

# ORESTES BROWNSON ON CHURCH AND STATE

FRANCIS E. McMAHON

*Chicago, Illinois*

IT WOULD be wrong to assume that since the death of Orestes A. Brownson in 1876 he has been wholly neglected. In fact, a sizable literature concerning his life and achievements has accumulated during the past seventy-five years. It remains true, nevertheless, that interest in Brownson has been confined to a relatively small group of scholars, men and women who have appreciated the stature of this extraordinary man even when disposed to disagree with him. Present signs indicate, however, that the general obscurity attached to his name and accomplishments may, during the present generation, be dissipated, and that he will assume his rightful place in the chronicle of America and of American Catholicism.

One of the most forceful personalities of nineteenth-century America, Brownson was read when he was alive. He was read, but not always followed. On the contrary, he might belong to that group of "prophets" of whom Msgr. Ronald Knox has spoken (the Monsignor was referring to Hilaire Belloc)—men whose providential mission was not to convince but rather to convict.

This essay purposes to develop some of the central themes of Brownson's thought: (1) the primacy of the spiritual; (2) union of Church and state; (3) the American constitution and the Church; and (4) totalitarian democracy. Our aim is purely historical, to present as objectively as possible both the mind and the spirit of Brownson on these topics. They were topics pertinent to his own age; they are, possibly, even more pertinent to the present age.

NOTE.—All quotations attributed to Brownson are from *The Works of Orestes A. Brownson*, collected and arranged by Henry F. Brownson, 20 vols. (Detroit, 1832-87). The dates appended to the references refer to the time of original publication. The following biographies of Brownson have been published: Henry F. Brownson, *Orestes A. Brownson's Early, Middle, and Latter Life*, 3 vols. (Detroit, 1898-1900); Arthur M. Schlesinger, Jr., *Orestes A. Brownson: A Pilgrim's Progress* (Boston: Little, Brown, 1939); Doran Whalen, *Granite for God's House* (New York: Sheed and Ward, 1941); Theodore Maynard, *Orestes Brownson: Yankee, Radical, Catholic* (New York: Macmillan, 1943). It can be argued that, despite the merits of some of these studies, the definitive biography of Brownson has yet to be written.

Every temptation to offer a final evaluation of Brownson's contributions on the themes developed here has been resisted. It would have been both interesting and useful to institute a comparison and, where indicated, a contrast between his positions and those, say, of a Maritain or a Sturzo. And it would certainly be fruitful to study Brownson in the light of the pronouncements of the recent Pontiffs, to ascertain wherein his judgments anticipated theirs and wherein his own doctrine would need implementation.

To synthesize Brownson's thought in relation to four major topics is problem enough, however, for one essay. It is no easy task to obtain a balanced view of the mind of a man who wrote over a period of more than forty years, and whose mind was continuously alive. One does not simply collate texts here and there to prove a point. One must examine each text in relation to the ensemble of his voluminous writings. One must keep in mind the evolution his thought underwent, even during his Catholic period, as well as the revisions he made, even the revisions of his revisions. Any objective synthesis of Brownson's thought will have rough edges. It will exhibit minor discrepancies, and differences of tone and accent. To pretend otherwise would be to falsify the record. Despite all these variations, however, there is detectable, with respect to the subjects discussed here, a basic consistency. To unfold this basic pattern of Brownson's thought is the object of this paper.

#### THE PRIMACY OF THE SPIRITUAL

The question of the mutual relations of the spiritual and temporal orders was, in Brownson's judgment, a fundamental one for human society. It was involved in every great controversy, not only of his own age, but also of every age. Was the spiritual order supreme in the affairs of mankind, or did such supremacy pertain to the temporal order? This was the basic question that must be resolved before other great issues of the social and political order can be disposed of.<sup>1</sup>

<sup>1</sup> *Works*, XI, 38 (1853); also *ibid.*, p. 36. Brownson even declared that it was almost the only question he had ever discussed in his publication: "The question which we have all along been discussing, and which in one form or other is almost the only question discussed in our *Review*, is precisely this question as to the relation of the two orders, the rights and powers of the spiritual order in relation to the temporal, and of the church, as the representative of the spiritual, in face of the state, the representative of the temporal" (*ibid.*, XI, 121 [1854]).

Brownson believed that the question had acquired a particular urgency in his own time. Political atheism had been gaining the ascendancy in modern society. Rulers and peoples were embracing, to an alarming degree, the view that politics was divorced from religion and morality, that the state was wholly independent of the spiritual order and the supreme judge of its own actions.<sup>2</sup>

And yet, Brownson believed, political atheism was not peculiar to modern times. He boldly advanced the view that, in one form or another, it had been the accepted principle of most temporal rulers of the Western world since the days of the Roman Empire.<sup>3</sup> It was the unfortunate legacy these rulers had inherited from pagan Rome.<sup>4</sup> The pagan emperors of Rome had concentrated in their persons the prerogatives of religious and civil rulership. They exercised, or at least claimed to exercise, absolute authority in both temporal and spiritual affairs.<sup>5</sup> It would be a mistake, in Brownson's view, to imagine that the Christian emperors who succeeded them wholly abandoned this conception.

Whether pagan or Christian, Catholic or Arian, the emperors always claimed the right, if not to determine what is or is not Christianity, at least to determine what must or must not be the religion of the empire. They never rose to the conception, certainly never adopted the conception, of religious liberty, or the full freedom and independence of the church before the state. They prohibited and persecuted the church, connived at her existence, tolerated her, or they enacted her as a civil law, and made the profession of her faith obligatory on their subjects. In no case was the church free. Her rights in the empire were held to be derived

<sup>2</sup> *Works*, XI, 128 (1854). It was a recurrent theme with Brownson that political atheism was the basic ill of the modern world: "Years ago we told our readers that the plague of modern society was political atheism, then wearing a popular or democratic form, as it has since worn an imperial or monarchical form" (*ibid.*, XII, 345 [1860]).

<sup>3</sup> *Works*, XI, 46 (1853). The phrase, "in one form or another," must be noted. Brownson acknowledged that many rulers had professed religious beliefs and some were even personally pious. But the point is that, in their official conduct, they had employed religion as an instrument of the civil power, and in this sense had subordinated the spiritual to the temporal.

<sup>4</sup> Brownson maintained that "the state in all European nations has always been pagan, and never in its principle or constitution been truly Christian" (*Works*, XIII, 177[1870]). The paganism lay in affirming the supremacy of the state. The principle "survived the fall of the Roman empire, and never for a moment ceased to struggle to recover the mastership" (*ibid.*, p. 209).

<sup>5</sup> "All power was concentrated in the state, and was held to emanate from Caesar, the fountain of justice, right, authority—on earth what God is in heaven" (*Works*, XI, 534 [1859]).

from the emperor, and whatever her privileges or possessions, they were held to be the gifts of the imperial liberality, and might be revoked at will.<sup>6</sup>

Passing to later periods of history, Brownson saw no era in which the temporal order had not sought to usurp the rights of the spiritual. The Middle Ages were no exception, in his belief. Though frequently represented as the period when the Christian ideal was attained in human society, and harmony achieved between the spiritual and temporal, they bear witness to an almost unceasing struggle on the part of the Church to preserve her liberties against ambitious temporal rulers.

It is all a delusion, the notion that some seem to cherish, that the church met no resistance in the middle ages, and that emperors, kings, princes, and nobles demeaned themselves as her obedient sons. Their submission was the exception, not the rule, and their protection of the church was seldom any thing but a pretext for enslaving her. They seem never to have responded to her call to execute the sentences she pronounced, unless it suited their humor, flattered their ambition, or promised them some temporal aggrandizement.<sup>7</sup>

Brownson recognized that the Church exercised great influence upon political and social life during the Middle Ages. Owing to her influence much that was bad in the preceding civilization was eliminated, and new elements of the highest importance were added.<sup>8</sup>

<sup>6</sup> *Works*, XI, 538 (1859). See also XII, 130 (1856): "The Emperors Constantine, Theodosius, and Justinian gave to the church some advantages by providing her considerable revenues, recognizing her ecclesiastical courts, and giving civil effect to her canons; but they made her pay a high price for them, and took good care to have it understood that she held them from the imperial liberality, and at the imperial pleasure."

<sup>7</sup> *Works*, X, 247 (1849). See also XIII, 267 (1870): "All through the middle ages . . . she [the Church] enjoyed not a moment's peace, hardly a truce, and was obliged to sustain an unceasing struggle with the civil authority against its encroachments on the spiritual order, and for her own independence and freedom of action as the church of God." The Church by no means had everything her own way, said Brownson. He referred ironically to the alleged tyranny the Church exercised over "such meek and lamb-like temporal princes as Henry IV, Frederick Barbarossa, and Frederick II of Germany, Philip Augustus of France, Henry II and John Lackland of England" (*ibid.*, p. 266). It is well to note the paramount importance Brownson attributed to the freedom and independence of the spiritual order. He returns again and again to the topic. It was this primarily for which the Popes had struggled; and it was this that the princes had sought to deny or restrict. This is the key concept in Brownson's whole discussion of Church and state.

<sup>8</sup> *Works*, XI, 563 (1856).

But there were other and contrary forces at work. Barbaric and despotic factors, inherited from pagan Rome and her unchristianized conquerors, were still potent. And there was no more formidable obstacle to her mission of sanctifying and civilizing than the effort of temporal rulers to restrict her independence and usurp authority in the spiritual realm. The question of lay investiture and the disputes between the canonists and the legists were merely high lights of a constant strife.<sup>9</sup>

The Renaissance brought with it, asserted Brownson, a revival not only of pagan literature but of pagan politics as well. It gave to the secular order an almost complete predominance over the spiritual.<sup>10</sup> The Greco-Roman conception of the supremacy of the state, which had never lost its hold upon the minds of men, now began to acquire unparalleled vigor. Nationalism commenced to thrive, as the feudal order crumbled and the princes of Europe pursued the goal of absolute power within their own domains.

Protestantism, asserted Brownson, was born of the new spirit.<sup>11</sup> Always a severe critic of Protestantism after his conversion to the Church, he declared that its real character "was a movement in behalf of nationalism—the distinctive feature of gentilism—revived by the insurgent worldly spirit."<sup>12</sup> It was aided and abetted by secular princes as a means of insuring their independence of the Church, especially of the papacy.<sup>13</sup> In the countries where Protestantism triumphed it

<sup>9</sup> *Works*, XII, 130 (1856); XIII, 209 (1870); XIII, 178 (1870).

<sup>10</sup> *Works*, XIII, 204 (1870).

<sup>11</sup> *Works*, XIII, 202 (1870). In his various essays Brownson analyzed Protestantism from many points of view—historical, philosophical, theological, social, and political. No comprehensive study of this aspect of his thought has yet been made, and it is impossible within the limits of this article to undertake it.

<sup>12</sup> *Ibid.*, p. 175. Some years previously Brownson had adopted a less intransigent attitude towards Protestantism in his *Essays Theological, Philosophical, and Historical, on the Reformation in the Sixteenth Century* (*Works*, XII, 514–607 [1862]). These essays were profoundly conceived, though manifesting the liberal tone which characterized his writings at the time and for which he later expressed regrets; cf. *Works*, VIII, 220–21 (1871). Brownson's "liberal period" lasted from ca. 1860–64.

<sup>13</sup> *Works*, X, 435–48 (1853). To establish the point, Brownson here reviews the rise of Protestantism in the various countries of northern Europe.

became an agency of the civil power.<sup>14</sup> There was no question, in his mind, that in such countries the temporal order was completely victorious.

He was equally insistent that the secular spirit was hardly less victorious in Catholic Europe after the rise of nationalism. Catholic rulers, no less than Protestant, sought to accumulate absolute power, both politically and religiously, into their own hands. If they acknowledged the Church as the representative of the spiritual order on earth, they construed her spiritual claims in the most limited fashion possible, and strove by every means to subordinate her mission to that of the omnipotent state.

We are not aware of a single Catholic sovereign in modern history that has regarded religion in any other light than as a branch of the police, although several of them have been personally pious. As princes, they have asserted the total separation of the two orders, and in their public and official conduct have looked upon the church merely as the auxiliary of the government, and religion as subordinated to the interests of the state.<sup>15</sup>

Under this relation the gravest error that emerged in the Catholic world was Gallicanism.<sup>16</sup> The declaration which Louis XIV of France persuaded an assembly of the French clergy to adopt in 1682 virtually proclaimed the absolute supremacy of the temporal power. The French monarch in this fashion sought to consolidate his absolute authority in the realm. The essence of the Gallican declaration did not consist,

<sup>14</sup> *Works*, XIII, 94 (1866): "... in the nations that were carried away by the so-called reformation, the civil authority assumed in every instance complete control over the national church, and prescribed its constitution, its creed, its liturgy, and its discipline. This for them completely humanized religion, and made it a department of state." He made one qualification later: Calvinism was theocratic, absorbing the state into the Church (*Works*, XIII, 175 [1870]).

<sup>15</sup> *Works*, XI, 47 (1853). But never, Brownson maintained, was the subjection of religion to the state carried as far in Catholic nations as it was in Protestant nations. This was owing primarily, he believed, to the efforts of the papacy to preserve the freedom and independence of the spiritual order.

<sup>16</sup> *Works*, XIII, 199 (1870): "We look upon Gallicanism, as expressed in the four articles adopted at the dictation of the government by the assembly of the French clergy, in 1682, and which had shown itself all along from Philip the Fair, the grandson of St. Louis, which broke out in great violence with Louis XII., and his *petit concile* of five cardinals at Pisa, acted on by the *politiques* of Henry IV., and formulated by the great Bossuet under Louis XIV., as the most formidable as well as the most subtle enemy the church has ever had to contend with."

in Brownson's view, in its assertion that the dogmatic definitions of the Pope are not irreformable—though this was in itself a serious error—but in affirming the independence of the state in relation to the spiritual order.<sup>17</sup> Though couched in the least offensive terms, the Gallican declaration marked the triumphant advance of Caesarism in Catholic Europe.

Other Catholic sovereigns emulated Louis XIV in his attempt to subject the Church to the state. In Spain, in Portugal, in Austria, and in other countries the spirit of Gallicanism quickly spread. The Church was forced into the role of vassal to royal absolutism. Her moral influence with the people, in consequence, was greatly weakened. She tolerated the restrictions placed upon her freedom and independence for the sake of avoiding outright schism. She was faced, at this period, with no more formidable a foe than these so-called Catholic dynasties. Brownson was convinced that "the worst enemies the Church for the last two hundred years has had to contend with, have not been either Protestants or Turks, but the professedly Catholic governments of Europe."<sup>18</sup> They had sought to compromise the Church and identify her cause with their own. It is understandable, therefore, that the forces of the French Revolution, in overthrowing absolutism, sought also to destroy the Church. The people themselves were unable to comprehend that political absolutism was as repugnant to the doctrine and principles of the Church as it was a threat to her freedom and independence. Apart from the prelates who had courted the favor of princes, and who had lent a readier ear to the kings than to the Popes, the Church had never willingly accepted this political order.<sup>19</sup>

There was one principle, declared Brownson, that the revolutionaries accepted from royal absolutism without qualification or change: the principle of the supremacy of the temporal order. Despising old forms of absolutism, they clung to its central thesis of the absolute autonomy of political life and its complete independence of the spiritual. Democratic Caesarism succeeded to the Caesarism of the monarchs. To-

<sup>17</sup> *Ibid.* See also *Works*, XIV, 505 (1874).

<sup>18</sup> *Works*, XI, 52 (1853).

<sup>19</sup> *Works*, XI, 49 (1853). Brownson's assumption, of course, was that absolutism of any character is incompatible with the freedom of the Church. Absolutism, by its nature, is in contradiction with the autonomy of the spiritual.

talitarian democracy came into being.<sup>20</sup> The Church now had to struggle, not precisely against a new enemy, but against an old enemy in a new form.<sup>21</sup>

What has been at stake throughout this historical conflict has not only been the liberty of the Church to pursue her divinely-given mission to save souls. Brownson believed that also at issue have been the well-being and progress of the social and political order itself. He foresaw greater evils afflicting the modern world if the chasm between the spiritual and temporal orders continued to widen.<sup>22</sup> Socialism and Communism—those ultimate expressions of the absolute autonomy of the temporal order—were emerging as powerful forces in his own time. He was cognizant of their potentialities. In expounding his conception of what relations, in accordance with reason and revelation, should obtain between the two orders, he was governed by eminently practical ends.

