

Murray's Cardinal Lesson: Faith as Freedom James Tomek Th1 564

When Christ, in a deliberating reasoned manner, tells the Pharisees to render to Caesar what is Caesar's, he sets an example of how to respond to questions of church and state. More important than Christ's answer is the calm way He reflects and converses with the politicians. Joseph Komonchak sees John Courtney Murray as continuing in Christ's spirit.¹ John Courtney Murray, born in 1904, is a Jesuit theologian who taught at Woodstock College and edited the journal *Theological Studies*, from 1941 until his death in 1967. Writers have appealed to Murray's work for its interplay of America's religious commitments and civic life, its theory on religious freedom, and its spirit of ecumenism. Murray's work is "fragmented" in the sense that, except for the book length *The Problem of God*, 1964, he uses individual essays to respond to issues. He did edit personally *We Hold These Truths*, 1960, a collection of essays written in the fifties on the subject of separation of church and state and religious freedom. Since Murray designed the structure of these essays, I will "read" this book to get a clearer picture of Murray's theology. After a historical sketch of the struggle of religious liberty that culminated in Vatican II, I will outline ideas of each "part" of *We Hold These Truths*, followed by scholars' responses in order to clarify the major themes of public theology, consensus, ecumenism, natural law, and religious freedom, all with an overall objective of grasping the idea of faith as praxis, in its proper order of freedom, as a divinization of the intellect.

Religious Liberty Debates and the Separation of Church and State

Gerald Fogarty, in his study of the Vatican's relation to the United States hierarchy, cites Archbishop McNicholas's puzzlement in 1940 of why the American Church produces doers and builders, but not scholars and thinkers, as the beginnings of the re-emergence of the question of religious liberty.² The Vatican's condemnation of Americanism, along with modernism, had stifled scholarship. The Vatican's ideal political order of church and state in a country where the majority of the population is Catholic is where the state supports church principles -- the "thesis" in Vatican political terms. In pluralistic countries, where Catholics are not in majority, a climate of religious tolerance is favored -- the "hypothesis."³ Americanism, for which Pope Leo XIII chastised the United States Church, is the policy of separation of church and state. Traditional Vatican representatives feared that Americanist bishops would overthrow the "thesis" order. Murray, in 1943, was already promoting interfaith dialog, especially in a need he saw to combat the on growing secularism due to communism and twentieth century materialistic values.⁴ This interfaith dialog for religious unity against materialism is a deeper meaning and value of ecumenism, of which Murray is a forerunner. However,

¹ Joseph A. Komonchak, "The Coldness of Clarity, The Warmth of Love: The Measure of John Courtney Murray," *Commonweal*, August 14, 1992, 16-17.

² Gerald P. Fogarty, *The Vatican and the American Hierarchy from 1870 to 1965* (Chicago: The Liturgical Press, 1985), 346, 347. McNicholas represents the Midwest (along with Stritch and Mooney). They sought to involve their dioceses more in the role of the Church, along with promoting an interfaith dialog.

³ Thomas P. Ferguson, *Catholic and American: the Political Theology of John Courtney Murray* (Kansas City, Mo.: Sheed and Ward, 1993), 72.

⁴ Fogarty, 347. Another controversy in the American/Vatican relationship was the romanization of the hierarchy. The collegiality of the American bishops lessened after Vatican I. American dioceses had a more vertical relation to Rome and less of a horizontal relation to their neighboring dioceses [collegiality]. The immigrant nature of the Church also added to its ethnic pluralistic make-up. The time would be ripe for thinkers like Murray to promote a dialog and a philosophy of religious freedom.

Joseph Fenton, editor of the *American Ecclesiastical Review*, and Francis Connell, spoke out against Murray denouncing interfaith dialog because it would lead to a religious liberty that would initiate indifferentism -- the idea that one religion was as good as another.⁵ Midwest bishops, in the forties, were also looking for a meaningful role for their dioceses. The time was ripe for religious liberty to be articulated. Religious controversies like the Feeny Case, in the late forties, where the “no salvation outside the Church” doctrine was causing civil disorder in the schools demanded a dialog with other churches. An articulation of religious liberty to deal with the proper relation of civil authority and the church was necessary to keep peace and order. The Blanshard affair also raised fears that Catholics, if in majority, would impose their values on all America. Fogarty remarks that Cardinal Spellman was more of a “practical” leader who, at that time, needed a theologian to articulate the church/state question. Murray is a theologian redefining religious liberty and separation of church and state as compatible with authentic Catholic teaching.⁶ He is at first censored from writing publicly about religious liberty and separation of church and state by Cardinal Ottoviani of the Vatican Holy Office in 1955. Murray obeys the “public” part, but continues to write, defending the American constitutional system. With Pius XII’s death and John XXIII’s ecumenical spirit, the question of religious liberty is brought up again. Cardinal Spellman, a conservative in doctrine, but a liberal in pastoral affairs, enlists Murray in the second session of Vatican II to articulate the religious liberty issue. The “Declaration of Religious Freedom” is eventually approved and becomes a part of Catholic teaching, and no longer considered like nineteenth century European liberalism.⁷

