

## **WE HOLD THESE TRUTHS AND THE PLURALIST CIVILIZATION**

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*This essay explores the project undertaken by Murray in We Hold These Truths and its relevance to contemporary America. When it first appeared in 1960, We Hold These Truths made a powerful case to the American public for the compatibility of Catholicism and American democracy and of the need for a renewal of America's historic public consensus rooted in natural law. It also emphasized the role that the Catholic political tradition could play in this renewal. Although parts of its argument may be problematic, and vast changes in America's cultural and religious landscape make it dated in some respects, five decades after its original publication, Murray's book nevertheless remains highly relevant to our contemporary situation, both as a contribution to democratic theory and as a profound reflection on the nature of "the civilization of the pluralist society."*

John Courtney Murray's justly celebrated *We Hold These Truths*,<sup>1</sup> published five decades ago, was written with two distinct but related aims in mind: the first was to establish that Catholicism and American democracy were fundamentally compatible; and the second was to elaborate a Catholic remedy for the disorders to which Murray believed democratic regimes (including the American republic) were prone.

In support of the first aim, Murray stressed the enormous importance of the Gelasian principle ("Christianity's cardinal contribution to the Western political tradition" [64]), which, by introducing a distinction between the sacred and the secular, broke with the social monism of antiquity and made possible the gradual articulation of further political and social differentiations—for instance, between state and society—that are so crucial to modern Western Constitutionalism. He further argued that it was during the medieval era that the Gelasian principle first began to bear major political fruit: for example, in the struggles between popes and emperors that marked the High Middle Ages, struggles that helped to clarify the respective jurisdictions of the two realms.

In addition, Murray characterized St. Thomas Aquinas as "the first Whig" (32); maintained that scholasticism was "formative of the liberal tradition of the West" (22); and argued that the democratic idea was already implicit in the medieval period, which recognized both the

principle of popular representation and the related principle of the consent of the governed, though of course in modern times these principles enjoyed “an amplitude of meaning never known in history” (33). And so, modern liberal democracy is really the fruit of the scholasticism and nascent constitutionalism of the Middle Ages, operating under the inspiration of the Gelasian principle, and the American polity is the fulfillment of the medieval Catholic political heritage.

Murray recognized of course that the Church of his day had yet to embrace democracy—though Leo XIII had made clear its acceptability as a form of government<sup>2</sup>—and that liberalism had been the focus of many papal denunciations. In response, he distinguished between two types of liberalism. The first, prevalent mainly on the Continent, was a virulently secular, anti-clerical type of democratic absolutism that rejected the distinction between state and society, and sought to destroy the Church and replace it with a secular religion of its own. The second, which flourished in the Anglo-American world, was essentially constitutionalist in nature, acknowledged the distinction between society and state and recognized the Church’s rightful autonomy. Accordingly, Murray held that the form of liberalism prevalent in Europe was actually “a deformation of the liberal tradition” (31) and that it was only to this type that the papal condemnations properly applied, while Anglo-American liberalism, by virtue of having remained faithful to its medieval origins, had proved itself the authentic form of liberalism and the true heir of the Catholic tradition.

Yet even as he sought to reconcile Catholic doctrine with America’s framework of democratic institutions, Murray was also insistent that Catholicism, for its part, had much to contribute to the health of American democracy. For he was convinced that democratic societies, if they are to remain vital, require the existence of a strong public consensus firmly rooted in sound morality. Furthermore, Murray recognized that free government is not an inevitability, but rather a continuous and ongoing achievement profoundly dependent on the existence of a virtuous citizenry, and that, consequently, democratic societies needed to be placed on firm moral foundations if they were to be sustained. Murray also maintained that the American experience furnished an excellent illustration of this insight, for it was precisely because of the traditionally strong moral character of its citizenry that American society had been able to sustain the severe demands of being a free society for so long. Murray feared that this strong moral consensus had begun to suffer serious erosion, and that its renewal was essential if democracy in this country were to be restored to its former vigor.

