N THIS ESSAY I WOULD LIKE TO REFLECT ON THE ROLE OF PLURALISM, ESPECIALLY religious pluralism, in what I take to be the failure of the American experiment in ordered liberty. My argument is that, examined from the vantage point of the turn of the millennium, American claims to exceptionalism and superiority, clustered around the idea of ordered liberty, have proven unjustified. Enough American history has passed to see how the instability, internal incoherence, and inadequacy of the founding American assumptions about God, man, and society daily make the dream of ordered liberty ever more remote. The evidence of profound social disorder, of disordered liberty, lies all around.

The jibes against Europe, that in America a fresh historical beginning, freed from Europe’s burdens and mistakes, would sustain something better than Europe had known, a novus ordo seclorum, seem now premature and naive. In America it is most uncommon to admit this. Awareness of the manifold signs of disorder which mark one’s daily life rarely results in acknowledgment that there might be something wrong with the experiment itself. Indeed, the pseudo-scientific language of “experiment,” especially William Penn’s sacralized language of “holy experiment,” puts off indefinitely any day of reckoning, for one can always say not enough evidence is in on whether the American experiment “works.”

In the past fifty years the logic of older forms of liberalism, both French and Anglo-American, central to the American Founding has been revealed in a radical liberalism unafraid to embrace what always had lain in liberalism’s premises. I use “liberalism” in an etymological way, to describe any politics to which the quest for liberty in its evolved modern sense of “freedom from” is central. As Alasdair Maclntyre pointed out, liberalism, although originating historically in attack on tradition and aiming at a social order founded on “universal, traditionindependent norms,” has itself become a tradition. In it an initially deficient idea of human autonomy, in which insufficient attention was paid to the relations between the individual and both other human beings and the cosmos generally, has worked itself out in an arbitrary freedom which takes the form of moral relativism and utilitarian and hedonistic domination of others. Similarly, an initially deficient idea of man, endemic to Protestantism but much exacerbated by the Newtonian idea of techne, in which man is not recognized as first of all a contemplative being, has unrolled itself in an almost completely mechanistic view of life in which man is interiorly empty and exteriorly manipulative.

Even were somehow the developments of a half century to be rolled back, we would be left with the earlier liberalisms, which continue to exist, and their flawed views of the nature of human autonomy and man’s relation to God. This would give us as little warrant for hope as were we spectators at a rerun of Daedalus’ experiment. Jose Casanova may well be right that a worldwide marginalization of religion which accompanied modernization and secularization. Still, wherever it has occurred, such rebellion has hardly done other than to reassert older cultural forms without engaging the historical quandries which helped generate modernity in the first place. Thus the public reemergence of Evangelical Protestantism in the United States beginning in the 1980s seems aimed at something like
recovery of the hegemonic status of nineteenth-century Protestant civil religion. Nineteenth-century civil religion feared (and late twentieth-century Evangelicalism fears) unabated pluralism especially religious pluralism and, while unable to eliminate a primary datum on which America was founded, attempted to reduce its most deleterious effects. In America, a country in which the need to facilitate the coexistence of differing religious views has been primordial to all constitutional arrangement from the beginning, the worthy goal of “deprivatization” of religion, which is really a name for attack on or restriction of deep pluralism, can only develop in quite constricted limits.

I have written elsewhere on the distinction between cultural pluralism and deep pluralism, the latter of which might also, following John Gray’s brilliant critique of Isaiah Berlin, be called “value pluralism.” Although these two shapes of pluralism constantly invade each other’s territory, I have suggested that at least in principle we can distinguish between a cultural pluralism which enriches life together and a deep pluralism which, because embodying irreconcilable views of the good, true, and beautiful, undermines the possibility of a shared life. I have suggested that Americans have not been very open, indeed probably not very self-conscious, about the logic of their experiment, insofar as it involves pluralism. Some writers have, for instance, written as if the various religions in America could indefinitely share in public life while retaining their distinctive identities. This seems to me a religious form of the national myth, e pluribus unum, that a meaningful unum is possible which allows the pluribus from which it was constructed to live on. Such an idea is not fully historical. It seems to me, rather, that to the degree a shared life is achieved, deep pluralism, here including the pluralism of real religious differences, recedes. To the degree that deep pluralism advances, the unum recedes. Perhaps this is not obvious to many Americans because they do not see how profoundly the American experience has remolded the historical religions. That is, to the extent that an unum has been achieved, it falls under the categories of civil religion, the flag, the Fourth of July, the American Way of Life. In America—and of course not only America—Classical Calvinism, Classical Lutheranism, Dogmatic Catholicism, hardly exist: what has replaced them for most is American civil religion, the religion of the American Way of Life itself. This is not deep pluralism, but an emptying of an earlier real variation between religions into a kind of suburban religion of sameness.

Cultural pluralism, involving such things as the foods and habits of different cultures, commonly enriches life, but deep pluralism, involving incompatible worldviews and morality, normally rooted in religious difference, renders all shared social existence problematic: always ways are found to limit it. My argument is that at the center of American history lies the attempt, while praising various pluralist phenomena, especially religious freedom, to do everything possible to tame, constrict, or domesticate these. A Catholicism loyal first to the pope is feared, a Catholicism loyal first to America is praised. Americans have had as many apprehensions about deep pluralism as have had other societies, but, as in so much else, have deceived themselves about their defensive strategies against that which they praise.