Howsoever history may have been resolving the issue, the answer

<sup>20</sup> *Op. cit.*, p. 48. The phrase, "totalitarian democracy," is not Brownson's, but it exactly expresses what he had in mind. It is equivalent to his own expressions, "democratic caesarism" or "democratic absolutism." The struggles of the nineteenth century in Europe were basically between the two absolutisms (monarchical and democratic): "The struggle now going on in Europe . . . is the attempt to substitute democratic absolutism for monarchical absolutism" (*Works*, XIII, 82 [1869]). He often referred to the genesis of the one absolutism out of the other. See, e.g., *Works*, XI, 92 (1853): ". . . the spirit of the age, while it declaims against monarchy, and makes war on kings and emperors, claims absolute independence for the civil power. It reasserts for the people, or for the demagogues as leaders of the people, the independence and supremacy which the German lawyers in the times of Frederick Barbarossa asserted for the emperor, and which James I and the Anglo-Protestant ministers under the princes asserted for kings and all sovereign princes. It substitutes for kings and princes the people, and democratic for absolute despotism." Also, *Works*, XVIII, 249 (1874): "The protest against the divine sovereignty began with kings and their ministers, not with the people, and has descended from them to the people."

<sup>21</sup> *Works*, XIII, 219 (1870).

<sup>22</sup> "It is to the partial, in some countries the complete, triumph of the secular over the spiritual, that we must attribute the unsettled, disorderly, and revolutionary state of contemporary society throughout the civilized world, the hatred or contempt of authority both divine and human, the depression of religion, the decline of intellectual greatness, the substitution of opinion for faith, a sickly sentimentalism for a manly and robust piety, free-lovism or divorce *ad libitum* for Christian marriage, and the general abasement of character. The evils are very real, but the more perfect divorce of the state from the church will not cure or lessen, but only aggravate and intensify them; nay, would to all human foresight render them incurable" (*Works*, XIII, 322 [1871]).



of philosophy and theology, according to Brownson, was clear. The temporal and spiritual orders were, to be sure, distinct, and substantially so.<sup>23</sup> Likewise the Church, supreme earthly representative of the spiritual order, is distinct from the supreme representative of the temporal order, the state. It would be an error to confound the two orders, or to absorb one into the other.<sup>24</sup>

But though distinct, the two orders are neither coordinate nor mutually independent. The temporal and the spiritual are not on the same plane.<sup>25</sup> The temporal rather has its *raison d'être* in the fulfillment, so far as it lies within its power, of ends which essentially pertain to a higher order. "The very end of government is the maintenance of justice in all political, social and domestic relation," said Brownson, "and all its powers are given it for this end, and no other. It is the reason and end of the state; and therefore the very idea of the state presupposes the supremacy of the moral, that is to say, the spiritual order."<sup>26</sup>

He specifies that the supremacy of the spiritual means more than its superior rank in the realm of values. There is involved necessarily a subordination of the temporal to the spiritual. The latter is sovereign. It prescribes the end to be sought by the former as well as the means of achieving this end.<sup>27</sup> Man, *in hac providentia*, has no temporal end, strictly speaking, and therefore no absolute temporal good.<sup>28</sup> The inferior order must consequently take its law from the higher order.

<sup>23</sup> *Works*, XI, 123 (1854). Cf. XII, 359 (1860).

<sup>24</sup> *Works*, XI, 121 (1854): "We have never confounded the two orders, never merged one in the other, or denied the substantive existence of either." Brownson was replying to one of his Catholic critics during the stormy controversy raised by his articles on the temporal power of the Popes.

<sup>25</sup> *Works*, X, 129 (1849).

<sup>26</sup> *Works*, XI, 144 (1855).

<sup>27</sup> *Works*, XI, 42 (1853). This rather strong assertion could easily be misinterpreted. It must be understood in the light of the following qualification: "We recognize in the state the same liberty and independence of action that we do in the individual in matters of private and domestic economy. Within the limits of the moral law, as interpreted and applied by the church, it is free to do as it pleases" (*Works*, XI, 123 [1854]).

<sup>28</sup> *Works*, XI, 43 (1853). Brownson, of course, means there is but one absolutely final end for man. He acknowledged that there could be a temporal end subordinated to the supreme end: "Temporals have a twofold relation: the one to a temporal end—terrestrial happiness; the other to a spiritual end—celestial and eternal beatitude. The church has jurisdiction over them only under the latter relation; the state, only under the former" (*Works*, XI, 272 [1854]).

There was no human action, Brownson further added, which was without its moral or spiritual aspect. Whether viewed individually or socially, man was subject to the moral law. The state accordingly was as much bound by the dictates of morality as was the individual. And since for Brownson morality was unintelligible unless based upon the divine sovereignty, the temporal order in all its aspects was subjected to the law of God.<sup>29</sup>

That the state was independent and supreme in its own order Brownson readily acknowledged. But that it was supreme and independent in every order was the thesis he was strenuously assailing. It "had no commission as a teacher of morals or as a director of consciences, and unless you blend church and state, and absorb the spiritual in the temporal, you cannot claim authority for the state in any strictly moral question."<sup>30</sup> It had no spiritual jurisdiction whatsoever. The state's "incompetency in spirituals" was a cardinal doctrine of Brownson's political philosophy.

But with whom did this authority in spirituals rest? Ultimately, of course, with God. And if with God, then also with Christ, not only as the Son of God, but also as the Son of Man.<sup>31</sup> "This established," Brownson continues, "we demand to whom, under God, it belongs to keep, interpret, declare and apply the law of Christ. Whom hath our Lord constituted the depositary, guardian, and judge of his law?"<sup>32</sup> There could be but one answer: the Church. She alone, said Brownson, had been commissioned by her Founder to apply the law of God to human affairs. Her office was neither to make this law nor to reconstitute it, but to interpret and apply it. This was her right and this was her obligation.

<sup>29</sup> *Works*, XIV, 391 (1869): "We must then, if we assert morals at all, come back to theology. . . ." That morality must have its foundations in God, or cease to be morality, is a cardinal point in his ethical system.

<sup>30</sup> *Works*, XVI, 71 (1848). See also *Works*, X, 222 (1849): "The state has civil, but no spiritual, functions; it is not in holy orders; it has not received the mission of evangelizing the world; and it has no vocation to preach the Gospel, or to assume the direction of consciences. . . . As we never cease to repeat, its functions are purely civil, and it has no spiritual competency."

<sup>31</sup> *Works*, XI, 14 (1853). Brownson here adduces the argument, based on scriptural texts, which was advanced in 1329 by Roger, Archbishop-elect of Sens, and which aimed to prove that Christ, even according to His human nature, possessed both spiritual and temporal powers. This is an important clew to the source of Brownson's orientation on the whole question of the relations of the temporal and spiritual.

<sup>32</sup> *Ibid.*, p. 15.

It cannot be argued that the temporal order (and the state) arise from the natural law, whereas the Church has concern alone with the revealed law. The Church naturally takes cognizance of the violations of the moral law in purely temporal matters.<sup>33</sup> Her jurisdiction extends both to the natural and to the revealed law.

The state holds under the law of nature, and has authority only within the limits of that law. As long as it confines itself within that law, and faithfully executes its provisions, it acts freely, without ecclesiastical restraint or interference. But the church holds from God under the supernatural or revealed law, which includes, as integral in itself, the law of nature, and is therefore the teacher and guardian of the natural as well as of the revealed law.<sup>34</sup>

“We do not intend to judge of the fee; that belongs to the King of France. But we have the right to judge of the sin, and it is our duty to exercise it against the offender, be he who he may.” In this quotation from a letter of Pope Innocent III to Philip Augustus, King of France, Brownson found authoritative confirmation of his view that the Church, while disclaiming power over temporals as temporals, nevertheless had the right to judge of temporals in relation to spiritual ends.<sup>35</sup> The quotation also substantiated his conviction that the Pope, because endowed with plenary authority in the Church, was the supreme judge on earth of the temporal order in its spiritual aspects. Brownson was a thoroughgoing papist. Probably no Catholic of his time surpassed him in his veneration for, and defence of, the papacy. *Ubi Petrus, ibi ecclesia*, he was fond of reiterating.<sup>36</sup> As he interpreted the history of the Church, the pressures of extreme nationalism upon the prelates of the various countries would have shattered the Church into fragments unless the papacy had been there to declare the supremacy of the spiritual.<sup>37</sup> It was the papacy which had been the major object of assault throughout history, on the part of civil rulers who would brook no power above them; and it was the papacy which had

<sup>33</sup> *Ibid.*, p. 17; also, *ibid.*, p. 84.

<sup>34</sup> *Works*, X, 129 (1849).

<sup>35</sup> *Works*, XI, 258 (1854).

<sup>36</sup> “The church is built on Peter, and its defence is all included in the defence of Peter, as the state is defended in defending its sovereign. *Ubi Petrus, ibi ecclesia*” (*Works*, XI, 62 [1853]).

<sup>37</sup> *Works*, XIII, 480 (1874). Brownson believed that the decisions of the Vatican Council concerning the prerogatives of the Pope had completely vindicated the stand he had taken years before on the indirect temporal power of the papacy, and absolved him from the charge of imprudence and rashness which had been launched even by some members of the American hierarchy.

proclaimed the independence and authority of the spiritual in the face of these assaults, even when nationally-minded prelates were disposed to compromise.<sup>38</sup> Although a defender of the doctrine of papal infallibility even before the Vatican Council, he did not believe that the Popes were impeccable or incapable of unwise decisions in administrative acts.<sup>39</sup> At the same time, he condemned most of the popular histories concerned with the papacy because they were the products of anti-Catholic bias or from the pens of Gallicanized adherents of the Church.<sup>40</sup>

Consonant with his own principles, Brownson declared that the Pope had authority *over*, though not *in*, the temporal order.<sup>41</sup> The Pope's authority was not temporal itself (save in the Papal States), but only over the spiritual aspects of temporal affairs.

He has no authority, even as the vicar of our Lord, over temporal sovereigns in temporalities for temporal ends, or in the respect that they are pure temporalities. He has only authority in what pertains to the spiritual order, and judges sovereigns not in relation to the wisdom, prudence, policy, or expediency of their acts, but only in relation to their obligations to God, and the bearing of their acts on the rights and interests of the spiritual order. This rule subjects the prince in spirituals, but leaves him his autonomy, his freedom, his independence in temporals.<sup>42</sup>

The power of the Church (and of the Pope) over temporal affairs was therefore indirect. The Popes, said Brownson, have never in any dogmatic definition claimed more than this.<sup>43</sup> Even the deposing power

<sup>38</sup> The classical example of such compromise, in Brownson's view, was the approval of the Gallican declaration in 1682 by the representatives of the French clergy.

<sup>39</sup> *Works*, X, 383 (1852); *ibid.*, p. 496 (1856). In 1853 he stated: "The infallibility of the pope, when defining faith or morals for the whole church, we are told, may be denied without formal heresy . . . but, with the great body of Catholics, we hold it to be true, and should regard ourselves as guilty *in foro conscientiae* of heresy were we to deny it" (*Works*, XI, 69). During his "liberal period" Brownson restricted himself to saying that papal infallibility, though not strictly an article of faith, was, in his view, "the sounder theological opinion" (*Works*, VIII, 13 [1863]). After the Vatican Council had defined the doctrine, he zealously championed it. Cf. the articles, *The Dollingerites*, *Nationalists*, and *the Papacy* (1873), and *Papal Infallibility* (1873), in Vol. XIII of the *Works*.

<sup>40</sup> *Works*, X, 392 (1852).

<sup>41</sup> *Works*, XII, 358 (1860).

<sup>42</sup> *Ibid.*, p. 359. There is no question that the critics of Brownson were mistaken in charging him with having advocated a greater degree of spiritual authority over temporals. The controversy, however, enabled Brownson to clarify his position and dissipate some ambiguities in his original exposition.

<sup>43</sup> ". . . no pope ever claimed, as an inherent right of the papacy, temporal authority over princes, or power to interfere with their temporalities" (*Works*, X, 499 [1856]).

which the Popes, in mediaeval times, had exercised against Catholic rulers was not a direct interference in temporal concerns. Strictly speaking, the Popes did not depose these rulers. They simply declared authoritatively that, because of their transgression of the natural law, they had lost the right to govern. It was the law that condemned them. The Pope's function was only to interpret the law.<sup>44</sup>

But the temporal order has rarely reconciled itself even to this limited direction by spiritual authority.<sup>45</sup> This, as has been noted, was Brownson's judgment on the historical relations between the two orders. Almost constantly has the temporal sought to assert its absolute autonomy. And the reason? The reason is ultimately to be sought

---

Brownson did not believe that Boniface VIII in the Bull, *Unam sanctam*, had gone beyond affirming the indirect power. He summarized his own concept of the scope of this power in the following fashion: "By the indirect temporal power of the popes, we understand their power, as vicars of Jesus Christ on earth, over temporals, in the respect that temporals have a spiritual character and are related to eternal salvation. In asserting this power, we assert two things: first, that all temporal things have a moral and spiritual relation; and second, that of this relation the pope is under God the supreme judge and governor;—two things which, as we have learned Catholicity, no good Catholic can deny, save at the expense of his logic" (*Works*, XI, 127 [1854]).

<sup>44</sup> "The doctrine we insist on is that the prince incurs deposition, not by the will or legislation of the church, but by virtue of the natural law, or the law of God, under which he holds, and that the deposing power of the pope is simply judicial and declarative. . ." (*Works*, XI, 122 [1854]). See also *ibid.*, p. 87 (1853). Brownson vigorously maintained that the Pope had this deposing power *jure divino* (*Works*, XI, 98 [1854]). He acknowledged, nevertheless, that "the conditions of its exercise hardly exist in the present state of the world. . . . The power can be exercised only in Catholic nations whose governments are Catholic and form constituent parts of Christendom; and, strictly speaking, there is no longer a Christendom, and there are now no Catholic states or governments" (*Works*, XIII, 437 [1873]). He maintained, moreover, that the question of the deposing power was not the central question with him: ". . . the discussion of the deposing power is not treated by us as an isolated, or as any thing more than an incidental, question; . . . we touched upon it only as connected with our general doctrine as to the relation of the two orders, temporal and spiritual. . ." (*Works*, XI, 121 [1853]).

<sup>45</sup> In an article, *Rights of the Temporal* (*Works*, XII, 376–405 [1860]), Brownson sought to balance his defense of spiritual authority over temporals, which he had vigorously made in the previous decade, by maintaining that there were areas in which the spiritual representative had no authority or in which the authority rightly should be shared by the secular element of society. He discusses with much frankness the possible abuses that could arise in such "mixed questions" as marriage and education. "We have heretofore," said Brownson, "vindicated the rights of the spiritual order. We have wished, in this article, to vindicate the rights of lay society and laymen, and to set an example of their free use and application" (p. 404). Although the tone of this article, written during the "liberal" period, varies considerably from the earlier discussions on the temporal and spiritual, there is no fundamental incompatibility between the two points of view.

in the tendencies of fallen human nature after the sin of Adam. The flesh is in rebellion against the spirit, and the secular or temporal order against the spiritual.<sup>46</sup> Regarded in themselves our primitive tendencies are good, for they are the work of God.<sup>47</sup> But, consequent upon the Fall, they are turned towards evil.<sup>48</sup> Hence the tendency of the state, as of the individual, to assert and maintain the supremacy of the secular order, and to regard man's highest good as mundane felicity.<sup>49</sup> A policy based on the assumption that man's good is temporal must inevitably be repugnant to a policy which assumes that his good is spiritual and lies beyond this life. This is the major explanation for the hostility that has reigned between Church and state throughout history.<sup>50</sup>

The secular or temporal cannot suffice of itself, Brownson emphasizes. The state cannot achieve its own legitimate ends or discharge its proper functions without the cooperation and aid of the spiritual society. The civic virtues necessary for the well-ordered state can be fostered only by religion.<sup>51</sup> What is the state without morality, and what basis has morality without religion?

To declare the government divorced from religion is to declare it emancipated from the law of God, from all moral obligation, and free to do whatever it pleases. It has no duties, and under it there are and can be no rights; for rights and duties are in the moral order and inseparable from religion, since the law of God is the basis of all rights and duties, the foundation and guaranty of all morality. The state, divorced from religion, would be bound to recognize and protect no rights of God or man, not even those natural and inalienable rights of all men, 'life, liberty, and the pursuit of happiness.'<sup>52</sup>

<sup>46</sup> *Works*, X, 366 (1852).

