

Pascendi Dominici Gregis at 100

Two Modernisms, Two Thomisms: Reflections on the Centenary of Pius X's Letter Against the Modernists

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Introduction

THIS YEAR marks the centenary of Pope Pius X's condemnation of Modernism. The condemnation appeared in two documents during the summer of 1907. The Roman Inquisition published the decretum *Lamentabili Sane* (July 3, 1907), containing a syllabus of sixty-five modernist propositions.¹ Two months later, under his own name, Pius X issued the encyclical *Pascendi Dominici Gregis*, On the Doctrines of the Modernists (September 8, 1907). Admitting that his exposition was unusually prolix and didactic, Pius X insisted that such was necessary to deal with Modernism as a "whole system," indeed as "the synthesis of all heresies."²

In January 1908, *The Dublin Review* published an editorial on the encyclical.³ The editor, Wilfrid Ward, immediately proffered obedience to

¹ *Lamentabili Sane*, was signed by Pietro Palombelli, Notary of the Supreme Congregation of the Holy Roman and Universal Inquisition, but it contained the notification that Pius X had approved and confirmed the syllabus, and that "every one of the above-listed propositions be held by all as condemned and proscribed." Pii X P.M., *Acta* V, 76–84.

² "Iam systema universum . . . ut omnium haereseon conlectum." *Pascendi Dominici Gregis*, §39 (*Acta* IV, 93). For Pius X, not just one, but virtually all sectors of sacred doctrine were being reduced to evolving historical constructs.

³ "The Encyclical *Pascendi*," *The Dublin Review* 142 (January/April 1908): 1–10.

what he called “the act” of the Holy See condemning the doctrine of the Modernists. He was not pleased, however, with what he called “the document.” He complained that it left too vague the origin, definition, and scope of Modernism.⁴ It was clear enough, Ward conceded, that the pope wished to condemn the principle of “subjectivism in religion.” So stated, Modernism would seem to be nothing other than generic Liberalism in matters of religion and theology.⁵ If read as a “newspaper article,” generalizations and “isolated passages” would too easily furnish partisans with cudgels by which to censure certain books and theologians, not to mention any number of merely half-baked ideas, that were not mentioned in the encyclical itself.

⁴ The word *modernismus* had not appeared in the writings of Pius X’s predecessors, Pius IX and Leo XIII. In *Aeterni Patris* (1879) Leo rarely used the word *modernus*, much less *modernismus*. Rather, in connection with methods, ideas, and sciences, he used terms like *recentis* (recent) or *hodiernus* (contemporary). One or another variant of the word “modern” did not stand on its own for the purpose of describing, listing, or collecting errors. The Roman Magisterium had plenty of other words that could be wheeled out, as the occasion required, for indicating errors: e.g., *rationalismus*, *pantheismus*, *indifferentismus*, *socialismus*, or *liberalismus*. All of these can be found in Pius IX’s *Syllabus of Errors*, attached to the encyclical *Quanta cura* (1864). But we do not find *modernus* or *modernismus*. But, see three Leonine uses of the term *modernus* which run in the direction of Pius’s pejorative sense: (1) “in treating of the so-called modern liberties [*de modernis, uti loquuntur*], distinguished between their good and evil elements; and We have shown that whatsoever is good in those liberties is as ancient as truth itself, and that the Church has always most willingly approved and practiced that good: but whatsoever has been added as new is, to tell the plain truth, of a vitiated kind, the fruit of the disorders of the age, and of an insatiate longing after novelties” *Libertas praestantissimum* (1888) §2 (Leonis XIII P.M., *Acta VIII*, 213); (2) “Substantially the struggle is ever the same: Jesus Christ is always exposed to the contradictions of the world, and the same means are always used by modern enemies of Christianity [*les ennemis modernes du christianisme*], means old in principle and scarcely modified in form” *Au milieu des solitudes* (1892) §12 (Leonis XIII P.M., *Acta XII*, 27); (3) “Superficial erudition or merely common knowledge will not suffice for all this—there is need of study, solid, profound and continuous, in a word of a mass of doctrinal knowledge sufficient to cope with the subtlety and remarkable cunning of our modern opponents [*de nos modernes contradicteurs*]” *Depuis le jour* (1899) §48 (Leonis XIII P.M., *Acta XIX*, 187). The last citation is taken from Pecci’s pastoral letter (19 July 1866), written in Perugia in the wake of the *Syllabus*.