Part of the difficulty here, Murray believed, lay in the religiously pluralistic character of American society, which by its very nature has a tendency to threaten social unity. But he did not believe this was the principal source of the problem, since religious divisions had always characterized American life, while the unraveling of the consensus was a fairly new development. Rather the main culprit, as Murray saw it, was the recent emergence in America of a militant secular liberalism reminiscent of the kind that had long prevailed in Continental Europe. Murray saw two dangers in this newly emergent secular liberalism. The first was that secular liberalism's skepticism about the possibility of discovering objective moral principles and its consequent suspicion of any sort of public consensus led it to propose the ideal of the "open society," a society that scorned any sort of public consensus in favor of unlimited pluralism, tolerance, freedom of expression, and diversity. In Murray's view, an open society would invite social atomism and fragmentation.<sup>3</sup>

The second danger was the obverse of the first. For, precisely because of the moral and social fragmentation occasioned by the unraveling of the historic consensus, Murray thought "there was some danger that a false, fallacious, or fictitious unity might be foisted on the American people." This threat appeared in two forms. The first, a reflection of the Cold War context in which he wrote, was that the American people, uncertain about what they stood for as a people, might embrace "a unity based simply on negation," that is, a unity rooted simply in their opposition to communism.<sup>4</sup>

The second, and to Murray the more serious threat, was that owing to the persistence of religious pluralism, on the one hand, and the disintegrative and atomistic influences of the "open society," on the other, the American people might be persuaded to adopt "a substitute secular faith" to provide the social unity they were otherwise lacking. And the primary candidate for this unifying secular religion, Murray felt sure, would be "democracy conceived as a quasi-religious faith."<sup>5</sup> The result would be a political and social monism of the type imposed by laicist liberalism on parts of Continental Europe (what J. L. Talmon called "Totalitarian Democracy"),<sup>6</sup> in which democracy would be acknowledged not only as the basis of our form of government and our social unity, but as the foundation of the American way of life. This democratic faith would be publicly recognized as superseding and "transcendent to all the religious divisions that are unfortunately among us"; so much so, that the traditional religious faiths, though still allowed to exist, would "be judged not in terms of whether they be true or false, but in terms of whether they be American or un-American." And the

public school system would constitute “a sort of ministry of the Democratic Church, whose function is to gather up all the flock into the one true fold—the one true democratic fold; and initiate them into the common mind and faith.”<sup>7</sup>

In light of this dire situation, Murray proposed the informal adoption of an American public philosophy rooted in the principles of the Catholic natural law tradition that would serve as the basis for a renewal of the national life. This would constitute a restoration of the nation’s historic consensus. It was precisely here, he contended, that the Catholic community in the United States could make an important contribution. For America’s Catholics were the heirs of the natural law tradition, that tradition of civility and reasoned argument on which the nation had originally been founded, and were thus in a unique position to serve as “a creative minority”<sup>8</sup> in American life, capable (in a kind of anticipation of what Richard Neuhaus would later called the Catholic moment) of articulating this natural law heritage and fostering its recovery as the animating principle of America’s public philosophy.

With the election of John Kennedy in 1960 and the reforms of Vatican II (including the *Declaration on Religious Freedom* in which Murray played such an important role), it seemed that much of what Murray had to say was being vindicated. Viewed from the perspective of a full five decades later, however, there is greater reason for doubt. To begin with, Murray’s synthesis of Catholicism with liberal and American thought seems far more questionable today than it did to many at the time. For example, while plausibly arguing that the Gelasian principle and the nascent constitutionalism of the medieval era contributed significantly to the formation of modern democracy, Murray generally ignores the vast differences between medieval times and our own.