I have no structural reformation to propose which if followed would let the American experiment proceed. It seems to me that, for both good and ill, peoples generally live out the logic of their basic assumptions about life to the end. “Honor,” for instance, is at the center of all that is most glorious and most sad in Spanish history, playing the role that “liberty” does in American history. The goals of cultural criticism must be more modest, to examine as assumptions, to show how these assumptions have affected history, and by the very discussion of such matters, to give people some power to brake, accelerate, or redirect the tendencies of their times. My point of view is that of the Spanish social analyst, Juan Donoso Cortes (1809-1853), who in his mature, post-1848 thought saw that every great political question is wrapped up in a theological question. Cortes did not mean by this that one could ignore economic or political analysis, but that such analysis was most incomplete until one had grasped how the great questions of theology repeat themselves in the political order. This is
the approach of John Paul II when he looks at the evidence of disordered liberty strewn across the social order and describes it as a “culture of death.” For a culture of death to form, individual evil choices must be made, but there must be more than this. Pace liberalism, which is congenitally dishonest on such matters personal sin comes, in the shape of badly ordered ideas, to shape the life of the mind in general, and institutions take on a “structure of sin.”

If there is a sense in which the American experiment was doomed from the first as a form of “magic-thinking,” that does not mean that America is doomed in some near future: one goal of cultural criticism should be sober assessment of what a future shorn of belief in exceptionalism might realistically be. It is extremely difficult to separate the good from the bad effects of any set of ideas so that the one may be encouraged, the other discouraged, but this is our goal. Even now, in America as elsewhere, mingled with the “culture of death” is another culture, that of “love and life,” which crosses most party labels and is in some measure willed by virtually every camp, giving reasons for hope. It is becoming a commonplace that in the Church itself a long generation of priests and bishops in which there were many who were, in matters sexual, disciplinary, or doctrinal, accommodated to the world and unwilling to teach or themselves live by the full Gospel is aging and being replaced with younger priests formed by the pontificate of John Paul II and willing, for instance in the matter of celibacy, to live counter-culturally as signs to the age.

While attacking liberalism’s evil fruits, we encourage the good things it has promoted, among them certain forms of medical and technological advance, the search for alternatives to war as a means of conflict resolution, and economic and political institutions capable of resisting the more overt forms of tyranny. Still, when all is said and done, because we cannot deny that much has the smell of death about it, Catholicism should impart a deep sense of the limitations of the American experiment. American Catholics need to spend less time underwriting that experiment and more time helping Americans understand the predicaments in which it has placed them. Possibly on the other side of such criticism, for those with hearts to understand, lies development of some of the things American culture has undervalued from the beginning.

Because it has been the religion of immigrants who have longed above all for acceptance, Catholicism in America has not lived up to its potential as an instrument for raising Americans to self-consciousness about the true nature of the dilemmas which face them. Like Jews, Catholics in America have had to work especially hard for social acceptance, and have in the process come to be among the prime boosters of what since the 1930s has been called “the American way of life.” The greatest political gift Catholic criticism can give to America is critique of its Enlightenment, Protestant, and democratic assumptions. A sense of the limitations of received views of the world is not a bad thing. It can liberate from tasks not worth pursuing in favor of effort well expended.

America has been called a melting pot of peoples. American historians quarrel among themselves as to whether this is an appropriate metaphor, noting the tenacity of some American subcultures, continuing regional variation, and the persistence of ethnic boundaries in many large American cities. This quarrel is partly a debate about, often a taking of sides over, the outcome of choosing one or the other of two paths open to every immigrant: assimilation to the mainstream or conscious retention of a distinctive cultural identity. Probably most immigrants have wanted it both ways, to be accepted by American society and successful by American standards, while retaining some degree of cultural distinctiveness, often founded in religion. As long as we view the surface and the middle depths, they seem often to have gotten their way, and America may be described as a cultural mosaic bonded by very widely shared common beliefs originating in the years surrounding 1776. Yet, if we leave aside those brought to America as slaves and view the story of immigration over as short a period as a century, we see that it overwhelmingly has been about assimilation.

Immigrants such as Irish-Americans commonly have passed in no more than three generations from being despised to being, with Catholics generally, among the best educated (by the conventions of American society) and financially most successful of Americans. A good many immigrants have come to America with an indifferent level of religious practice. Presumably to some de-
gree in reaction to a hostile Protestant majority, non-Protestant immigrants often subsequently practiced their religion more seriously than they had in the country of their origins. But as assimilation proceeded, most either shed their religion or radically adjusted it to the larger culture. John F. Kennedy may be taken as a symbol of a late stage of this process, of a sentimental attachment to ethnic ways loosened from religion and subordinated to making one’s way in the world. He was the hero of a generation of Catholics who saw in his success their acceptance.

Those groups which have stood or been pushed aside, say the Amish or some Native Americans, in a real sense are hardly part of the American story: they simply have a different story to tell, one infringed at every point by the dominating story. At one level this is but to say that America is not exempt from larger patterns. All religions and ways of life adapt to the cultures they enter by some degree of assimilation or what today is called incorporation. Consciously to try to avoid all syncretism is with the Amish to opt for social isolation. A full-bodied pluralism, were that possible for very long, would depend on the isolation and marginalization of each of society’s components—the lack of a syncretic spirit. Otherwise, a deep pluralism in which there are not shared core beliefs among the various social groups must tear society apart. If there is to be a shared life in society, deep pluralism must by definition give way to a pluralism more of the surface, to the relative homogenization attendant on assimilation. Deep pluralism on the one side is the enemy of any religion or morality taken seriously, and on the other of shared life in society. In a society of relative homogenization, “civility” becomes not just a prime social virtue naming the ability to negotiate between common belief and whatever remains distinctive to one’s own group, but acceptance of some such distinction as likely permanent. The agreement not to discuss religion or politics at parties must be enforced as “good manners” in the degree that one’s religion or politics is genuinely of the depths. Always the truly pluralistic must be marginalized. Let me reiterate: many Americans have not been very honest about this process, claiming in effect that the American experiment is about both a common faith and a vibrant pluralism, without observing the ways in which the one necessarily works against the other.

