HERE HAS BEEN a marked interest of late in the philosophical ideas of the Dominican, John of Paris, or John Quidort, as he is now more commonly known. Quidort’s notion of being, his doctrine on forms, his schema of human psychology, are being studied both for their own sake and as particularly interesting samplings of early Thomism. His political tract *Kingly Power and Papal Power*, written at the height of the bitterly-fought controversy between Philip the Fair and Boniface VIII, has, however, been a perennial object of curiosity and controversy. Its merits and demerits are, in fact, still rather warmly argued.

We do not intend to linger over the meagre and often disputed details of Quidort’s life. Let it suffice that he belonged to the first generation of Thomists (?1240-1306), being one of its most conspicuous representatives. He lived at St. Jacques, the famed Dominican priory at Paris; was made a Master in theology when he was at least in his fifties, and this but two years before his death. Those wishing to pick through the slim biographical details may consult with profit the Introduction to Jean—Pierre Muller, O.S.B.’s critical edition of Quidort’s *Correctorium Corruptorii “Circa”* or Jean Leclercq, O.S.B.’s *Jean de Paris et L’Ecclesiologie du XIIIe Siecle* (passim).²

We must, however, allude to two rather distressing events in his theological career. At least twice his reputation was darkened by charges of doctrinal error—the greatest tragedy that can befall a theologian. In 1284, when teaching the *Sentences* as a bachelor, six allegedly false propositions were delated to the Master General by auditors unknown to John. He will die at Bordeaux in 1306, suspended from all teaching activity—ironically enough, by a board of theologians headed by the theocrat Giles of Rome—and awaiting the Pope’s final judgment of his eucharistic doctrine, which is today branded as akin to impanation. In the defense he penned, Quidort said his new theory
of the Real Presence came from dissatisfaction with current explanations, which did not seem to agree with the data of philosophy.

This rational temper is, with Quidort, both a personal trait and an indication of his sharing in the new Dominican tradition in theology. Those fascinated by the delicate, crucial problem of the interaction of reason with theology cannot but find interest in a tract which has for its acknowledged goal the apportioning of what is just to the realms of grace and nature, and this in the difficult, amorphous area that is called Church-State relations.

The youthful medievalist Gordon Leff, now a lecturer at Manchester University and a specialist in thirteenth and fourteenth-century thought, has strongly underlined the significance of this Dominican-initiated change in theological method. Though St. Albert as a thinker "is disappointing and muddled," he deserves credit as one who believed in scientific experiment, who first upheld, in unmistakable terms, the distinction between faith and reason, in general, and natural science and revealed truth, in particular. Even if his thought was largely Neoplatonic, and he leaned on Avicenna more than on any other philosopher, he began the revolutionary process of assimilating Aristotelian thought into the Christian scheme of things.

The resolve to give reason and nature their due is one of the glories of the Dominican Order, but it has also been the source of much soul-searching and ideological tension in her theologians. Sometimes it has led to doctrinal aberrations. Beyond the rather indeterminable influence partisan motives had in shaping the tract, it seems a valid procedure to suggest that this rational (but not rationalistic) temper may have exercised considerable influence on Quidort's attitudes and conclusions.

*Kingly Power and Papal Power* is also important as an exercise in applied Thomism i.e. the prolongation of the Master's thought to solve problems not directly envisioned by him. Thomism's richness and flexibility is underscored, as well as the danger of misappropriation or of downright misrepresentation in this process of adaption. Quidort's fidelity to Thomistic doctrine has been challenged as recently as 1959 by a Gilson student, Marc F. Griesbach, now of Marquette University, in his article, "John of Paris as a Representative of Thomistic Philosophy." In evaluating his critique the student of Quidort is driven to a closer study of St. Thomas himself, as considerable controversy exists about the "medieval" as against the Aristotelian elements in his political thought. Griesbach accepts, at least for purposes of discussion, the equivalent of Jean Riviere's thesis that St. Thomas' Church-State ideas were strongly influenced by the theocratic tradition
of Hugh of Saint-Victor, John of Salisbury and Alexander of Hales. This is a view confidently challenged of recent date by the English Dominican, Thomas Gilby, in his two studies, *Between Community and Society: A Philosophy and Theology of the State and Principality and Polity: Aquinas and the Rise of State Theory in the West.*

