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## The Philosophical Meaning of American Civilization in World History

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In the panorama of world history, what is the meaning of the American Revolution? In most of the world today, Professor Arendt notes, intellectuals and activists take their beginnings from the French Revolution of 1789.<sup>1</sup> That revolution is echoed in Victor Hugo's novel, *Les Misérables*, set in 1832, and it has established a romantic paradigm for later revolutions from China to Nicaragua. Most of the world's intellectuals forget the American Revolution of 1776. They ignore its terse and eloquent Constitution of 1787, its quiet Bill of Rights of 1792. In his *Instruction on Christian Liberty*, even Cardinal Ratzinger cited the historical importance of 1789, while totally ignoring 1776.

Notwithstanding its neglect by romantic revolutionaries, Professor Arendt calls both the "colonization of North America and the republican government of the United States perhaps the greatest, certainly the boldest, enterprises of European mankind."<sup>2</sup> Abraham Lincoln, in a terrible period, called it "the last, best hope" of humankind. Jacques Maritain said that, of all civilizations, American civilization comes closest to the proximate practical ideal he had imagined for the future of true Christian humanism (RA 174-75). Maritain challenged those of us in the next generation to make articulate the inarticulate ideology of this American civilization, for our own sake and that of humans everywhere (RA 118).

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<sup>1</sup>Hannah Arendt, *On Revolution* (New York: The Viking Press, 1965), 49.

<sup>2</sup>*Ibid.*, 49.

Lord Acton called the U.S. Constitution one of the half-dozen greatest landmarks in the entire history of liberty. He thought that the principle of federalism, designed as a structural device for dispersing power and protecting liberty, was a breakthrough of world-historical importance.<sup>3</sup> Alexis de Tocqueville published his own observations on the startling innovations that American civilization had already introduced into the course of history, as if guided by the hand of Providence, innovations for which Europe had better ready itself.<sup>4</sup> His account was written after the American experiment had already proved itself in the sixty years between 1776 and 1836.

The American framers, too, especially Madison, had quietly noted the originality of their designs, recognizing that history offered them "no model" on which they could completely draw, no prior design that they could imitate.<sup>5</sup> They were testing, in Hamilton's words, whether for the first time in history a people could form a government from reflection and choice, or whether governments must forever be formed by accident and force.<sup>6</sup> They called their experiment, of whose successful outcome they were in some serious doubt, *Novus Ordo Seclorum*. It was a "new order." There was no precedent for it. Well, what *was* new about it? In their eyes and in the eyes of observers overseas?

If we are ever to explain America to Europe, to the rest of the world,

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<sup>3</sup>Lord Acton, *Lectures on Modern History*, intro. Hugh Trevor-Roper (New York: Meridian Books, Inc., 1961), 295.

<sup>4</sup>Alexis de Tocqueville, *Democracy in America*, the Henry Reeve text, ed. Phillips Bradley (New York: Vintage Books, 1945), vol. 1, 7.

<sup>5</sup>The Americans accomplished, Madison wrote, "a revolution which has no parallel in the annals of human society. They reared the fabrics of governments which have no model on the face of the globe." Alexander Hamilton, James Madison, John Jay, *The Federalist Papers*, intro. Clinton Rossiter (New York: New American Library, 1961), No. 14 (104).

<sup>6</sup>*Federalist* No. 1 (33).

and to ourselves, we urgently need a philosophy of American civilization. Its spinal cord would certainly be the human capacities for "reflection and choice" that are the inner spring of "natural liberty." The preliminary form of this philosophy is already adumbrated in what the framers—and Tocqueville—sketched out as "the new science of politics."<sup>7</sup>

Long before Leo XIII was to articulate the foundations of modern Catholic social thought, the American framers were inventing institutional architecture for the "system of natural liberty." Like Catholic social thought, the framers rooted themselves in Greek and Roman thinking about virtue, character, and the natural order of liberty, including intellect ("reflection") and will ("choice"). Like Catholic social thought, they maintained a profound awareness of human waywardness, ambition, envy, and destructiveness. To paraphrase together several passages of *The Federalist*, one might write: "What is the history of governments if not a melancholy reflection upon the history of human vice?"<sup>8</sup>

In many ways, American social thought drew upon Christian and classical sources quite congenial to Catholics; in some ways, though, it was generations in advance of Catholic social thought and, indeed, of the social thought of Europe and the other continents. Recall what Catholic popes and bishops were saying around 1790, around 1830, and even at the time of *The Syllabus of Errors* (1863). Compare all these to the thought of Madison and Jefferson, Tocqueville and Lincoln.

Among countries as among individuals, God often raises up the distant, the disdained, the small, and the as yet uncelebrated, to advance out of obscurity and to lead the way. So it occurred, Tocqueville argued, that the distant civilization in the wilds of America had been chosen to lead sophisticated Europe and the entire world.