<sup>47</sup> *Works*, XI, 45 (1853): "Regarded in themselves, inasmuch as they belong to our original physical being, all our primitive tendencies are good; for, so considered, they are the work of God, and no work of his is or can be evil." This assertion definitely proves that Brownson's doctrine on this point was Catholic. Though he had a rather pessimistic view of human nature, he was not Calvinistic.

<sup>48</sup> *Ibid.*: "Our end lies not in the direction of our natural tendencies since the fall, but in the opposite direction; and therefore the natural man must be arrested and converted, turned round, before he can move towards God, his last end and supreme good." Evidently, he refers to "natural tendencies" in the historical, and not the metaphysical, sense here.

<sup>49</sup> *Works*, X, 369 (1852).

<sup>50</sup> *Ibid.*, p. 370.

<sup>51</sup> *Works*, XIII, 297 (1871).

<sup>52</sup> *Op. cit.*, p. 308.

Secularism therefore destroys the moral foundation of the state, which can then subsist only by the exercise of brute force.

Religion should never be embraced primarily because it is essential to the well-being of civil society. To value religion chiefly because it serves temporal interests would again constitute a subordination of the spiritual to the temporal.<sup>53</sup> The claims of the spiritual order to be accepted for its own sake should always be held paramount. It remains true, nevertheless, that civil society, unless sustained by religion, cannot fulfill its own mission. The temporal must not be divorced from the spiritual, nor the state from the Church.

#### UNION OF CHURCH AND STATE

Brownson was keenly aware that to advocate, in his time, the union of Church and state *in any sense*, was to provoke immediately the opposition of the "advanced" and "progressive" portion of mankind. The spirit of the time, he realized, was against any form of union.<sup>54</sup> He had witnessed the outcry that had arisen when Pope Pius IX had issued his Syllabus of Errors in 1864, in which the Pope had condemned the doctrine of the separation of Church and state.<sup>55</sup> To the "liberal" world the Syllabus was evidence of the Church's unwillingness to come to terms with modern progress.

Brownson's judgment on the Syllabus was altogether different. It was evidence to him of the Church's determination to save the

<sup>53</sup> *Works*, XI, 58 (1853).

<sup>54</sup> *Works*, XIII, 267 (1870): "There is no opinion more firmly fixed in the minds of the people of to-day, at least according to the journals, than that the union of church and state is execrable and ought not to be suffered to exist. The words cannot be pronounced without sending a thrill of horror through society, and calling forth the most vigorous and indignant protest from every self-appointed defender of modern civilization, progress, liberty, equality, and fraternity. What is called the 'liberal party,' or sometimes the 'movement party,' but what we call 'the revolution,' has everywhere for its *primum mobile*, its impulse and its motive, the dissolution of what remains of the union of church and state, the total separation of the state from the church and its assertion as the supreme and only legitimate authority in society, to which all orders and classes of men, and all matters, whether temporal or spiritual, must be subjected." The essay from which we quote, *Church and State*, was the last formal discussion of the problem by Brownson, and constituted a synthesis of earlier articles of his. It must therefore be regarded as his definitive thought on the subject. He treated aspects of the question later, but offered no new synthesis.

<sup>55</sup> *Op. cit.*, p. 268.

world in spite of itself. Had the Church courted popularity, he asserted, she would have refrained from such a pronouncement, and would have even taken the opposite view. The fact that she had boldly challenged prevailing views demonstrated again for him that the Church was guided by a divine Spirit.<sup>56</sup> For what the Syllabus was condemning, said Brownson, was the soul itself of the disease which afflicted the modern world. The Pope, in condemning separation of Church and state, was not concerned with any historical form of alliance between the temporal and the spiritual powers. The object of his condemnation was much deeper than that. What he was primarily denouncing was the widely accepted view of the independence of the temporal from the law of God. He was condemning political atheism.

The Syllabus of Pius IX condemns the separation of church and state in the sense asserted by the liberals, which means the independence of the state from the law of God, and its right to pursue any policy it pleases, without regard to the rights or authority of religion. What the liberals mean by the separation of church and state is the omnipotence of the state, and its right, in all matters it chooses to call civil, to trample on the rights or freedom of conscience. The pope condemns in the Syllabus the separation of church and state in this sense, and so does every man not an atheist. God is sovereign, and the state is as much bound to obey the law of God as is a simple individual. Whoever believes in God holds so much.<sup>57</sup>

<sup>56</sup> *Works*, XIII, 97 (1866). Brownson's concept of the nature of the Church, and its role in the divine economy, must be understood in order to appreciate the full force of the theses developed in this paper. Because of the vastness of the subject, however, it cannot be adequately treated here. One text might be adduced to illustrate his concept of the Church. For Brownson, the Church "is not simply an external authority, or an external institution to which is arbitrarily delegated authority in matters of faith and morals, but . . . she has her reason and constitution in the incarnation of the Word; not merely an external delegated authority, but also an internal, inherent, and living authority by virtue of the indwelling and informing Word, whose incarnation she, in some sense, continues. The church is not separated from Christ,—is not simply an outward and positive institution established and preserved by his power and authority, but is, in principle, Christ himself. In becoming really united to the church, we become really united to Christ, are regenerated in him, and live his life, as individuals in the order of generation live the life of Adam. . . . The church, if considered in its principle, is Christ, the God-man; if considered in relation to the development or effects of the incarnation, it is the regenerated human species, or humanity raised to the palingenesiac order, and placed on the plane of its progress toward glorification, or its complete union through the incarnate Word with God, the finite with the infinite" (*Works*, XII, 481 [1862]).

<sup>57</sup> *Works*, XII, 437 (1868): "We no more approve," Brownson continued, "the separation of church and state in this sense than does the Holy Father himself; and we should be no less quick and determined to denounce any action of the state that should restrict



It is in the divine ordinance, said Brownson, that Church and state should exist and act in a spirit of harmony and cooperation. Such a spirit of concert is essential for the fulfillment of the ends of both. The Church cannot successfully fulfill her mission of evangelizing souls if she is constantly thwarted by the interfering hand of the state.<sup>58</sup> The temporal well-being of society, on the other hand, its orderly, peaceful, and continuous progress, requires, as the Holy See had constantly maintained, that the activities of both should not be at cross-purposes, but should be governed by the spirit of mutual concord.<sup>59</sup>

There is a double error to be avoided here, however. On the one hand, it would be wrong to identify the Church and state, a condition to which Protestantism almost universally tends.<sup>60</sup> On the other hand, there is the error of isolating the Church from the state, which is the fundamental mistake of Gallicanism. "For the complete and normal government of society, you must have the *concurrence* of church and state, that is, their harmonious cooperation, the church governing all things in the respect that they are spiritual, and the state temporal things in the respect that they are only temporal."<sup>61</sup>

---

the freedom or independence of the church. The liberals mean, by the separation of church and state, the supremacy of the state and its perfect freedom to suppress the church, if it sees proper, confiscate her goods, and exile or hang her priests and religious, whenever these choose to obey God rather than men." See also *Works*, XIII, 97 (1866); *ibid.*, p. 268 (1870); *ibid.*, p. 326 (1871); XVIII, 211 (1865); XIII, 38 (1869).

<sup>58</sup> *Works*, XI, 47-49 (1853). The corruption and social decline of the Catholic population of Europe in the eighteenth century, declared Brownson, was owing to the crippling handicaps imposed upon the Church by the so-called Catholic governments (cf. *ibid.*, p. 48).

<sup>59</sup> *Works*, XIII, 101 (1866).

<sup>60</sup> This assertion of Brownson may strike a dissonant chord in some minds, but it was a firmly held conviction with him. Cf., e.g., *Works*, X, 421 (1852): "Protestantism was sought as the emancipation of sovereigns from subjection in spirituals even to the spiritual authority, and of giving them supreme authority in both spirituals and temporals. Every Protestant sovereign claimed to be *pontifex maximus* in his own dominions." He declared that it was a situation essentially unaltered even in his own time.

<sup>61</sup> *Works*, XI, 275 (1854). At the period of writing this, Brownson was inclined to consider the union of Church and state in a purely univocal fashion, concluding that the state would be officially Catholic. "The state, on this supposition, would give civil effect to the canon law, and the church would give her consent to all reasonable measures proposed by the state for the temporal good of the community. Thus each discharging its proper functions, both would move on in harmony, for the common good, temporal and spiritual, of society" (*ibid.*). However, when he formulated his last thoughts on the matter, in the essay, *Church and State* (1870), Brownson interpreted "union of church and

To illustrate the concord which should reign between the two powers, Brownson borrows from the Fathers and mediaeval Doctors the analogy of the relations between body and soul. Soul and body, though distinct, are not separate.<sup>62</sup> Their separation, in fact, is death—for the body, of course, though not for the soul, which is immortal. It is the same in the moral order as regards society.<sup>63</sup> Religion, and specifically the Church, is essential to the existence and well-being of the social order. As the soul is the nobler and superior part of man, so the Church is the nobler and superior part of society. "It is for her in the moral order to direct and control civil society, by judicially declaring, and applying to its action, the law of God, of which she is, as we have just said, the guardian and judge."<sup>64</sup>

But the concrete mode of union of Church and state depends, said Brownson, upon historical circumstances. The Church is wedded to no specific form of union. For "while the church, with her essential

---

state" in an analogical fashion—to use a Scholastic expression. Such a union could be realized in various ways. Without denying that an official Catholic state might be the highest ideal abstractly viewed, the conditions of the modern world were inappropriate for it. Moreover—and this appears to have been at least equally decisive with Brownson—the historical record of officially Catholic states left much to be desired from the viewpoint of the freedom and independence of the Church. He could say, even in 1853, and therefore at his most conservative period, that "we cannot help thinking, that, were our republic to establish the Catholic religion by law, and profess itself Catholic, it would very soon seek to subject the church to its authority, to abridge her freedom, and labor to obtain the control of ecclesiastical affairs. It would soon fancy, that, in return for the great favor to the church of professing the Catholic religion, it ought to have a voice in her government,—at least the nomination of pastors, or a veto on their nomination; and the first to suggest something of the sort, we need not doubt, would be some miserable Catholic politician, demagogue, or courtier, borrowing the civil maxims of pagan Rome, or of the Lower Empire, and anxious to prove to his non-Catholic colleagues that he is too liberal and enlightened to submit to priestly domination" (*Works*, XI, 54 [1853]).

<sup>62</sup> *Works*, XIII, 264 (1870). "Each has its own distinctive properties and functions," he adds, "and neither can replace the other" (*ibid.*). He is obviously endeavoring to make it clear that he is not identifying the Church with the state.

<sup>63</sup> *Op. cit.*, p. 265: "The church in the moral order is *forma civitatis*, the informing, the vital principle of the state or civil society, which has no moral life of its own, since all moral life, by its very term, proceeds from the spiritual order. There is in the physical order no existence, but from God through the medium of his creative act; so is there no moral life in society, but from the spiritual order which is founded by God as supreme lawgiver, and represented by the church, the guardian and judge alike of the natural law and the revealed law." This passage further enables one to understand why Brownson regarded religion as absolutely vital to civil society.

<sup>64</sup> *Ibid.*

constitution, and her dogmas are founded in the divine order, and are catholic and unalterable, the relations between the civil and ecclesiastical authorities may be changed or modified by the changes of time and place. These relations have not been always the same, but have differed in different ages and countries."<sup>66</sup> Throughout its long history the Church has sanctioned, for a given historical period, a particular type of association with the temporal power. But a form of union justifiable in one epoch may not be justifiable in another. Principles are immutable and eternal; their application must vary according to the circumstances of time and place.<sup>66</sup>

Following the collapse of the Roman Empire, the Church, as the only civilizing agent in Europe, was forced to assume a political role and to exercise most of the functions of civil society itself, because she was the only power that could exercise these functions.

... it became absolutely necessary that she should have a civil and political existence and authority—that she should be incorporated into the state, as an integral element of the civil constitution, and have her worship, without which she could have as little social as religious influence, recognized as the law of the land as well as the law of God. There was no other condition of rescuing society from the chaos and barbarism in which it was plunged, and of reviving civilization and securing its progress. Infidelity, heresy, and schism, which were as directly in opposition to her mission of civilizing the nations as to her mission of evangelizing them, were then directly and proximately crimes against society, and as such were justly punishable by the public authorities. In attacking the church, they attacked civil society itself, struck at the very conditions of social order, and jeopardized every social interest.<sup>67</sup>

<sup>66</sup> *Works*, XVIII, 210 (1865).

<sup>66</sup> *Works*, X, 227 (1849). The reference is to a passage in *Civil and Religious Toleration*, a summary of Brownson's early reflections on the problem of the relation of Church and state. Though developing certain ideas which he did not emphasize in articles on the same question written twenty years later, he never disavowed this earlier contribution. In its essentials it is compatible with his final point of view. Brownson, in this article, maintained that the state has no competency in spiritual matters, and therefore may repress heresy only for social reasons. In the exceptional circumstances that obtained in the Middle Ages, heresy was immediately and directly an offense against the social order. Since it is no longer such an immediate and direct threat to the social order, not even an officially Catholic state has the right to repress it. As regards states which do not officially recognize the Catholic faith, they must tolerate all religions not incompatible with good morals. He makes the important point also (p. 229) that the Church "allows no one to be molested for his want of faith . . . Faith is voluntary, and cannot be forced."

<sup>67</sup> *Op. cit.*, p. 225.

The same relationship obtained substantially in the Middle Ages as well, according to Brownson. He was no unrestrained admirer of this period, and more than once criticized enthusiasts of the mediaeval epoch for ignoring the barbaric elements present in that social and political order.<sup>68</sup> The Church, he believed, had not wholly succeeded in subduing society to the law of the Gospel, or in expelling the influences of barbarism. While he admired the achievements of mediaevalism, some of which he believed were still unsurpassed, he was sensible of many defects.<sup>69</sup> But the point is that in the process of bringing a civilization to maturity the Church assumed a role which was inevitable and necessary at the time. It was a role, nevertheless, purely accidental to her mission.

With the rise of the modern state, the relationship entered a new phase. The Church now sought to promote harmony between herself and the state by concordats, "as the wisest and best expedient she found practicable."<sup>70</sup> But concordats, said Brownson, however useful or necessary, hardly realize the ideal of Christian society.

They do not effect the true union of church and state, and cannot be needed where that union exists. They imply not the union, but the separation of church and state, and are neither necessary nor admissible, except where the state claims to be separate from and independent of the church. They are a compromise in which the church concedes the exercise of certain rights to the state in consideration of its pledge to secure her in the free and peaceable exercise of the rest, and to render her the material force in the execution of her spiritual canons, which she may need, but does not herself possess. They are defensible only as necessary expedients, to save the church and the state from falling into the relation of direct and open antagonism.<sup>71</sup>

Concordats, moreover, have at best been only partially successful in achieving their objectives. While the Church has faithfully observed the provisions of concordats which bound her, the state has not felt itself always obliged to fulfill its part of the bargain. It violates its contractual obligations whenever it deems them to be interfering with its own ambitious projects. It abrogates at will a concordat without even consulting the Church, the other party to the contract. Brownson

<sup>68</sup> See his *The Church in the Dark Ages* (*Works*, X, 239-66 [1849]). Surprisingly, Brownson at this period did not clearly distinguish between the Dark Ages and the Middle Ages. He praised the achievements, nevertheless, between 1000 and 1350 A.D.

<sup>69</sup> *Op. cit.*, p. 259.

<sup>70</sup> *Works*, XIII, 269 (1870).

<sup>71</sup> *Ibid.*

adduced the conduct of Spain, Italy, and Austria in his own time in order to prove his point.<sup>72</sup> Even where governments might themselves be disposed to fulfill their obligations, the pressures of popular opinion moulded by demagoguery will force their hand.<sup>73</sup>

Little reliance, he concluded, was to be placed in princely governments for insuring the freedom and independence of the Church. Their conduct will be governed by state policy, regardless of their obligations to the Holy See.<sup>74</sup> It was evident, moreover, that the movement for popular liberty was sweeping away the old order, and that, as a consequence, the Church was being thrown upon her own resources entirely. The former union of Throne and Altar was destined to disappear. Though the change was attended by evils which no man could condone, the final outcome might be altogether favorable to the Church.