While religious liberty is a major contribution of Americans to Vatican II, there is still much misconception and controversy. In a 1965 commencement address, “Freedom in the Age of Renewal,” Murray ranks freedom as the highest goal in human development. The discipline of freedom has to be practiced, and checked by the authorities of justice, truth, and love. The Church, which has emphasized “authority” in history, especially because of the Reformation and the nineteenth century rise of totalitarian regimes, now needs to do a better job in helping its members and society grow in freedom for maximum development.⁸ I will now look at *We Hold These Truths: Catholic Reflections on the American Proposition*, Murray’s 1960 collection of essays, to get a close-up look at his theology in defending the American constitutional system with the natural law theory as a praxis to bridge the divine and the secular.

Introducing the Truths We Hold with Natural Law in a Pluralist Society

In these essays Murray explores America’s public philosophy. The American proposition (Lincoln’s word in *The Gettysburg Address*), from which our nation was formed, is that all men are created equal. Can we have a consensus on what these words mean? The proposition, Murray explains, is a scientific word that demands demonstration. It is a doctrine and also a practice to define and to prove that we have equality and inalienable rights.⁹ The first amendment, the freedom of religion, plays a

⁵ Fogarty, 353, 355.

⁶ Fogarty, 360-67. Spellman had previously dismissed Murray from an earlier commission.

⁷ Fogarty, 390-99. By European Liberalism, I mean the belief in reason and science to find truth. Religion is more a private matter and cannot be used to obtain rational scientific and political truths (Ferguson, 40).

⁸ John Courtney Murray, S.J. *Bridging the Sacred and the Secular: Selected Writings*, ed. J. Leon Hooper, S.J. (Washington D.C.: Georgetown UP, 1994), 181-6.

⁹ John Courtney Murray, *We Hold These Truths* (Kansas City, Mo.: Sheed and Ward, 1960), ix,x.

role in the American consensus. How can we reach consensus in a pluralistic society where there are people of many ethnic origins and religious beliefs? A dialog is necessary and reason will be the bond to keep the arguments civil.¹⁰ Secularists see religion as working against democracy. Religious pluralism compounds the problem. Murray will use natural law as a bridge to create a common ground that will limit warfare and enlarge the dialog.¹¹ Public theology, defined by Todd Whitmore, is the effort of mainstream churches to articulate the role of spiritual values in public life without violating pluralistic beliefs.¹² Murray then is establishing a link between philosophy and theology.

Part I: The American Proposition: Faith in the Public Consensus

The first five essays are under the general title “The American Proposition.” Murray lays the groundwork for his concepts of public philosophy, consensus, and his use of natural law. The first essay, “E Pluribus Unum: the American Consensus,” compares the Bill of Rights with the French “Rights of Man.” The latter is more “rules” oriented. This Jacobin form of philosophy is secular and objective. The Bill of Rights,” from which he will focus on the first amendment, is more subjective and based on a consensus of the people.¹³ The consensus was originally a reflexive action between the people and king. The king proposed laws and counts on the people’s consent to assure that the laws were good. Murray’s concept is that the American system has a more dialog-subjective type response to morality and law while the French type is too objective with little allowance of the big word --“freedom.” Murray cites British nineteenth century historian Lord Acton, who says that freedom is not the right to do what you want, but the right of being able to do what you ought.¹⁴ The second essay, “Civil Unity and Religious Integrity: the Articles of Peace,” sets up the struggle of interpreting the first amendment’s freedom of religion. The state cannot favor one religion over another, nor prevent people from practicing their religion, if the common good is not violated. Protestants will interpret this rule as freedom within the sects and secularists will see religion as non-important in matters of state.¹⁵ In the third essay, “Two Cases for the Public Consensus: Fact or Need,” Murray argues that the major question is not about the content of our public philosophy, but whether we should have a public philosophy in the first place. The latter question creates a climate of discussion and conversation.¹⁶ Public consensus is subjective -- a principle in process -- a praxis. In the fourth essay, “The Origins of Authority of the Public Consensus: a Study of the Growing End,” Murray focuses on natural law and history. Natural law has no Catholic/Christian pre-suppositions, and will bridge civil and religious dialog without bias. Natural law relies on three suppositions: that humankind is intelligent; that reality is intelligible; and that reality, especially moral reality, as grasped by intelligence, imposes on the will the obligation that it (natural law) be obeyed in its demands for actions and abstentions. Intelligence or human reason can grasp the ethical a priori. During one’s life human reason can determine what actions are

¹⁰ Murray, *Truths*, 6.

¹¹ Murray, *Truths*, 15-21.

¹² Todd David Whitmore, “The Growing End: John Courtney Murray and the Shape of Murray Studies,” in *John Courtney Murray and the Growth of Tradition*, eds. J. Leon Hooper and Todd David Whitmore (Kansas City, Mo.: Sheed and Ward, 1996), xvii.

¹³ Murray, *Truths*, 28-9, 39-40.

