

# DOMINICANA

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## POLITICAL THEORIES OF ST. THOMAS\*

### I

The mighty conflict of arms has ended. The mightier struggle of principles is on. Though lacking the harrowing scenes and awful tragedies of the battlefield, this fight is as keen, if not more so. The results are of greater importance, as they will be more far-reaching in their consequences and more lasting in their effects. The future of the social structure of humanity hangs on the outcome.

Yesterday the cry was: Save Democracy for the world. Today it is: Save Democracy from itself. For in this gigantic struggle of principles democracy is night overwhelmed by the serious and perplexing problems of reconstruction which have presented themselves for solution. And the voice of democracy is clamoring for intelligent, prudent, sympathetic guidance. To democracy, and all honest and earnest in their desires to insure its future, its peace and its prosperity, no more intelligent teacher and sympathetic guide can be recommended than Saint Thomas Aquinas.

People of today think lightly of the past, and imagine that until now nothing was known of the great problems which deeply concern individuals and governments.

That splendid genius, Thomas Aquinas, glorious product of the thirteenth century, whose magnificent mind was filled with vast and varied and wonderful learning, had a more comprehensive grasp of, and a more penetrating insight into the principles which bring forth, regulate, support and destroy social institutions than any of the expounders of political science since that day.

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\* Read at the scholastic exercises held in honor of St. Thomas by the students of the House of Studies, Washington, D. C., March 18, 1919.

He is famous for his brief and clear exposition of sound doctrine, which is the essence of scholasticism. Peace delegates might well take some lessons from his masterpiece. Legislators might turn their ears to his clearion voice reminding them while laws are necessary for the peace and progress of society, they must not presume to command all acts of all virtues, nor attempt to repress all vices. Their authority does not regard the whole man. They might also heed his spirited condemnation of the multiplication of laws.

It is our intention to discuss briefly but three points of Thomistic political doctrine which are of especial interest; the origin of society, the origin of power and the mixed government.

The principal founder of political science was Aristotle. Before his time, politics as a distinct science had scarcely come into existence. By defining the best form of government, Aristotle's master, the sublime Plato, had assigned to politics the task of planning the ideal state.

The Stagyrite opposed Plato's theory, which was state absolutism, and desired to offer men a better form of political organization. Unlike the poetic philosopher, Aristotle was always forced to remain with realities and necessities. Thus, all existing and defunct constitutions were investigated for the purpose of discovering the principles which gave them birth, helped them to thrive or ruined them.

He was the first to assert the natural necessity of society, and consequently of government. The mission of the state, to him, was the advancement and development of its subjects; their elevation by the just administration of law to a higher plane of moral conduct. For this reason he sought a means of uniting the best elements in the various constitutions to establish a more perfect form of government, a type, however, which was not to be considered absolutely fixed. It should admit of applications and modifications instead of being an ideal but impracticable constitution.

So we may speak of the political pronouncements of the Angelic Doctor. The directing idea of his political doctrines pretends less to discover a model constitution than to set forth the constituent elements of good government, for his deepest consideration is ever for the welfare of the citizens rather than for the form of government under which they live.

## II

Now, considered in itself, the origin of society is an isolated question and of no great practical importance. It becomes of grave significance, however, when we make our theories concerning it the basis of our doctrine of the foundation and legitimacy of authority in government.

On this capital point in political science we find the Prince of Schoolmen breaking away from the scholastic tradition of his day. Theologians of eminence, predecessors and contemporaries, cherished a radically different opinion. They maintained that the state has not a proper power which it holds in the nature of things and which in itself must be legitimate, always and everywhere. This power exists as such only in the Church and by the Church. Supernatural society alone confers on natural society the right to existence.

They justify these assertions by saying that the right of sovereignty was a consequence of the state of sinful nature. If man had not sinned he would not have been obliged to obey his own kind. This material authority of man over man, in itself merely the exercise of force, can become legitimate only as the reflection of a higher society which is qualified to lead man to salvation.