The detachment of the empire from the church, which has been effected for purposes hostile to her, and with the hope of causing her destruction, perhaps will prove to her enemies that she does not rest on the state, that the state is far more in need of her than she of it, and show in a clear and unmistakable light her independence of all civil support, her inexhaustible internal resources, her supernatural energy and divine persistence. The empire detached from her and abandoning her to herself, or turning its force against her, will cease to incumber her with its official help, will no longer stand as an opaque substance between her and the people, intercepting her light, and preventing them from beholding her in her spiritual beauty and splendor.<sup>75</sup>

There was a deadly danger lurking in the movement towards popular liberty, Brownson nevertheless believed. In so far as it was a movement in behalf of the unrestricted sovereignty of the people, who were to be bound by neither constitution nor laws, and subject to no power

<sup>72</sup> *Op. cit.*, p. 270.

<sup>73</sup> *Ibid.*

<sup>74</sup> *Ibid.* See also XVI, 528 (1857).

<sup>75</sup> *Works*, XIII, 106 (1866). In the same article, *Independence of the Church*, he had previously observed that "present appearances indicate that the church throughout the world will be thrown back, as she was in the beginning, on her internal resources as a spiritual kingdom; that she will cease to be the official church of any nation—at least for a time, if not forever; and that she will not henceforth govern or protect her children as civil communities, states, or empires through their civil rulers, but simply as Catholics, individual members of her communion, through her own spiritual ministry, her bishops and prelates alone, without any official relation with the state. She can even then exercise her full spiritual authority over her own members, as the independent kingdom of God on earth, free from all entangling alliances with the shifting politics of nations" (p. 105).

above themselves, it was as great a threat to the freedom and independence of the spiritual order as any absolute monarch had been. The movement, unfortunately, had been of this character throughout Europe.<sup>76</sup> When European liberals, for example, advocated separation of Church and state, they meant total separation, the complete emancipation of the temporal from the spiritual.<sup>77</sup> They were simply substituting one form of political atheism for another, and sowing the seeds of later and more terrible convulsions in the political and social order.

But "sovereignty of the people" can bear another meaning. A state based on the principles not of totalitarian democracy but of constitutional republicanism; a state which recognizes its incompetency in spirituals; a state which by its fundamental law is ordained to defend and protect the natural rights of men, especially the rights of conscience, and consequently allows, as a matter of strict justice, full freedom and independence for the Church—such a state, though it may be deficient from the abstract norms of a perfect Christian community, may best answer to the needs of the Church in the modern world.

Given such a political order, the conditions for a genuine, even if unique, union of Church and state are present. With her freedom and independence fully guaranteed and protected, the Church could, through the moral influence she exercised upon the minds and hearts of her subjects, preserve society from the ever-threatening evils of anarchy and despotism, promote its political and social well-being, and perfect men in relation to both their natural and supernatural destiny.

Brownson set forth the thesis that the Constitution of the United States reflected the principles of this political order.

#### THE AMERICAN CONSTITUTION AND THE CHURCH

Constitutions are generated, not made, said Brownson.<sup>78</sup> He was not referring to the written constitution of a state. Anterior to the

<sup>76</sup> Totalitarian democracy will be more fully discussed in a later section.

<sup>77</sup> *Works*, XIII, 273 (1870). We have already seen that, according to Brownson, the separation of Church and state was condemned by Pius IX in this sense.

<sup>78</sup> *Works*, XVII, 493 (1864). This is a basic thesis of Brownson's political philosophy, and involves the rejection of the compact theory of government in the sense of Hobbes,

written constitution, there existed a more fundamental one, the unwritten: that which gives to a people of a given territory a distinct existence and character, and renders them capable of political action as a sovereign entity.<sup>79</sup> It was the product of historical events, and in this sense is the work of Divine Providence.<sup>80</sup>

The unwritten or providential constitution of the United States has found expression in three documents: the Declaration of Independence, the Constitution, and the Bill of Rights.<sup>81</sup> These manifest the unique character of the American system. Although the providential constitution of the United States has certain analogies with other forms, it has had no prototype in Western history. "It is original, a new contribution to political science, and seeks to attain the end of all wise and just government by means unknown or forbidden to the ancients, and which have been but imperfectly comprehended even by American political writers themselves."<sup>82</sup>

There is no more striking feature of the American system, Brownson believed, than its express recognition that the government is one of limited powers. Here was a new departure from hitherto prevailing political forms. The basic constitution of the nation is founded on the principle that every man has certain inalienable rights which the

Locke, or Rousseau. Brownson derived the formula from Joseph de Maistre, though in *The American Republic* (1865) he asserts that de Maistre goes too far in denying any initiative to human reason and will in the formation of governments (*Works*, XVIII, 75).

<sup>79</sup> *Works*, XVIII, 92 (1865). The written constitution establishes the government. It is the act of a sovereign power, and hence presupposes the existence and constitution of such a power. A distinction must therefore be made between the state (or civil society) and government. It is the state which is sovereign, not the government (cf. XVII, 493-96). The term "state," however, is not always used by Brownson, throughout his voluminous writings, in this restricted sense.

<sup>80</sup> *Works*, XVIII, 74 (1865).

<sup>81</sup> Brownson adduces the three documents in determining the nature of the unwritten constitution. They reflected, he believed, the more fundamental constitution: the Constitution and the Bill of Rights, rather perfectly, the Declaration of Independence, in some respects.

<sup>82</sup> *Works*, XVIII, 9 (1865). This paper is concerned with Brownson's analysis of the basic constitution only in so far as related to the problem of Church and state. *The American Republic* (*Works*, XVIII, 1-222) expounds his definitive views on the constitution in general, with one section (199-222) devoted to the problem of this paper. Articles written both earlier and later than *The American Republic* and dealing *ex professo* with the question of Church and state must be consulted in order to grasp his full thought on the matter.

government must acknowledge and protect. "The peculiarity of the American constitution under the point of view we are now considering it, is not merely in asserting the equality of all men before the law, but in asserting their equal rights as held not from the law, but from the Creator, anterior to civil society, and therefore rights which government is bound by its very constitution to recognize and protect to the full extent of its power."<sup>83</sup>

Brownson was unable to observe that such a limitation upon the powers of the state had ever before been recognized in political history. Under the Greek and Roman republics man was held to exist for the state, and had rights only to the extent the state conceded them. Imperial Rome merely aggregated to the emperor the different powers of the omniscient state. Under feudalism there was a recognition of the rights of the feudal barons, but none of the rights of man. The modern absolutistic states sought to revive the system which had prevailed under the pagan emperors.<sup>84</sup> And so far as the movements for democracy in Europe were concerned, they were sharply differentiated from the American system by their espousal of the doctrine of the unlimited and absolute power of the people.

There is a radical difference between European democracy and American democracy. American democracy, or democracy in the true American sense, is, that the people under God are the source of all political power, but that they can originate or rightfully exercise no power that is incompatible with the rights of individuals; European democracy puts the people in the place of God, asserts their freedom as the state to do whatever they please, and maintains that their will is law, and the rule and measure of right. Our American system maintains that the people are under law collectively as well as individually, are as much bound in their collective capacity by the law of God, as much bound to observe natural justice when acting as the state, as they are when acting in their individual capa-

<sup>83</sup> *Works*, XIII, 45 (1869). The term "constitution" in our article designates the unwritten or providential constitution, unless otherwise specified.

<sup>84</sup> *Ibid.*

<sup>85</sup> *Works*, XII, 9 (1856). Though he refutes in this article the charge that the Church is opposed to free political institutions, he expresses his reluctance and humiliation in engaging in such a task. Religion, not politics, is the supreme law for man. "To subject religion to politics, or to object to a religion because incompatible with this or that political theory, is in principle, to deny the sovereignty of God himself, and to fall below the most degrading form of gentilism" (*op. cit.*, p. 2). Brownson's basic standpoint always is that the American constitution should be cherished because in harmony with Catholic principles (understood as embracing both the natural and the revealed law).



city, as simple individuals; that a majority has no more right to tyrannize than a minority; it concedes that the people are not infallible, that they may have their moments of vertigo, be carried away by passion or caprice, and do great injustice, and therefore that safeguards, guaranties against their abuse of their power are necessary . . . and therefore it teaches that the power of the state is limited by the rights of individuals, and prescribes in the constitution the sphere beyond which it may not lawfully act, and authorizes the supreme judicature to arrest it, and declare its acts null and void whenever it ventures beyond the prescribed limits.<sup>85</sup>

Rights pertain to the moral and spiritual order.<sup>86</sup> In recognizing that the mission of government consists in respecting and protecting them, the American constitution acknowledges the primacy of the spiritual. Under the American system the spiritual order is recognized not only as independent, but also as supreme.<sup>87</sup> And among the rights which the government must protect, there is none more precious than the right of conscience.<sup>88</sup> The American state does not profess to originate this right, or even to concede it. It affirms merely that this right, as other natural rights, proceeds from a source other than itself, and that it is obligated to protect it. It sets and can set no limit upon it save in so far as its expression is contrary to *bonos mores*. Howsoever imperfect the American constitution may otherwise be, "it is the first

<sup>85</sup> *Works*, XIII, 137-38 (1867); 275-76 (1870); 331-32 (1873). The rights of man, according to Brownson, are unintelligible unless recognized to be fundamentally the rights of God. Cf. his earlier and more extended treatment of the subject in *Rights and Duties* (*Works*, XIV, 290-316 [1852]).

<sup>87</sup> "In recognizing the inalienable and inviolable rights of man as anterior to it, independent of it, and above it, the American state recognizes the rights of God, and therefore the freedom, independence, and supremacy of the spiritual order" (*Works*, XIII, 332 [1873]).

<sup>88</sup> *Works*, XIII, 134 (1867). Brownson does not mean to imply that this right is absolute and unlimited. It is inviolable as regards other men and as regards the state. He condemned, as contradictory, liberty or right of conscience in the sense of being absolved from all law: "The liberty of conscience condemned by Gregory XVI., of immortal memory, and by Pius IX., now gloriously reigning, means that man is not bound to obey God, unless he sees fit to do so; that he is subject to no superior, and under no law but his own will and pleasure. This is not liberty of conscience, but the denial of conscience itself. No man who denies God has any conscience, nor has any one who denies the obligation to conform to the law of God; for conscience is the application, by the man himself in his own interior of the law of God; to his own acts, approving or condemning them. If there is no God, there is no law of God; if no law of God, there is no application of the law of God to one's own acts, and then no conscience. Every sensible man, Catholic or non-Catholic, does and must condemn, not true freedom of conscience, but what, under the name of liberty of conscience, the popes have most justly censured" (*Works*, XII, 438 [1868]).

and only instance in history of a political constitution based on Christian principles; that is, on the recognition of the independence of religion and the supremacy of the spiritual order."<sup>89</sup>

The American state, in other words, acknowledges its incompetency in spirituals.<sup>90</sup> It would be incorrect, declared Brownson, to say that it defends the system of toleration of different religious beliefs. Toleration is not the American principle. It was the merit of the Catholics of Maryland to have passed the first act of religious toleration on this continent, and such legislation was faithfully observed so long as Catholics remained in the ascendancy in Maryland.<sup>91</sup>

But toleration is not religious liberty. Toleration implies a civil grant from political authority, and is radically different from the doctrine that the state has no competency whatsoever to legislate in purely spiritual matters.<sup>92</sup> The Puritans of New England were the first in this country to proclaim the doctrine of the incompetency of the state in spirituals. This is the doctrine that became an integral part of the American constitution.<sup>93</sup>

Whence the basic origin of this principle of the state's incompetency in moral and spiritual matters? While admitting that the Puritans were the first in America to assert it, Brownson nevertheless affirmed that it had a much older history. It not only stemmed from biblical teach-

<sup>89</sup> *Works*, XIII, 177 (1870). In contrast, European public law has been based, he declared, on the principle of the pagan republic that the state is supreme in both spirituals and temporals (*ibid.*).

<sup>90</sup> *Works*, XII, 110 (1856); XIII, 331 (1873).

<sup>91</sup> *Works*, XII, 105 (1856).

<sup>92</sup> *Ibid.*

<sup>93</sup> *Op. cit.*, p. 107 (1856); XIII, 123 (1867). The Puritans were the first to affirm the principle, but its development into the doctrine of the equality of all religious groups before the state was the result of certain concrete historical factors which Brownson did not fail to note. It was not that the Protestants of the period had any love of religious liberty itself, but that no one sect was strong enough to make itself a state establishment (XI, 332 [1858]). There was another important factor: leading men of that time, with little belief in any religion, had espoused the opinion of Voltaire that, by severing Church from state, religion would lose its vitality (*ibid.*). See also XIII, 124 (1867); XIII, 229 (1870); XIII, 273 (1870). Harmonizing various explanations for a given fact sometimes presents a difficulty in Brownsonian exegesis (this is not the only instance). It is fairly clear at any rate that, for Brownson, the principle of the state's incompetency in spirituals found its way into the American constitution, even though through bizarre channels, and that the Puritans were the first in the country to enunciate it. For Brownson's general views on the subject of Protestantism in relation to civil, political, and religious liberty, cf. *Works*, XIII, 201-41 (1870).

ings; it had been the express doctrine of the Catholic Church for centuries.

The great principle of the Puritans, that the church is independent of the state and superior to it, or that the state has no authority to legislate in religious matters, not even in non-essentials, was a Catholic principle, for which the popes, in their long struggles with the secular power, had uniformly contended. It is the vital principle of liberty; for it interposes the rights of God, represented by the church, as the limits of the rights of the state. The Puritans had asserted this principle in their own defence against the Protestant king and parliament of England, which assumed plenary authority in spirituals as well as in temporals. It was not Protestantism that developed this great principle of all just liberty, and opposed to all absolutism; it was the old Catholic principle, always and everywhere asserted by the Catholic Church.<sup>94</sup>

He therefore rejected the view that Protestantism was the basis of the American system. The principles of natural justice and equity embedded in the American constitution were in conflict with the doctrine of the total depravity of human nature defended by Protestantism.<sup>95</sup> The Puritans themselves, misapplying the principle of the supremacy of religion over the state, succeeded only in bringing about an odious tyranny in their colony.<sup>96</sup> The rights of man asserted by the colonists in their struggle for independence had been derived from common law, and the writings, if not of Catholic theologians, at least of Catholic lawyers.<sup>97</sup> The men who founded this country, said Brown-

<sup>94</sup> *Works*, XIII, 217 (1870). See also *op. cit.*, p. 123. In *Uncle Jack and His Nephew* (*Works*, XI, 247 [1854]), Brownson declares that "a profound study of our institutions and of history would disclose the fact, that, in so far as we have in our political system deviated from other nations, we have only adopted principles that the popes for more than a thousand years labored in vain to induce the European nations to adopt, and, on the other hand, that we have more fully incorporated into our institutions the spirit of the papal recommendations and constitutions than any other nation on the earth."

<sup>95</sup> "Our Protestant ancestors founded the American order, not on their Protestantism, but on the natural law, natural justice and equity as explained by the church, long prior to the Protestant movement of Luther and his associates, and they only followed out those great principles of natural rights, justice, and equality, which Catholic councils, doctors, and jurisconsults during fifteen hundred years had labored to render popular. . . . They [the founders] adopted a basis incompatible with the preservation of Protestantism as a religion. The basis they adopted was that of the natural law, natural reason, and justice; but this natural reason, this natural law, natural justice, Protestantism denies, and must deny; for it asserts the total depravity of human nature, declares all acts done in a state of nature to be sin, and denies nature to make way for grace, and reason to make way for faith" (*Works*, XI, 569-70 [1856]). See also XIII, 125 (1867).

<sup>96</sup> *Works*, XIII, 217 (1870).

<sup>97</sup> *Works*, XIII, 123 (1867).

son, had borrowed their principles from Catholicity. They were for the most part non-Catholics, but they builded better than they knew.<sup>98</sup>

But to assert that the American constitution recognizes its incompetency in spirituals does not mean that it is unreligious or anti-religious in character.

The American state is not an infidel or godless state, nor is it indifferent to religion. It does not, indeed, as the state, profess any particular form of Christianity, but it recognizes the importance and necessity of religion, and its obligation to respect and protect the religion of its citizens. It does not assume that it has the right to ignore their religion, and pursue a policy of its own, regardless of its effect on the forms of religion they profess.<sup>99</sup>

Brownson was not maintaining that the *mores* of the American people were blameless from the viewpoint of Christian morals. There was, in fact, no severer critic of his fellow Americans at the time than himself. But he was emphatic in asserting that, as regards the fundamental constitution of the nation, there exists complete harmony between it and Catholic doctrine.