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<sup>7</sup>Tocqueville, *Democracy*, 7.

<sup>8</sup>See, e.g., the whole of *Federalist* No. 6, for Hamilton's reflections on human evil. While appealing to "experience, the least fallible guide of human opinions," and to "a tolerable knowledge of human nature," he writes: "A man must be far gone in Utopian speculations who can . . . forget that men are ambitious, vindictive, and rapacious. To look for a continuation of harmony between a number of independent, unconnected sovereignties situated in the same neighborhood would be to disregard the uniform course of human events, and to set at defiance the accumulated experience of ages" (54).

## I. The American Proposition: Murray and Maritain

American civilization was original both in the minds of its founders and in the objective view of distant observers. But in which precise discoveries lay its originality? What exactly are the intellectual contributions of American thinkers to the international body of "social thought"?

Let there be no doubt that the American contribution is intellectual. It represents one of the world's greatest achievements of *practical philosophy*. Its *speculative* dimensions remain to be worked out by philosophers so inclined. Such dimensions are indispensable. Yet, in the actual unfolding of American intellectual life, they have so far been left inarticulate, no doubt for reasons good and bad. They are, nonetheless, present in classical American texts as truths taken for granted, explicitly cited, but hardly fully displayed or intellectually defended.

Consider, for example, Jefferson's ringing, historically pregnant passage: "We hold these truths to be self-evident," that is, truths so firmly held (at least *by us*) as to need *for practical purposes* no further argument. Argument they certainly need; but not necessarily in the heat of creating the workable institutions that would give them *practical expression* before an attentive world. As befits men trying to shape the beginnings of all future world history, the Framers concentrated on showing that these truths do in fact work. It would be idle, they knew, to offer a metaphysical program for liberty, justice, equality, and growing prosperity among peoples, if such a program should end in miserable failure. The republican idea of self-government had already fallen into historical opprobrium. For this reason above all, the first defense it needed was practical, not speculative.

"It is classic American doctrine," John Courtney Murray wrote in the very first sentence of *We Hold These Truths*, "immortally asserted by Abraham Lincoln, that the new nation which our Fathers brought forth on this continent was dedicated to a 'proposition.'" And a proposition of this type is both "the statement of a truth to be demonstrated," and also "an operation to be performed. Our Fathers dedicated the nation to a proposition in both of these senses." The American Proposition is at once doctrinal and practical: "It presents itself as a coherent structure of thought that lays claim to intellectual assent; it also presents itself as an organized political

project that aims at historical success."<sup>9</sup>

Moreover, this American Proposition "rests on the forth-right assertion of a realist epistemology. The sense of this famous phrase is simply this: 'There are truths, and we hold them, and we here lay them down as the basis and inspiration of the American project, this constitutional commonwealth' " (WH viii–ix). The American framers thought that "the life of man in society under government is founded on truths, on a certain body of objective truth, universal in its import, accessible to the reason of man, definable, defensible. If this assertion is denied, the American Proposition is, I think, eviscerated at one stroke" (WH ix).

Father Murray then points to the challenge that the American Proposition has put to Catholic social teaching: "A new problem has been put to the universal Church by the fact of America" (WH 27). The kind of pluralism represented by the American experiment had no model or precedent in Catholic history. In Europe, pluralism was forced on warring factions by history; in America, pluralism was the rule from the beginning of national constitutional life. Despite this novelty, American Catholics, yesterday as today, "participate with ready conviction in the American Proposition," and "accept on principle the unique American solution to the age-old problem" of religious diversity (WH 28).

The reasons for this acceptance cut deep. Underlying the American Proposition are radical beliefs: in the sovereignty of God over all political life and in "the tradition of natural law as the basis of a free and ordered political life" (WH 41). Murray pointedly adds: "Historically, this tradition has found, and still finds, its intellectual home within the Catholic Church. . . . Where this kind of language is talked, the Catholic joins the conversation with complete ease. It is his language. The ideas expressed are native to his own universe of discourse. Even the accent, being American, suits his tongue" (WH 41).

The paradox, for Murray, is that "a nation which has (rightly or wrongly) thought of its own genius in Protestant terms should have owed its origins and the stability of its political structure to a tradition whose genius is alien to current intellectualized versions of the Protestant religion, and even to certain individualistic exigencies of Protestant religiosity." The contents of the American consensus "approve themselves

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<sup>9</sup>John Courtney Murray, S.J., *We Hold These Truths: Catholic Reflections on the American Proposition* (New York: Sheed and Ward, 1960), vii. [Due to the frequent use of this work in the article, it is referred to by WH and placed within the text, according to the method adopted for books by Adler, Simon, and Maritain—Ed.]

to the Catholic intelligence and conscience." This has remained true, even when other Americans over the generations have come to distance themselves from the tradition of natural law (WH 40–43).