Also intimately connected with this question of fidelity to St. Thomas' teaching is Quidort's conformity with modern papal Church-State formulations and the tract's validity as a point of reference, if but general and remote, to the solution of present problems.

Again, *Kingly Power and Papal Power* is of immense curiosity not only for the theologian but also for the historian of ideas. Quidort had an important and not entirely felicitous part to play in the evolution of ecclesiology and in the origins of Conciliarism. For Quidort, it was an unconscious, quite unintended role.

It is also of profit to see how a medieval tract was pieced together by its author; to appreciate how a rampant plagiarism makes evaluation of this work, in isolation from its fellows, an automatic distortion. It must be a very thorough business, this detecting of unsuspected lines of intercommunication in medieval writings.

The Scripture exegete and the professional historian could be nothing but impressed by the way Quidort applies scientific norms and a realistic, common-sense attitude, in his interpretation of texts and events. And this in an age too often obsessed by the delights of allegory or the supposed sanctity of historical precedent.

Both Quidort's merits and the controversy that surrounds them suggest the need for an attempt, at least, to resolve these differences in judgment.

The first step in any attempt to answer the question, "Is Quidort's *Kingly Power and Papal Power* Thomistic?" must be to determine, as far as possible, the place of St. Thomas' own political thought in the development of Catholic Church-State doctrine. This will be the business of this first section. In another section, to be printed subsequently, the question of Quidort's fidelity to Thomistic principles will be directly taken up, as well as his applicability to modern Church-State problems.

The substitution of Christian Aristotelianism for Augustinianism, a process initiated by St. Albert, and carried to completion by St. Thomas, was to be of more than a little significance in the emergence of a clear-cut political science. Since from the Order's infancy its apologists, notably Moneta of Cremona, had defended the temporal realm against the Cathars who were a new breed of Manichees, the city-dwelling Dominicans found themselves particularly well disposed
to receive the teaching of the *Politics* with its lofty vision of the civil power's natural destiny to bring society to perfection. On the other hand, it was Augustinianism, not Aristotelianism, which helped to shape the thinking of the exponents of papal power, whether Popes, theologians or curialists. If the Stagirite's thought was resorted to, it was almost always as a component part, not as a determining principle. It is with Albert, Peter of Tarantaise and, above all, Thomas, that the natural origin and considerable prerogatives of the State found their most complete philosophical and theological expression. In St. Thomas we discover at last a Christian theologian who presents a coherent and fully developed natural-law theory of the State.

Aquinas traced the need for government, not to Original Sin, but to nature's inherent needs. In this more optimistic view, obedience to the rulers of this world, most formally considered, is not a punishment for sin, and political power is intended to encourage and assist the virtuous even more than to punish the vicious. Since natural in origin, temporal authority did not lose its autonomy, its competence over the temporal, with the dawn of Christianity. Though limited to temporal matters, the State has for its essential goal to foster civic virtue and preserve concord among the citizens. St. Thomas was the first clearly to distinguish between political prudence, or the concrete application of natural-law principles to contingent facts, and the science of ethics. Or, to express it more concisely, he was the first to distinguish civil law from moral law.

Were these new directions, so evident in St. Thomas' texts, due to the fact that the Nation-State was at last coming into its own? St. Thomas' own detached manner of approach to political phenomena, and the circumstance that the rise of self-conscious communities in Western Europe was coincidental with the introduction of the Aristotelian, classical concept of the State, makes it a difficult task, indeed, to say how much the contemporary scene shaped and orientated his teaching.

