

Ralph C. Hancock

## A Providential Constitution?

*The American Republic: Its Constitution, Tendencies and Destiny*  
by Orestes A. Brownson  
ISI Books, 2003.

“Truth has always been dearer to me than my own opinions.” So writes Orestes Brownson in the Preface to his *American Republic*. Only God can search hearts, but this reader at least is convinced by the author’s profession, and no less by his confession of “tender love” for his country. This book issues from the confluence of these two loves, and anyone who shares, or is susceptible of sharing, either affection can hardly remain unmoved or unenlightened by it.

Writing during America’s Civil War and nearing the end of his life, Brownson offers us his “whole thought, in a connected form” on the principles of government in general and on the character and “destiny of the American Republic” in particular. This American destiny is a great one, for Brownson ascribes to the United States the mission of continuing and surpassing the work of Rome and thus realizing “the true idea of the state, which secures at once the authority of the public and the freedom of the individual,” a task he places higher than those of equaling the ancient Greeks in art and surpassing them “in science and philosophy.”

The task of connecting his love of America

with his love of a pure and universal truth draws from Brownson a comprehensive statement on the ultimate questions of philosophy and theology, a marvelously complete and carefully elaborated and integrated edifice. This is philosophical theology in the grandest style, and a student of the Western tradition will find here articulations of many of the major themes of that tradition in an idiom that is at once bracingly distinctive and thoroughly conversant in the most venerated Catholic teaching (Augustine, Aquinas, and Suarez are among the authorities most commonly cited).

Brownson is both a sincere republican, rejecting without regret all aristocratic claims to “natural” inequality, and an uncompromising advocate of the divine source of all political authority. These commitments place him in a delicate situation in addressing the founders of his beloved republic, whose wisdom he fully appreciates but also finds it necessary to supplement.

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Thus, Brownson stands at the head of that tradition of Catholic republicanism that holds, as John Courtney Murray would later put it, that the Founders “built better than they knew”—built on a real foundation of natural and divine law, and not on the groundless, at least implicitly atheistic, conventionalism the framers imbibed with the political theory of their century.

Peter Augustine Lawler’s carefully appreciative Introduction to this new edition skillfully traces this Catholic republican tradition in the work of later American thinkers such as Russell Kirk and Walker Percy, as well as in Murray—and in that of the contemporary French political philosopher Pierre Manent. Lawler expertly compares and contrasts these authors in a way that defines the deepest issues with unusual clarity. I have nothing to add to this masterful discussion, except to suggest that recent works by Lawler himself—*The Restless Mind* (1993); *Postmodern Rightly Understood* (1999); *Aliens in America* (2002)—might be seen as worthy contributions to this broadly Thomist or Catholic realist tradition, this effort to save what is best in the practice of liberal democracy from the inhuman abstractions of its theory.

Rather than attempting to add anything to Lawler’s elegant survey of Brownson’s Catholic republicanism and the tradition it may be said to found, I want to explore what may be most at stake in Brownson’s engagement with the Western tradition of political philosophy. For, beyond his settlement with the American Founders, one might say that for Brownson, at a still deeper level, it is the pagan political philosophers—the founders of the idea of *natural right*, or of a basis in nature for political order and political obligation—who truly built better than they knew.

**B**rownson agrees emphatically with the ancients concerning the elevated and irre-

ducible character of political authority, the qualitative difference between political and merely private or conventional association. With little regard for secular republican sensibilities, he goes so far as to proclaim that “to every true philosopher there is something divine in the state...the state is a more lively image of God than the individual.”

Brownson believes, however, that he, a Christian, surpasses the ancients in understanding that this authority cannot be grounded in nature. To take nature to be self-sufficient, to understand nature as possessing a purpose within itself, is the basic error of pagan philosophy, which is therefore essentially “pantheistic.” Purpose and obligation are unthinkable for Brownson without reference to a personal God, a Supreme Being possessing both perfect reason and will, and who creates and directs the impersonal forces of nature. “All government has a governing will, and without a will that commands, there is no government.” The dependence of nature upon grace is continuous and ongoing; “Providence” is another name for the continuous creative act of a personal God. Our obligation to the state—that is, the very lawful character of law—depends upon a divine lawgiver, the creator of nature; nature is just one medium (the other is the church) of our obligation to God.

The biblical revelation of a personal God thus supplies the ancient defect of a ground of political authority. But at the same time it points to an authority beyond the state, and thus provides a ground for modern individual rights in the idea of conscience. “Conscience is accountable to God alone,” and it is only because “Christianity makes the civil law, within its legitimate sphere, as obligatory on conscience as the divine law itself” that the state retains its sacred authority. “The doctrine of individual freedom before the state is due to the Christian

religion, which asserts the dignity and worth of every human soul, the accountability to God of each man for himself, and lays it down for every one that God is to be obeyed rather than men.”