The sentiments, the manners, the morals of the people, are very far from being in perfect harmony with Catholicity; but the *civility*, the political and social order, what we call the institutions of the country, being founded on natural right and equity, are in perfect accordance with it; for Catholicity republishes the law of nature,—natural right and equity,—and gives it new and higher sanctions.<sup>100</sup>

Brownson was convinced that never, in the long history of the Church, had it enjoyed as much freedom as it did in these United States. Struggling for centuries successively against emperors, Christian and pagan, against absolutistic monarchs, against totalitarian democrats, she had sought to acquire full freedom and independence from the civil power. Only in the United States were such freedom and independence acknowledged.

She has all the security for her temporalities in the United States that government and law can give. She has full freedom of teaching, discipline, and worship; and her pastors are not only protected in person and property, but have (what they have seldom had elsewhere) perfect freedom of intercourse in person or by letter with their chief, the Roman Pontiff, without being obliged to ask the permis-

<sup>98</sup> *Op. cit.*, p. 143 (1867).

<sup>99</sup> *Works*, XII, 110–11 (1856). See also XIII, 261 (1870).

<sup>100</sup> *Works*, XI, 572 (1856).

sion of the civil authority. She needs no *placet* from the state, no preconization of the government, before appointing and inducting bishops into their sees. She appoints whom she pleases without leave asked or obtained and invests whom she will with the cure of souls, without the slightest interference of the civil authority.<sup>101</sup>

It is true, said Brownson, that the Church is accorded no special recognition by the state, and enjoys this freedom in common with non-Catholic denominations. But their freedom and independence in no way detract from hers.<sup>102</sup> The state, moreover, has no competency in spiritual matters; it cannot authoritatively decide which is the true and which is the false representative of the spiritual order.<sup>103</sup> Whatever controversies may exist between the Church and the sects are on questions wholly beyond the province of civil government. They pertain entirely to the spiritual order and cannot be settled by force.<sup>104</sup>

Brownson emphasized that the Church is not essentially dependent upon the civil power for the fulfillment of her mission. She is a perfect society, having in her possession all the indispensable means to achieve the end for which she was founded.<sup>105</sup> The American constitution recognizes and guarantees her freedom and independence, and protects her against all transgression upon her rights. That is all the Church demands of the state in any fundamental sense.<sup>106</sup> And all history proves that the officious attempts of the civil power, even when well disposed, to aid her in her spiritual work have been a source of embarrassment

<sup>101</sup> *Works*, XIII, 333–34 (1873). He also points out that the canonical decisions of the ecclesiastical courts are final for the civil courts in all questions between the Church and her own members (*op. cit.*, p. 332). The freedom which the Church enjoyed in America was frequently emphasized by Brownson; see, e.g., *op. cit.*, p. 142 (1867); XII, 135 (1856); XI, 53 (1853); XII, 437 (1861); XII, 24 (1856).

<sup>102</sup> *Works*, XIII, 334 (1873). See also XIII, 142 (1867).

<sup>103</sup> *Op. cit.*, p. 278 (1870); p. 334 (1873).

<sup>104</sup> *Op. cit.*, p. 334 (1873). The Church could not call upon the state to suppress non-Catholic religions "because, 1st: The state has no power to do it; because 2nd: That would be to change fundamentally the constitution of the state, and to reject the doctrine of equal rights on which it is founded, and which is her only safeguard for her own freedom and independence; and because, 3d: According to the law of God, as interpreted by the church, faith cannot be forced, but must be voluntary and free" (*ibid.*).

<sup>105</sup> *Works*, XII, 22 (1856).

<sup>106</sup> *Op. cit.*, p. 23 (1856). He added the following qualification in a later article: "More she might exact of the state in perfect Christian society; but this is all that she can exact in an imperfect and divided Christian society, as is the case in nearly all modern nations" (*Works*, XIII, 280 [1870]).

to her—more of a hindrance than a help to her mission.<sup>107</sup> In the balance, it is a great advantage that the Church is freed, as in the United States, from entangling alliances with the state.

I say not, I pretend not, that we have, or can have, under our American system, all the arrangements that we find in those ages and countries where the church and the state are in some sort mixed up one with the other, and no small portion of the proper work of the state is thrown as a burden on the church. That mixture of civil and ecclesiastical institutions and functions which sprung up under the Roman emperors after their conversion to Christianity, which obtained in a greater or less degree in all countries that adopted the Theodosian and Justinian codes, or the Roman civil law, as the basis of their jurisprudence, and which still obtains in theory in most European states, does not obtain here, and I think never will. But this no Catholic need regret, for that system was never more than an accident in the history of the church, and grew out of circumstances which do not exist here, and cannot, if our government continues to abide by its principles. That system was good in its time and place, because the civil government would not then grant that full freedom, independence, and protection to the spiritual order which our government recognizes and guaranties as its right. In losing that system, which is neither practicable nor necessary here, we lose nothing of Catholicity, nothing of its vigor and efficiency; we lose simply certain special favors of the government, and are relieved in turn from certain burdens at times almost too great for the church to bear, imposed by the government as the price of those favors. The loss is a great gain, and it is far better for the interests of the church to lose the favors and be freed from the burdens, than it is to retain the favors and bear the burdens.<sup>108</sup>

The whole burden of Brownson's reflections is that the American constitution is—from a practical point of view at least, and interpreted in the light of historical experience—the best adapted of all political systems to the nature and mission of the Church. The American system is based on natural justice and equity, principles which the Church recognizes, interprets, and enforces. It is in opposition to both Caesarism and Jacobinism, twin enemies of genuine civil and religious liberty. It acknowledges its incompetency in spirituals, but at the same time proclaims its obligation to defend and vindicate the inalienable rights of man, including the right of conscience. And in professing that these

<sup>107</sup> *Works*, XII, 23 (1856).

<sup>108</sup> *Op. cit.*, XII, 30 (1856). He reproduced the essentials of this text years later in his *Union of Church and State* (*Works*, XIII, 141–42 [1867]). It has already been noted that Brownson maintained (*Works*, X, 225 [1849]) that the barbaric state of society in the Dark Ages forced the Church to assume many tasks of a temporal character. This role was likewise accidental to the mission of the Church.

rights proceed from a source other and higher than itself, it proclaims the independence and supremacy of the spiritual.

There exists, therefore, concord and harmony between Church and state. Though distinct, the two powers are not separated. In a real though unprecedented sense, a union exists between the two.<sup>109</sup> Most foreigners and many Americans, said Brownson, construe the relationship as one of total separation.<sup>110</sup> But the reverse is the fact. In principle at least, the civil and religious orders in American society are in normal relations to each other. Each exists in its integrity, with its own distinctive nature, laws, and functions, and therefore the temporal in its proper subordination to the spiritual.<sup>111</sup>

On the basis of his analysis Brownson concluded that there would be no necessity for any change in the political institutions of the country, were Catholics to gain the ascendancy.

I may safely conclude that the church would and could, with her principles, have no motive to change the present relation of the government to religion, were she to gain the ascendancy in our country, or were the great majority of our people to become Catholics. We, then, may conclude further that our government, honestly administered in accordance with its fundamental principles, meets the principles, the wants, and the wishes of the Catholic Church; and therefore, that we may be loyal American republicans, and assert the equality of all religions before the state, that profess to be Christian, without failing in our true-hearted devotion to that glorious old Catholic Church.<sup>112</sup>

<sup>109</sup> *Works*, XIII, 144 (1870).

<sup>110</sup> *Op. cit.*, p. 273 (1873).

<sup>111</sup> *Ibid.* The same conclusion, though on the basis of different premises, was reached by Brownson in his *American Republic* (1865). He argued here (*Works*, XVIII, 199–222) that the American constitution, by establishing two coordinate and mutually independent powers, the general (or federal) government, and the particular (or state) governments, had provided a final solution to a problem which had plagued political life throughout history: how to achieve a just medium between centralization and disunity in government. The American constitution, dialectically combining unity with diversity, corresponded to the real order of things. For the whole created order—including the political order—seeks to imitate in its manner the unity with diversity of its Creator, the Triune God. The constitution, therefore, is “catholic” in the profoundest sense possible. It harmonizes intrinsically with the true religion, and tends of its nature to eschew all elements foreign to the “catholic” or real order. Nothing, therefore, was to be gained, and there was much to lose, by any formal or legal union of Church and state. The union and harmony which really counted were already there. Although Brownson did not pursue this line of reflection in his other writings on Church and state, it was an avenue of approach which he never disavowed; cf. XVIII, 230 (1873). It is an approach, moreover, which would appear to be perfectly compatible with his usual treatment of the subject.

<sup>112</sup> *Works*, XII, 30 (1856). These texts might also be noted: “Our religion contains

The character of republican government rendered unnecessary, moreover, the official relations that obtained in former periods. In governments where the people counted for nothing, and all political power was concentrated in the king or emperor, the Church was constrained in a manner to reach the people through the prince. "But in a republic like ours," declared Brownson, "no formal connection of the church with the government is needed for either party, for she can assist the political order by her direct action on the people themselves. The relations of church and state under the Roman empire are neither necessary nor practicable under a republic like ours, and would not be even if the whole population were sincerely and earnestly Catholic."<sup>118</sup>

No American, in Brownson's view, could object to this role of the Church in forming and guiding the consciences of American Catholics in relation to political life, unless such an American had wholly succumbed to the virus of secularism and was committed to the belief that religion had nothing to do with politics. Political atheism, as a matter of fact, was repudiated by most people in the United States—

---

nothing, in case we should become the majority, and the political power should pass in this country into our hands, which would require any external changes in our existing political institutions, in our domestic and social economies, or in the present mutual relations of the civil and ecclesiastical powers" (*Works*, X, 235 [1849]). "No Catholic prelate and no distinguished Catholic layman even has ever proposed any amendment to the constitution in regard to the relations of the church and state in this country, or has expressed any wish to have the existing constitutional relations changed, or in any respect modified" (*Works*, XIII, 317 [1871]). Cf. also XI, 54 (1853). Brownson never varied in this conviction.

<sup>118</sup> *Works*, XII, 225 (1859); cf. XIII, 105-7 (1866). In an article, *The Edinburgh Review on Ultramontane Doubts* (*Works*, X, 328-56 [1851]), Brownson answers a specific question raised by the British publication: "In direct reply, then, to the reviewer's question, as to what will be the duty of Englishmen to the constitution and realm of England when their consciences compel them to return to our communion, we answer that it will be,—1. To expunge from the constitution and laws all those provisions which are directed against the Catholic religion, to free the queen from the obligation imposed by parliament to remain a Protestant, and to give her the liberty, if she chooses, to become a Catholic and aspire to a heavenly crown, without forfeiting her earthly crown; and 2. To preserve inviolate, in all other respects, the constitution and laws of the realm, and loyally to obey the sovereign in all things not repugnant to the law of God, as interpreted, declared, and administered by the church through her proper organs. This reply is clear and distinct, and in strict logical and historical harmony with the principles which the church has asserted and acted on for eighteen hundred years, and is repugned by no principle the church or the popes have ever asserted" (*op. cit.*, p. 351).



in theory at least. Do not all Protestants, for example, uphold the supremacy of the moral and religious order? Would they not oppose any attempted legislation by the state which would command Methodists to become Presbyterians, or Presbyterians to become Episcopalians? Would they not regard such measures by the state as an infringement upon the sacred right of conscience, and an intrusion by the state into a province which is not its own? Then Protestants assert "the spiritual order as above the temporal, religion as superior to politics, and therefore a law higher than the civil law, and to which, in case of conflict, the civil law must yield."<sup>114</sup>

The question among Americans, declared Brownson, is not whether politics should conform to religion, or the temporal to the spiritual. It is whether Almighty God has instituted on earth a representative of the spiritual order.<sup>115</sup> Catholics believe in a living, authoritative, and infallible guide for the consciences of men, in relation to their individual, social, and political lives. Non-Catholics neither have nor acknowledge such a guide. Here was the crux of the matter.

The foundations of the American state are embedded in the natural law.<sup>116</sup> But the precepts of this law, said Brownson, can neither be known adequately nor fully observed without the enlightenment and grace provided by the supernatural society which is the Catholic Church.<sup>117</sup> The natural order, in the state of fallen nature, cannot fulfill perfectly even its own ends without the supernatural.<sup>118</sup> All experience, all history, testified to the truth of this.<sup>119</sup>

<sup>114</sup> *Works*, XI, 143 (1855).

<sup>115</sup> *Op. cit.*, p. 149 (1855). Brownson was aware, nevertheless, that the inroads of secularism were rapidly shifting the controversy to a more elemental issue, which he interpreted as being ultimately God versus no God.

<sup>116</sup> On the natural law, and its distinction from physical law, cf. *Works*, XVIII, 72 (1865); XIII, 138 (1867); XIII, 275 (1870); XIII, 329 (1873).

<sup>117</sup> *Works*, XIII, 277 (1870); XIV, 525 (1874). In the latter text he says: "The natural law may be known by natural reason, but except by the very elite of the race, perhaps, it cannot be fulfilled by our natural strength in our present state. . . ."

<sup>118</sup> "Nature alone does not suffice for nature . . ." (*Works*, XIV, 525 [1874]).

<sup>119</sup> *Ibid.* Brownson also asserts here that "man was never created to live by nature alone, or without the grace the church dispenses." His fundamental theological views are manifested in the following interesting text: "The practice of treating the natural law as distinct from the law of God has grown out of the neglect of theologians carefully to mark the important fact, which, so far as we are aware, none of them deny, that the natural and supernatural are simply two distinct parts of one whole, not two separate and,

The American constitution was sound—eminently so. The salutary influence of the Church on the American scene, however, had not been felt to any great degree. As a consequence, serious deviations from the norms of justice and morality, on the part of both people and government, had arisen. Great evils were emerging which threatened the dissolution of American society.

The state was usurping the rights of the spiritual, Brownson declared, particularly in the fields of marriage and education.<sup>120</sup> Marriage is a divine institution and falls within the jurisdiction of the spiritual power. To regard it as purely a civil contract is not only to deprive it of its sacred character; it is to pave the way for its disappearance. What the state can make, it can unmake.<sup>121</sup> If it can establish the conditions for the marriage contract, it can likewise determine the conditions under which it may be dissolved. The state has in fact done just that, not only in the United States, but everywhere else where spiritual authority is disregarded.<sup>122</sup> Divorce, with liberty to remarry, strikes at the very foundation of civil society. "Perhaps no thing," said Brownson, "has done so much to corrupt our republic, and to bring it to the verge of ruin, as the abolition of marriage as a religious institution, a sacrament of the New Law under the regulation and supervision of the spiritual authority, and declaring it a simple civil contract, subject to the civil authority alone, and while that civil authority acts independently of the spiritual order."<sup>123</sup>

In the field of education the American state had likewise overreached its bounds, declared Brownson. If it has the right to insist upon universal and compulsory education, it has no right to dictate the kind of education that should be imparted. That is a matter beyond its jurisdiction. It pertains to the spiritual order. For Catholics, it is

---

in some respects, opposing systems. . . . The natural and the supernatural are not two dialectically unrelated orders, or, as Calvinists and Jansenists hold, two antagonistic orders, but two parts of a dialectic whole. That is to say, the divine *schemas* of creation includes, taken as it exists in the divine decree, the inchoate and its fulfilment, generation and regeneration, and glorification as the crown of the whole" (*Works*, XIII, 495 [1875]). All this is related to his theology of the Incarnation; cf. *Works*, XII, 481-84 (1862). Fundamental also is the article, *Nature and Grace* (*Works*, III, 350-75 [1868]).

<sup>120</sup> *Works*, XIII, 278 (1870).

<sup>121</sup> *Op. cit.*, p. 340 (1873).