While few would deny that these natural-law principles are to be found in St. Thomas' political thought, the dispute centers about the balance he struck between Aristotelian and medieval elements. We shall now see, very briefly, what these medieval elements involved.

As general background, it is helpful to recall that in the preceding centuries, due to the relatively primitive condition of civil institutions, the temporal order often lacked the adequate cultural and social organs to discharge that function in the world that Aristotle and nature had assigned to it. Again, at the very time when there had not been a generally accepted natural-law theory of the State to protect,
at least theoretically, its fundamental rights from infringement, accidents of historical circumstance permitted the Pope to be as a lord to vassals, to be the arbiter of Europe’s quarrels, to play a role that was often purely political. We should hardly be surprised if secular prerogatives, if not anathematized, were largely over-shadowed by the brilliance of the Petrine monarchy. The attempt to make these circumstantial trappings a needed part of the Pope’s “fullness of power” began in earnest when the new Nation-States balked at being treated as though they were irresponsible minors. The problem was hardly simplified when the lay-lawyers, who were the architects of statecraft, urged the sovereign to a Byzantine-like interference in purely ecclesiastical questions.

It is in Innocent III (1198-1216) that we seem to find most perfectly realized the medieval ideal of the Pope as father and leader of Christendom. He saw the Empire as totally beholden to himself, but the other States only in certain particular cases. The justification for such intervention lies in the fact that the Pope can judge and censure any Christian whatsoever for his sins. The Pope is both teacher and ruler, a dual function symbolized by the Old Testament figure of Melchisedech, king of Salem and priest. While respecting theologically the distinction of the two powers, his interventions in all the affairs of Christendom, whether as its leader or as the judge of sin, stretched to its extreme consequences the subordination of the temporal to the spiritual.

With Innocent IV (1243-1254) we come closest to an official formulation of ecclesiastical absolutism. A former professor of Canon Law at Bologna, he showed himself expert in the precisely legal statement of papal prerogatives. In emphasizing the Pope’s suzerainty over the Empire, he prepared the way for the extension of this servile relationship to all the rulers of Christendom, a step taken by the papo-caesarists. Again, Innocent so exalted the spiritual power as the supreme expression of the moral order, that it becomes the norm and foundation for the whole of the political order. The Pope becomes not merely the judge, but the very author of political authority. Innocent IV, unlike Innocent III, did not hesitate to draw on the theocratic expressions of Hugh of Saint-Victor and John of Salisbury.

It was Hugh of Saint-Victor who introduced the political supremacy of the spiritual power as a part of theology. In his *De sacramentis* Hugh had written,

As the spiritual life is more worthy than the terrestrial, and the soul than the body, so does the spiritual power excel the terrestrial ... in honor and dignity. For the spiritual power has both to institute the
terrestrial power that it might exist, and to judge it, if it be not good. But it itself has first been instituted and, when it deviates, it can be judged by God alone.7

John of Paris was later to cite the first part of this text but, needless to say, without its embarrassing conclusion.8

When Hugh of Saint-Victor's (1110-1180) doctrine was echoed in John of Salisbury's Polychatic, and taken up without criticism by Alexander of Hales and Vincent of Beauvais, it seemed to be hardening into a theological tradition. What was St. Thomas' reaction to it? In his Commentary on the Second Book of Peter Lombard's Sentences9 St. Thomas seems to crystalize the sharp tension existing between Aristotelian thought and the theocratic tradition,

In reply to the fourth [we respond] that the spiritual and secular power are both derived from divine power; accordingly, the secular power is under the spiritual to the degree that God has placed it in subjection, sc. in those matters which bear on the souls salvation; and so in them the spiritual power is to be obeyed in preference to the secular. But in what relates to the civil good, the secular power is rather to be obeyed than the spiritual power, in accord with the text of St. Matthew XXII, 21, "Render to Caesar the things that are Caesar's." Unless, perchance, the secular power is also joined to the spiritual power, as [we have it] in the Pope, who holds the pinnacle of both powers, sc. the spiritual and secular, and this by the providence of Him Who is both priest and king, a priest forever, according to the order of Melchisedech, King of kings and Lord of lords, Whose power shall not be taken away, and Whose kingdom shall not decay unto endless ages. Amen.10