Moreover, Jacques Maritain himself derived one of his most central insights in political philosophy from analogous reflections. Like Murray a man of Catholic "intelligence and conscience," steeped in the materials of Christian philosophical history, Maritain felt unexpectedly at home in America. His earlier negative views, derived from European biases, were dissipated by his daily experience, as he details in *Reflections on America*. Here it was that he discovered the key difference between a "secular common faith" founded on *speculative* principles (which, under conditions of genuine religious liberty, would be impossible to bring about) and one founded on *practical* principles (sufficient for civil pursuit of the common good). Indeed, his personal intellectual contribution to the founding of UNESCO and to the writing of the Universal Declaration of Human Rights produced by UNESCO, extended into the international arena the vision of *practical* pluralism he had learned from the American experiment.<sup>10</sup>

## II. The Proposition and Its Betrayal

The American Proposition, as Father Murray has shown, sets a very high standard, from which a failure of moral virtue or intellectual conviction is a serious falling off. Therefore, a distinction is needed in order to clarify what it is that one is defending when one defends the American Idea (the American Proposition): a distinction between the Proposition and the Practice. On the one hand, the American Idea is *embodied* in a living system of laws, customs, institutions, traditions, and virtues. It is no mere Platonic idea. On the other hand, the American Idea cannot be identified with everything that some Americans (even a majority) happen to think or do. The American Proposition is not identical to "the American way of life" or even "the American dream." There is a great deal to be criticized, lamented, and fought against in American practice, not only in our day but in every past generation of American history. The crucial point, however, is that the American Proposition carries within itself—in its homage to the Creator and in its appeal to natural law—the standards of judgment by which our people's failings may be brought under critical fire. The phrase,

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<sup>10</sup>See, e.g., both his exchange with Sidney Hook in *The Nation* (1945), "The Pluralist Principle in Democracy," and his Inaugural Address to the Second International Conference of UNESCO, "The Possibilities for Cooperation in a Divided World," reprinted as chapters 12 and 13 in *The Range of Reason*.

"nation under God," has traditionally been invoked, not only by ardent preachers, but also by the nation's duly elected officers, to bring the nation to the bar of transcendent judgment.

Indeed, from the far left and the far right, and from all points in between, Americans have always felt at home in the sermonic form of rhetoric, castigating the nation's sins, and insisting upon repentance and reform. Quite deliberately, the nation's Founders intended to keep open this channel to invoking divine judgment in the name of a "higher law." Americans are uncommonly fond of telling one another, in one breath, "This is a free country" and, in another, "There should be a law against that." Practices or laws current in any one generation are not taken to be self-justifying; they are held to the measure of a higher and more exacting standard.

Not only is it true that the American Proposition holds American institutions and practices under the judgment of the law of God and the law of nature. It is also true that the American Proposition not only legitimates, it almost demands, that the citizens of the United States hold themselves and their fellow citizens under vigorous and incessant criticism. There is hardly any activity that is more characteristically *American* than criticizing the actual goings-on of this Republic—criticizing the Congress, the President, the Courts, the military, the bankers, the rich, the movie stars, the athletes, the press, the unions, churchmen, and the vices and blindnesses of fellow citizens. There is not a taxi driver in New York who can't do all of this between Manhattan and the airport and hardly stop for breath.

That the Framers intended this is indicated by two (among other) signs. First, the depiction of the *Novus Ordo* chosen with care for the Great Seal of the United States is that of a pyramid deliberately left uncompleted. This was intended to indicate that such goals as "liberty and justice for all" transcend the labors of any single generation and, indeed, of all generations cumulatively. The Framers wished to invoke the memory of the people of Israel wandering in the desert, going out from Egypt toward the Promised Land. In an important way, the American experiment was held to be, analogously, under the same scorching judgment of the Almighty as the first Israel. The people of America were imagined to be the second Israel. The point of view from which this was done, of course, was civil and natural, not precisely religious. The Framers were not trying to claim a sacral history, nor to coerce all citizens into an established state religion. But what they did want to borrow from the history of the Hebrew people was public recognition of the sovereignty of God above and beyond all politics and culture. It is this point that Father Murray has shrewdly seized upon in the founding documents.

Second, one of the "truths we hold" in Jefferson's classic rendition in

the Declaration of Independence is that *each generation* of citizens has the same right as the founding generation, viz., to live under laws and institutions to which it has given its reflective consent. This truth signifies in a powerful way that, in passing judgment on the current state of their public order, each generation may repair to nature and nature's God. *That* is the substratum of conviction on which its rights are based. "To secure these rights, governments are established among men." Governments, that is, laws and institutional arrangements, are indispensable for the securing of rights in actual practice. But the actual practice remains always under scrutiny.

Thus, nothing is more in keeping with the American Proposition than a profoundly felt sense of laboring under the judgment of the Almighty. No degree of material prosperity shields the nation from this searing judgment. No degree of military might or worldly preeminence can deflect this judgment. It would never be enough for America merely to be rich, or merely to be powerful. (Often in history, the rich and the mighty have been humbled.) To fulfill its own stated principles, America must be faithful to the laws of nature and the laws of God.