<sup>122</sup> *Ibid.*

<sup>123</sup> *Op. cit.*, p. 342. Cf. his article, *Rights of the Temporal* (*Works*, XII, 398-99 [1860]), where Brownson implies that the state has jurisdiction over marriage, but only as regards its civil effects.

a question to be settled by the Church. For non-Catholics, who acknowledge no divinely founded teaching church, it is to be decided by the parents. Their rights over the child are paramount to those of civil society.<sup>124</sup>

The secular public schools may satisfy the majority of the American people, said Brownson, but they fall short of meeting the requirements of Catholics. Catholics, nevertheless, are taxed for their support. This, he declared, violates the right of conscience of the Catholic population of the country. The state should respect the conscience of the minority, as well as that of the majority.<sup>125</sup> He proposed, as the only equitable system, that Catholics be assigned their *pro rata* portion of public schools. These would be maintained by the state, but would be controlled by religious authority.<sup>126</sup>

From the viewpoint of the ends of temporal society itself, Brownson maintained, purely secular education involves a basic and even fatal weakness. It cannot foster the civic virtues necessary for the well-being of society. These virtues can exist and flourish only upon a religious foundation. What Brownson had frequently said in other contexts, he reiterates in relation to the problem of education: the natural cannot subsist in its own order, and achieve its own ends, without the support of the supernatural.<sup>127</sup> "Purely secular education or education divorced from religion," he concludes, "endangers the

<sup>124</sup> *Works*, XIII, 401 (1873). As regards Catholic education, the pastors of the Church "represent for Catholics the rights of God, which include, *eminenter*, the rights both of parents and society, since he is sole first cause, and *causa causarum*" (*op. cit.*, p. 405 [1873]). This does not mean, however, that Catholic schools are exempt from criticism by laymen, or that Catholic parents have no right to inquire into the character of the schools or colleges to which they send their children; cf. XII, 400 (1860). Brownson's articles on education deal with many of the issues that have been under discussion in recent years. Cf., e.g., *The School Question* (*Works*, XIII, 240-62 [1870]); *Unification and Education* (*op. cit.*, pp. 284-302 [1871]); *Whose is the Child?* (*op. cit.*, pp. 400-412 [1873]); *Education and the Republic* (*op. cit.*, pp. 445-61 [1874]); *The Public School System* (*op. cit.*, pp. 515-25 [1875]).

<sup>125</sup> *Op. cit.*, p. 405 (1873).

<sup>126</sup> *Ibid.* Cf. *op. cit.*, p. 253 (1870). Brownson conceded that the state, under such an arrangement, would have the right to demand that a certain amount of secular instruction be imparted along with religious instruction, as well as the right to determine whether certain standards of secular training are being complied with; cf. *op. cit.*, pp. 298-99 (1871).

<sup>127</sup> *Op. cit.*, pp. 296-97 (1871); p. 516 (1875).

safety of the state and the peace and security of the community, instead of protecting and insuring them."<sup>128</sup>

The root cause of these and other evils threatening American society has been, he declared, the growing prevalence of a social and political philosophy alien to the American tradition. He called this alien thing "democracy." What he had in mind would now be known as "totalitarian democracy." For over thirty years he fought its intrusion into American life. It was, he believed, *the* threat to the American system. No other man of his age devoted more attention to its nature, origins, and pernicious consequences. And Brownson believed there was only one effective remedy against it.

#### TOTALITARIAN DEMOCRACY

The writings of Brownson manifest that, in his view at least, the nineteenth century was not the tranquil period that later generations were inclined to regard it as being. Through his eyes, it was a turbulent century in which great forces competed for the predominance in human affairs. Philosophies clashed with other philosophies; political systems vied one with another; economic theories confronted other economic theories in the market place. Brownson was not merely a spectator of these movements; he was also one of the most active participants of his time. And, in his early career, there was no issue that engaged his energies so much as that of "the people" versus rank and privilege. He wholeheartedly espoused the cause of the former, and denounced the clergy and the wealthy for stifling truth and justice in attempting to halt the onward march of the masses. The voice of the people was the authentic voice of God. He summarized years later the views that he initially held:

. . . I held fast to the doctrine, that the will of the people is the most direct and authentic expression of the divine will that can be had or desired. The people held with me then, in some respects, the place the church now holds with me. I labored under the comfortable illusion that, in order to secure wise and just government, all I had to do was to remove all restrictions on the free and full expression of the

<sup>128</sup> *Op. cit.*, p. 296. "The history of Greece and Rome should teach us," he declared, "the impotence of mere intellectual and aesthetic culture to save a nation" (*op. cit.*, p. 451 [1874]). At the same time, Brownson was exceedingly critical of the quality of education imparted in the Catholic schools, both elementary and advanced, of his time; cf. *op. cit.*, pp. 452-61.

popular will, and to leave the people free to follow in all things their own divine instincts. The defects of bad legislation to which I could not shut my eyes, I attributed not to democracy, but to the fact that the democratic principle was obstructed, and the will of the people could not have its free and full expression. There were still many restraints on their will, retained from old monarchical and aristocratic institutions; such as an independent judiciary, and the English common law with its subtleties and technicalities. These should all be swept away, and the unrestrained will of the people be supreme, and make itself felt alike in the administration of justice, and the election of representatives in the legislature and in all the offices of the government, state or national. To secure the rule of justice and the recognition of the man over his accidents, every thing should be swept away that imposed the least check on the direct and immediate action of the popular will.<sup>129</sup>

It was the well-nigh perfect description of totalitarian democracy. Brownson did not adhere to the doctrine, however, very long. As early as 1836—several years, therefore, before he entered the Catholic Church—he was expressing his dissent from it.<sup>130</sup> What really awakened him to its dangerous implications, however, was the presidential election of 1840. Whatever traces might have remained with him of a belief in the infallibility and divinity of the people were wholly effaced by this election. The people, he became convinced, could be duped easily by the demagogue and the sentimentalist; they could be swayed as readily in the wrong direction as in the right. As a consequence, he undertook within the next few years a review of his philosophy of government, with the aim of establishing the ultimate norms by which the excesses of anarchy and despotism could be guarded against in

<sup>129</sup> *Works*, XVIII, 223 (1873). The context reveals that Brownson is writing of his state of mind up to 1840. He is probably alluding also to his famous (or infamous) *Essay on the Laboring Classes*, which appeared that same year in the *Boston Quarterly Review*. That Brownson believed in the "divinity of humanity" is evident from his *New Views of Christianity, Society, and the Church* (IV, 46 [1836]). Cf. also X, 86 (1849), where he acknowledges, with regret, that he had once had complete faith in the "divine instincts" of humanity. His actual psychological state, however, was more complex than these passages indicate. Other, and contrary, currents were agitating his mind. The resolution of the inner conflict was to come after 1840. Cf. *Works*, V, 120–21 (1857).

<sup>130</sup> "We admit the sovereignty of the people when the question is of many or few; we deny it when we speak absolutely. The people are not sovereign. There is no sovereign, but the Infallible, that is God, that is again, the Right, the Just" (quoted by Henry F. Brownson in the *Early Life*, p. 82, from the *Boston Reformer* [1836]). What was to become his definitive political philosophy is summed up in these few sentences. The whole issue of totalitarian democracy was formulated here.

political and social life.<sup>131</sup> He was to deepen and refine his fundamental convictions on these matters as the years advanced; he was never to abandon them.

The central issue, according to Brownson, was the basis of sovereignty in political society.<sup>132</sup> Were the people sovereign in an absolute and underived manner? If they were, then from their verdict—or the verdict of a majority of them—there was no appeal. This was naked despotism.

If the majority have the absolute right to govern, it is the absolute duty of the minority to obey. We who chance to be in the minority are then completely disfranchised. We are wholly at the mercy of the majority. We hold our property, our wives and children, and our lives even, at its sovereign will and pleasure. It may do by us and ours as it pleases. If it takes it into its head to make a new and arbitrary division of property, however unjust it may seem, we shall not only be impotent to resist, but we shall not even have the right of the wretched to complain. Conscience will be no shield. The authority of the absolute sovereign extends to spiritual matters, as well as to temporal. The creed the majority is pleased to im-

<sup>131</sup> These studies were climaxed by his articles on the *Origin and Ground of Government*, which appeared in the *Democratic Review* for 1843 (*Works*, XV, 296-404). His son, Henry F. Brownson, says regarding them: "There is nothing in Dr. Brownson's writings more remarkable than these early essays, in which he refutes the theories of Locke, Rousseau, Hobbes, etc., and establishes the divine right of government, and the providential constitution of the state anterior to the written constitution" (XV, Preface). Before having read de Maistre, therefore, Brownson had defended, in principle at least, the doctrine that constitutions are generated, not made.

<sup>132</sup> One of the biographers of Brownson, Theodore Maynard, implies that Brownson's concern about totalitarian democracy was much ado about nothing, that he was largely wasting his energy, since no sensible man doubted that the people's sovereignty was limited and qualified (*Orestes Brownson: Yankee, Radical, Catholic*, p. 345). Brownson, however, was analyzing trends and the necessary implications of premises widely accepted at the time. If Brownson was wasting his time, then, of course, Leo XIII also was in denouncing the same doctrine. A thoughtful observer of the American scene, Walter Lippmann, has recently discussed the relevance of the question: "This is the supreme political heresy of our time . . . the right of a nation to be independent interpreted to mean that it was independent of all the laws of God and of man" (*Chicago Sun-Times*, Feb. 22, 1954). In this same article Mr. Lippmann declares that democracy in this sense appeared "while Washington was still alive, and it has been accentuated during the last 150 years. In our time it has reached its climax and its crisis." To it he opposes the original American idea, the idea of Washington himself: "That the sovereignty of the people is never absolute, that the people are under the law, and that the people may make no law which does not conform to that higher law, which has been gradually revealed to the awakening conscience of mankind. In this, the American doctrine, the will of the people does not, then, determine its own standard of what is right and what is wrong. It is itself accountable to standards superior to its own opinions and its own will." It is almost literally the thesis of Brownson.

pose, the minority must in all meekness and submission receive; and the form of religious worship the majority is good enough to prescribe, the minority must make it a matter of conscience to observe. Whatever has been done under the most absolute monarchy or the most lawless aristocracy, may be reenacted under a pure democracy, and what is worse, legitimately too, if it be once laid down in principle that the majority has the absolute right to govern.<sup>133</sup>

It was the theory of the Jacobins, and put man in the place of God. It has already been noted that, in Brownson's view, the political atheism inherent in the theory was nothing novel. The Jacobins had merely substituted the absolutism of the people for the absolutism of the king. The seat of unlimited sovereignty had been shifted, but the principle had been preserved intact.

Popular sovereignty, in the Jacobin sense, not only is incompatible with the rights and liberties of individuals and minorities. It also insures the triumph of the demagogue.

It creates a multitude of demagogues, pretending a world of love for the *dear* people, lauding the people's virtues, magnifying their sovereignty, and with mock humility professing their readiness ever to bow to the will of the majority. It tends to make public men lax in their morals, hypocritical in their conduct; and it paves the way for gross bribery and corruption. It generates a habit of appealing on nearly all occasions, from truth and justice, wisdom and virtue, to the force of numbers, and virtually sinks the man in the brute. It destroys manliness of character, independence of thought and action, and makes one weak, vacillating,—a time-server and a coward. It perverts inquiry from its legitimate objects, and asks, when it concerns a candidate for office, not, who is the most honest, the most capable? but, who will command the most votes? and, when it concerns a measure of public policy, not, what is just? what is for the public good? but, what can the majority be induced to support?<sup>134</sup>

<sup>133</sup> *Works*, XV, 5 (1838). If Brownson had so apprehended the dangers of "democracy" in 1838, what significant change in his political views occurred in 1840? He has answered the question himself: ". . . I confess to having been enlightened by the campaign of 1840; namely, as to the practical tendency of the doctrine which makes the essence of democracy to consist in the sovereignty of the people, and the practical formula, 'The majority must govern.' I had never embraced the doctrine(!); I had uniformly in all my writings,—bating some few incautious expressions, now and then escaping me in the hurry of composition, and when I had some special object in view,—opposed it as rank political heresy; but after all, I had opposed it more as a speculative error than as a practical evil." He adds that its real character became apparent to him in the elections of 1840 (*Works*, XV, 287 [1843]). There are textual discrepancies about his own views prior to 1840. Analyzing them here would carry us too far afield.

<sup>134</sup> *Works*, *op. cit.*, p. 6 (1838). Cf. also the article, *Demagoguism* (*op. cit.*, pp. 434–51 [1844]).

If the theory contained the seeds of despotism, in so far as it proclaimed the unlimited power of the majority, it likewise tended to anarchy by depriving law and government of any foundation except the capricious and impulsive will of the predominant group.<sup>135</sup> The social and economic implications of the theory were likewise destructive of temporal well-being. Socialism was one possible result, declared Brownson. The dream of absolute equality, which inspired the advocates of the theory, demanded more than political equality for its fulfillment. Complete social and economic equality was also required. There was no logical terminus this side of Socialism or Communism.<sup>136</sup>

In practice, however, what is the will that more frequently than not prevails in a democracy of this type? Brownson was convinced that it was not the will of the underprivileged majority, but rather the will of the privileged few.<sup>137</sup> He regarded as a fantastic illusion the belief that universal suffrage automatically endowed men with equal political power.<sup>138</sup> In the conflict between man and money, the latter will always triumph.<sup>139</sup> The representatives of wealth and monopoly have the ability to command majorities, and to wield the powers of the state for their own interests.<sup>140</sup> It was conducive to their objectives to pro-

<sup>135</sup> *Works*, XVI, 359 (1852). Of the two possibilities, anarchy or despotism, he found the latter more objectionable. He recognized, of course, that the one extreme would produce the other.

<sup>136</sup> *Works*, X, 82-86 (1849). He was alarmed, therefore, by the revolutions of 1848, and condemned them in the strongest terms. No friend of monarchical government, he nevertheless condemned the revolutions as subversive of all social and political order.

<sup>137</sup> ". . . for the popular will, sure to prevail, is never the will of these [the common people], but of the active, selfish, speculating few, who worship Mammon, and compound for their idolatry, by now and then making a donation to the church, to a hospital, university, or some institution for the poor" (*Works*, XV, 380 [1843]). For Brownson, this was certainly true as regards the realization of the "democratic principle" in the United States. Cf. also *op. cit.*, p. 205 (1842).

<sup>138</sup> "I can command a thousand votes (if a man of property and wealth), my neighbor but one. . . . We both have the equal right to vote, but we are no longer equal; for I virtually put in a thousand votes to his one, and these thousand whose votes I command, none" (*op. cit.*, p. 383 [1843]).

<sup>139</sup> "The history of the world offers no instance in which,—men on one side, and money on the other,—money has not triumphed. The Haves carry it always over the Have-nots" (*Works*, XV, 286 [1843]).

<sup>140</sup> "The whole history of our country shows that the party in favor of monopolies, of special privileges, and opposed to equal rights has been the party, that has interpreted, in its acts, our government to be a democracy, instead of a constitutional republic" (*op. cit.*, p. 380 [1843]). Andrew Jackson was responsible for giving prestige and popularity



claim as the ultimate criterion of social and political life, not right and justice, but the will of the majority.

With vigor and persistence Brownson assailed the "democratic principle" throughout the last three decades of his stormy controversial career.<sup>141</sup> In one of his final summations, made during the closing years of his life, he again emphasized that his indictment of "democracy" had never involved the defense of monarchy or hereditary aristocracy. His purpose had been much more fundamental. It had been to show that

the assertion of the people as the source of all legitimate authority, and that governments derive all their just powers from the assent of the governed, which makes all authority, all law of purely human origin, excludes the divine order which alone has authority for conscience, divorces politics from ethics, substitutes utility for right, and makes it the measure of justice, fails of the end of all just government, the promotion of the public good, and is either no government at all, but a mere agency of the controlling private interests of the people, or a government of mere force.<sup>142</sup>

There was, in Brownson's view, a radical and essential difference between democracy of this character and the principles of the American political order. And with all the earnestness and force of which he was capable he sought to make it clear to the American people that the abandonment by them of the latter, and the embracing of the former, would inevitably bring about the moral, social, and political ruin of the nation.

The United States, Brownson declared, was not a democracy. It was a constitutional republic.<sup>143</sup> Providence had marvelously wrought

to the "democratic principle"; in Brownson's view, nevertheless, it was not the common people who benefited. On Jackson, cf. XV, 332 (1843); XVIII, 575 (1875).

<sup>141</sup> Whatever Brownson's later "liberalism" consisted of, it did not embrace acceptance of "democracy" as outlined here. Establishing the precise character of Brownson's "liberalism" would demand a separate study.