⁵ Ward was referring to the concluding error (# 65) in the syllabus of *Lamentabili Sane*: “Contemporary Catholicism can be reconciled with true science only if it is transformed into a non-dogmatic Christianity, that is to say, into a broad and liberal Protestantism” (*Catholicismus hodiernus . . . in protestantismum latum et liberalem*). *Acta V*, 84.

Presciently, he worried that the term could draw into its net a millennium of Catholic intellectual labor devoted to reconciling the *moderni* (the new authors, books, ideas, devotions) with the *antiqui* (with its authors, books, and ideas). For example, Pius X quoted Gregory IX's letter written in 1223 about certain nefarious *moderni* at the University of Paris, suggesting that the precedent for Modernism was the reception of Aristotle among the Parisian masters.⁶ In point of fact, Gregory supported Aristotelian scholasticism and had criticized only certain translations and commentaries of an Averroistic bent. Read without qualifications drawn in the rest of the Gregorian letter, the reader of *Pascendi* might conclude that just as the *moderni* of the thirteenth-century schools were once roundly condemned, so too must we reject whatever proves to be modern in theology.

The reader of *The Dublin Review* would have understood the problem raised so delicately by Ward. In 1879 Leo XIII issued *Aeterni Patris*, calling for a revival of scholastic philosophy and theology. He insisted that the Catholic mind ought to do just what the careless reader of *Pascendi* might construe as forbidden. Namely, to harmonize the modern sciences with scholastic philosophy. Leo proclaimed, "The best parent and guardian of liberty amongst men is truth."⁷ The proper response to the *moderni* is critical openness to truth and to all of the sciences. Not, of course, openness in a haphazard way. Leo recommended not merely a generic scholasticism as the frame of reference, but a more specific scholasticism culled from St. Thomas. Thomas's philosophy, he believed, provided the best combination of core principles and synthetic reach on disputed issues in modern times.

Regarding the normativity of Thomas's thought, Leo wrote:

While, therefore, We hold that every word of wisdom, every useful thing by whomsoever discovered or planned, ought to be received with a willing and grateful mind, We exhort you, venerable brethren, in all earnestness to restore the golden wisdom of St. Thomas and to spread it far and wide for the defense and beauty of the Catholic faith, for the good of society, and for the advantage of all the sciences. The wisdom of St. Thomas, We say; for if anything is taken up with too great subtlety by the Scholastic doctors or too carelessly stated—if there be anything that ill agrees with the discoveries of a later age or, in a word, improbable in whatever way—it does not enter Our mind to propose that for imitation to Our age. Let carefully selected teachers endeavor to implant the doctrine of Thomas Aquinas in the minds of students and set forth clearly his solidity and excellence over others. Let the universities already founded or to be founded by you illustrate and defend this

⁶ Pius X, *Pascendi*, §17 (*Acta* V, 64 n. 8).

⁷ *Immortale Dei* (1885), §40 (Leonis XIII P.M., *Acta* V, 144).

doctrine and use it for the refutation of prevailing errors. But, lest the false for the true or the corrupt for the pure be drunk in, be ye watchful that the doctrine of Thomas be drawn from his own fountains, or at least from those rivulets which, derived from the very fount, have thus far flowed, according to the established agreement of learned men, pure and clear; be careful to guard the minds of youth from those which are said to flow thence, but in reality are gathered from strange and unwholesome streams.⁸

Ward did not mention—and perhaps did not even notice—that Pius X quoted only the sentence regarding the “too great subtlety of the Scholastic doctors.”⁹ Left out is the opening exhortation regarding receptivity to truth “by whomsoever discovered or planned.” He also elides Leo’s explicit recognition that Thomas is mediated by tradition(s), or “rivulets” (*ex iis rivis*), which need to be discerned with regard to the fount (*ab ipsa fonte*). In other words, Leo’s program looked backward, from the traditions to the original, and forward toward a constructive engagement with modern philosophy and science. For his part, Pius X moves directly to a disciplinary matter. Leo’s prescription must be “strictly observed” by all bishops and religious superiors. Seminary professors, he adds, may not disparage or set aside Thomas “especially in metaphysical questions” (*praesertim in re metaphysica*).¹⁰ What began in Leo’s encyclical as a program for reckoning with contemporary philosophy and science had been turned into a quite different conversation, emphasizing discipline *ad intra*.