On the contrary, even in the state of innocence, the domination of man over man would have been exercised. This is the declaration of St. Thomas and he gives the following reasons to support it: First, the condition of man in the state of innocence was not more worthy than that of the angels, and among them, some were governed by others; secondly, man is a social being, created to live in society, which necessitates a leader to direct all things to the common good; lastly, there was a disparity of gifts even in that state, and that one enjoyed greater wisdom or knowledge, would be inconvenient unless it were employed for the greatest benefit to the others. This means that the superior must command the inferior. In other words, the state of society is a necessary state.

## III

St. Thomas comes to the same conclusion in the *De Regimine Principum* (book I, chap. I), where he treats professedly of the

origin of society. And here, society is discussed *in abstracto* and not *in particulari*.

It is the nature of man, he says, to be a social and political being, living in community differently from all other animals. Nature has provided other animals with food, weapons for defense, such as claws, etc., the faculty of discerning the useful and injurious and means requisite for their development and self-preservation.

With man it is otherwise. He has not been blessed with these gifts. Reason and the labor of his hands are his instruments in the struggle for existence. Social life for man is required for his self-development, protection against enemies, the safe-guarding of his health, the advantages of the division of labor, his education and the promotion of friendship. Man left to himself would be seriously hampered, if not helpless, in these regards, and thus it is necessary that he live in society, applying himself to his own task; his neighbor doing the same, one helping the other.

Then a strengthening indication of this necessity is signed by his endowment, the faculty of speech, manifesting that he is destined to communicate with others and, consequently, to live in society.

This explanation of the origin of society is much better than the subtleties of covenants, explicit and implicit. It attributes to the Creator what Rousseau and others ascribe to the creature. Moreover, St. Thomas, with clearness of ideas, solidity of principles and exactness of deductions, puts forth in a few words all that can be said with respect to this question.

Political society is defined by St. Thomas as a community integrated of many members, whose activity is ordained to the welfare of all the members, in as much as they are parts of the society.

#### IV

We have seen that society must be regarded as coeval with man; for man out of society is a solecism. And from this necessity the brilliant friar deduces that of power, as a corollary.

Thus, if it be natural for man to live in society, he says, it is necessary that some one should direct the multitude; for if many were united, and each one did as he thought proper, society would be sundered, unless somebody looked after the public good, as

would be the case with the human body and that of any other animal if there did not exist a power to watch over the welfare of all the members. In man himself, the soul directs the body, and in the soul the feelings of anger and concupiscence are governed by the reason. Among the members of the body there is one principal member which directs all, as the heart or the head. There ought, then, to be in every multitude some governing power.

## V

As St. Thomas differs from scholastic tradition on the natural existence of society and power, he gives added proof of his initiative in his doctrine of the origin of power. This problem has not been treated in one single tract, as it was not considered a live question in the thirteenth century, and accordingly did not receive the attention which other and more pressing problems demanded. So we are obliged to gather his doctrine from different passages of his various works where we find "the main lines of the solution drawn by him with more perfect design" than by writers who have since expounded on this point. His opinions so placed do not apparently agree. Hence, the differences of view among the interpreters of his thought. Some accept passages which assert intellectual sovereignty—favoring absolutism and sacrifice others which plainly make for popular sovereignty. We shall see that the Thomistic doctrine is rather a union of the two.

We must here remember that the key to the mind of St. Thomas is the *Summa Theologica*. This peerless work, written in more mature years must always be taken as the wonderful embodiment of his unparalleled mind.

The question of the origin of power is twofold: First, power considered in itself, i. e., the institution; secondly, the concrete realization of power as it is considered in the persons invested with it. All power comes from God. This is Catholic doctrine and has been stated by St. Thomas time and again. But to say that sovereignty in its source belongs to God alone because He is the Supreme Master of human society; and that worldly sovereigns are merely His instruments did not preclude his searching for the human source of this divine delegation.