Of course Americans are not alone in their lack of candor here: Witness the thought of Jurgen Habermas. Indeed, in some ways America presents an advanced case of Habermas “communicative interaction” and “discourse ethics” at work. The goal is social integration achieved by discussion and struggle between points of view. This integration however is not through a “common good” suited to all human beings, universally true, and deserving obedience, but through ascent to the momentary configuration of the ever-shifting normative structures of an unending debate. This sounds very much like the American notion that the common good is the will of the majority. We might call it democratic fascism, for, in the degree it lacks a transcendental standard for judging truth, social integration is by the “soft fascism” of majority rule. Evangelium vitae (nn. 20, 23) observes that a “supremacy of the strong” can lead democracy “toward a form of totalitarianism.” As in all positions which lack or are deficient in an idea of natural law, agreement is for its own sake rather than for the sake of truth. If I may draw out the tautology, to the degree deep pluralism is present in a society, agreement about unchanging moral principles is impossible and non-philosophical categories such as civility and force-physical or procedural—must provide whatever level of social cohesion is achieved. Conversely, if there is an objective good to be known and adhered to, to the degree a society does this it will abandon deep pluralism. In American history the phrase “we hold these truths” initially marked the point beyond which pluralism was rejected, and every society will have such a point or it cannot survive. Even a liberalism which reduces all social questions to matters of procedure still must insist that all play by the same rules, its rules.

In a sense the quarrel over which metaphor best describes America, melting pot or stew, is more an argument about the surface than about the depths. Because especially the democratic and Enlightenment beliefs on which America is founded are intrinsically unstable, each calls forth its counter. As much as Pericles in his “Funeral Oration,” trying to justify Athenian bids to exceptionalism and superiority, had in fact to scurry from one unbalanced claim to its rhetorical counter-weight, from the claim of equality to the claim of merit, from advocacy of free circulation of ideas to respect for “unwritten laws,” so does virtually all American political rhetoric. Since freedom is at the center of what is sought, the anxiety is that agreement and cooperation between individuals will be impossible. Thus, as night the day, the principle of freedom calls forth its counter in the myth and aspiration e pluribus unum. This is but to say that from the beginning, Americans at least instinctively realized that centering political life on the Enlightenment principle of liberty exacerbated the problems of pluralism with which
which all political regimes must come to terms.

The expression “ordered liberty” itself linked ideas tugging in different directions. All but the most despotic regimes, regimes which suppress one of the terms, must seek to link order and liberty. To do so is one of the great, worthy tasks of politics. But in America, because so much weight was laid on “freedom from” and the possibility of a dissolving pluralism was so real, special emphasis had to be placed on a counter-balancing consensus formed around the principles expressed in the founding documents, raised virtually to the status of inspired Scripture. Precisely because Americans had so many religions and cultures, they had to have one faith, and that in America itself. The American Faith demanded the loyalties which elsewhere except where establishment also ruled (for in America there is an established religion, the cult of liberty or liberalism)—were reserved to religion. In time the First Amendment insured that no faith could be established in America but the American Faith. That is, despite the pervasive role of religion in American life from the beginning, the problem of pluralism was dealt with by placing the Declaration of Independence, Constitution, and Bill of Rights at the center of national life and increasingly marginalizing all religious institutions qua institutions as threats to the unum. The various forms of Christianity, which normally supported the National Faith, were useful bulwarks of society, and religious practice indeed one of the chief ways by which one manifested loyalty to the American way of life.

The great question was whether this kind of common faith could sustain the “order” which liberty, if it were to be more than untrammeled license, needed, i.e., the ordering of liberty to truth. Though America was founded in rebellion and has always been marked also by the selective “flight from authority” of Protestantism, the Founding Fathers generally understood freedom not simply as “freedom from” or as an end in itself but as “freedom of.” Freedom generally for them was a condition for the pursuit of universal rights of man above and beyond the touch of any government. It followed that the order to which liberty aspired was not one of force, simple negation, or a merely worldly flourishing. In some measure, a true way of life was the goal.

Precisely because Americans had so many religions and cultures, they had to have one faith, and that in America itself.

Such an idea had its historical roots in natural law thought, of which the doctrine of natural rights was at once a development and, in some respects, diminution. Protestantism in all its forms was raised on the rejection of natural theology and natural law, but especially Calvinism, the most influential form of Christianity in America, reintroduced with one hand what the other had withdrawn. Calvin himself, in defiance of his own epistemology, had retained certain Stoic understandings of the natural and natural law, of a “general revelation” which enlightened those who had never received the “specific revelation” of Christianity. The question, in the United States as elsewhere, was whether Protestantism, with its antinomianism and radically diminished notions of the natural, could in the long run in any form sustain an ontological ordering of liberty to truth. The radical liberalism of the last half century, with its notion, now enunciated in a number of Supreme Court decisions, of the unencumbered individual who forges her own morality, seems only one of the most distasteful of the answers to that question. In America the so-called mainline Protestant churches themselves have now largely been captured and destroyed by their complicity in the denial of universal moral norms, and place very few limits on freedom. What ontology there was in the American founding documents and in Protestantism into the twentieth century has been insufficient to sustain an objective order at which freedom aims. One must be very glad for those who instinctively react against such developments, such as many Evangelical Christians; but, in spite of the acute analyses occasionally coming from such circles, one can expect little help dealing with philosophical questions from traditions so markedly aphilosophical.