More fundamentally, he tends to understate the gulf between the traditional Catholic social ethic with its characteristic emphases on virtue, duty, and community, and that of liberalism, with its characteristic stress on individual rights and personal autonomy. Nor will Murray’s differentiated view of liberalism, for all of its real merit, overcome this difficulty. For despite important differences, European and Anglo-American liberals of the eighteenth and nineteenth centuries shared a deeply individualistic conception of political and social life focused primarily on ensuring personal freedom, physical security, and material well-being; rejected the classical emphasis on the cultivation of a virtuous citizenry, placing their hopes instead in artfully designed political and social institutions that would channel humanity’s selfish passions into publicly beneficial directions (e.g., commerce); and worked vigorously for the privatization of religion so as to deprive it of

any voice or role in public life (think for example, of Locke and Jefferson). In short, whatever else they may have been, they were not Aristotelian-Thomists. Finally, in his effort to reconcile Catholicism with the American polity, Murray almost completely neglects Catholic teaching on economic life, which in some respects is at variance with the main thrust of American capitalism.

Another thing that strikes one in reading *We Hold These Truths* all these years later is how much America has changed during the past five decades. The moral consensus that Murray was so concerned about trying to restore has suffered much further erosion in the interval since *We Hold These Truths* first appeared, as many issues that were not on the political radar screen in Murray's day—for example, debates over abortion and gay marriage—have surfaced very prominently in our own. Indeed the subject of abortion does not appear at all in the whole of *We Hold These Truths*, and in 1960 the idea that five decades hence gay marriage would not only be seriously debated but would seem to be on the verge of winning the day would have been inconceivable. But such is the case.

At the same time (and not coincidentally), the past several decades have also witnessed (as Murray feared) the growth of an increasingly vocal and influential secularist liberalism. Indeed, of the four main camps or “conspiracies,” Protestant, Catholic, Jewish, and Secularist, that Murray saw making up the pluralist society of his time, the secularist camp has arguably prospered the most in this period, giving rise to understandable concerns about “a naked public square”<sup>9</sup> and “a culture of disbelief.”<sup>10</sup>

America's racial, ethnic, and religious diversity has also substantially increased, moreover; so much so, that with the emergence of Islam as an increasingly prominent player in American life, one could plausibly argue that America's four conspiracies have now become five.<sup>11</sup> Finally, of course, it must be acknowledged that while the economic and social status of American Catholics has risen considerably since Murray wrote, the Catholic Church in the United States itself has suffered an enormous decline in public regard and prestige as a result of the highly publicized scandals involving sexual abuse by Catholic clergy.

In view of the vast changes that have taken place in American society since the time Murray wrote, the question understandably arises: Is Murray's work still relevant? In my judgment, the answer is clearly yes. Indeed, I think there are two aspects of Murray's thought that are particularly valuable in the current context. The first is Murray's contribution as a philosopher or theologian of consensus; the second is his contribution as a philosopher or theologian of pluralism.

## Murray as a Philosopher of Consensus

Writing five decades ago, Murray fully grasped the shallowness and impracticality of the liberal ideal of the “open society,” and rightly recognized the fragility of social unity and the need for public consensus. He also correctly saw that opposition to communism, while necessary, could not serve as a genuine public philosophy, that the American people, as a people, needed to know and affirm what they were for and not only what they were against. Consequently, he promoted the acceptance of a public philosophy grounded in sound moral principles.

Briefly, here are some features of this public philosophy that remain relevant to our time. First, Murray believed the Church had a culture-forming role in society; that contrary to sectarian approaches, the Church needed to be what Martin Marty has called “a public church,”<sup>12</sup> a church that (in Bryan Hehir’s words) “accepts social responsibility for the common good and envisions its teaching role as a participation in the wider social debate.”<sup>13</sup> While the damage done to the Church’s reputation by the sex abuse scandal has doubtless diminished the Church’s ability to play a major role here, it has not undermined it completely; and over time, as the impact of the scandal becomes less pronounced, that role can expand.