<sup>142</sup> *Works*, XVIII, 242 (1873). He dissented, therefore, from the principle that "governments derive their just powers from the assent of the governed" (*ibid.*, p. 225). Cf. also XV, 314 (1843); XIII, 23-24 (1869). Literally interpreted, Brownson declared, this principle implies that all powers of government have a purely human source, and all laws a purely human sanction. It would reduce government, in effect, to no government. He opposed to it the doctrine of St. Paul: *non est potestas nisi a Deo*. Again, it was not popular government in a legitimate sense he was attacking; it was political atheism.

<sup>143</sup> *Works*, XV, 376 (1843). The same descriptive term is used in his article on *Constitutional Guaranties* (XVIII, 251 [1874]). Between this span of years he used other terms

an unwritten constitution for the American people, of which the written constitution was a perfect expression.<sup>144</sup> Between this constitution (whether written or unwritten) and democracy as popularly conceived there was an unbridgeable chasm. The chasm marked the difference between a political system which affirmed the sovereignty of the people without limit or hindrance and a system which acknowledged that the people—sovereign, indeed, in the political order and under no higher human authority—were subject both individually and collectively to the natural law of God.

The moment one talks of constitutions, said Brownson, one is out of the purely democratic order, as much as one is out of pure absolute

---

to characterize the American system: "Limited elective aristocracy" (X, 1 [1845]); "American democracy" (as against European democracy) (XII, 9 [1856]); "Constitutional Democracy" (XVII, 484 [1864]); "Territorial Democracy" (XVIII, 178 [1865]). The terms designate the same reality. They do, however, involve various nuances and emphases, corresponding to certain changes of attitude Brownson experienced in relation to the events of the day. They all signify a system opposed to totalitarian democracy. Throughout his "liberal period," we repeat, Brownson was denouncing this type of democracy. Note the following: "The great danger to liberty in our country, it cannot be too often repeated, is from the tendency to assert the absolute supremacy of the state, and in not recognizing the fact, that no will or ordinance of the people in convention assembled, and ratified by a popular vote, is or can be law, or be rightly treated as law by the courts, if it contravenes the law of justice" (XI, 390 [1858]). "With us democracy may become as absolute as Roman caesarism, and majorities may play the tyrant without any effective restraint" (XVI, 564 [1859]). Cf. also *op. cit.*, pp. 572, 580 [1859]). This same year (1859) he declared that the two principal enemies of Catholicity were "European despotism and European Jacobinism" (*op. cit.*, p. 594). Additional texts on "democracy": XVII, 103 (1860), 139 (1861), 281-85 (1862); "God save us from the theories of European democrats, radicals, and revolutionists!" (*op. cit.*, p. 562 [1864]; cf. 572, 577, 579 [1864]). Brownson's concern at this time with the threats to both religion and liberty emanating from imperial dictatorships such as that of Napoleon III of France, and his warnings that Catholics were making a fatal mistake in supporting such men (he was almost alone in the Catholic world in refusing to hail Napoleon III as the bulwark of Catholicity), constitute a field of inquiry beyond the limits of this article.

<sup>144</sup> On Brownson's notion of the American constitution, cf. the illuminating article by Joseph P. Donovan, C.M., "Brownson, the Philosophical Expounder of the Constitution," *Proceedings of the Seventh Annual Meeting, American Catholic Philosophical Association*, 1931, p. 148 ff. Cf. also Thomas I. Cook and Arnaud B. Leavelle, "Orestes A. Brownson's 'The American Republic,'" *Review of Politics*, IV (1942), 77 ff., 173 ff. The unpublished doctoral dissertation of Paul Robert Conroy, *Orestes A. Brownson: American Political Philosopher* (St. Louis University, 1937), is critical of Brownson's thesis that sovereignty always inhered in the people of the states as united. This was Brownson's final view as to the repository of sovereignty, and was a departure from his initial position that sovereignty inhered in the states severally. The matter is too tangential for discussion here.

monarchy when constitutional restrictions are imposed on the power of the monarch.<sup>145</sup> It was the peculiarity of the American constitution, moreover, to specify that there were natural rights which the state was obligated to protect against any attempted infringement.<sup>146</sup> The moral power of majorities was restricted by the inalienable rights of individuals—by the rights of man which are basically the rights of God.

The written constitution had been avowedly designed to repress the spirit of "wild and lawless democracy."<sup>147</sup> The government was "intended by the fathers, Washington, Adams, Hancock, Rutledge, even Jefferson, to be a constitutional republic, not a democratic republic."<sup>148</sup> The reports of James Madison on the debates in the convention of 1787 fully established that the purpose of this convention was to secure more effective checks upon the democratic tendency.<sup>149</sup> The constitution was meant "to be a contrivance for collecting the popular reason separated from popular passion, and enabling that which is not corrupt in the people to govern without subjection to that which is corrupt."<sup>150</sup>

<sup>145</sup> *Works*, XVII, 579 (1864).      <sup>146</sup> Cf. *supra*, p. 197      <sup>147</sup> *Works*, XVI, 90 (1849).

<sup>148</sup> *Op. cit.*, XVIII, 251 (1874). He adds that "even Jeffersonian republicans, in our boyhood, repelled as a gross calumny the charge of being democrats, made against them by the old Federalists, and up to the second election of Andrew Jackson, no party in the country was or would consent to be called the democratic party" (*ibid.*). His sympathies were much more with the party of Washington than with that of Jefferson: "General Washington, the father of his country, and at least one of the soundest heads and purest patriots the country has ever produced, apprehended from the first that too much liberty was allowed to democracy; and so did Adams, Hamilton, and all the distinguished men of the old Federal party,—men who, though decried by Mr. Jefferson and the French Jacobins, were the great men of their times, and whose practical political views contrast favorably with the brilliant and fanciful theories of their opponents" (XVI, 100 [1849]). "The Federalist placed the sovereignty in the people regulated and restrained by law; the Republicans placed it in the people without law; and therefore made the government a government of mere human will, which is the very essence of despotism" (*op. cit.*, p. 359 [1852]). Following the lead of Alexander Hamilton, however, the Federalists had made one serious mistake: "The grand error of the Federalists was not in seeking to restrain the democratic excesses, for that is what every party in favor of liberty should seek, but in seeking the necessary restraints in the business classes and moneyed interests of the country, instead of seeking them in a powerful and permanent class of landed proprietors;—not indeed because landholders are wiser or more honest than business men, but because they are more independent in their position, and their interests are less fluctuating, subject to fewer sudden changes, and more permanent" (*op. cit.*, pp. 363–64 [1852]).

<sup>149</sup> *Works*, XVI, 99–100 (1849).

<sup>150</sup> *Op. cit.*, p. 90 (1849).

According to this constitution, the people are sovereign. But in what sense was "people" to be understood? Brownson answered that sovereignty pertained to the people as politically or organically constituted, not to the people as a population or as an undifferentiated mass.<sup>151</sup> The people, moreover, are sovereign only within the limits of the constitution. "We admit that the people, that is, the people organized as the republic or commonwealth, are for us the political sovereign, and that their will is to be obeyed, when it is not incompatible with the supreme law of God, who is above all peoples and states, 'King of kings and Lord of lords;' but it is the will of the people in convention, expressed through the constitution."<sup>152</sup> The

<sup>151</sup> ". . . it is almost impossible to make the mass of our citizens perceive any clear and intelligible distinction between the people as a political organism, and the people outside or independent of that organism" (*Works*, XV, 332 [1843]). The distinction arises from Brownson's view of the nature and origin of civil society or the state. The state (here understood as distinct from government) is not a voluntary aggregation of individuals but a living organism fashioned providentially (it was analogous, in the natural order, to the Mystical Body, the Church); cf. XVII, 501 (1864). In developing this notion he was influenced initially by Plato (XV, 372 [1843]) and later by Pierre Leroux' doctrine of communion (X, 547-48 [1855]; V, 131 ff. [1857]). Lawrence Roemer's *Brownson on Democracy and the Trend toward Socialism* (New York: Philosophical Library, 1953) embodies some useful ideas on the subject (cf. pp. 65-81). Roemer's book, however, cannot be recommended unreservedly. The criticism of it by Stanley Parry, C.S.C., is well founded; cf. *Review of Politics*, XVI (Jan., 1954), 124-26.

<sup>152</sup> *Works*, XVIII, 250 (1874). This was one of the central themes of his articles on *The Origin and Ground of Government* (XV, 296-404 [1843]). Brownson regarded as extra-constitutional, and as expressive of the "democratic principle," press campaigns, etc., to force legislators to vote in the manner that the real or alleged popular will of the moment demanded (XVIII, 246 [1874]). He believed that what passed for popular opinion on these occasions "is not the opinion even of the people, nine-tenths of whom are incapable of forming an opinion for themselves, but the opinion of the journals, demagogues, and unscrupulous politicians. The process of manufacturing public opinion is very simple, and well understood, and no sensible man has the least respect for it. It is purely an artificial thing, made to order" (*op. cit.*, p. 247 [1874]). The American system of government was founded on a different principle: "Within the limits of the constitution, the representative is remitted by the people themselves to his own discretion and honest judgment of what is or is not for the public good. In making up his judgment as to the measures he will propose, the policy he will adopt, or line of conduct he will pursue, he is free to consult the state of public opinion and the interests and wishes of his constituents, and if a wise and prudent statesman, he will do so, but not as to the law he is to obey or execute. Nothing can relieve him from the responsibility of forming his own judgment and of following it unflinchingly, whatever may be the popular clamor" (*op. cit.*, p. 250 [1874]; cf. XV, 334 [1843]; X, 1 [1845]). The authentic American idea demanded that the *pars sanior* of the people govern in public life. He endorsed Jefferson's view of a "natural

contrary doctrine, that the will of the people was as authoritative outside of the constitution as in it, corresponded to the tendency of the age to regard humanity as superior to all laws and constitutions.<sup>153</sup>

Brownson experienced alternate moods of optimism and pessimism regarding the degree to which the American people were succumbing to the "democratic principle." His writings of the 1840's betray his misgivings at the course events were taking: the political heresy he had been fighting seemed to have universally triumphed. He found "Philanthropists, radicals, advocates of equality, political or social, business men, friends of monopoly wishing to make the government a mere instrument in their hands for promoting their own private interests,—all appeal exclusively to democracy, and seek to sweep away every barrier erected by the wisdom of our fathers against popular caprice or popular passion."<sup>154</sup>

His ever-active mind was influenced by many factors, during the next two decades, to revise his judgment about the inroads of "democracy" on the American scene. Probably the most significant factor was the Civil War. With all the power of his pen he had defended the cause of the Union in the conflict, his intense patriotic sentiments aroused to the fullest degree. And he was in admiration of the manner in which the people of the North, with some exceptions, had responded to the challenge of the Rebellion.

We own, and are glad to own, that the war has corrected many of our own prejudices, and relieved many of our fears; it has given us full confidence in the strength and durability of our institutions. It has, also, corrected many errors the popular mind had imbibed, and exploded more than one popular fallacy. It has proved the necessity of upholding the legitimate authority of government, and therefore refuted the notion that government is a mere agency, with no power, in

---

aristocracy," though he preferred to call this group the "natural leaders of the people." "Democracy," however, "deprives these natural leaders of their legitimate position and influence, and gives the lead to the *pars insanior*" (XVIII, 529 [1873]). It is a levelling influence, but "it levels downwards, and not upwards" (XV, 299 [1843]). On the role of the élite in society, cf. the article, *Liberal Studies* (XIX, 431-46 [1853]); also, XV, 400-403 (1843).

<sup>153</sup> *Works*, XVIII, 250 (1874).

<sup>154</sup> *Works*, XVI, 91 (1849). The article, *Catholicity Necessary to Sustain Popular Liberty* (*Works*, X, 1-16 [1845]), was written on the assumption that the nation had abandoned its constitutional form, and had become almost completely democratic. Brownson was disposed to bow to the inevitable, and sought to find a basis by which the worst excesses of the "democratic principle" could be avoided.

case of need, to coerce obedience. It has proved that in the freest states loyalty and obedience to law are as necessary and as indispensable as in monarchical states. It has refuted the popular theories of revolutionists so rife in our times, and proved the necessity of conservative principles, and respect for established authority. Happily the war came in season to arrest our wild radicalism, before the heart of our people had become wholly corrupt, and before they had become as base as the theories of their demagogues.<sup>156</sup>

Brownson's *American Republic*, which appeared some months after the termination of the war, embodied the same spirit of optimism and confidence. The authentic idea of the American state—which Brownson in this work termed "territorial democracy"—had triumphed over the exaggerated "personal democracy" represented by the South.<sup>156</sup> The South had stressed individual rights—confined, of course, to the slave-holding class—at the expense of the rights of society.<sup>157</sup> This threat, however, had been met successfully. At the same time, he warned against the growing strength of an opposite tendency in the North, sentimental humanitarianism. This movement would disregard the rights of individuals for the sake of a quasi-divine "humanity." If the movement were left unchecked, "it would found in the name of humanity a complete social despotism, which, proving impracticable from its very generality, would break up in anarchy, in which might makes right, as in the slaveholder's democracy."<sup>158</sup> The principle of "territorial democracy," which preserved the elements of truth in both extremes while eschewing the errors, had been sustained, nevertheless, after a great struggle. Brownson, at this time, took a reassuring view of the prospects for his country.

The developments during the next ten years (1865–75) in social and political life completely dissipated his sanguine outlook. As the decade advanced, his misgivings of an earlier period about the inroads of "democracy" were revived and intensified.<sup>159</sup> "Radicals" and "fanatics" had imposed a harsh and stupid policy for the reconstruction of the southern states, and the healthy influence that this region might have exercised, as against the monopolists and the humanitarians of

<sup>156</sup> *Works*, XVII, 280 (1862).

<sup>156</sup> *Works*, XVIII, 179 (1865).

<sup>157</sup> *Op. cit.*, p. 180 (1865).

<sup>158</sup> *Op. cit.*, p. 181 (1865).

<sup>159</sup> Cf. especially the articles, *The Democratic Principle* (1873), *Constitutional Guaranties* (1874), *The Political State of the Country* (1873), *Home Politics* (1875), in Vol. XVIII of the *Works*.

the North, was nullified.<sup>160</sup> The amendments added to the Constitution, particularly the Fourteenth and Fifteenth Amendments, had virtually destroyed the providential Constitution by depriving the states of areas of jurisdiction which rightfully belonged to them. The adoption of these amendments was unambiguous evidence for Brownson that the "democratic principle" was almost in complete ascendancy.<sup>161</sup> The evils, moreover, did not stop there.

"Democracy" repudiates all transcendent and objective moral principle.<sup>162</sup> It substitutes utility for justice as the standard of private and public life. It tends to "materialize the mind, and to create a passion for sensible goods, or material wealth and well-being."<sup>163</sup> It promotes discontent among the less privileged, prompting them to strive for complete social equality with the well-to-do.<sup>164</sup> It is a delusive quest, however. For in the free competition characteristic of the "democratic order" the simple and the honest are no match for the more clever or the more unscrupulous.<sup>165</sup> "Democracy" was the best form of government for taxing the many for the benefit of the few.<sup>166</sup>

The American nation was rapidly succumbing to the dictatorship of the titans of industry and finance, thanks to the "democratic principle."

<sup>160</sup> "We want the conservatism of the South to balance the radicalism of the North," Brownson had said in 1864 when discussing the administration's program for reconstruction (*Works*, XVII, 523). He was shocked, however, by what actually happened; cf. XVIII, 584-85 (1875).

<sup>161</sup> In accordance with his theory of constitutions (both written and unwritten) Brownson declared there were limits to the power of amendment. The Fourteenth and Fifteenth Amendments went beyond these limits. The matter is too marginal to our purposes to be discussed here, but cf. *Works*, XVI, 93 (1849) on the power of amending in general, and XVIII, 254-55 (1874) on the Fourteenth and Fifteenth Amendments. In his *American Republic* (*op. cit.*, pp. 88-100 [1865]) he takes a more liberal attitude about constitutional changes, though even here he specifies that there are limits. His final view was quite rigid. What is very germane to our purposes in this article is that the constitution was now a dead letter, in Brownson's view, in so far as providing any effective restraints upon the "sovereign people," or their demagogic leaders.

<sup>162</sup> *Works*, XVIII, 233 (1873).

<sup>163</sup> *Op. cit.*, p. 233.

<sup>164</sup> *Op. cit.*, p. 235.