God does not display authority directly. The authority which He alone possesses in its essence and perfection is partici-

pated in by man. It becomes incarnated in him. Thus, power comes at the same time from divine right and from human right. "Non est potestas nisi a Deo" the holy Doctor has repeated again and again after St. Paul. But he has also written "dominium a jure humano." Therefore, all power comes from God, but men exercise it. Sovereignty is of divine origin, but not necessarily the sovereigns. It may be mentioned here that nowhere does St. Thomas sustain the divine right of kings except in the Catholic sense that all lawfully constituted authority is the representative of divine authority. That doctrine was pagan, and has received its fullest and most systematic development since the so-called Reformation.

## VI

The question of the human origin of power resolves to this: Who of mankind is the depository of sovereignty? Aristotle establishes the true foundation of sovereignty upon intelligence and reason, making the intellectual chief leader by right. St. Thomas, strongly imbued with the value of intelligence, for he was ever its champion, readily assents to this thesis of the Master and agrees with him that political ability is the best title to the exercises of government; nevertheless, as we shall see, he does not accept the conclusion of the pagan philosopher as such.

For our answer to the question raised above, we must first go to the Treatise on Laws in the "Summa." Balmes calls this tract immortal, and defies any one to find a jurist or philosopher who expounds with more lucidity, wisdom, noble independence and generous dignity, the principles to which civil power ought to adhere, and further states that whoever fully comprehends it has no additional information to acquire respecting the principles which ought to guide the legislator.

Here studying legislative power, an essential attribute of sovereign dominion, he says: "Law properly regards first and foremost the order that is to be taken towards the general good. Now, to order anything towards the general good belongs either to the whole community or to some one who is viceregent of the whole people. And, therefore, the framing of a law belongs either to the whole people or to a personage who has the care of the whole people, because in all things the ordering of the means to the end belongs to him to whom the end belongs as

his special concern." If, therefore, to decree on the public order of the commonwealth is the right of society if self, or of some one acting in its place, from whence would this last derive his authority but from society? This seems conclusive.

In another place he declares that if the people among whom a custom is introduced be "free and able to make their own laws, the consent of the whole people expressed by a custom counts for more in favor of a particular observance than does the authority of the sovereign who has not the power to frame laws except as representing the people."

In his commentary on the Sentences, when speaking of the usurpation of dominion by violence, he comes nearest to expressing that fundamental principle of American government—"governments derive their just powers from the consent of the governed"—which is true if correctly understood. He says the usurper may be lawfully repelled, unless perchance he becomes afterwards the recognized and legitimate ruler by consent of the subjects or through the authority of a superior.

Does this not sound like the principle of self-determination? We believe so, and take occasion here to remark that the right and justice of Ireland's plea for freedom may be based on this principle, for the Irish people have never recognized the rule of their oppressors.

These citations seem clearly to assert that the primitive subject of sovereignty is the whole people: though from the last we perceive that dominion does not necessarily come from the deliberate and manifest choice of the people.

St. Thomas declares that the essential purpose of government is the welfare of the people. "The kingdom was not made for the king but the king for the kingdom." And here it is that we find the line of demarcation between the foundation of virtue of Aristotle and that of the Angelic Doctor. Good government demands the fullest promotion of the peoples interests which are manifested by the aspirations of the national conscience, though they be obscure and latent. In other words, the foundation of sovereignty rests upon the demands of the people. Their demands will not always be expressed, but it suffices that the power satisfy them, no matter from whence it comes, elective, hereditary or revolutionary.

Thus, in default of an election, or an explicit consent of the subjects, their implicit consent establishes a government which

rightly responds to their wants. The popular will always exists at least tacitly to confirm the power of the ruler, even though it has not created him.

The principle of acquisition of every power is a contract or quasi-contract. St. Thomas hints at this very clearly. By this the ruler, on assuming the sovereignty, binds himself to forward the common weal with all his energy and efforts, while the subjects in return promise him obedience. The conditions of the contract are not always the same everywhere, hence the functions of sovereignty may be exercised in different ways which beget different types of government.

