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DEMOCRACY AND CATHOLICISM IN AMERICA, by Currin Shields. McGraw-Hill Book Company, Inc., New York, 1958. Pp. x, 310. \$5.00.

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fessor Hurst will, in his forthcoming volumes on "the history of the interplay of law and other institutions in the growth of the United States" (of which this book is but a "progress" report, p. vii), include also the "interplay" of the "self-conscious philosophizing" of the people themselves. If he does he will, I am sure, be more anxious to understand what *laissez faire* meant to nineteenth century people than he will be to exorcise it from our past.

*Calvin Woodard**

DEMOCRACY AND CATHOLICISM IN AMERICA, by Currin Shields. McGraw-Hill Book Company, Inc., New York, 1958. Pp. x, 310. \$5.00.

Mr. Shields, who supplements his academic life as a teacher of political theory with lively practical interest in political activities at the local, state, and national levels, has written a volume for popular reading — for, as he puts it, people like the members of the "Westside Civic Improvement League." His style is both forceful and lucid and progresses gradually from patient exposition to impatient argument.

His thesis, however, does not correspond exactly to the title given it. Although it does concern the compatibility of "Democratic" theory and Catholic thought, and is addressed to American readers, it is not essentially, but only incidentally, about Democracy in America and Catholicism in America. Besides, Mr. Shields is as much concerned with opposing and condemning "Liberalism" as he is with his announced subjects. *Democracy, Liberalism, and Catholic Political Thought*, for example, would have been a more accurate title.

The chapters in which Mr. Shields gives expositions of "Liberal" political thought (in the original seventeenth and eighteenth century connotation), "Democratic" theory and practice (as he would have it), and Catholic thought on the form and substance of political and social institutions are extremely well and extremely honestly done. All fair-minded people will welcome this non-Catholic's unbiased and uncolored informative

Professor Richard Hofstadter has given it (in another context): "By 'myth', as I use the word here, [he writes] I do not mean an idea that is simply false, but rather one that so effectively embodies men's values that it profoundly influences their way of perceiving reality and hence their behaviour. In this sense, myths may have varying degrees of fiction or reality." *THE AGE OF REFORM* 24n (1956).

*A.B., University of North Carolina; LL.B., Yale Law School, Member, New York Bar; Research Student, Peterhouse College, Cambridge, England.

discourse on Catholic teachings on the sources and principles of political and social structure. A Catholic, like this reviewer, will disagree with such things as the use of the word "assumptions" in reference to dogma and the basic principles of scholastic philosophy, but will recognize that Mr. Shields uses the language of the non-believer and non-adherent.

Mr. Shields' treatment of his main thesis is much less satisfactory. He wishes to demonstrate that "Democratic" and Catholic thought are compatible. On the level of political forms this is certainly true, as Mr. Shields explains very clearly. In the thought of the Church, government is the instrument of political order; this instrument may be of any form which insures the enforcement of sound order; and if in a particular time and place popular government, political equality, and the majority vote permit the attainment of a just substantive order, then this kind of democracy may be approved. But for Mr. Shields "Democracy" is not merely a form of government, an instrument of just order; it is the only proper source and criterion of order. Popular government becomes popular sovereignty in the absolute sense; political equality not simply an operating principle, but an essential one, he contending that only through the experiences of all men can the politically desirable be known; and majority rule becomes the indispensable and incontrovertible method of translating this collective experience into proper political action. Obviously Mr. Shields' political philosophy is in conflict with Catholic conceptions both of the role of government and of the sources of knowledge of order. Yet he argues that the two are not incompatible—indeed, not even connected—saying the one is concerned with practical political decisions, the other with something other than politics; or, to put it more bluntly, that politics is a secular matter of no concern to religion. Here Mr. Shields must be understood as expressing his own belief. Certainly it is not the Catholic view that good politics and just order are things apart; and Mr. Shields, who demonstrates his knowledge of Catholic thought, should know this too.

In the last analysis, Mr. Shields would like to make an epistemology of majority rule. Not only must Catholics reject this thesis; logically it must be rejected by anyone who is convinced there is a more reliable source of the knowledge of what is good for man, be it religious or philosophical. This, of course, does not mean that democracy must be rejected as a form of

government by all those who so believe; it means merely that democracy must be regarded by them as subject to the rule of the sciences of order for man, or, in other words, as an instrument of order rather than its generative source.

*Robert A. Pascal**

THE SUPREME COURT FROM TAFT TO WARREN, by Alpheus Thomas Mason. Louisiana State University Press, Baton Rouge, 1958. \$4.95.

After some twenty years of relative obscurity vis-a-vis Congress and the President, the Supreme Court is once again in the public eye. It is the object of mordant denunciation and enthusiastic praise, but much that is written by both defenders and detractors is little more than rampant emotionalism which sheds little light on the Court's processes or its role in the American system. Professor Alpheus Mason, one of America's foremost authorities on the Supreme Court, has produced a splendid little book which ought to dispel much of the mythology abroad in the land.

Mr. Mason contends that in order to understand what the Supreme Court *is* and what it *does*, we must first rid ourselves of the fictitious notion that the Court is a non-political institution. Mr. Mason's assertion that the Court makes policy is difficult to gainsay. It has done so ever since the days of John Marshall, and the desegregation decisions, for example, are no different in kind than hundreds of other "policy" decisions made by the Court in the past century and a half. But, asks Professor Mason, is not an appointive body which is exercising political control in a supposedly democratic system an "alien offshoot"? Not at all. The great problem in a democratic polity, says Mason, is to "protect individuals and minorities without thereby destroying capacity in the majority to govern." In exercising judicial review the Court guarantees to minorities access to the political process, and in so doing, it "implements rather than limits free government." Since majorities are always in a fluid state, changing both in composition and in goals, the political rights of minorities become the "very foundation" of majority rule. The Supreme Court in a political sense is corrective in nature;

*Professor of Law, Louisiana State University.