Seen over time, the American story as almost all historians and the general populace have conceived it has centered on those who have assimilated, those who have abated the problems of pluralism by adhering to a shared set of beliefs. True, recent historians have increasingly placed their scholarship in service of an agenda which
stresses and promotes (a not usually very clearly defined) cultural diversity, and one can reasonably doubt whether the historic road to assimilation is as open to African Americans or to Muslims as it has been to others. However, there is little reason to believe that the advocacy of diversity will have any effect on the already socially marginalized more than to keep them marginalized, slowing or stopping assimilation. For most the story will continue to be about assimilation. In spite of certain advantages of geography that will presumably indefinitely feed Hispanic immigration and lengthen the period needed for any given generation to assimilate, it is unlikely that the story of the assimilation of recent Hispanic immigrants will have a very different outcome from that of earlier immigrants from Europe. They will come to have as their first loyalty, the unum of “the American way of life.” If they are Catholic, they will, like an overwhelming proportion of earlier immigrants, come to think of themselves as “Americans who happen to be Catholics” rather than “Catholics who happen to be Americans.” In spite of an initial culture shock which will continue to lead a certain proportion into the evangelical or charismatic camp, and in spite of regional variation related to the relative density of Latino population, to judge by the years since Vatican II, their Catholicism will be, like themselves, increasingly suburban, middle class, and innocuous, at no great distance from the generic Protestantism that has long stood at the heart of the American way of life.

What is this “American way of life,” this common set of beliefs which has tied most Americans together, in spite of all their apparent diversity, making them an unum? It is what Christopher Dawson described as a national faith founded on widely shared belief in the principles of the Enlightenment. Whereas in Europe the Enlightenment fostered vicious attack on religion and the old order, in America it began the Age of Faith that has given America the soul of a church. In this blend of religiosity and nationalism, the language of faith and of Enlightenment constantly interpret one another. This is not grace perfecting nature in any Catholic sense, extrinsic or intrinsic, for the centrality of Protestantism in the origins of the country has left its profound mark in a general inability to make a principled distinction between nature and grace. One of two things happens. On the one hand, and this seems especially true of late eighteenth-century America, reason and nature are abstracted from love and grace in a rationalist or mechanist manner, so that two (unclearly distinguished) orders are juxtaposed. “Rationals” may ignore the sphere set aside for grace, and those who wish to be both rational and religious simply shift gears from one to the other, move from one compartment to another. The long-term logic here is on the side of compartmentalizing or privatizing religion as something subjective. On the other hand, and this seems true especially of the various American religious Awakenings, all may be seen to be grace. That is, a majority of Americans in all periods have probably instinctively thought of one’s moral views and political principles, if not selfmade, as coming from one’s religion. By contrast, the notion of a philosophically grounded idea of the good distinct from revelation has been uncommon. One’s political principles have been understood as not so much derived from a natural source by deduction from sense experience, as directly or intuitively, in a way similar to religious truth, from “the Laws of Nature and of Nature’s God.” A Protestant notion of religion as immediate relation to God has been extended to the political order in a language of self-evidency which must seem very strange to anyone familiar with Aristotle or the history of logic. The “we hold these truths to be self-evident” of the Declaration of Independence is not presented as a set of propositions self-evident in a philosophical sense, but as something any human “just knows.”
To say that America has the soul of a church is to remark on this tendency to run together under the heading of grace what from a Catholic viewpoint may be formally distinguished as natural and supernatural. This “failure to note boundaries” accounts for much that is often taken as most distinctively good about America, her traditions of generosity and philanthropy for instance, which have never much bothered about the exact reasons one could give for government compelling a generosity in its citizenry, say in foreign aid, in excess of any requirement of justice. The Enlightenment project itself, aimed at the creation of a better and more just world, melded Christian and philosophic goals. But perhaps the best illustration of the confusion of natural and supernatural is the way America conducts foreign policy and war, forever wavering between a realpolitik or pragmatism which would gladden the heart of the most hardened European exponent of self-interest, and a high moralism in the tradition of Woodrow Wilson and Jimmy Carter, which sees America as bound to pursue not just the “self-evident” truths of the founding documents, but, in a Christian way, to reach beyond obligations of justice in the direction of self-sacrifice.

The American national faith is well illustrated by a weekly collection envelope illustration used each year around Independence Day in my parish, which superimposes a corpus-less cross on the stars and stripes, and above these, quotes 2 Cor 3:17: “Where the spirit of the Lord is there is liberty.” This is a perfection of Catholicism in America. This American faith is founded as much on the Declaration of Independence and the Constitution as on any holy book. Its nature is confusing to Americans themselves: its easy use of the language of Scripture and belief leads some to think Americans persasively religious, while others, noting for instance how unwilling Americans are to consider effective checks on market capitalism coming from the side of morality, let alone theology, believe that theirs is a religion with a dead God. This American faith has interpreted and refashioned religion itself.