What accounts for these different points of view? Pius X made it clear that the adversaries of Catholicism now are “not from without but from within.”¹¹ Along with its disciplinary apparatus, *Pascendi* treats the *moderni* as an “intestine” disorder to be purged from the bowels of the Church, and then only with great difficulty because this cancer has what Pius X calls a “manifold personality.”¹² The *moderni* are shape-shifters and therefore must be astutely diagnosed according to their diverse and often misleading symptoms. Pius X is concerned not merely to distinguish true from false philosophy, but to detect true from false churchmen. Thomism was brought into the center of that diagnostic task. While Leo and Pius X agreed on the practical conclusion, that Thomas ought to be privileged in institutions of ecclesiastical formation, we cannot ignore their quite

⁸ Leo XIII, *Aeterni Patris* (August 4, 1879), §31 (Leonis XIII P.M., *Acta* I, 283).

⁹ Pius X, *Pascendi*, no. 45 (*Acta* V, 102).

¹⁰ *Ibid.*

¹¹ *Ibid.*, no. 3 (*Acta* V, 48): “Nam non hi extra Ecclesiam, sed intra.”

¹² *Ibid.*, no. 5 (*Acta* V, 50): “Modernistarum quemlibet plures agere personas ac veluti in se commiscere.”

different conceptions of how the Catholic (and Thomistic) mind ought to situate and dispose itself to modernity.

We will argue that the differences between *Aeterni Patris* and *Pascendi* contain *in nucleo* not only a tension between a constructive and synthetic Thomism on the one hand and a legislated or disciplinary Thomism on the other.¹³ Deeper still was another tension—best understood in terms of two different aspects of modernity with which Catholicism had to reckon. The two are interlaced and therefore are not easily separated. But they can be distinguished.

For purposes of our inquiry, the first is modernity as social, economic, political, and legal phenomenon. We are speaking of those aspects of modern life that made necessary the development of what came to be called “social doctrine.” Pius XI (1922–39) is the first pope to speak explicitly of social doctrine as a unified body of teachings that develop by way of clarity and application.¹⁴ How should Catholics live in a world in which political Christendom is defunct? Both chronologically and in the lived experience of Catholics, this cluster of questions came first. The second theme is modernity as philosophical system that displaced, or at least threatened, what could be called the *praeambula fidei*. Again, for our purposes, these “preambles of faith” include truths known in principle by natural reason, particularly on issues having a propinquity to sacred doctrine.¹⁵ They can be summarized in the pithy remark by Pius X in reference to the obligation of seminary professors to adhere to Thomas *praesertim in re metaphysica*.

The revival of Thomism was closely connected to the search for an adequate social doctrine or, to use the older term, a *doctrina civilis*. But the problem of the *praeambula fidei* was never far behind the curve of political and social questions. It became an especially pressing issue after the First Vatican Council (1869–70), when the Church had the liberty and the will

¹³ The expression “disciplinary or legislated Thomism” is taken from the magisterial essay by James A. Weisheipl, O.P., “Thomism as a Christian Philosophy,” in *New Themes in Christian Philosophy*, ed. Ralph M. McNerny (Notre Dame, IN: University of Notre Dame Press, 1968), 184.

¹⁴ Pius XI said that he inherited a “doctrine” handed on from the time of Leo XIII. *Quadragesimo Anno* (1931) §§18–21 (*AAS* 23, 182–84). See, also, Mary Elsbernd, *Papal Statements on Rights: A Historical Contextual Study of Encyclical Teaching From Pius VI–Pius XI (1791–1939)* (Ph.D. diss., Catholic University of Louvain, 1985), 587 n. 1, on the emergence of the term *doctrina*.