¹⁴ Murray, *Truths*, 36.

¹⁵ Murray, *Truths*, 53-4.

¹⁶ Murray, *Truths*, 79.

good and what actions are to be avoided. We can come to know basic natural law principles and derive most of the ten commandments.¹⁷ Murray adds an important “historically conscious” requirement to the Aquinas theory. We must be aware of the social complexities of our times to make good discernment. We must have a good sense of economics, for example, to derive a theory of justice for just wages.¹⁸ One arrives at consensus through a dialogue of moral/spiritual principles (sacerdotum) in line with a historical concrete study (studium or the “university” principle).¹⁹ The “fool/idiot” is the one who is too individualistic and refuses to see the dialog as necessary.²⁰ In the last essay of the introduction, “Creeds at War Intelligibly: Pluralism in the University,” Murray argues that classic liberalism is too individualistic to arrive at public consensus. Solipsism, or the turning in on the self, is a danger to truth. The creeds at war have to be studied freely in the university.²¹ There is a mystery of freedom in our creeds. Freedom, without any coercion, is necessary to arrive at a deep lasting creed -- or faith. A dialog among people who have freely chosen their disciplines is the ideal. Faith and love in our topic will deepen our discussion with others.

Responses to Murray’s Introduction: a Voluntary Faith

Todd Whitmore sums up Murray studies, especially the question of Catholicism and American public life, in a four-fold typology: natural law is sufficient; natural law is insufficient; historically conscious is sufficient; and being historically conscious plus theological is necessary.²² Robert McElroy and Brian Hehir support natural law as the base in which to do a state/religion dialog.²³ David Hollenbach sees the natural law principle as insufficient for Christians. He would like to see more Christian/Biblical symbols used, which Murray avoided, to help Christians understand their act of faith connected to moral obligations.²⁴ Thomas Hughson combines the above positions by exploring Murray’s concept of the “voluntary principle” in Murray’s earlier studies, in the thirties, of theologian Matthias Scheeban’s concept of faith. “Faith was the beginning of the salvific return of rational creatures to God by way of union with Christ [Aquinas]...the act of belief was for him [Scheeban] the supreme instance of creaturely

¹⁷ Murray, *Truths*, 109-110. The Sabbath commandment may be an exception.

¹⁸ Murray, *Truths*, 111.

¹⁹ Murray, *Truths*, 120.

²⁰ Murray, *Truths*, 115. In Murray, *The Problem with God, God: Yesterday and Today* (New Haven and London: Yale UP, 1964), 78, 116, we see the fool as the Old Testament idolater who is too self-centered on material gain, and the twentieth century existentialist “fool” who divorces himself from the community.

²¹ Murray, *Truths*, 129, 129, 138-9.

²² Whitmore, xvi-xxiii.

²³ Robert W. McElroy, *The Search for an American Public Theology: the Contribution of John Courtney Murray* (New York: Paulist Press, 1989), 78. Dominique Gonnet has an extensive treatment of this theme and an extensive bibliography.

Bryan J. Hehir, “Murray’s Contribution,” *Church*, spring 1997, 46-49. Hehir does think though that you have to go beyond Murray’s arguments. He focuses on Murray’s methodology of using natural law.

²⁴ David Hollenbach, S.J., “Public Theology in America: Some Questions for Catholicism after John Courtney Murray,” *Theological Studies* 37, no.2 (June 1976): 302.

William T. Cavanaugh, “Is Public Theology Really Public?: Some Problems with Civil Society,” *Annual of the Society of Christian Ethics* 21(2001): 105-123. Cavanaugh presents similar objections but connects public philosophy with public theology saying that any eschatological theory borders on the religious.

obedience to the Creator.”²⁵ Murray would shift this focus of “faith as obedience” to a more “voluntary” free act of faith where faith is not just showing humility and acceptance, but also showing love and assent. We see this love of God by those who participate in society for the common good. Hughson traces Murray’s transformation to this voluntary aspect by analyzing Murray’s *Problem of God* where the roots of faith are seen in the lived experience of God in Israel. He sees Murray working through this concept of faith to a modern concept of the “habit of faith” where living becomes a process of seeing human dignity and participating socially in human dignity’s development.²⁶ This “faith as praxis” will connect to the rest of Murray’s essays seeing Whitmore’s notion of Murray being both historically conscious and theological.