The American national faith is formed of a generic Protestant Christianity, deeply influenced by a Deist bracketing of God in which God is kept at some distance from especially the economic order, so that a materialistic life of this world may enthusiastically be pursued. This religion of a deeply secular people, a people conformed to their age and lacking almost all categories of transcendence and contemplation, “excessively concerned with efficiency,” again to use the words of Evangelium Vitae (n. 12; cf. n. 64), is epitomized in the success of the ideas of Adam Smith in America: the robust, world-interfering and aweinspiring God of pre-Enlightenment Christianity has been remade into a safe God, the clock-maker God of Deism, set back from an economic order which, as a kind of vestigium Dei, has its own “invisible hand.” Praised is precisely that interpretation of the quality of life in terms of “economic efficiency” which Evangelium Vitae (n. 23) warns against.

Whatever pious things are said to the present about guiding the economy by moral principles, much American Catholic thought pretty much accepts the capitalist, technological world as it is. Indeed, commonly it rejoices in that world, and even bends the teachings of the Church to be in service to it. The admission that the logic of the market, brought into our houses in television which play the pimp not just for our children, but, with their constant lies about what is necessary for a happy human life, for us, never leads anywhere. It makes only those adjustments from the side of religion which do not seriously impede worldly success. It has great difficulty in seriously engaging in discussion of things which would protect our children, of censorship and the like, for then goodness would have to triumph over freedom as an ordering principle. This intertwining of piety or moralizing and secularity or busyness is “the American way of life.”

I now wish to pose a problem. My argument has been that a deep pluralism of incompatible world views or moralities undermines social life, but that cultural variation short of this often enriches life. A long generation ago John Courtney Murray observed that although America lacked much of a formal natural law tradition, it had been formed from groups which shared much common ground in the ideas of good, often rooted in religion, that they brought to America. I take it that an anxiety that broods in the background of his work is the possibility of the disintegration of this consensus, and that, since he died, his fears have been realized in the spread of a deep pluralism in which the churches themselves no longer agree on the most basic issues of life and death. I have suggested that indiscriminate praise of pluralism is a disservice to life in society, and that Americans, who
constantly try to make virtues out of the necessities stemming from their sectarian origins, have failed to achieve any measured understanding of all the issues involved in the question of pluralism. Because their highest social value has been liberty, they tend to unreserved praise of such things as religious toleration, without showing much self-understanding of all the ways they and all political regimes try to limit the effects of pluralism. To help pose my problem let me take an event not from America but from Germany. On August 10, 1995, Germany’s highest court ordered Bavaria to remove crucifixes from its classrooms, saying they were in violation of freedom of religion. Minister President Edmund Stoiber correctly noted that “The mere presence of a cross doesn’t force anyone to accept Christian beliefs,” and then somewhat lamely added “It’s a symbol of our Western culture and values.” This is a story which could have occurred any place the culture of liberalism exists. On the one side we have a religion with a certain long-standing position in public life; on the other hand we have the fact of increasing religious diversity, in this case especially the growing number of Muslims in German schools. The majority on the German Constitutional Court took a line very familiar to Americans, that the public schools must as the state itself be religiously neutral. The dissenting minority (3 of 8) took the view that schools reflect the values their communities hold, and that a crucifix did not exert unreasonable pressure on non-Christians. The question which I wish to consider is whether posing the problem the way the German Court majority did, which is very similar to how the American Supreme Court has treated parallel questions, does not end in one more form of the establishment of religion, and therefore whether it is possible to have a religiously neutral state. If it is not, then the whole question of pluralism needs further consideration.

My argument is that the logic of absolute religious freedom and its attendant pluralism leads not just to the disestablishment of religion, but logically to the removal of every trace of it from public life. But such logic is not possible unless, as the first step, liberalism establishes itself as the state religion under the guise of neutrality, i.e., by saying that all other forms of belief must be disestablished. On the first point, if either conscience or the unencumbered self trumps all other moral considerations, the logic of society is one of unending disintegration. If there is one person who does not assent to some publicly sanctioned religious practice, and religious freedom means to have no external pressures toward conformity placed on oneself, then inevitably absolute religious freedom has to involve both unlimited pluralism and the quest for a claimed religiously neutral public order. But this presents a major natural problem, and a major supernatural problem. An absolute religious freedom, with its ever-dissolving pluralism, tends to make any unum impossible, and thus presents a natural danger to any state. In America this is hidden by such practices as teaching civics in the public school, that is, against the logic of religious freedom, by using the schools to inculcate specific values. This is one of the ways in which pluralism is affirmed while a given view of the world taught. Not much protest is received because the religion civics teaches is the founding religion, National Faith, or American Way of Life. Now I personally think the public schools should teach a politically and morally virtuous life, but this is only possible on the basis of natural law, that is, shared rules of evidence and argument, common assent to universal truths. My point is that one can either have deep pluralism, or one can have civics and public instruction in morality, but one cannot logically have both. Unless there is common agreement about the good, an agreement rooted not in religious revelation but in reason, the quintessential American question inevitably arises, “Whose morality is to be taught?” Unless this question is understood to be as silly as asking, “Whose geometry is to be taught?” because not seeing that the good is open to public inspection rather than a matter of individual creativity, it always reveals the impossibility of reconciling pluralism with an unum. If I may speak provocatively, if we really believe in a Protestant fashion that one’s values come from one’s religion, and that religious freedom should be absolute, then pornography is as American as apple pie. That is, the logic of such a position is to make all shared values impossible, to prohibit the legislation of any of them.