By thus grounding individual freedom in divine truth, Brownson aims to show how the American republic may be understood to have accomplished “the dialectic union of authority and liberty, of the natural rights of man and those of society.” He pointedly rejects “so-called Jeffersonian democracy,” as based upon a “pure individualism” that amounts to a “pure egoism, which says, ‘I am God.’” And he warns powerfully against the rise of a new “humanitarian democracy” or socialism that does the work of Satan by attempting to replace the concrete and politically grounded love of one’s fellow man with the love of an abstract, undifferentiated, and finally non-existent “humanity.”

But just how are the proper, rational limits of individual freedom to be understood? Of course Brownson has no confidence in any doctrine of enlightened self-interest for tracing such boundaries. And it is notable that, unlike the Catholic tradition he otherwise appeals to, he does not develop a doctrine of virtue to govern individual freedom. This is because he insists that “the moral law is no development of nature, for it is above nature, and is imposed on nature.” If he can yet claim that natural reason or “science” is capable of grasping “principles and causes,” this must be understood in the sense that natural reason can know its own limits; it can know its dependency upon a willed purpose beyond nature. The limits of indi-

vidual freedom are thus to be found, it seems, not in some rationally intelligible natural purpose, but rather in the two authorities under which man finds himself: first, in God’s revealed will as embodied in the teaching of the church, and second, precisely in the particular political state into which he is born or to which he otherwise belongs.

This explains how in Brownson’s thought a doctrine of loyalty replaces a traditional doctrine of the virtues in which these are understood as perfections of human nature. “Loyalty is the highest, noblest, and most generous of human virtues, and is the human element of that sublime love or charity which...is the fulfillment of the law.” Our virtues must be those that accord with our particular loyalty, and need no ground beyond the historical, Providential “*fact*” of our belonging to a given people and a given state. “Civic virtues are them-

selves religious virtues,” and while they are not the only religious virtues, there is no natural horizon available to reason beyond them. It is because our purpose is beyond nature that we must recognize this purpose in history, in what Brownson names the “Providential constitution”—perhaps the most distinctive term in his lexicon, and the one that must bear the most weight: “The constitution of the state, or the people of the state, is, in its origin at least, providential, given by God himself, operating through historical events or natural causes.”

Brownson confidently asserts the concrete factual reality of the Providential constitution, a kind of synthesis of nature and



*Orestes Brownson, 1803-1876*

history, as opposed to the unreality of mere theories, such as the contract theory of government that informed the work of the American Founders. Before the written Constitution, there was of necessity the unwritten constitution, the historically shaped identity of the Americans as a people. In fact, every state is a gift of Providence, and so each must be respected in its own right. But somehow it seems it is only from the vantage point of the American republic, with its unique or uniquely advanced dialectic of liberty and authority, its singular fulfillment of the civilizing work of Rome and of Christianity, that the meaning of Providence can be truly discerned.

Certainly there is wisdom in the idea that the meaning of America at least to some degree precedes and transcends anything explicitly determined in 1776 or in 1787—as is already recognized, for that matter, in *Federalist* No. 2, not to mention Lincoln's more profound anchoring of modern freedom in the spirit of the Bible. Brownson's view is thus, at the very least, a useful corrective to any purely individualist and conventionalist understanding of American constitutionalism, or of political authority in general. But can it be right to sever so stringently providential and historical "fact" from "theory"—from human attempts to understand attainable purposes and to fashion order in light of these purposes? Is not Brownson perhaps too ready to reduce the Founders' self-understanding to the polemical individualism he finds characteristic of the theorizing of their century? In disdaining seriously to consult the articulate purposes of American constitutionalism within a larger reflection on what

we can know of human nature, does he not risk falling into another, deeper conventionalism, a temptation simply to consecrate history's winners, or to obfuscate hard choices by embracing within republican Christianity "the modern doctrine of progress."

Such questions in no way cast doubt on the pertinence of Brownson's critique of pagan political philosophy. Brownson must be right that the lawful character of law draws our minds and hearts ineluctably towards the notion of a personal Being somehow beyond nature, a notion fulfilled in the biblical revelation of a mysterious yet personal God. For how can authority not be in some way mysterious, if our ultimate purpose eludes our complete intellectual grasp? And how can what is highest not be a person, if nothing can matter more to us than love?

Still, the classical political philosophers might answer: How can we escape our responsibility as rational though limited beings to seek what is best, as individuals and states, according to our best understanding? To love our Providential constitution wisely might then require us not simply to accept it as a mysteriously given "fact" but to undertake as best we can to articulate its purposes for human beings in our time. To see more clearly how the American Founders founded better than they knew we would then first have to know at least all they knew about the possibilities and limitations inherent in our human nature.

And the same might be said concerning our Founders' founders, those pagans who first fully called forth the natural gift of reason by calling us to articulate the purposes that somehow reside mysteriously in and yet beyond the law.