¹⁵ Debates among Thomists over the status of the *praeambula* is thoroughly covered by Ralph M. McNerny, *Praeambula Fidei: Thomism and the God of the Philosophers* (Washington, DC: The Catholic University of American Press, 2006). Note especially the historical chapters in Part II on the post-Leonine disputes.

to refashion its internal order—particularly the seminaries—according to Roman norms. Thus, the title of this essay “Two Modernisms, Two Thomisms.” Beginning in the nineteenth century there emerged two distinct sets of problems for which Thomism was to provide the remedy.¹⁶ Leo’s project included both, but with a decided emphasis upon the social. Pius X’s included both, but with an even more decided emphasis upon the philosophy officially needed *ad intra* to buttress sacred doctrine.

To prepare ourselves for this discussion, it is necessary to take a bird’s-eye view of the historical events in response to which modernity became a Catholic problem and, what is more, a problem to be understood in Thomistic terms. Among other things, we must consider early efforts by Rome to create lists or syllabi of modern errors. This is of some consequence to our story, because Leo revived Thomism in order to find an alternative to the “lists.” The reader will bear in mind that it is not our intention to pass judgment on these syllabi and lists as regards their content, at least not on their substantive merit. It will suffice to show how they positioned the Church to fashion two distinct responses to modernity and how Thomism was drawn into the different orbits of the question.¹⁷

Modern Times

Catholicism was not, as commonly depicted, dragged kicking and screaming into modern times. For several centuries, Catholicism was comfortably—perhaps all too comfortably—adapted to many aspects of modernity. Beginning with the discovery of the New World and the projection of Catholic missions to four continents, many Catholics—clerical and lay—understood that they lived in a new era of exploration, industry, education, art, vernacular literatures, devotions, science, and philosophy. The Reformation and religious wars, culminating in the treaties of Westphalia (1648), destroyed the medieval common law of Christendom by creating a system of states having diverse confessional allegiances. Innocent X declared Westphalia “null, void, invalid, iniquitous, unjust, damnable, reprobate, inane, empty of meaning and effect for all time.”¹⁸

Even so, a *new* common law evolved among the peoples under Catholic rule. It was built upon a complex and evolving set of treaties, informal agreements, and legal fictions through which the Church conceded to Catholic sovereigns rights and obligations over many aspects of ecclesiastical life (the so-called *ius patronatus*), in exchange for which the sovereigns

¹⁶ See note 95 on Pius XI’s understanding of the two modernisms.

¹⁷ I have left out of this account the issue of biblical studies and interpretation, which is very important to the modernist controversy.

¹⁸ Innocent X, *Zelo Domus Dei* (November 26, 1648).

protected the Church from schism and supplied the material resources and governance for the far-flung missions across the world. The sovereigns were deemed junior apostles, entitled to rule “in trust” the quotidian life of the Church in Europe and in her colonies. Innocent X’s declaration that Westphalia was “empty of meaning and effect for all time” remained on the books, as it were; but on the ground, Catholicism developed a remarkable symbiosis with the new system of sovereignty—so long as it was in the hands of Catholic families. In fact, the modern state was assembled within the Catholic world, beginning on the Iberian peninsula in 1492, but especially in the bureaucratic system that emerged in the Spanish dominions overseas.¹⁹ It required a deep and extensive cooperation of ecclesiastical and civil authorities. To the very end, on the eve of the French Revolution, this modernity, as it were, was not perceived as a special problem either *ad intra* or *ad extra*. For Catholics it was a political culture involving an intricate minuet of ecclesiastical powers, new religious orders, and ruling dynasties.

I shall not try here to cover these earlier centuries in proper detail, but one story might suffice to convey something of its mindset. On December 15, 1781, Pope Pius VI dispatched from Rome a courier carrying a secret letter to be delivered by the papal nuncio to the Emperor of the Romans, Joseph II. The letter announced the pope’s intention to visit Vienna in two months’ time to treat with the emperor on issues of ecclesiastical jurisdiction and disputes over territories in the north of Italy. The Crown Cardinal from France, Cardinal de Bernis, warned that the pope would “give the signal of a paper war” with much stronger governments, and thus