The irony is that the proposal of the so-called religiously neutral state as the only way to deal with deep pluralism itself establishes a religion and set of values. This is the religion of liberalism. It legislates on the nature of God himself, saying in effect that anything stronger than a Deist notion of the presence of God is to be removed from public life. It also legislates on the nature of what must not be believed. For instance, any religion which believes that it is to form all of human life and this in fact includes all the historic so-called high religions is circumscribed. The so-called religiously neutral state limits the practice of any such religion to an essentially private sphere. Alexis de Tocqueville’s distinction between
government and society has not proved very serviceable here, for, as the logic of the allegedly religiously neutral state has worked itself out, the government increasingly has enlarged that which is defined as public and subject to the laws of liberalism. Only the purely private and voluntary, by being socially marginalized, can evade this logic. Again, all high religions are driven from public life and liberalism under the guise of neutrality becomes the established religion.

I cannot take this conundrum further here. It has no resolution without a rejection or radical rethinking of the notions of religious freedom and of the liberal state bequeathed by the Enlightenment. It is, however, an example of how much a criticism coming from the side of a Catholicism not itself suborned to the age could reveal about the logic at work in an especially advanced form in American history. John Paul II has been paving the way here, and not just for America. What he has been aiming at is the use of the language and concerns of modern thought either to correct from the inside its own most grievous errors, or from the outside by the introduction of a theological perspective to recast the issues. Thus, using the modern world’s own language of human rights, John Paul has shown the inadequacy of a notion of human freedom in which freedom does not exist for truth. He shows that we may indeed use the language of rights, but only if we are more honest than a modern liberalism and legal positivism which retain the notion of inalienable rights while rejecting the ground out of which these rights historically developed, “a common shared notion of transcendent norms such as natural or divine laws.”

An admission is in order, though. Although the Church at its center has increasingly articulated a legitimate political sense of the many and of the one, it has, beginning with Vatican II, passed through a period of some uncertainty during which, arguably, it insufficiently pursued a project so magnificently begun in the age of Pius IX and Leo XIII: namely, the criticism of liberalism. Dignitatis Humanae, the Declaration on Religious Freedom, and all the discussion generated as to its meaning and continuity or lack of continuity with past teaching, symbolizes this uncertainty. Even now the same Church teaching which recently has been so full and satisfying in trying to reconnect freedom to truth has less to say about the social means to such reconnection, especially when they are necessarily illiberal.

Evangelium Vitae, for instance, in laying part of the blame for the decay of moral conscience on society itself and its toleration of the behavior of the culture of death (n. 24), comes just to the point at which it could have concluded to censorship as a social good, and then explored that subject. Instead it throws the reader back on the voice of God in the individual conscience. Even where censorship is addressed, as in the treatment of the eighth Commandment in the Catechism of the Catholic Church, the treatment, though on the side of the angels, is undeveloped. Thus, citing Inter Mirifica, the Catechism (n. 2498) states “by promulgating laws and overseeing their application, public authorities should ensure that ‘public morality and social progress are not gravely endangered’ through misuse of the media.” The sentences immediately following, however, deal with the defense of such individual rights as reputation and privacy.

Often in Church history, lack of clarity in eclesiastical documents mirrors contemporary lack of philosophical clarity, and this may be the case here. Since Vatican II the Church has in some areas more asserted than shown the continuity of its teachings. In spite of many deepenings of insight and introductions of new considerations, it has not always been clear how these are developments of doctrine, rather than departures from earlier teachings. For instance, a person who has studied the encyclicals of Leo XIII in all their clarity might well be puzzled by some of the things said in Dignitatis Humanae. Sometimes one wonders whether certain passages of the conciliar documents have been so well received because they have a false clarity about them, achieved by ignoring half of what a pope such as Leo took as relevant to the question.

A recent analysis of the failure of John Courtney Murray to place religious freedom on a secure foundation and to solve the Church-State problem could at points be applied to the development of papal teaching itself. Keith J. Pavisechek suggests that a kind of half-way house in the transition from saying “error has no rights” to the exposition of religious freedom he believes characteristic of Dignitatis Humanae be named the modus vivendi approach. This approach assumes that the members of any political community will have varying ideas of the good, but that a convergence of rational support for central institutions is a sine qua non for a shared life together. Granted this, people may agree to disagree. They can live together by the modus vivendi of religious toleration, which they do not see as a basic good, but as something necessary for each to pursue his view of reality without too much
to return to the modus vivendi.

