an invisible reality, namely the participation of a human soul in Christ’s Body. Throughout this essay I have tried to help us face why it is that seeing the martyr has become difficult for us. But Peterson puts the point differently. Peterson does not pay attention to whether or not we can see the martyr; he awakens us to a more important question: *Can we see how the martyr sees?* He writes: “*The revelation of Christ makes visible for the martyr the metaphysical disorientation that marks the false political order.*”⁷⁰

Peterson remarks that “the political” (subtly critiquing Carl Schmitt) “is always tempted to abandon the ultimate metaphysical orientation and to seek its gods in the world” of power politics.⁷¹ The martyr sees this temptation and this abandonment with clear vision. The martyr sees the metaphysical disorientation that marks the false political order in a way that the rest of us may vaguely perceive but cannot see distinctly. In this way, Peterson does not change the subject. He changes our subjective understanding of the martyr as an object. Modern social imaginaries had made the martyr into an object that must be removed from our view—but Peterson understands that the point should not be whether or not we can see them, but whether or not we are able to participate in their subjective witness to an objective reality. Can we see what martyrs witness to? If we can, then we are no longer seeing them as objects that are subject to our control, but we are involved in the faith of the martyr. That is the real threat of the martyr. Does it matter if the martyrs shed blood or not if their witness has changed the way we see the nature of reality? If we can see in the same way that the martyrs see, we have a vision of the sacrifice [the *logiké latreia*] at the heart of the universe.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid., 167–8.

⁷¹ Ibid., 168.

Joseph Ratzinger once wrote that the saints offer a privileged “hermeneutical vantage point where real and unreal could be distinguished, and communion with God [comes] to light as the locus of true life,” and the martyr’s death proclaims that “communion with God means a life stronger than death.”⁷² And just before being elevated to the papacy, Cardinal Ratzinger made a very similar point in his *Values in a Time of Upheaval*:

*The crucified Christ indicates the boundaries to the power of the state and shows where its rights terminate and resistance in the form of suffering becomes a necessity. The faith of the New Testament acknowledges not the revolutionary but the martyr who recognizes both the authority of the state and also its limits. His resistance consists in doing everything that serves to promote law and an ordered life in society, even when this means obeying authorities who are indifferent or hostile to his faith; but he will not obey when he is commanded to do what is evil, that is, to oppose the will of God.*⁷³

Ratzinger makes explicit something which is usually left implicit in Peterson’s more apocalyptic account: *the martyr*—visible or not—recognizes the authority of the state, and is not opposed to it. The future pope agreed that the martyr does pose a threat to political orders, but only insofar as those political orders refuse to see the martyr *as* martyr. The refusal to either see the martyr as martyr or to “see as the martyr sees” is always an indication of metaphysical disorientation, and a refusal to recognize either the limits of politics or anything which precedes or transcends politics. In this way, both Peterson and Ratzinger agree that the refusal to see the martyr is a sign of tyranny, but to see as the martyr sees is a sign of freedom, political and otherwise. Frequently Joseph Ratzinger/Pope Benedict XVI wrote not so much about the martyr, but about the conscience, as being the only guarantee against tyranny. Ratzinger once wrote:

⁷² Joseph Ratzinger, *Eschatology: Death and Eternal Life*, trans. Michael Waldstein (Washington, DC: The Catholic University of America Press, 1988), 91.

⁷³ Joseph Ratzinger, *Values in a Time of Upheaval*, trans. Brian McNeil. (New York: Crossroad, 2006), 21. Emphasis mine.

The destruction of the conscience is the real precondition for totalitarian obedience and totalitarian domination. Where conscience prevails there is a barrier against the domination of human orders and human whim, something sacred that must remain inviolable and that in an ultimate sovereignty evades control not only by oneself but by every external agency. Only the absoluteness of conscience is the complete antithesis to tyranny; only the recognition of its inviolability protects human beings from each other and from themselves; only its rule guarantees freedom.⁷⁴

Yet notice that the conscience and the martyr have something in common: they both bear witness to the freedom for the truth, from within and from without. In this way, perhaps, we can see that both the conscience and the martyr can work in the same way for the preservation of political freedom, and also spiritual freedom through communion with Christ's true and perfect sacrifice.

In the first half of this essay, I sought to show the subtle ways in which modern liberal orders aim to "subordinate religion to the political order" in one way or another, which is to say that liberal orders aim to subordinate conscience to the state.⁷⁵ But in the second part of this essay, I have wanted to show, with Augustine, that while "the martyrs did not love the crimes their persecutors were committing against them . . . still they made use of them in order to deserve well of God."⁷⁶

There is no doubt that religious liberty infringements indicate a metaphysical disorientation in a polity, just as the refusal to see the martyr as martyr indicates a refusal to see the nature of reality as such. Cardinal George was not wrong to invite us to contemplate the martyr as a response to these challenges to religious liberty. But it might not be forthcoming. We might not see the martyr, and we might find ourselves in a state in which there is no visible persecution at all. But that does

⁷⁴ Joseph Cardinal Ratzinger, *Church, Ecumenism, and Politics: New Endeavors in Ecclesiology*, trans. Robert Nowell (San Francisco: Ignatius Press, 2008), 165.

⁷⁵ Stanley Hauerwas and Michael Baxter, "The Kingship of Christ: Why Freedom of 'Belief' is Not Enough," *De Paul Law Review* 42 (1992), 109.

⁷⁶ Augustine, *On Christian Teaching*, trans. R. P. H. Green (Oxford: Oxford University Press, 2008), 1.22.

not mean that there are not shades of coercion to take into account. In fact, what this essay has tried to demonstrate is that liberal orders have the potential to effect a more dangerous kind of discipline, one that has the potential to go unseen.

This is why we need to continually attend to the martyrs. It is precisely the martyr who invites us to encounter the truth, which is finally what is at stake in every attempt to circumscribe what counts as *licita religio*, *logiké latreia*, *libertas*, and the *verum sacrificium*. The martyr is a seed of contemplation, but a seed that calls us to turn, to change our point of view, to see the same truth that the martyr sees, and be transformed. If the martyr is seen this way, then tyranny disperses, and the light of the eternal city illumines our own. Attentiveness to the martyrs gives Christians in liberal orders the skills to recognize how to resist the shades of coercion that always seem to fall short of visible persecution. While the principle of religious liberty enshrined in the American Constitution might continue to provide some minimal protections for “obedient believers,” Christians might find that being “the most independent citizens” will be increasingly a costly prospect as the general will turns away from Christ.

N&V