On no other ground are the rights claimed by its citizens established. Indeed, this is a blessing for which, even amidst the fratricide and carnage of the Civil War, the Congress of the United States saw fit to require President Lincoln to proclaim a public holiday of Thanksgiving to Almighty God. Similar invocations of gratitude to Providence have been a constant motif of public speech throughout our history—in the Constitutional Convention, in the *Federalist*, and in a long line of Inaugural Addresses of our Presidents. Such expressions of public religion are no more than what they claim to be, expressions of a "civil" religion. There was, and is, no religion of a higher order that is nationally established. Such expressions flow, nonetheless, from the religious imperatives of the natural law.

Therefore, all those citizens today who are sickened by what they see around them as rampant materialism, the neglect of the moral virtues, the exaltation (under the name of "liberation") of selfishness and "looking out for number one," etc., are not in violation of the American Proposition when they proclaim the obligations inherent in the law of nature and the law of God, as these have been made known to them. Those, too, who protest against the aggressive denial of the warrants of natural law and the law of God—for example, by professors, jurists, and journalists of a set of convictions usually described as "militantly secularist"—do not have to step outside the American Proposition to make such a protest. On the contrary, better than those who deny, those who affirm the law of nature and the law of God stand foursquare within the American Proposition.

It is, then, the American Proposition that we defend, not the betrayals



of it that have been so common in every generation of American history. It is the high standard, not the multitude of sins. And yet, in history, Christian faith itself teaches us that we must not be dismayed by the powerful presence of sin in our midst, even in our own hearts. Thus, those who sought to build here a "New Republic" recognized that there is no point in designing a Republic for saints. There are not enough saints at any one time, in any one place, to constitute a Republic. Our forebears built for sinners. That is why they took such care with checks and balances, with the division of powers, with the division of systems, with empowering against every ambition a counterambition, and with remedies against the maladies inherent in the democratic idea itself.

No doubt, then, we are not the first generation to find ourselves up to our *kiesters* in the flaws, corruptions, vices, and self-destructive impulses of our kind. "*O Tempora! O Mores!*" is not an original expression. Nonetheless, some tempering comments are in order. Both on the left and on the right today, fierce partisan passions lay stinging flagellation across the back of this Republic. The poor country is flayed for faults real and imagined. What is missing in these jeremiads is calm, critical judgment. And also the presumption of innocence. A country, too, is innocent until proven guilty.

Aristotle warned us that in politics we must be satisfied with "a tincture of virtue." Thus, in flaying America for its many faults, we do well to remind ourselves of the limits of moral possibility. We have no right to demand absolute moral perfection. Moral wisdom counsels judgments concerning "more" and "less." It is proper to ask: *Compared to what?* Compared to the transcendent standards inherent in the American Proposition, yes, the nation asks to be, and deserves to be, severely judged. But even here, mercy ought to temper judgment; if justice is the sole measure, what nation in what era could stand?

Moreover, some respect ought to be shown for the limitations of historical existence. Thus, moral judgments about the United States today must be understood in a comparative context. Was the United States in earlier generations morally better than it is today? Which other nations, today or in the past, show a higher level of moral practice? If one does not answer the question, *Compared to what?*, one's moral seriousness is suspect. Since no nation and no people has ever met the full standards of nature's law and God's law, to measure the moral seriousness of judgments about existing nations or peoples one needs to weigh them against other real alternatives. Otherwise, moral judgments will seem hyperbolic.

Consider two examples: (a) If one judges the present generation harshly, would one actually prefer the United States of the 1930s, or 1850s, or 1770s? In what respects? With what reservations? (b) If one thinks the

people of the United States today lacking in moral virtue, which people today does one hold to be their moral superior? On what evidence? The very size and complexity of such judgments induce an appropriate humility. They bring ethical discussion down with a thud to earth. Distinctions become necessary. After the case for the prosecution is made, the case for the defense will need to be heard. Evidence is required from both. Jacques Maritain's *Reflections on America* proceeded in this spirit. In reflecting on America, he kept Europe (past and present) in mind. His wise distinctions altered forever the way I would respond to accusations that Americans are "materialistic" or "consumerist" (a word not in fashion then), and "bourgeois" (in its continental connotations).