Second, Murray stressed the importance of the natural law tradition, not only because he believed natural law to be true, but because he thought its emphasis on civility and reasoned public argument offered a better method of pursuing public discourse in a pluralistic society than any other available to it. Certainly it permits the Church to address a large and diverse public in ways that a strictly scriptural approach would make impossible (though it certainly does not preclude a complementary reliance on valuable scriptural resources, as in the case of the United States bishops’ pastoral letters on war and peace and the economy in the 1980s, both of which drew on natural law as well as scripture). Moreover, the natural law approach furnishes concepts and categories that can facilitate nuanced and sophisticated analysis and judgment concerning complex matters of public policy, making for a notable contrast with the naïve reliance on biblical proof texts so heavily adopted by the Religious Right.

Third, there is Murray’s salutary stress on the need for public virtue and his warning that “only a virtuous people can be free.”<sup>14</sup>

Finally, Murray proposed that the Catholic laity could serve as “a creative minority” in American culture. This proposal still has much merit. For committed Catholic laity (as well as clergy and religious)

could provide a communitarian corrective to the excessive individualism that marks so much of our culture by engaging the culture and promoting the principles of Catholic social teaching. In doing so, they would also be offering an alternative of sorts to the political configurations of left and right that are currently dominant in our political culture, a political posture that is somewhat culturally conservative by contemporary standards (though not on the scale or in the manner of the Religious Right) and economically progressive (far more so than the leading strain in the Democratic Party).

### **Murray as a Philosopher of Pluralism**

Murray never supposed that restoring the public consensus would be easy or that America's religious pluralism was going to disappear in the foreseeable future; on the contrary, he was acutely aware of the depth of the divisions separating this country's various religious traditions. Consequently, while seeking a stronger moral consensus, he was insistent that the institutional autonomy and integrity of these traditional faiths (including, of course, Roman Catholicism) be respected by the state, and he strongly opposed any effort to impose a false unity on the American people, firmly rejecting, as we have seen, the attempt by some liberals to turn democracy into a kind of secular religion, the Democratic Faith. This is reflected in his conception of religious liberty, which places heavy stress not only on freedom of individual conscience, but also on the importance of the institutional autonomy and integrity of religious bodies.

Were he alive today, Murray would undoubtedly be calling for very robust conscience clauses so that religious institutions would not be compelled by law to act in ways contrary to their principles; so that, for example, Catholic hospitals would not be required to perform abortions and Catholic adoption agencies would not be required (as happened in Massachusetts) to allow gay couples to adopt children through their agencies.

Furthermore, recognizing that "the civilization of the pluralist society"<sup>15</sup> as he called it, was a permanent feature of modern Western life, Murray emphasized the importance of dialogue, not only to encourage the development of an eventual consensus, but, initially, simply to clarify the nature of the divisions separating the various conspiracies making up American society. He hoped by dialogue to "dissolve the structure of war that underlies the pluralistic society, and erect the more civilized structure of the dialogue. It would be no less sharply pluralistic, but rather more so, since the real pluralisms would be

clarified out of their present confusion” (24). Murray regarded this clarification of differences, this making the divergent points of view of the various contending parties intelligible to one another, as a substantial achievement and a necessary preliminary to future consensus. He hoped the various conspiracies making up American society would engage each other in dialogue, initially clarifying their different positions and gradually reaching greater consensus, especially on moral matters.

A striking example of what Murray had in mind here is presented in Chapter 5 of *We Hold These Truths*, “Creeds at War Intelligibly,” in which he proposes that America’s universities (including its public universities) make a “contribution to a clarification of the problem of pluralism” (137) by devoting serious effort to teaching their students about the nature of religious knowledge. Specifically, Murray had two academic objectives in mind: 1) providing students with “a genuine understanding of the epistemology of religious truth—or, if you will, an understanding of the nature of religious faith”; and 2) providing them with an understanding of “the various systems of belief, precisely as systems, in their inner organic consistency (whatever it may be), and in their relation to other areas of human knowledge (insofar as these are intellectually discernible)” (137). To achieve these objectives, experts in each of the major religious traditions in America (Protestantism, Catholicism, and Judaism) would guide students through the epistemology of religious truth and the various systems of religious belief. Murray’s only stipulation is that each of these religious positions “be explained and defended by a man who holds it, and who therefore is able to make the case for it most competently” (138). What a wonderful thing it would be if today our universities (including our public universities) were to try to carry out Murray’s proposal!<sup>16</sup>

And so, even at the distance of fifty years, *We Hold These Truths*, though dated in some respects and open to challenge in others, remains an enduring contribution to democratic theory and still holds many lessons for our own day.