## VII

St. Thomas was acquainted with the diverse constitutions of government of ancient Rome and Greece and those of his own days. They were all examined by him. He admits the legitimacy of monarchy, aristocracy and democracy. However, no predilection is openly manifested for any particular constitution as ideal and fixed. For unhesitatingly and with profound wisdom he affirms that the happiness and prosperity of a nation depend not so much on their particular constitution, as upon the unwavering fidelity and constant adherence of the rulers to the purpose for which the government was instituted, and upon the moral fibre and integrity of the people.

He argues on general grounds that the rule of society is better secured by the rule of one than by that of the few or the many. But great danger lies in the supremacy of one. Power may be easily abused; the common interests perverted. Such conditions would be unsocial and tyrannical. Accordingly, the preventive and repressive measures against such a calamity; they are the limitation of power to remove the occasion and the right to depose the tyrant with very reasonable and wise restrictions.

The fear of tyranny is very marked in the writings of St. Thomas, and this seems to be the compelling reason for his sympathy with mixed government, i. e., a limited monarchy or a well-organized republic. We might say that the opinions of Aristotle, the democratic legislation of the Dominican Order and the communal movement of the thirteenth century also had their influence.

In his treatise on laws he says that the mixed polity is the best, i. e., the best elements of monarchy, aristocracy and democracy combined form the best type of government.

Aristotle emphasized the importance of the cooperation of all to maintain the state. St. Thomas accepts this when he states that one of the principal things to insure the stability and the peace of the state is that all should have some part in the government. Our attention is called to this in the 105 Question, article 1, 1a 2ae. We must here mention that some commentators deny its application to modern states; others interpret it in favor of a limited monarchy. Considering the principles contained therein, supported by what we have said concerning the origin of power, we feel justified in the opinion of a distinguished American Thomist, who is not alone in his thought, in our belief that the constitutional frame constructed by this eminent statesman fits very nicely that of our own Republic.

St. Thomas establishes a head, who is the unifying principle of power; confides the administration of affairs to enlightened citizens and confers the right of suffrage on the people; and says that "the best form of government is a mixture of kingdom, aristocracy and of democracy, i. e., of the power of the people, inasmuch as the rulers can be chosen from the people and the election of the rulers belongs to the people." On the authority of the learned Thomist already quoted, we say that "there is a vast amount of good republicanism and sound democracy in these words."

In the ruler may be seen the president, the element of monarchy; the body of administrators, the element of aristocracy, corresponds to Congress which in the intention of the founders of our government was to represent the intellectual nobility of the nation. Then, we have the element of democracy, the choice of ruler and administrators, of and by the people.

## VIII

The idea of a mixed government did not originate with St. Thomas. It is not even pure-Aristotelian. The history of its origin and evolution would prove interesting and instructive as would the discussion among the commentators on this thought

of the Angelic Doctor. But we fear we have already passed the limit of our time and must hasten to close.

There are other political problems which we are inclined to believe affairs of the twentieth century, at least the solutions of them. Yet we find this humble Friar Preacher over six hundred years ago treating the most pertinent political and social problems of our day. He solves most satisfactorily the weighty problems of property and labor, advocates military preparedness, good roads, institutions for the poor and infirm; he speaks of the right and obligations of rulers and subjects; of education; taxes and many other points of practical import, all of which stamp him as a political seer.

More than that: he is an apostle of true liberty and sound democracy, and amidst the great tasks of reconstruction days we may well hark back to him for guidance and leadership.

—Bro. Edward Hughes, O. P.

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### TURRIS EBURNEA

Beside the murm'ring, glist'ning, Western Sea  
 That lies so blue and calm in summer's light,  
 Yet gay with mirth, with rippling laughter bright,  
 As if for joy to be so vast and free,  
 Reared they a lofty spire most fair to see.  
 In gleaming gold and starry gems bedight  
 It fairly dazzled our poor human sight.  
 'Twas grandly great and beautiful.—Ah! me,—  
 That matchless "Tower of Jewels" now is gone:—  
 To realms of fancy, sphere of treasured thought,  
 It passed like fading dream or charm of old.  
 But in our memory it still lives on;  
 And there with more than earthly meaning fraught  
 Remains, the Ivory Tower and the House of Gold.

—Bro. Nicholas Ehrenfried, O. P.