Maritain's methods teach us to make several distinctions in these matters. (1) There is a difference between the way American life is presented in the *media* and the way it is lived by our neighbors, colleagues, relatives, and local communities. Maritain regularly contrasted the ideas about the America he had learned about in France with his actual experiences with neighbors and strangers in this land. (2) There is a difference between the "new class"—the mores, manners, beliefs, and symbols of our better-educated elites who figure so powerfully in the media—and other bodies of Americans, less visible in the media, but known to us in our parishes and local environments. When one hears generalizations about "Americans," or even "yuppies," it is useful to see if they fit one's Uncle Emil or one's nephew Joe, just graduated from law school and living in an urban setting. Quite often, they don't. Maritain was always testing his preconceptions in this way. (3) It is useful to distinguish within "ideal types"—such as "Americans," "yuppies," "the rich," "the homeless," "welfare mothers," etc.—any number of varieties and subtypes, including vivid counterexamples. (4) Above all, it is useful to distinguish between the American Proposition and the failures of mere mortals to live up to it. Maritain, like a good philosopher, tried to capture the ideals, the spirit, the *finality* of the American people and our institutions.

These lessons from Maritain bring me back to the beginning. Our Framers claimed no specifically *American* rights, but only rights inherent in *all* human beings. Our Framers believed in objective truths; they were not relativists. For example, Abraham Lincoln affirmed that the right of human beings to govern themselves is a right "applicable to all men and all times." He knew well that such a right was not being secured at that time for most human beings on this planet, but that, he believed, was a lapse of moral principle. He was willing to shed vast amounts of blood to uphold that principle, within his responsibilities to the Constitution and to the Union.

Today, by contrast, many Americans, who have casually absorbed a

principle of moral relativism, think that the American Proposition is *not* morally superior to that of Vietnam or Honduras or the USSR, but is merely “relative” to our culture; it’s merely “ours.”<sup>11</sup> Such a standpoint empties morality of meaning. It reduces morality to a mere “hurrah” for our side. It denies that persons capable of understanding reasons, and of making reasoned choices, deserve to be ruled only with their own consent. It denies the American Proposition, whose warrants are the laws of nature and nature’s God. Abandon those warrants, and you have eviscerated the American Proposition—first as an intellectual theorem, but also as a political experiment. That makes a mockery of many brave efforts expended, of many profound intellectual and institutional discoveries nobly carried out, and of such hallowed spots as Gettysburg, to name but one patch of blood-drenched earth. Criticize American practice to your heart’s content. But do so wisely, recalling the American Proposition to which, in such criticism, you will necessarily be obliged to repair. Those, in particular, who wish to criticize the alleged materialism, secularism, relativism, and consumerism of certain sectors of American life will find the American Proposition convenient for their purposes.

### III. Five Propositions for Exploration

Setting aside our past failures, and advancing into the future, I would like to propose five ways in which the American Proposition has launched into the world new ideas, new institutions, new ways of doing things. It is the vocation of American intellectuals, Catholics especially, to be of service in the desperate search of our worldwide contemporaries for a foundation in natural law for the international community, in which women and men of radically divided religions and secular faiths seek ways of practical cooperation. That the speculative divisions on this planet are immense is a fact. That there are practical principles for common action available for international expression is a lesson Maritain invited us to pursue.<sup>12</sup>

In addition, a revolution in communications (including television, VCRs, and electronic networks) has occurred since the deaths of Murray and Maritain. This revolution has given new reality to worldwide standards of public behavior and speech. The reputations of leaders and regimes, submitted to universal and instantaneous inspection, are assailed

<sup>11</sup>See Hadley Arkes, “Moral Obtuseness in America,” *National Review* (June 16, 1989): 33.

<sup>12</sup>For the distinction between speculative and practical ideology, see *The Range of Reason*, 180.

by worldwide public opinion. What was formerly hidden is now brought into the light of universal judgment. The imperatives of natural law now run beyond the complete control of local, protective ideologies. When tyrants abuse their citizens, worldwide opinion condemns them.

With this in view, I have listed five world-historical breakthroughs of the American experiment, with implications for an ordering of international freedom according to natural law.

(1) *Religious Liberty*. "On any showing," Murray writes, "the First Amendment was a great act of political intelligence" (WH xi). But what is its profound meaning? What is its universal bearing?

Liberty of conscience, Pope John Paul II has often said, is the first of all fundamental rights.<sup>13</sup> It goes to the heart of human identity. Still, there are not lacking many Americans, even Catholics, who profoundly misunderstand the *social* dimensions of the First Amendment. The words of that amendment are deceptively simple: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." Now it may well be that some Protestants conceive of religion in a wholly individualistic and private manner. Yet in 1792, there were also Catholics and Jews in America, whose conception of religion as a community of faith and obligation was not thereby disfranchised. Congress is expressly prohibited from establishing a Protestant conception of religion, by the first clause, and from barring the free exercise of Catholic, Jewish and other conceptions of religion, by the second.