Part Two: Four Unfinished Arguments or Faith as the Incarnation of Freedom

This section has practical applications of church/state dialog. In the first essay, “Is It Justice?: the School Question Today,” Murray uses his legal expertise in applying the principle of “distributive justice” to the school question. Private schools should receive a just share of public aid proportional to the public service of education that they are doing. Murray uses the concept of “accommodation” -- that the government respects the religious nature of the people and accommodates the public service to their religious needs.”²⁷ Needless to say this discussion is unfinished! The second essay “Should There Be a Law?: the Question of Censorship,” deals with the concept of “law/morality.” Murray questions the redemptive mode of law that western society has. When does the government have the right to act as a parent?²⁸ The danger is not in reading bad books, but not reading enough good ones.²⁹ In the third essay, “Is It Basket Weaving?: the Question of Christianity and Human Values,” Murray makes the distinction between “eschatological humanism” and “incarnational humanism.” Both concepts are preferred over the Jacobin concept of mastery over nature with no God, but Murray thinks “eschatological humanism,” has our fortunes wedded too much to the next world and is too divorced from this world.³⁰ With the “incarnational” approach, we see grace as a perfecting process of nature, which yields to a more social participatory attitude.³¹ The title of the last essay, “Are There Two or One?: the Question of the Future of Freedom,” is from Pope Gelasius’s fifth century idea and desire that temporal and spiritual authorities work in harmony.³² Murray sees freedom of the Church here as a necessary freedom to apply spiritual values to civil situations and cause a climate of discussion. Left on our own, without this freedom to question values in dialog, secular people will resort to violence to settle their problems.³³

Responses to Murray’s Method: Reason goes Social in Faith Praxis

J. Leon Hooper helps us read Murray’s concept of faith as freedom with faith divinizing the human intellect. Faith in a superior goodness can help us improve on

²⁵ Thomas Hughson, S.J., “John Courtney Murray and Postconciliar Faith,” *Theological Studies* 58, no.3 (September 1997): 492.

²⁶ Hughson, “Post-conciliar Faith,” 494-508.

²⁷ Murray, *Truths*, 146, 150.

²⁸ Murray, *Truths*, 156, 158, 159.

²⁹ Murray, *Truths*, 173.

³⁰ Murray, *Truths*, 184-5.

³¹ Murray, *Truths*, 189.

³² Furguson, 15, 18.

³³ Murray, *Truths*, 205, 217.

reason. He traces Murray's career and his conception of the Incarnation. Through the mediation of Christ the mysteries of human dignity will be revealed to us. In the forties we see Murray's focus on "faith as freedom" rather than "faith as obedience."³⁴ Murray looked for a more dynamic concept of faith to accommodate the rise of the laity. Hooper sees the forties and fifties as a time when Murray developed his concept of natural law. If natural law prescind from Revelation, where in the world is our redeeming God? asks Hooper. The answer of course is that natural law connects with Revelation every time that we work to ameliorate the dignity of humankind. Here, Murray uses his Trinitarian background, along with Bernhard Lonergan's theory of interiority and social consciousness, to arrive at the idea that faith can develop and transform Greek reason from reflection on the individual to reflection on society. It is not just souls who are saved, but society. In his last stages of study, his work with Vatican II, Murray is seeking a social ethics based on a historical analysis.³⁵

Gregory Kalscheur sees Murray's distinction of law and morality as crucial in today's understanding of moral issues in politics. There is a difference in morality and legality. Laws are not sufficient in regulating morality. At least, one cannot move directly from the idea that legal sanctions will benefit the common good. Legal prohibitions are not capable of dealing with every moral evil. Laws can only "limitly" produce moral actions. Murray might argue that, in a case like abortion, where public consent is in conflict, it would be better to put the issue in the public forum for debate before imposing legal solutions. In a forum on abortion, for example, other important human issues might surface, like the death penalty, just wages, restricted civil liberties, all of which influence and affect peoples' decisions of abortion.³⁶ It is true that other theologians would argue that Murray might see cause to not give communion to a politician,³⁷ but the main point, supported by Paul Weithman, is that it is Murray's methodology of dialog and consensus that would allow a topic like abortion to stay in its important place as a moral value.³⁸

Faith as praxis is a key here along Hughson's lines. The hope is that our faith in human dignity will cause human dignity to happen. Classical consciousness would focus on objective eternal truth. Historical consciousness can apply to truth found in history, like the Incarnation.³⁹ We now move to Murray's last group of essays where he shapes "doctrine" into a more dynamic concept.

Part Three: The Uses of Doctrine: Natural Law as Praxis

In this part, Murray establishes his theory of natural law by first killing "doctrine" and then resurrecting it in praxis. The first essay, "Doctrine and Policy in Communist

³⁴ J. Leon Hooper, "Theological Sources of John Courtney Murray's Ethics," in *John Courtney Murray and the Growth of Tradition*, eds. J. Leon Hooper and Todd David Whitmore (Kansas City, Mo.: Sheed and Ward, 1996), 113-114.

³⁵ Hooper, 119-125.

³⁶ Gregory Kalscheur, "American Catholics and the State: John Courtney Murray on Catholics in a Pluralistic Democratic Society," *America*, 193, no.3, 2 August 2004, 15-18.

³⁷ Dennis P. McCann, "Natural Law, Public Theology and the Legacy of John Courtney Murray," *Christian Century* 107 (September 1990): 803.

³⁸ Paul J. Weithman, "John Courtney Murray – Do His Ideas Still Matter?" *America* 171, no.13, 29 October 1994. *Catholic Periodical and Literature Index*. Ebsco Host (11 January 2005). For a specific example like the Cuomo/Cardinal O'Connor controversy on abortion see Charles R. Morris, *American Catholic: The Saints and Sinners Who Built America's Most Powerful Church* (New York: Vintage, 1997), 424-28.