<sup>165</sup> For Brownson, the only alternatives under "democracy" are communism or free competition. Free competition "is the interpretation democracy receives with us" (*op. cit.*, p. 237 [1873]).

<sup>166</sup> *Op. cit.*, p. 527 (1873). His expression is really stronger: "Democracy is the best of all possible governments to make the many tax themselves for the benefit of the few. . . ."

Democracy, following the lead of the business classes, builds up, and with us has covered the land over with huge business and moneyed corporations, which the government itself cannot control. We complain of the great feudal barons, that they were often more powerful than their suzerain; but our railroad "kings" can match the most powerful vassals, either of the king of France, or of the king of England in feudal times. Louis XI was not weaker against Charles the Bold, than is Congress against the Pennsylvania Central Railroad and its connections, or the Union Pacific built at the expense of the government itself.<sup>167</sup>

There was less inequality, he declared, in his boyhood than at this time (1873). The rich were getting richer and the poor poorer.<sup>168</sup> This was accompanied by a steady deterioration in morals, both public and private. Not only divorce but also abortion and birth-control were becoming general.<sup>169</sup> Corruption was rampant at all levels of government, "in congress, the state legislatures, the municipal governments, and the elections all over the country."<sup>170</sup> It was useless to look to legislation to curb the evils in public life.

The laws are good enough as they are, and stringent enough; but laws are impotent where the people have become venal, and are easily evaded or openly violated with impunity, when they are not consecrated and rendered inviolable by the national conscience: and it is of the essence of democracy to dispense with conscience, and to attempt to maintain wise and beneficent government, without drawing on the moral order, by considerations of public and private utility alone.<sup>171</sup>

Brownson could conceive of no constitution more profoundly philosophic, or more admirably devised, than that of the American government. Yet the people believed they could make it or unmake it

<sup>167</sup> *Op. cit.*, p. 234 (1873). He added: "The great feudal lords had souls, railroad corporations have none."

<sup>168</sup> *Op. cit.*, p. 238 (1874). One cannot in this paper discuss fully Brownson's social and economic views. He has been criticized for offering no viable solution to the evils of industrial capitalism, evils which he fully recognized. Many of his critics apparently forget that the primary object of his concern, throughout his Catholic period, was not concrete solutions to particular evils in the social, economic, and political orders, but rather the philosophical and religious bases upon which a temporal order could be soundly built and brought into harmony with the ultimate goal of human existence. If one can hazard an opinion, his providential mission was to attack the political, social, and economic atheism that was well-nigh dominant in the Western world, and to recall men (both Catholics and non-Catholics) to the one foundation that insured salvation both in this world and in the next. Cf. the dissertation of Sister M. Felicia Corrigan, S.L., *Some Social Principles of Orestes A. Brownson* (Wash., D.C.: Catholic University of America, 1931), p. 74.

<sup>169</sup> *Works*, XIII, 341 (1873).

<sup>170</sup> *Works*, XVIII, 240 (1873).

<sup>171</sup> *Op. cit.*, p. 241 (1873).



at their pleasure.<sup>172</sup> In relation to government itself, there was no sentiment of loyalty, on the theory that government itself was merely a creature of the people, and that the creature had no rights as against its creator.<sup>173</sup> Conscience was losing its commanding force on private, social, and economic life as well. All these consequences flowed from the acceptance of the “democratic principle”—that there was no power in heaven or hell superior to the “sovereign people.”

But whatever some theorists may pretend, the people, declared Brownson, are not God. They are not independent, self-existing, and self-sufficing. “They are as dependent collectively as individually, and therefore can exist and act only as second cause, never as first cause. They can, then, even in the limited sphere of their sovereignty, be sovereign only in a secondary sense, never absolute sovereign in their own independent right.”<sup>174</sup>

The remedy for the evils was to be found only in religion.<sup>175</sup> Religion alone could recall people to the fact of divine sovereignty; it alone could repress the unruly passions and promote virtue. It alone, by affirming that eternal justice was identical with the living and true God, could provide the norm by which the spheres of authority and liberty could be defined, and the excesses of despotism and license avoided.<sup>176</sup>

<sup>172</sup> *Op. cit.*, p. 231 (1873).

<sup>173</sup> *Ibid.*

<sup>174</sup> *Works*, XVIII, 46 (1865). This is from *The American Republic*.

<sup>175</sup> In the article, *The Papacy and the Republic* (*Works*, XIII [1873]), Brownson dismisses as ineffective several suggested remedies: (1) The people themselves. “But they are the party in fault, and that need the remedy. The people are misled by their false theories of religion, politics, and society, by their corrupt passions, evil inclinations, and destructive tendencies” (p. 338). (2) The state. But “with us the people are the state, and the government must follow their will. Our rulers cannot be expected to rise far above the average of the intelligence and virtue of the people who elect them, and whose representatives they are.” (3) The press. Also an ineffective remedy, for “the press depends on the people, and must conform to their opinions, passions, prejudices, and tendencies, or they will not support it. Besides, the independent press, so called, is the chief corrupter of the people, and we owe to it, and the secular press generally, the low moral tone of the public, the growing religious indifference of the community, the shameless sacrifice of principle to success; truth and justice, wisdom and virtue, to popularity. We might as well look to Satan to correct sin, as to the press to apply a remedy to the growing evils and destructive tendencies of the American people” (*ibid.*). (4) Secular education. But “the people cannot educate above their own level; and whether they will or not, the education they give through the state will only reproduce themselves, and be marred by their own vices and errors. . . . The stream cannot rise above the fountain, and you cannot get from the people what is not in them” (p. 344).

<sup>176</sup> Though some of these truths were accessible, absolutely speaking, to natural reason, religion alone could bring them to the mass of mankind. For Brownson, the growing

But what religion? The problem, basically, is to augment the virtue and intelligence of the people. The religion indispensable to this task cannot therefore emanate from, and be dependent upon, the people themselves.

... a religion or a morality, that holds from the people and varies as their opinions vary, is only their view of religion and morality, and is no power independent of them, and competent to control them, or to maintain for them the authority of the spiritual order. The religion or morality that can save republicanism by subjecting the people to the divine law, and through them force the government to govern in subordination to the spiritual order—that is, right, truth, and justice—must be from above, not from below; hold from God, not from the people; be independent of them, and govern them instead of being governed by them. It must be an organic power, a spiritual kingdom, with its own laws, discipline, and administrative organs, divinely instituted, supported, protected, and assisted; not a simple doctrine, idea, theory, view, or opinion, which has no life or force except what it derives from the subject believing or entertaining it.<sup>177</sup>

It was Brownson's grand objection to Protestantism that it was not a power constituted above the temporal order.<sup>178</sup> It could not therefore supply the deficiencies of this order and apply the law of God effectively in human affairs. It has always held from the secular order and has been responsible to it: initially, to the monarchs of the Reformation and their successors, who claimed and exercised authority both in spirituals and in temporals; latterly, in so far as Protestant nations have become "democratized," to the changes and tides of public opinion.<sup>179</sup> The sects must appeal to the very people that need reforming for their power and support; they must take their law from

---

ignorance of, and indifference to, the precepts of the natural law on the part of the American people was evidence enough that the natural order could not dispense with the supernatural, or the temporal with the spiritual.

<sup>177</sup> *Works*, XIII, 346 (1873).

<sup>178</sup> *Op. cit.*, p. 347 (1873). Brownson reached this conclusion years before he entered the Church. Writing as a Unitarian in 1836 he declared that "properly speaking, Protestantism has no religious character" (*Works*, IV, 22). In so far as individual Protestants were religious, they were not indebted to Protestantism as such, but to the influence of Catholic tradition (*ibid.*). Catholicity had erred in unduly emphasizing the spiritual side of man; Protestantism, by overstressing the material side. Brownson at this period believed it was necessary to revitalize Christianity by harmonizing spirit and matter (*op. cit.*, p. 32). He was to revise his ideas about Catholicity; he was never to abandon this conviction about the nature of Protestantism. Cf. the article, *Protestantism Not a Religion* (*Works*, X, 426-49 [1853]).

<sup>179</sup> Brownson distinguished three stages in Protestantism: first, to place religion un-

the people instead of giving the law to them. Their power is proportionate to their popularity.<sup>180</sup> If they ever insist on the supremacy of the spiritual order, "it is and can be only as an abstraction, a theory, not as an organic power, a spiritual kingdom on earth with the necessary organs for applying practically the law of God to the maintenance of public and private virtue, without which no government, whatever its form, can stand."<sup>181</sup> Protestantism, in Brownson's view, was impotent to arrest the democratic heresy, and therefore powerless to prevent the suppression of civil and religious liberty, or the decline of morality.

The Catholic Church alone, said Brownson, can preserve the nation from the disastrous effects of "democracy."

It acknowledges no master save God. It depends only on the divine will in respect to what it shall teach, what it shall ordain, what it shall insist upon as truth, piety, moral and social virtue. It was made not by the people, but for them; is administered not by the people, but for them; is accountable not to the people, but to God. Not dependent on the people, it will not follow their passions; not subject to their control, it will not be their accomplice in iniquity; and speaking from God, it will teach them the truth, and command them to practise justice.<sup>182</sup>

Only a thoroughly Catholic nation provides, he said, any adequate guaranty of wise and just authority on the one hand, and of true and orderly liberty on the other.<sup>183</sup> There has been, he acknowledged, rarely, if ever, a nation of such a character in the history of Christianity—not even in the Middle Ages.<sup>184</sup> In those much decried "ages of faith," nevertheless, liberty, as well as order, was more secure than now.<sup>185</sup> If the Pope and the clergy were able to do so much in half-Catholicized nations, what might they not have done in a nation thoroughly Catholic?<sup>186</sup>

---

der the control of the civil government; second, to reject, in matters of religion, the authority of the temporal government, and to subject religion to the control of the faithful; third, and lastly, individualism, which leaves religion entirely to the control of the individual. In no stage is it a force independent of the temporal order (*Works*, X, 6-8 [1845]).

<sup>180</sup> *Works*, XIII, 339 (1873).

<sup>181</sup> *Op. cit.*, p. 338 (1873). For Brownson, Calvinism was only an apparent, not a real, exception to the proposition that Protestantism subjected the spiritual to the temporal order; cf. XI, 37 (1853).

<sup>182</sup> *Works*, X, 12 (1845).

<sup>183</sup> *Works*, XVIII, 264 (1874).

<sup>184</sup> *Op. cit.*, p. 265 (1874).

<sup>185</sup> *Ibid.*

<sup>186</sup> *Ibid.*

He wanted, however, no clericalism: “. . . for while the clergy have, in union with their chief, authority to declare the law, the spiritual or moral principles to which the secular government must conform, they have, in the practical administration of secular affairs, only the authority of seculars, are not necessarily superior, and not seldom in fact inferior to them, because not trained to practical statesmanship.”<sup>187</sup>

The constitution of the American state needed no change, nor did the laws, with some exceptions (chiefly those relating to marriage and divorce), require much alteration.<sup>188</sup> But the state did need, if it were to survive, “a spiritual authority above and independent of it, competent to define what are or are not the rights of men, that is, the rights of God, and to enforce through the conscience of the people respect for them and obedience to them.”<sup>189</sup> It needed, he insisted, a people thoroughly Catholic.

But what makes a nation thoroughly Catholic? Brownson was unwilling to admit that one could measure the growth of truly Catholic influence by the increase of the number of Catholics, of Catholic churches, and of Catholic institutions.<sup>190</sup> The Church alone could save America. But the Church could do this only “through the action and influence of Catholics, and through them only by their standing by the faith in its purity and integrity, and faithfully observing in their conduct what it requires of them.”<sup>191</sup>

He found among Catholics of his own time, both in Europe and in the United States, a fearful lack of understanding of Catholic principle, as well as a disposition to act according to the maxims of the secularized age.<sup>192</sup> Large numbers of American Catholics, reacting against the baseless charge that their religion was opposed to free government, defended the most extreme democratic views, and allowed themselves to be swayed by the demagogues who proclaimed that *vox populi est*

<sup>187</sup> *Op. cit.*, p. 563 (1874). “The true mission of the clergy is, not to enter the arena of politics and to act the part of politicians, but to proclaim and enforce, with all the spiritual power they can wield, the great principles of the divine government or the kingdom of God on earth as applicable to secular affairs, and which are the law alike for individuals and nations, for rulers and ruled; and to form and sustain a public opinion that compels statesmen to conform their secular measures, their state policy, to the law of God as declared and applied by the church, and which is universal and inflexible” (*ibid.*).

<sup>188</sup> *Works*, XIII, 345 (1873).

<sup>189</sup> *Ibid.*

<sup>190</sup> *Works*, XVIII, 571 (1874).

<sup>191</sup> *Op. cit.*, p. 572 (1874).

<sup>192</sup> *Op. cit.*, p. 561 (1874); *ibid.*, p. 572 (1874).

*vox Dei*.<sup>193</sup> The "liberal" Catholic was affirming that his "religion had nothing to do with his politics."<sup>194</sup> As for the Catholic politicians on the American scene, Brownson saw in them "the same lack of principle, of conscientiousness, of integrity, of public spirit, and disinterestedness" as their non-Catholic fellow-citizens exhibited.<sup>195</sup>

He believed that these weaknesses in the Catholic body were owing, in part at least, to certain defects of long-standing character in Catholic education.<sup>196</sup> Education had been too greatly restricted to instruction in the private and domestic virtues; it had left the mass of the people insufficiently instructed in their social or public duties. They were inadequately informed as to the relations of Christian ethics to the state and society. Even the graduates of Catholic colleges knew very little of these relations; they were left with the impression that their religion demands nothing more of them than to be personally sincere and honest in what they do. The Catholic school, Brownson declared, "must recognize Christian society, under and distinct from the church, as well as the church herself. It must not leave the student to be a pagan in relation to society, but must train him to understand and to act well his part as a member of *Christian* society, or of the Christian commonwealth founded by the church, and inspired and directed by her life-giving spirit."<sup>197</sup>

Brownson knew of no finer political framework for such a Christian

<sup>193</sup> *Op. cit.*, p. 572 (1874); *ibid.*, p. 292 (1854); *ibid.*, p. 244 (1873); *ibid.*, p. 597 (1875).

<sup>194</sup> *Op. cit.*, p. 561 (1874).

<sup>195</sup> *Op. cit.*, p. 572 (1874). Cf. his scathing indictment of "political Catholics" (*ibid.*, p. 597 [1875]). A part of the passage merits quotation: "They seem, the moment they engage in politics, to forget that they are Catholics, and to scout the upright and moral conduct enjoined by the church upon all her children, whatever the sphere in which they are called to act. Besides, such is their overweening self-conceit, and such is their sensitiveness, that they will bear no reproof, and listen to no advice, not even from their clergy. Do these Catholics never reflect on the duty they owe as citizens to the land of their birth or adoption? Do they never reflect on the immense responsibility that rests upon them as Catholics? Does it never occur to them that only the Catholic Church can save the country, and that she can do it only on condition that her children imbibe her spirit, and practise the morality she enjoins? Do they ever, in the field of politics, think of any thing but to cry up the man that pleases them, and to cry down the man that offends them?"

<sup>196</sup> *Works*, XVIII, 543 (1873). Brownson had other criticisms to make of Catholic education. We adduce only the one immediately bearing on our subject.

<sup>197</sup> *Ibid.* He did not believe, however, that formal education was the only, or even the basic, answer to the evils afflicting modern society; cf. XIII, 344-45 (1873).

society than the American constitution. But was this constitution, and the great republic built upon it, going to be destroyed completely by the evil force of "democracy"? He minced no words in defining the conditions under which both could be preserved, and the high mission of the United States be fulfilled.

With the Catholic Church as representing the divine order in society, and the Catholic faith in its purity and integrity held by the whole people, and informing their intelligence and conscience, the deficiencies of democracy are supplied and the objections to it disappear. But without the church, that is, without the power representing the divine sovereignty in the government of human affairs, and the Catholic faith held by the great body of the people, democracy offers no guaranty for either authority or liberty, for truth or justice, and simply substitutes the despotism of the many for the despotism of the few, or that of the one. For ourselves we ask no constitutional changes in the political order of our country, but we do ask for a change in the people, a change to be effected by the Catholic missionary and their conversion to the Catholic faith, in which is our only hope for our country, as well as for the salvation of the souls of our countrymen.<sup>198</sup>

<sup>198</sup> *Works*, XVIII, 267 (1874).