In the generation preceding ours, perhaps too much attention was given by philosophers, lawyers, judges, and public discussion generally to the "no establishment" clause, and far too little to the "free exercise" clause.<sup>14</sup> But, more deeply still, the "no establishment" clause is in itself violated by interpreting it solely in a Protestant, individualistic sense. Thus, if our public dialogue in the United States has in fact been warped by infidelity to the basic neutrality of the express language of the First Amendment, the fault lies not in our stars but in ourselves. We have failed to deepen our own intellectual heritage, and to press it in the public

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<sup>13</sup>See *Redemptor Hominis*, 17. In a letter to Kurt Waldheim at the United Nations, the Pope wrote that "religious freedom . . . is the basis of all other freedoms and is inseparably tied to them all by reason of that very dignity which is the human person." See also the discussion in George Weigel, "Religious Freedom: The First Human Right," *This World* 21 (Spring, 1988): 39–44.

<sup>14</sup>This is the gravamen of the Williamsburg Charter on Religious Liberty. See *This World*, No. 24 (Winter, 1989): 54–101.

square. In that case, we have been inhibited not by lack of liberty, but by lack of intellectual perspicuity, hard work, and courage.

This failure has international implications, for most of the world thinks rather in communal terms of human identity, than solely in individualistic terms. Religion, for most humans, grounds *social* obligations and *public* expression. The First Amendment prohibits the coercion of any consciences by an establishment of religion; but, in the same stroke, it also prohibits the coercion of those consciences for whom religion does impose social and public obligations. The latter must enjoy the rights of free exercise, so long as they do not seek to coerce the free exercise of the consciences of others. These principles allow for considerable variation in structures and arrangements among various nations of diverse histories. Equivalents to the "First Amendment" in other national constitutions need not take precisely the American form. Nonetheless, under pain of violating this "first of all human rights," the practice of all nations must respect the existing variety of conceptions of religion and conscience, and permit their free exercise, privately as well as publicly.

(2) *The Social Question*. Always close to the heart of Jacques Maritain and Yves R. Simon was the growing desire of the poor of the world—whom they often spoke of in European terms, as "the workers"—to live a more prosperous life, above the level of mere subsistence (or less) to which from time immemorial they had been condemned.<sup>15</sup> Still, Hannah Arendt in *On Revolution* observed correctly that it was the American experiment that showed Europeans for the first time, and through them the whole world, that the poor are not inevitably enchained in poverty, but, under well-designed institutions, do better their conditions massively. This American success turned generation after generation of poor immigrants into a large and thriving middle class, and created for Europeans a crisis of conscience. If *les misérables* are not confined to everlasting misery by God or by fate, but by ill-designed institutions, then nineteenth-century Europe was obliged to confront its own massive "social problem,"<sup>16</sup> which had been ignored for centuries. By European intellectuals and activists, this problem was misidentified as a crisis of industrialization and capitalism. For it was precisely to "capitalist" America and to centers of industry in Europe (and elsewhere) that the desperately poor rural masses were flee-

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<sup>15</sup>See, e.g., Maritain's discussion of the working class in *Integral Humanism*, and Yves R. Simon, "Socialism and the Democracy of the Common Man" in *The Community of the Free*, 137–72.

<sup>16</sup>Arendt, *On Revolution*, 15.

ing in search of opportunity. Indeed, had there not been an example of how “huddled masses yearning to breathe free” could find a better life, the worldwide “rising expectations” of the poor could hardly have been awakened. Expectations would have remained as they had ever been; and the life of vast majorities would have remained “solitary, poor, nasty, brutish, and short.”

In this respect, the social history of the last two centuries deserves a second look, from other than an anticapitalist point of view. One would think that American Catholic intellectuals, so many of them recent descendants of the world’s most miserable and poor, would inquire more deeply into the design of institutions that allowed their families to escape from immemorial poverty. Some among them might prosecute the following systematic inquiry: Through which *institutions* was the poverty of our families alleviated? How did it happen that they did not long remain poor?

The answer to such questions cannot be merely “hard work”; our ancestors had also worked very hard in the lands whence they emigrated. The answers are surely both systemic and practical. Such lessons have, indeed, gained in informative power, as other economic experiments on the international scene repeatedly fail. Socialist leaders in the USSR, Hungary, Poland, China, and elsewhere speak more often these days of markets, private property, incentives, enterprise, personal initiative, and the privatization of earlier nationalized industries. Surveying the conditions of his native Poland during his lifetime, Pope John Paul II linked to the fundamental right of religious liberty a second fundamental right to “economic initiative.”<sup>17</sup> He justified this right in terms both of the person and the common good.