³⁹ Hooper, 121-122.

Imperialism: the Problem of Security and Risk,” may seem dated since communism is not currently a threat to the United States. Still insistence on dialog with Russia is an important factor in Murray’s method. The threat of totalitarian communism to freedom will always be true. More than a doctrine, Murray defines communism as a technology where there is no dialogue nor public consensus.⁴⁰ In the next essay, “The Uses of Doctrine on the Uses of Force: War as a Moral Problem,” Murray again uses legal and moral language to approach the morality of just war and the proscription of war. Moral principles cannot impart a sense of direction until they are passed through the order of politics. Power has to be checked, especially in technology where its deification tends toward exploitation of scientific possibilities for the sake of doing it. Moral principles have to be incorporated into public policy.⁴¹ In the next essay, “The Doctrine is Dead: the Problem of the Moral Vacuum,” Murray questions whether morality has anything to do with public policy. What is a moral action? Is it like the “Sermon on the Mount?”⁴² Morality like this is dead unless it can involve real people and not just personifications of abstractions, like in Sartre’s morality plays.⁴³ Therefore, in the last essay, “The Doctrine Lives: the Eternal Return of Natural Law,” Murray defends natural law against attackers who say it is too abstract, and revives natural law as the basis for building an “ordo juris”-- an order of law that will be an order of rights, and therefore an order of freedom.⁴⁴ Murray denounces the eighteenth century concept of the law of nature, the noble savage concepts of Rousseau and Defoe for example, as mythical and construed by Locke (laws of nature) for power reasons in order to remove despots. Too much emphasis on the individual and power voids the law of nature theory of its just morality.⁴⁵ Despots also used the law of nature theory. Murray cites Hegel who said that the law of nature may have opened political equality, but it did nothing for social justice.⁴⁶ Natural law, on the other hand, leads us to study the human condition in real situations, in real history, and in the reality of our psyches⁴⁷ Natural law is the order of rights that existed prior to the state, the political form of society. “These are the rights of the person, the family, the church, and the associations men freely form for economic, cultural, social, and religious ends.”⁴⁸ Natural law does not set out from the abstract, isolated individual. Man is regarded as a member of the community. “Subsidiarity” is a concept that treats human beings more as members of groups, than as individuals. This natural law is more than a protection of rights. Thinking about natural law is a way of life. Murray concludes that natural law is the skeleton to which you add flesh and blood.⁴⁹

Responses to Murray: Faith, Love, and Freedom in Making Meaning

Thomas Hughson’s 1993 study *Believer as Citizen* is a commentary on how Murray serves as a posthumous tutor for the United States’ bishops’ pastoral letter

⁴⁰ Murray, *Truths*, 235.

⁴¹ Murray, *Truths*, 258, 273.

⁴² Murray, *Truths*, 275, 283.

⁴³ Murray, *Truths*, 283. Murray is not specific, but Sartre has a tendency to make his characters stand for principles, like the 3 characters in *No Exit* being examples of bad faith -- being for others.

⁴⁴ Murray, *Truths*, 295, 302.

⁴⁵ Murray, *Truths*, 305-307.

⁴⁶ Murray, *Truths*, 319.

⁴⁷ Murray, *Truths*, 320.

⁴⁸ Murray, *Truths*, 325.

⁴⁹ Murray, *Truths*, 325-336.

Economic Justice for All. Murray's "political consensus" while it may have been spearheaded by an elite class, is really pivotal for understanding the relationship of American Catholics reawakened to social justice.⁵⁰ Hughson does not go as far as calling Murray's work a liberation theology, like John Coleman and Dennis McCann,⁵¹ but he does compare Murray's "doctrinal" part of *We hold These Truths* as an example of praxis. He uses Gadamer's theory of hermeneutics as praxis where humans are "meaning making" animals -- their primordial drive is to make sense. Praxis is not just practice of theory -- it is a conscious integration of both at the same time.⁵² Lincoln's "proposition is an example. The proposition is something held out to people to prove or show that all are created equal with certain inalienable rights. Murray continues this idea with his doctrine of natural law which is a process of being fully human in the community. Hughson concludes his analysis of *We Hold These Truths* with the idea of freedom as essential in our love and struggle for understanding and making meaning. The state helps us stay free, but is limited in its power by divine reason in the Declaration of Independence.⁵³ The act of studying freedom gives us ideas to break from past structures and create new ways of living in peace and order.