No commentator can afford to ignore this passage, and those who stress St. Thomas' moderation, his espousal of the Gelasian principle and Greek thought, often try to render it innocuous and of a piece with what he has held in other places, and, indeed, in the immediately preceding phrases, regarding the autonomy of the temporal power. Fr. Gilby seeks for implicit references to the historical situation: the Pope as Europe's arbiter according to human law, his suzerainty over Sicily, or "more probably [his] temporal suzerainty over the Patrimony of Peter and the States of the Church." 11 Against Fr. Gilby's interpretation it might be urged that the Pope is presented as occupying the pinnacle of both the temporal and spiritual orders precisely because Christ so disposed, and Christ is both priest and king. St. Thomas is talking about a principle: the competence of the State in the civil order. Then he emphatically places an exception to this principle which seems to mean that the Pope, according to Christ's will, is to be obeyed even in purely civil matters.

The explanation given by the Carlyles seems more likely. They find in this passage from his Commentary on the Sentences an unmis-
takable claim that the Pope holds the supreme authority in temporal as well as spiritual matters. They discern, however, in St. Thomas' later works, an implicit repudiation of this theocratic view. They would distinguish between St. Thomas in his normal or mature doctrine, and in his paradoxical or youthful moments. I also find helpful the suggestion made by Sabine in his *A History of Political Theory* (1950; rev.), that St. Thomas "was probably restrained by his Aristotelianism from developing the theological arguments used by extreme papalists who were less influenced by Aristotle."¹² Though Sabine does not have this troublesome text specifically in mind, it may very well be that we have here the neglected beginnings of theocratic ideas ever more completely checked by the dominant theme of Christian Aristotelianism.

Again, in the *Commentary on the Sentences*, this time in his discussion of marriage impediments, the Fourth Book, Distinction XXXVII, St. Thomas digresses to correct a statement attributed by Gratian to Nicholas I, that the Church has only the spiritual sword. Comments St. Thomas, "It has the spiritual [sword] only, with regard to execution, which is to be exercised by its own hand; but it also has the temporal by way of command: since it is to be unsheathed at its bidding, as Bernard says in the same place." Bonaventure, Peter of Tarantaise and Richard of Middleton placed the same distinction. Dom Leclercq's explanation seems forced, indeed, that St. Thomas *et al.* are talking about the distinction of the two swords exclusively as it relates to the punishment of adulterers. Since the distinction is found in that section of the commentary on the *Sentences* traditionally set aside for *textual* difficulties, or, as Bonaventure most clearly stated it, "Doubts about the letter of the Master's [text]," it is evident that their corrections of the Lombard must be viewed in a more general context.

Another text, *prima facie* disconcerting, but more easily explained is from Quodlibet XII.¹³ Here St. Thomas refers to Christian kings as the Pope's vassals. It seems hard to find fault with Fr. Gilby's explanation that Thomas is probably using the word vassal in an untechnical sense and by way of contrast to the days of persecution.¹⁴

If it is questionable procedure to explain away the earlier texts from the *Commentary on the Sentences* by comparing them to later passages in the *Summa*, it seems equally indefensible to project this earlier thought, and no one is certain of its exact intent, to color everything St. Thomas ever wrote on Church-State relations.

Jean Riviere, for example, while admitting that nowhere in the *Summa* do we see repeated St. Thomas' earlier statement that the
Pope “holds the pinnacle of both powers,” yet, finds it highly significant that St. Thomas sets it down as a principle “that the secular power is subject to the spiritual as the soul to the body.” 15 This, it will be recalled, is how Hugh of Saint-Victor began his proof that the spiritual power institutes and judges the temporal. Taken in actual context, however,16 we find that St. Thomas is quoting Gregory Nazianzenus, not Hugh. His own conclusion is that prelates may intervene in temporal matters insofar as the secular power is subject to the spiritual or in those things “which are entrusted to it by the secular power.”