(3) *Creativity and Enterprise*. Imbibing the lesson of Adam Smith (but not the philosophy of *laissez-faire*) that “the cause of the wealth of nations” is discovery and invention, the American framers led the world in listing among the “rights” of Americans (in art 1., section 8 of the Constitution) the right, for a limited time, to the fruits of their own inventions and discoveries, “in order to promote the sciences and the practical arts”—i.e., for purposes of the common good. Alexander Hamilton’s superior knowledge

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<sup>17</sup>*Sollicitudo Rei Socialis*, reprinted in *Aspiring to Freedom: Commentaries on John Paul II’s Encyclical ‘The Social Concerns of the Church’*, ed. Kenneth A. Myers (Grand Rapids: William B. Eerdmans Publishing Company, 1988), 16.

of economics, furthermore, prompted him to establish institutions of enterprise, manufacture, and commerce that turned the Northern states, at least, away from the Jeffersonian and Madisonian emphasis upon the yeoman farmer, and enabled the North to move far beyond the rural poverty in which the South was so long enmired.<sup>18</sup>

At the risk of some repetition, let me again emphasize that American Catholic scholars have been remarkably slow in grasping the secrets of the economic system, first invented in America, that propelled their ancestors from poverty and misery to reasonable affluence. Sitting as they do on vast resources of historical research for grasping *How the West Grew Rich*,<sup>19</sup> in this first of the "developing nations," American humanists have had remarkably little to say to the billions of the world's poor struggling today to discover and to build systems that liberate the vast majority of the poor from poverty. Such systems must include institutional supports in which to learn and to exercise the moral-intellectual virtue of economic enterprise, such as institutions that afford cheap and easy incorporation of small businesses, credit for the poor, venture capital, universal education, and research and development. Without the Homestead Act, and the Land-Grant College Act, the rapid development of the American West would hardly have been conceivable. For economic development springs from institutions that inspire and support the capacities for creativity and enterprise endowed in all humans by the Creator, in whose image they are made.

(4) *The New Science of Politics*. The American Proposition that government is properly "of the people, by the people, and for the people," must necessarily call forth from among the people new virtues, to be added to the classic tables of the virtues. This theme—that a new form of politics requires new virtues—was dear to Alexis de Tocqueville, who understood quite well the classic, aristocratic virtues of the European past. In ancient societies, citizens needed reserves of sheer endurance and patient resignation. In the new republic, by contrast, citizens faced new and unprecedented civic and economic responsibilities, for which ancient virtues of resignation could not be sufficient. They needed civic responsibility, enterprise, and initiative. They needed new forms of civic cooperation and practical cooperation. They also enjoyed—and needed—a personal sense

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<sup>18</sup>See Forrest McDonald, *Alexander Hamilton: A Biography* (New York: W.W. Norton & Company, 1982).

<sup>19</sup>See Nathan Rosenberg and L.E. Birdzell, Jr., *How the West Grew Rich: The Economic Transformation of the Industrial World* (New York: Basic Books, 1986).

of belonging to a great common and public project, that of creating a new society. They were inspired by American institutions with an unprecedented ambition and bustling energy, which was remarked upon by such Catholic visitors from abroad as Crèvecoeur and Tocqueville. Whereas ancient tables of the classic virtues had frowned upon "utility," Tocqueville shrewdly observed, Americans speedily made it both an instrument of effecting the common good and of raising the levels of common life to standards (material and spiritual) never before attained.<sup>20</sup>

In brief, new thinking on the moral virtues appropriate to political and economic life in free republics is urgently needed. It is not the case that the older virtues lose their appropriate roles; rather, they must be complemented by a new panoply of virtues, appropriate to the full civic responsibilities that citizens assume in becoming a sovereign people. The new scope of moral virtue is, therefore, larger and more demanding than before, not less demanding. Liberty is in this way a heavy moral burden. Moreover, without the practice of these specific new virtues, the institutions of the new republic cannot function. Worse, they will fall into desuetude and decadence. On that front, we face no little threat today, since in many places the moral capital of the past is being spent without replenishment. The "new science of politics" cries out for a "new science of the moral virtues," appropriate to new institutional arrangements.

(5) *Curing Democracy's Diseases*. The American Framers proved to be far wiser than the leaders of the French Revolution in several ways. One of the most important was that the Americans, unlike the French, saw clearly the diseases to which democracy is prey, and against them devised a host of remedies. Perhaps the briefest way to state the difference is that the Americans were realists, whereas the French prided themselves on an ideological reconstruction of society. This may explain why the American

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<sup>20</sup>"In the United States there is hardly any talk of the beauty of virtue. But they maintain that virtue is useful and prove it every day. . . . [The Americans] enjoy explaining almost every act of their lives on the principle of self-interest properly understood. It gives them pleasure to point out how an enlightened self-love continually leads them to help one another and disposes them freely to give part of their time and wealth for the good of the state" (Tocqueville, *Democracy*, 525–30).



Republic flourished during the next fifty years, while the French did not: it was born without the bloodbath that the French Revolution lustily championed. Unlike so many other revolutionaries, the American Framers died peacefully in their beds, revered and celebrated, as were Thomas Jefferson and John Adams when they both died on the fiftieth anniversary of the Declaration of Independence, July 4, 1826.