Always the Spiritual Order -- Always Teaching -- Always Mary

Murray was always concerned with the two orders: spiritual and temporal. In a 1948 essay for the American Academy of Political and Social Science he says that faith is the cardinal lesson in connecting the temporal order to the divine. We are concerned with the divine, but cannot neglect the temporal order with our brothers and sisters.⁵⁴ Cardinal means "hinge" and Murray is the hinge that keeps our faith in both orders. He cites French poet Charles Péguy who, in response to Kantians, whose personal piety prevents them from putting their hands in "messy" society, says, "Kantianism has clean hands; but it has no hands!"⁵⁵ Yet the higher goal for Murray was always to experience the spiritual order, but with real hands. In "The Declaration on Religious Freedom," freedom is the essence of religious truth. Religious truth is knowledge of God. It is our right and duty to strive for this knowledge. Freedom implies faith in this quest.⁵⁶ The words "order" and "in order to" are used throughout the "Declaration." We use our conscience in order to know God. God orders our world in wisdom. In order for relationships of peace and harmony to exist, constitutions ought to have religious freedom. Christ himself refused to be a political Messiah using coerciveness. The Catholic order of dignity and religious

⁵⁰ Thomas Hughson, S.J., *The Believer as Citizen: John Courtney Murray in a New Context [Isaac Hecker Studies in Religion and American Culture]* (New York: Paulist Press, 1993), 1-3.

⁵¹ John Coleman, S.J., "Vision and Praxis in American Theology: Orestes Brownson, John A. Ryan, and John Courtney Murray," *Theological Studies*, 37, no.1 (March 1976): 3-4.

Dennis P. McCann, 801-803. McCann's appraisal is more on how Murray is an example of socially concerned theologians like Richard McBrien.

⁵² Hughson, *Believer*, 61-63.

⁵³ Hughson, *Believer*, 67-9.

⁵⁴ John Courtney Murray, "The Roman Catholic Church," *The Annals of the American Academy of Political and Social Science* 256-60 (1948): 38.

⁵⁵ Murray, "Roman Catholic," 39.

⁵⁶ John Courtney Murray, introduction and "Declaration on Religious Freedom" in *The Documents of Vatican II*, eds. Walter M. Abbott and Joseph Gallagher (New York: American Press, 1966), 679, 690. Murray is considered the major "writer" of this document.

freedom helps us structure the temporal order.⁵⁷ Freedom is a gift of the first order -- “primordial” -- from God in the Incarnation.

Chris Anderson incorporates his Catholic beliefs in teaching literature following the praxis of faith that we have seen in Murray. Through the logic of the Incarnation, one sees the mystery behind the stories he teaches, whether from the Bible or general literature. The story gives rise to the idea. Faith is experiencing the story and developing meanings in a community of readers. Anderson wants to retrieve the “spiritual” from the religious right wing especially in areas of the university.⁵⁸

The relation of the temporal order to the spiritual is in the Mary/Martha controversy in Luke’s gospel. Martha complains that Mary should be helping in practical manners of the table, but Christ tells her that Mary has chosen the most important and will not be turned away. John Courtney Murray would talk to Martha some more. He would add that the table service of setting is very important, if its goal is to really share conversation with the food. The conversation is the sacramental order. Hopefully we will all choose it like Mary and John Courtney Murray.

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⁵⁷ Murray, “Freedom,” 680.

⁵⁸ Chris Anderson, *Teaching as Believing: Faith in the University* (Waco, Texas USA: Baylor UP, 2004), pp, 5-11.

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John Courtney Murray was born in 1904 in New York. He received a BA and MA in Classical Studies from Boston College in 1926, 27. Ordained a Jesuit in 1933, he received a License in Sacred Theology (STL) from Woodstock College, Maryland in 1934, and a Doctorate in Sacred Theology (STD), with specialization in Grace and the Trinity, from the Gregorian University in Rome in 1937. He taught theology at Woodstock from 1941 until his death in 1967. During the same years, he was editor of *Theological Studies*, a journal that, under his guidance, encouraged Catholic intellectual scholarship and involvement of the laity in theological study and religious education. In 1943, as a representative of the US bishops, in an example of religious involvement in social action, he helped draft the “Declaration of World Peace.” In the early 50s, he collaborated with Robert M. MacIver of Columbia U on a project of academic freedom and religious education in public universities. Here, he gained knowledge of American Constitutional Law. He argued for tax aid to private schools, and for exposure of faiths to American people in public schools. He was a consultant of bishops in legal questions, such as censorship and birth control. He recommended submitting moral opinions to public dialog rather than trying to make laws or boycotts. He sought to preserve the genius of American freedoms. From 1958 to 1962, he participated in projects from the Center for the Study of Democratic Institutions where he applied the just war theory to nuclear war. He promoted a more up-to-date relation of Church and State, saying and writing that the Catholic teaching on Church/State relations was inadequate to the moral functioning of a contemporary people. He was censored in Rome from writing on religious freedom. In 1960 he published *We Hold These Truths*, a group of essays encouraging the laity to develop a Christian humanism and bring religious convictions to bear upon contemporary issues. His book *The Problem of God Yesterday and Today*, 1964 deals with God in historical and contemporary era. He promoted interreligious dialog, including atheists on equal footing, to arrive at new ways of spiritual living. In 1965 he was asked by Cardinal Spellman to serve as an expert on Church/State relations at Vatican II where he was the major drafter of the document on religious freedom *Dignitatis humanae personae*. Writers have appealed to Murray’s work for its theory of law and its insistence on a closer interplay between America’s religious commitments and civic life.