In St. Thomas’ discussion of the deposition of heretical rulers or of freeing Christians from submission to non-believers, Riviere admits that we seem to have nothing more than an application of the indirect power. In the case of an heretical prince, his human right to rule is removed only by the Pope’s sentence, and this because great harm would come to the faithful, as happened under Julian, and because it brings about a total separation from God. St. Thomas does not mention “the other faults” similar to heresy, for which the prince might be deposed.17 What of infidel rulers? “The divine right which is from grace, does not remove a human right, which is from natural reason.” But, again, for the sake of the faith, the subjects of such a ruler may be absolved by the Pope’s sentence.18

Riviere insists, however, that while it is true that such accidental interventions by reason of sin are indirect in nature, St. Thomas gives to the Church a normal supremacy which it possesses by reason of the excellence of its end. In his On Princely Government (De Regimine Principum), Chapter XIV, he had written, “. . . and especially supremacy is committed to the High Priest, Peter’s successor and Christ’s Vicar, the Roman Pontiff; to him all kings in Christendom should be subject, as to the Lord Jesus Christ Himself.”

While we would agree with Riviere (and Griesbach) that the excerpt from the Commentary on the Sentences predicates full temporal power of the Pope, it is far less obvious that the above text from On Princely Government gives the Pope authority over “all secular rulers.” 19 In his Commentary on the Sentences St. Thomas had signalized an important exception with the words “unless, perchance” (nisi forte). It is as though St. Thomas had raised a warning finger. In the On Princely Government the phrase “and especially” (et praecipue) is hardly a warning that a crucial qualification is to follow. Again, one has here, as against the Sentences, fourteen other chapters as a clarifying context, in a treatise intended for one actually ruling in Christendom. It is also very important that while the Com-
mentary on the Sentences comes very early in his theological career, the On Princely Government probably came ten years later.

In the very sentence preceding this reference to the Pope, St. Thomas had indicated that the spiritual kingdom was entrusted to priests for the specific purpose that temporal affairs might be distinct from those that are spiritual. The sentence that follows is also important, "For those who are concerned with the subordinate ends of life must be subject to him who is concerned with the supreme end and be directed by his command." The following chapter (XV), "How to attain the aim of a good life in the political community" also sheds essential light on St. Thomas' intent.

But, as we have said, he who has care for supreme ends must have precedence over those who are taken up with ends subordinate to these ends, and must direct them by his authority; it follows, then, that a king, even if subject to that power and authority, must yet preside over all human activities, and direct them in virtue of his own power and authority.

How is the spiritual power, especially the Pope, to guide kings? "A king . . . being instructed in the divine law [by priests] must occupy himself particularly with ordering the multitude subject to him to the virtuous life."

We must not be too ready to interpret the Pope's royal priesthood, as explained in the On Princely Government, I, 14, in a hierocratic sense. Not only the surrounding context, but the very citation itself, should make us cautious. In his "La realza de Jesucristo en las obras de Santo Tomas," an article that appeared in the Ciencia Tomista in 1940, Dom Leclercq found that the Angelic Doctor's fundament for Christ's royalty is His Incarnation and work of Redemption. It is a celestial royalty. Thus, those who are baptized receive a royal and priestly dignity. In the On Princely Government, I, 9, St. Thomas had previously explained that all will be kings and will reign with Christ, as the members with the head. In the Third Part of the Summa St. Thomas cites St. Ambrose to the effect that Christ reigned not with any secular honor, for his kingdom was not of this world. Leclercq concludes that in St. Thomas' Christological terms, king is one of the notes contained in the concept of Christ as head (caput). Since St. Thomas did not devote so much as an article to Christ's royalty, comparing his scattered references is the only way open to us to interpret his doctrine correctly.