Pavlischek calls the view of Vatican II the “Moral Esperanto” approach. Though this label seems to have originated in Jeffery Stout’s conclusion that foundationalist positions are no longer viable, and may also reflect Presbyterian dislike for natural law positions on Pavlischek’s part, it seems fair enough. The Moral Esperanto approach seeks to ground religious freedom foundationally or transcendentally on a common and objectively true understanding of the good, and to see religious freedom as itself a basic good. Attractive as this may be, any application of it seems to me involved in the kind of problems I have been articulating throughout this paper. Above all, to be more than an ideal, it needs a consensus that religious freedom is a basic good, more fundamentally, that there are basic goods on which there can be wide agreement. The principles of religious freedom and toleration must be themselves universal. Now, it is no argument against the universality of something that not all recognize it: Some people do not know that 2+2=4. But the whole point of the “culture of death” is that in the last two centuries the kind of epistemological foundationalism which would make the Moral Esperanto approach capable of wide implementation has largely disappeared. That is, while Dignitatis Humanae articulated religious freedom as a basic good, it insufficiently spoke to a fundamental fact of the contemporary world of which the encyclical tradition itself is fully cognizant, that natural law positions, positions which articulate basic goods, have long been in retreat and are in many quarters not understood. This retreat has been ever more marked in the thirty years since the conciliar document was written. This allowed, Dignitatis Humanae did not give very specific guidance to Christians living in political democracies of deep pluralism in which a majority of people are incapable of recognizing a common good. Such guidance would presumably of its nature have had to be illiberal, because insisting that all human dealings are bound by the moral law (n. 7), and aiming at the goal of reducing moral pluralism. Not only did Dignitatis Humanae not give such guidance, it did not implicate political democracy very directly in our inability to achieve general recognition of basic goods. One could read Veritatis Splendor and Evangelium Vitae as having now been framer that, although there is no other alternative, a natural law position cannot work under these conditions. In an obvious sense this is everyone’s problem, for part of the debate between the Modus Vivendi and Moral Esperanto positions is about the extent of the implicitly natural law ground which must exist in society, specifically whether this includes a basic right to freedom of religion. In sum, the Moral Esperanto approach, as it had developed to the time of Dignitatis Humanae, does justify the party of natural law and/or true religion trying to educate and influence public life, but does not explain how, in any world at least an American can reasonably hope for, we can ever have more than a modus vivendi.

As has just been suggested, Evangelium Vitae, with its strong condemnation of (1) majoritarian violations of the natural law (n. 20; cf. nn. 69, 70-71); (2) the idea that the law should always express what the majority wills (nn. 68-69, 71); (3) a pluralism which holds that the government cannot impose any specific moral view (n. 68) and that democracy must be founded on moral relativism (nn. 70-71); and (4) a totalitarianism of the strong against the weak to which democracy is liable (nn. 12, 20, 70), seems, though accepting democracy as a “sign of the times” (n. 70), and despite an occasional pulling of punches, to be a considerable return to frankness. The encyclical raises a whole series of questions which reveal the incoherency of the radical liberal ideal of a society organized to facilitate moral pluralism. It also strongly denounces the logic which ends in the individual at least selectively renouncing the obligation to follow conscience when employed in public business (nn. 69, 71), the path routinely taken now in America by “personally opposed, but . . .” politicians.

Most directly (n. 70), Evangelium Vitae leaves no doubt that:

if, as a result of a tragic obscuring of the collective conscience, an attitude of skepticism were to succeed in bringing into question even the fundamental principles of the moral law, the democratic system itself would be shaken in its foundations, and would be reduced to a mere mechanism for regulating different and opposing interests on a purely empirical basis... Without an objective moral grounding ... democracy easily becomes an empty word.
This of course has already occurred in the form of liberalism which I am calling radical liberalism, but is the outcome of any unrestricted pluralism. The pope even addresses the means by which a society may legitimately defend itself from the dissolution of its grounding in objective good. He states (n. 71), that “the legal toleration of abortion or of euthanasia can in no way claim to be based on respect for the conscience of others, precisely because society has the right and the duty to protect itself against the abuses which can occur in the name of conscience and under the pretext of freedom.” We seem here to be back in Leonine territory, with illiberal principles again in place, and certain readings of Dignitatis Humanae disallowed.

When Leo XIII began the tradition of the social encyclical, he was unafraid to say very unpopular things about the measures a society needed to take to be as good as an earthly society can be. He was unafraid to address questions such as whether limitations may be placed on freedom of the press, whether society is obliged to practice censorship, and whether the historical goal where possible is the establishment of Catholicism as the true religion. Like Plus IX, he was unafraid to come down, at least in some degree, on the illiberal side of these questions. Instinctively, at the center of his thought was not the liberal model of a rational citizenry choosing the best course of action through access to unlimited information and discussion, but the idea of a more wounded humankind, in which perfect freedom and the knowledge of the here and now, where there is incompleteness of knowledge and imperfection of will. In some ways, the logic of openness to the world and of speaking a language the world understands, pursued since the Council (see Veritatis Splendor n. 29), has involved laying stress on the splendor of the Christian view of what man may be, something the modern mind can identify with, at the expense of the Christian memory of what man has been and of how the political order must cope with this, sobering thoughts many moderns wish to avoid or deny. It is not that documents such as Veritatis Splendor (n. 17) do not lay down Pauline and Augustinian perspectives in which perfect freedom is impossible in time, but that what follows from such perspectives is not fully developed.

However the question of the need for further development of the encyclical tradition itself is understood, one could wish that American exposition of it would catch up with what already has been said. There was a pre-conciliar tradition in America of, when publishing study editions of the papal encyclicals, underlining certain passages not underlined in the original. Upon examination, such passages commonly underwrote things.

“The popes since Leo XIII have never failed to rank goodness above freedom, or to see the only proper freedom as one which aims at the good.”
in which Americans already believed. Presumably, Americans thus were encouraged to see the papal statements as sanctioning their way of life. Even the best American theologians sometimes still give us variations on this. Avery Dulles, for instance, has written an exposition of the development of John Paul II’s understanding of freedom, which, while very fine on the positive meaning of freedom, leaves out almost every hard question John Paul raises about how “freedom” actually functions today. Were one to accept Dulles’ survey of the Pope’s writings on this subject as thorough, one would have little idea of how many reservations John Paul II himself has raised about the working of “freedom” and democracy. In Dulles’ exposition we seem to have in fact one more selective reading through American eyes, or at least the glasses of Lord Acton.