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Significance of Murray's Thought

John Courtney Murray is a theologian concerned primarily with the social implications of Christian faith. His work represents key areas of twentieth century religious concern. In a 1965 commencement address, "Freedom in the Age of Renewal," he defines freedom as the highest goal in human development. The discipline of freedom has to be practiced, and checked by the authorities of justice, truth, and love. The Church, which has emphasized "authority" in history because of the Reformation and the nineteenth century rise of totalitarian regimes, now needs to do a better job in helping its members and society grow in freedom for maximum development.⁵⁹ His address on freedom points to three areas of involvement that will allow one to get a good picture of twentieth century theological questions: freedom in religious education including involvement of the laity in theological study; religious freedom in the area Church/State relations; and freedom for an interreligious pluralistic dialog for redemptive purposes in the world.

In 1939, Murray challenged colleagues to develop a theology that would engage the secular world more and involve the laity in theological reflection.⁶⁰ As editor of the journal *Theological Studies* in 1941, he encouraged colleagues into intellectual theological pursuit in fields other than catechesis and defense. In this encouragement, he is a forerunner of the Catholic Intellectual Revival of the 50s, initiated by John Tracy Ellis and Thomas O'Dea that saw such thinkers emerge such as Roland Murphy, Charles Curran, Raymond Brown, Joseph Fitzmeyer, and Avery Dulles.⁶¹

Religious freedom also extends into the area of Church/State relations. In the "Americanist" debates in the early twentieth century, one argued a more secular approach to religion. Pragmatic virtues were preferred over the passive theological ones. Religious vows were rejected as being incompatible with religious liberty, and encouraged, was a

⁵⁹ John Courtney Murray, S.J., *Bridging the Sacred and the Secular: Selected Writings*, ed. J. Leon Hooper, S.J., (Washington D.C.: Georgetown UP, 1994), 181-186.

⁶⁰ Robert Emmett Curran, "American Catholic Thought." *Encyclopedia of American Religious Experience: Studies of Traditions and Movements*, eds. Charles H. Lippy and Peter W. Williams (New York: Scribner, 1988), 1010.

⁶¹ Curran, 1010

new apologetics to attract non-Catholics and “moderns,”⁶² Murray would have been an engaged thinker since “Americanism” promoted active participation in civil life, but he would have rejected the “Americanist” secular emphasis. Freedom of religion did not mean indifference to religion either. Religious life was integral to the life of the state, but a dialog was necessary to relate the two. The traditional Catholic ideal of the Church being the primal authority, with the state as “servant” was inadequate to him in the modern world.⁶³ He was a thomist who used natural law to base his principles of freedom as a primal necessity in human development. He went beyond the neothomists, like Maritain, because he saw the necessity of a historically conscious approach to natural law that would allow for growth of personal and political consciousness.⁶⁴ He distinguished between legal and moral issues promoting public dialog rather than laws. He was censored by the Holy Office in 1954 for writing about religious freedom.

He continued submitting articles, and was finally rewarded by being chosen as an “expert” on Church/State relations at Vatican II in 1965, where he was the primary drafter of the document on religious freedom. Some theologians saw his freedom as theological anarchy. He saw the need of an interreligious dialog, along with atheists, to find new redemptive visions of God and spiritual life. He is the first theologian produced in the United States.

James Tomek THL 564

A Liturgy for a Republic: Rereading Bellah’s *Broken Covenant*

Lincoln, in his second inaugural speech, suggests that the Civil War is God’s chastisement of our nation for slavery. Robert Bellah’s *Broken Covenant* explores the concept of civil religion in America. Defined as “the religious dimension in everyone’s life that interprets historical experience in light of transcendent reality”(3), civil religion is not idolatry of country, but more an interpretation of the role of the Creator in our nation’s development. Bellah considers American history from the viewpoint of a covenant with God like that of the Exodus. He deals with three times of trial with this covenant: the American Revolution and the struggle for liberty; the Civil War and the struggle for equality; and our age of globalization when economic justice is on trial. These three periods are covered respectively in the first three chapters where he explores our myths of origin, the sin of slavery, and the postmodern sin of “success.” Bellah explores how our covenant with God is broken and suggests areas to repair the break. I will reread Bellah’s first three chapters, to arrive at a clearer concept of civil religion, and suggest that a more “future” attitude of covenant with a Teillardian concept of God might help us use religion in a more ecumenical way rather than using it as a “God is on my side” approach that causes nothing but self-righteousness, violence and separation.

The Myth of Origin – the Covenant

⁶² James M. Woods, “Americanism” in *Encyclopedia of Religious Controversies in the United States*, ed. George H. Shriver (Westport, CT: Greenwood Press, 1997), 15-17.

⁶³ The Encyclopedia of American Catholic History, 1997, s.v. “John Courtney Murray.”

⁶⁴ James Hennesey, S.J., *American Catholics: A History of the Roman Catholic Community in the United States* (New York/Oxford: Oxford UP, 1981), 303.