## Notes

1. John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (New York, Sheed & Ward, 1960). Further citations of this work will be given parenthetically in the text.
2. See, for example, *Libertas* (1888), no. 44.
3. Indeed, Murray asked of the open society “how open can it afford to be, and still remain a society; how many barbarians can it tolerate, and still remain civil; how many ‘idiots’ can it include (in the classical Greek sense of the ‘private person’ who does not share in the public thought of the city), and still have a public life; how many idioms alien to one another, can it admit and still allow the possibility of civil conversation?” (117). He did not believe that liberals had persuasive answers to these questions.
4. John Courtney Murray, “The Return to Tribalism,” *The Catholic Mind* 60 (1962): 5.
5. *Ibid.*, 5.
6. J.L. Talmon, *The Rise of Totalitarian Democracy*. (Boston: Beacon Press, 1952).
7. “The Return to Tribalism,” 5.
8. John Courtney Murray, “Catholics in America--A Creative Minority?” *Catholic Mind* 53 October (1955): 590-597.
9. Richard John Neuhaus, *The Naked Public Square* (Grand Rapids, MI: Eerdmans, 1984).
10. Stephen Carter, *The Culture of Disbelief* (New York: Basic Books, 1993).
11. Of course, the status of Islam in American life is far from uncontested as the strong reaction to a proposal to build an Islamic center near Ground Zero revealed. In this connection, it would be interesting to know whether Will Herberg, if he were writing today, would include Islam along with Protestantism, Catholicism, and Judaism, as part of his list of the religions of American democracy. Will Herberg, *Protestant Catholic, Jew: An Essay in American Religious Sociology*. (New York: Doubleday, 1955).
12. Martin Marty, *The Public Church: Mainline–Evangelical–Catholic*, (New York: Crossroad, 1981).
13. Bryan Hehir, “Church-State and Church-World: The Ecclesiological Implications,” *Proceedings of the Catholic Theological Society of America* 41 (1986): 64.
14. “Part of the inner architecture of the American ideal of freedom has been the profound conviction that only a virtuous people can be free” (36).

15. This is the title of *We Hold These Truths*' introductory chapter.

16. I was reminded of Murray's proposal when reading an article about the recent controversy at the University of Illinois concerning an adjunct professor of Catholic thought, Kenneth Howell, who was fired for sending an email to students in which he was critical of homosexuality (he was later reinstated). I was reminded of Murray's proposal because, according to the article, the real issue here was the distinctive arrangement at Illinois whereby Professor Howell was vetted, hired, and paid, not by the university itself but by the St. John's Catholic Newman Center, which is independent of the university. Apparently, some Illinois faculty had been complaining about this arrangement for years, less because it privileged Catholicism than because they saw it as a violation of the standards of independence and objectivity that are supposed to prevail in an academic environment. Instead of presenting Catholic thought from "the outside," as would be expected, say, in a religious studies department, Professor Howell was seen as an advocate for Catholicism. Yet, presenting a faith tradition from "the inside" is precisely what Murray was proposing, so presumably he would have been generally sympathetic to the kind of arrangement that obtains at Illinois as far as Catholicism is concerned, but would want it expanded to include the other major faith traditions in the United States. Scot Jaschik, "The Real Scandal at Illinois," *Inside Higher Ed*, July 19, 2010 at <http://www.insidehighered.com/layout/set/print/new/2010/07/19/illinois>.