Though Dom Leclercq seems almost glib in the way he places the perhaps hierocratic text from In II Sent. in an innocuous setting, his principles as applied to On Princely Government, I, XIV, seem
quite valid. Chapter XV of this same work, in its emphasis on the Church as keeper of the divine law, seems to be striking confirmation of this.

Against Riviere, I do not see why St. Thomas' allowance that a ruler may be deposed by reason of sin may not be placed under the general principle that the Pope oversees the temporal order in all that looks to the last end. Torquemada's use of this guiding norm as the constant point of reference for his Thomistic Church-State doctrine, as we see it developed in his Summa de Ecclesia (1489) appears to be a truer insight. So, for Torquemada, correction or deposition of the temporal ruler is viewed as an application of the higher principle, precisely as the circumstances require it.

It is well worth noting, for an accurate appreciation of Aquinas' political thought, that all the texts adduced by some to show that he was at core medieval, even hierocratic, are static principles i.e. he never explains them by way of concrete application. Where actual cases are taken up e.g. deposition of an heretical prince, we always find the equivalent of a doctrine of indirect power at work.

Again, we believe that the following text from St. Thomas' discussion of fasting as a precept is very indicative of his idea of the Christian State's true function,

... as it concerns secular princes to enact legal statutes determinative of the natural law, in all that regards the common welfare in secular affairs; so also it concerns ecclesiastical prelates to command what regards the common welfare of the faithful in spiritual goods.

Admittedly, St. Thomas' political thought is sometimes far from easy to interpret. Speculative in approach, he is more concerned with abstract values than their realization in the existential order. Reticent in the face of delicate conflicts of interest, he manifests a measured, long-pondered, consideration of divergent interests and authorities. But unmistakably, there is at work a generous, open approach to lay values, an attitude that is at once Aristotelian and personal. If there are but three or four texts from the entire span of St. Thomas' writings which may be pointed to with even superficial plausibility as having a medieval flavor, then surely it is the non-medieval elements in his political doctrine which ought to be emphasized.

—Paul W. Seaver, O.P.
1 Though it has never been translated, we shall call the tract by Philip Hughes' title, rather than by its Latin original De Potestate Regia et Papali. 
3 Medieval Thought from St. Augustine to Ockham, Pelican (Penguin) Books, 1958, pp. 207-211.
4 From An Etienne Gilson Tribute, Milwaukee, Marquette Univ. Press, 1959, pp. 31-51.
6 Between Community and Society, 1953; Principality and Polity, 1958, London, Longmans.
7 II, pars II, c. 4.
8 Quidort, p. 184 from Leclercq's critical edition.
9 d. 44, q. 3, a. 4, ad 4um.
10 A handy collection of St. Thomas' texts with both the Latin originals and an English translation, may be found in Aquinas: Selected Political Writings, trans. by J. G. Dawson; Oxford, Basil Blackwell, 1948. Dawson was used as a point of reference for the translations in this article.
11 Between Community and Society, pp. 53, 4.
13 Quodlibet XII, xiii, 19, ad 2.
15 Riviere, pp. 48-51.
16 II-II, q. 60, a. 6, ad 3ium.
17 II-II, q. 12, a. 2.
18 II-II, q. 10, a. 10.
19 Griesbach, p. 46.
20 pp. 144-156.
21 In IV Sent., d. 7, q. 3, a. 3, ad sol. II.
22 III, q. 31, a. 2, ad 3ium.
23 I, II, cc. 113-116.
24 II-II, q. 147, a. 3.

Medieval descriptions of Christ's royalty have been an object of continued study by Dom Leclercq. The interested reader may consult his recent L'Idee de la Royaute du Christ au Moyen Age (Unam Sanctam, No. 32), Paris, Editions du Cerf, 1959.