The American framers saw clearly that even democracy may be tyrannical. They rightly feared "the tyranny of the majority,"<sup>21</sup> recognizing from history that personal and minority rights would not be safe in the hands of majorities. They understood quite well the sudden passions—and the demagoguery, rhetorical and otherwise—to which majorities are prey. They were not willing to exchange a king for an unchecked majority, one tyrant for another. Therefore, even while retaining the principle of majority rule, they contrived to find ways to protect limited government, and most especially private and minority rights. To the idea of majority rule, they added a rather large number of republican checks and balances. Eschewing a utopian democratic idea, they sought to construct a democratic *republic*.

Among the most original of remedies to democratic diseases was an insight of which Madison was especially proud, "the enlargement of the orbit."<sup>22</sup> Whereas earlier sages had argued that democracy is attainable only within a small state—ideally, for Aristotle, a forum small enough to be within the reach of a single human voice—Madison hypothesized that a democratic republic could best survive within a very large territory. He

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<sup>21</sup>"When a majority is included in a faction, the form of popular government . . . enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens" (*Federalist* No. 10, [80]). See also Tocqueville, *Democracy*, vol. 1, Chapter XV, especially the section entitled "Tyranny of the Majority."

<sup>22</sup>See *Federalist* No. 10 and the discussion of Madison's thought in Marvin Meyers, *The Mind of the Founder: Sources of the Political Thought of James Madison*, revised edition (Hanover: University Press of New England, 1981), xxvii–xxx. See also Martin Diamond, *The Founding of the Democratic Republic* (Itasca, IL: F.E. Peacock Publishers, 1981), 70–78.

therefore argued that the very large expanse of the existing American states (and others to be added) was not, as the ancient wisdom had supposed, an impediment to success; on the contrary, it was a necessary condition.<sup>23</sup> The reasons for this advantage, made out of a seeming disadvantage, were several. Among the most important are these. First, the larger territory would include a broader range of diverse interests, parties, and habits of life, with the result that the number of checks upon any tyrannous majority would be multiplied. Second, although a small community might more easily fall under the sway of a demagogue, or powerful family, or particularly talented set of forceful personalities, it would be far more difficult for such local powers to extend their sway over citizens in other communities, whose livelihood has a different basis and whose habits of life are different. Democracy may require a small compass, he argued; a republic requires a large.<sup>24</sup>

But there must also be other remedies to the diseases to which democracies are prey. A limited, constitutional government divides the fundamental human social systems into three, by two major subtractions from the power of earlier states. First, moral and cultural powers concerning conscience, information, and ideas would be excluded from control by the political powers. The church, press, and other institutions of the intellectual and spiritual life would be separated from government control. Second, to an unprecedented degree, the economic system would also be separated from direct political control. In short, the project of *limited* government entails a diminution of political power regarding the moral and the economic bases of the life of free citizens. Powers of conscience and economic initiative will thereby have larger fields of liberty than under preceding regimes. All three systems—political, economic, and moral-cultural—will be interdependent, of course, since all citizens are simultaneously political, economic, and moral beings. Moreover, each system will quite properly operate as a check upon the other two. As a whole, the system will be a properly “mixed” system, composed of all three subsystems. The (relative) *independence* of each is secured by this original design, as is the *interdependence* of all three.

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<sup>23</sup>“The two great points of difference between a democracy and a republic are,” wrote Madison: “first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens and greater sphere of country over which the latter may be extended” (*Federalist* No. 10, [82]).

<sup>24</sup>See *Federalist* No. 14, (100) and No. 10, (83).

Next, in similar fashion, the political system will be itself divided into its three independent, yet interdependent, parts: executive, legislative, and judicial.

Again, federalism will introduce yet a further system of checks and balances, inasmuch as every participant state will retain its sovereignty, even while delegating to the national (federal) government certain limited powers, sufficient to the pursuit of the general welfare. This conception of dual sovereignties functions as a principle of subsidiarity, bringing government closer to the governed in their smaller political units.

Beyond this, Madison and the other Framers were fertile in thinking up other "auxiliary precautions." Calvinist in background, although on the creative and optimistic side of Calvinism, both Madison and Hamilton knew that their task was to found a Republic that would work among sinners like themselves. Such a Republic would depend mightily on the virtue of its citizens and its leaders. But to depend solely on virtue would not be realistic, since even the most virtuous sometimes sin, especially when power is entrusted to them, and since a majority must be expected to rank no higher than in the middling ranks of the virtuous. Thus the need for "auxiliary precautions" is present throughout society in its every part, not alone in government:

This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other—that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State.<sup>25</sup>

Democracy, in short, even democracy in its republican form, cannot be imagined as a paradise, a dominion of the righteous, a realm where troubles cease, conflicts disappear, and vigilance against sin and error are no longer needed. On the contrary, without virtue republican self-government is not remotely possible. But even virtue needs the social support of checks and balances, and against its lapses government offices need to be so designed that the interest of officeholders in their own success requires them to be jealous of the boundaries between their power and that of others. In this way, each becomes a sentinel simultaneously of his own interest and the integrity of the Republic.

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<sup>25</sup>*Federalist* No. 51 (322).