Mark A. Noll, *The Old Religion in a New World: The History of North American Christianity* (Grand Rapids, MI, Cambridge, UK: Eerdmans, 2002), 140.

The first chapter explores the myth of origin in the United States -- how we became "free." We have exact dates, like 1776, but there is a more complex process by which we assumed the responsibility to create our own government. Our origin is really "ex nihilo" (4) and therefore transcendent or not from this earth. Bellah ties the idea of covenant/Exodus to John Winthrop's "Model of Christian Charity" in the establishment of Massachusetts in 1630 (13-15). Bellah sees our nation's development in a system of dualities where we progress from conversion, which is the individual's turning to freedom to a community sense of freedom and justice in a covenant (19-20). The internal covenant would be the feeling of togetherness while the external covenant would be the written laws, like the Constitution. "Cupiditas" or personal desires are in conflict with the need of "caritas" or charity and justice. Our myth is built on a "republic" concept of "reason," which would materialize in laws that balance personal desires with charity, and an internal religious concept of passion found in the word "covenant" (27-29). Bellah says that this movement from conversion to constitution has to be renewed constantly. When we compare the "external" covenant of the Constitution too closely with the Ark of the Covenant in Exodus, it becomes too sacred to be touched (35). The Second Great Awakening of Jeffersonian Democracy, (also seen in Nathan Hatch's book), is a necessary second revolution to reform the sins of individual passion (Bellah 34-5). The jeremiads in this awakening are part of Jeremiah's need for an unwritten covenant of the heart.

America's Chosen People in Sin, in Success, and the Echaton

In chapter two we see the two big sins of our founding, the genocide of the Native Americans and slavery. The Civil War chastised us for the later, according to Lincoln (52), in his "sermon" -- the Second Inaugural Address. The slavery amendments have a religious legitimation. We are responding to God's chastisement with a new external covenant. The Constitution, which was originally an external covenant of the Declaration of Independence, became an internal covenant with its ideas of toleration and destiny, but soon became in need of amending. The addition of the slavery amendments was a new external covenant addition to try to insure equal justice to all. "Equality" is Bellah's second crisis. The American Renaissance, lay writers rather than clergy voicing national consciousness, like its namesake in Europe, has the meaning of religious reform as writers like Melville question the darker sides of our manifest destiny (57).

Bellah's third chapter locates the cause of our third crisis, globalized economic injustice, with the concept of success. Science and technology gave us a "single vision" of reason (72) as the almighty power to success. Success and God became equated with monetary advancement (73). Utilitarianism marks this crisis. Religion and "feeling" have no place in this world. We have always had faith/reason conflicts, but both sides were evident and gave us a complexity of imagination for question and growth, like Cotton Mather's conflicts of body and mind and Ben Franklin's worldly America where worldly impulses are safeguarded by pragmatism. Bellah laments that we do not have a theologian of Jonathan Edwards' stature offering us a double vision (72-3).

Bellah insists that we have to be working for the Christian ideal or echaton that he sees as a Christian republic (167). The Constitution is a necessary liberal supplement to the internal covenant giving rules to balance the conflicting notions of self-interest (172-3). We have to always go from "state" to "nation." Nation is a symbol of the ideal

situation of a community that protects all its members while assuring liberty. This “echaton” is the goal, but it must always be reformed.

Response: Covenant Genesis

We need to rethink the notion of covenant. When we deal with it, we always think of those poor Israelites wandering in the desert because they messed up. This god is a creating, powerful god who punishes us because we fell from some better state. The golden calf of our country is seen in our reification of success. Substituting “seen” “consumerized” reality for the totality of our existence has dehumanized us into buying machines. The second half of the Book of Exodus deals with the building of the moveable temple where the arch of the covenant was placed and worshipped. This moveable temple is a symbol of the “sabbath” -- the new covenant – a special time of rest to reflect on who God is and where God wants us to go. The promised land is not a place, but a state of existence. Chastisement becomes more of a purification/education than a punishment. The echaton is not a future place, but a process of building our current place. Teillard’s God is one of evolution -- a suffering/learning road in becoming Christ. The symbol of Christogenesis gives us an idea of process and tolerance. The “chosen” people’s covenant always will cause separation of the haves and have-nots -- the red states and the blue states. The word “covenant” in French is translated as “alliance,” which is also the word for wedding ring. “Symbol” is the key. The words “I love you” are powerful when they really reflect how we act. The covenant I make with a spouse or friend is non-written. It is just there -- internal. We fortify our internal constitutions with external ones of oaths and laws. Bellah’s concept of covenant has this quality. I question his and Lincoln’s use of chastisement as something done because of something broken. “Broken” covenant should be changed to the “amended” or “mended” covenant. Civil religion can be seen in uniting the terms “republic” and “liturgy.” Both words mean “work of the people.” Liturgy brings the idea of regular prayer or reflection -- the moveable internal part of the external republic. Public theology should be altered to show that we never were perfect and that we need to form new alliances.

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