Few Americans seem capable of looking at the historical record and asking the simple question of when consensus of any form has flourished most, and when least. The Enlightenment myth is that unfettered access to information and freedom of discussion throughout society ferrets out the truth and fosters consensus based on this truth. Leaving aside the fact that this is a strange myth, for it implicitly acknowledges that the goal is agreement in the truth and not pluralism, it seems to go against observation. The study of American history should have led to the opposite conclusion, for in America there was the most agreement when churches were established and morals written into the law, and religious freedom was hedged about by considerations of what was thought the common good. The more open discussion has become and the more information has become available, the more disagreement and pluralism have appeared and the further we are from unanimity. In a general way, as in Athens long ago, unlimited discussion in America has tended to the breakdown of consensus, to a growing refusal to acknowledge “unwritten laws,” to a Euripidean “anything goes.” If we hold Murray to his idea that democracy depends on the virtue of its citizens, then it is sick indeed. The experiment seems to have failed, and pluralism daily to make this failure deeper and more irreversible.

One of the greatest tasks facing the Catholic in America is to find ways by which Catholicism can prod Americans to think about their own culture in ways they have not. I have tried to give some illustration here. The present pope is a lightning rod for the hopes and hostility of the world. He tries to mark a path forward, and thus disturbs all that is most comfortable and resistant to self-examination. The Catholic task in America is to be much more counter-cultural than previously, much more conscious of the ways in which assimilation has meant selling one’s soul and birthright; if need be, to be as hated for telling the truth as is the pope. The Christian is told he must be in but not of the world, and we could do well to exclaim with the reformers through the ages, “Christ said, ‘I am the truth.’” He did not say, ‘I am the custom,’ but ‘I am the Truth.”

NOTES


3Whose Justice? Which Rationality? (Notre Dame, Indiana: 1988), 335. MacIntyre has observed that virtually all thought in America is one of three forms of liberalism: conservative, liberal, or radical.


5Public Religions in the Modern World (Chicago: 1994), as at pp. 5 and 8 on this and the following, with the intelligent review by Joseph A. Varacalli, in The Catholic Historical Review 81 (1995), 407-408.

7 This far I agree with Michael Lind, The Next American Nation: The New Nationalism and the Fourth American Revolution (New York 1995), but as a liberal populist who largely thinks in economic categories, above all seeking the prosperity of every citizen, Lind sees religion and religious and cultural variation as happily disappearing in the melting pot of national culture. The generally intelligent review of this book by Alan Ryan notes that Lind places religious and cultural questions on the periphery: “It Takes All Kinds,” NYRB 42, 15 (October 5, 1995), 30-34.


9 Evangelium vitae, n. 12. The translation used in this paper is The Gospel of Life, Special Supplement to Inside the Vatican, April, 1995 (New Hope, Kentucky: 1995).

10 The contrast between the two cultures is integral to Evangelium Vitae, as at n. 27. Nn. 26-28 spell out the signs of hope in liberal society.

11 See the Associated Press article by David Briggs, “A new generation is heeding pope’s call to serve the Lord,” Deseret News (October 7, 1995).

12 David L. Schindler, Heart of the World, Center of the Church: “Communio” Ecclesiology, Liberalism, and Liberation (Grand Rapids, Michigan and Edinburgh: 1996), 70, 106, more generally chs. 12, considers this expression and much else related to the present essay.


15 See on this and the following the discussion of Casanova, Public Religions, pp. 230-231 in the review noted above n. 5.


19 See my “American culture and liberal ideology in the thought of Christopher Dawson,” Communio 22 (1995), 702-720, on this and the following.


25 “No crosses allowed on school walls,” Deseret News, Aug. 10, 1995. See also Leon Mangasarian, “Ban on
crosses fuels firestorm of protest,” *ibid.*, Aug. 19, 1995, which reports that “only 24 percent of all Germans support the crucifix ban....”


28(Vatican City: 1994), 598.

28(Vatican City: 1994), 598.

29See n. 18 above. I am using Craycraft’s review in what follows.


31 I use the expression “political democracy” in the way *Evangelium Vitae* n. 70 speaks of democracy as a “system,” as a means or mechanism to an end but not an end in itself. The worth of democracy in this sense is not intrinsic, but dependent on conformity to the moral law (see the following paragraph). *Evangelium Vitae* n. 101, offers a standard for “true democracy,” namely respect for life, which America does not meet. Commonly for the popes “democracy” refers to a constitutional order which recognizes universal human rights anterior to and above the state and the reason for treating all as equal before the law: this is similar to the founding American ideal of government as established to ensure natural rights. *Evangelium Vitae* (n. 57) takes the absolute equality of one human life to another as the basis not just of the right to life, but of all social relationships. For obvious reasons, the encyclical tradition hardly attends to specific mechanisms of government.

32 “John Paul II and the Truth about Freedom,” *First Things* # 55 (August/September 1995), 36-41. Dulles does, p. 40, cite John Courtney Murray to the effect that any public consensus, understood as a doctrine which commands agreement because of its intrinsic merit, must be accepted by the people, and notes that Murray rejected a majoritarian notion of truth and, implicitly, deep pluralism as I have defined it.

33A fully annotated version of his essay, referred to in art. cit., p. 36 and now titled *Truth as the Ground of Freedom: A Theme from John Paul II*, is available as an Acton Institute Occasional Paper, Grand Rapids, Michigan.