¹⁹ Restricting ourselves only to Spain, Pope Alexander VI issued the bull *Inter Caetera* (1493), conceding to the Spanish monarchs title to the lands discovered and still to be discovered in the Indies. This was followed in 1508 by Julius II’s bull *Universalis Ecclesiae*, conceding a universal patronage over the Church in America. Within a century, however, the delegation had been delegated once again. A royal law in 1609 entrusted the *ius patronatus* in cases of lesser ecclesiastical positions to viceroys who came to control the appointment of parish priests. The panoply of Church life, from councils and synods, episcopal chancelleries and ecclesiastical courts, the publications of papal bulls and rescripts, tribunals of the Inquisition, down to the quotidian life of parishes, schools, and hospitals fell to the plenary authority of the king. By concordat in 1753 Benedict XIV extended the patronal right throughout all of Spain. And thus came into existence what was called the *Patronato Real Universal*, which now encompassed Grenada (1486), the Indies (1508), and continental Spain (1753). Rome had never before conceded, nor had any Catholic prince received, such a package of delegated authority. For the legal structure and history of the *Patronato Real*, one can rely on studies by W. Eugene Shiels, *King and Church: The Rise and Fall of the Patronato Real* (Chicago: Loyola University Press, 1961); and on broader historical canvas, the work by J. H. Elliott, *Empires of the Atlantic World* (New Haven: Yale University Press, 2006).

“give birth to a discussion which the very interest of religion requires you to avoid.”²⁰

What was a “paper war,” and why was it deemed injurious to the “interest of religion”? In sum, paper wars included lists of complaints or errors, or—what was even worse—exercises in speculative theology tending to disturb the common law of Christendom. A serious paper war erupted during the reign of Louis XIV who induced popes to issue six bulls against the Jansenists, the most famous being *Unigenitus* (1713),²¹ which condemned some 101 propositions extracted from Pasquier Quesnel’s *Réflexions morales sur le Nouveau Testament*. It proved disastrous, not only for the moral authority of the papacy and for the stability of the French crown, but also for the Jesuits, who eventually would be expelled from France (1764) and suppressed by the papacy (1773).

The French Revolution’s *Civil Constitution of the Clergy* (1790) unilaterally overturned the modern common law of political Christendom. Church governance was handed over *not* to the mischievous but familiar Catholic families, but instead was given to the nation. The clergy became civil servants elected by democratic vote. This model spread to the former colonies, particularly in Latin America. Rights once belonging to the Church had been transferred to kings, and now to the nation. The state was no longer governed by anointed laity, but by a new doctrine of *laicism*. Joseph de Bonald and François-René de Chateaubriand founded the journal *Le Conservateur* in 1818, introducing the term “conservative” into the political idiom of European politics. (Conservative, it should be noted, did not mean the opposite of “modern” but rather of “anarchical.”)

What was to be “conserved”? There was more than one answer. Politically, the thing to be conserved was the first modernity, the modern relationship between throne and altar that evolved after the religious wars. Thus, the Congress of Vienna in 1815 attempted to restore the union of throne-and-altar, hoping to contain if not defeat the forces of anarchy. In Rome, Pius VII established in 1801 the Congregation of Extraordinary Affairs. It became a kind of kitchen cabinet that oversaw relations between Rome and the civil powers.²² Rome went into an emergency

²⁰ Jean Francois Baron de Bourgoing, *Historical and Philosophical Memoirs of Pius the Sixth*, vol. I (London: G. G. and J. Robinson, 1799), 221.

²¹ *Unigenitus Dei Filius* (September 8, 1713); Denzinger-Hünemann (1997), §§2400–2502.

²² It would have a long life, lasting with only slight adjustments until 1967. Gregory XVI will make the Secretary of State a member *pro tempore* and executor of the Congregation’s resolutions. In 1908, Pius X made it one of three sections of the Secretariat of State.

mode, resolved to handle the Church-state crisis on an ad hoc basis. But it also signaled that there would be no over-arching doctrine to meet the crises. Encyclicals of the era urged Catholics to obey legitimate authority, beginning with the pope's own temporal authority in the papal states. This was the era of Restoration or Legitimism.²³

Yet there was also a quite different and more radical notion of what had to be conserved. In the aftermath of the Revolution, Catholic reactionaries and liberals disagreed about the proper political response. Reactionaries like Joseph de Maistre, Bonald, and Donoso Cortés argued that the new ideas, new constitutional foundings were inherently unable to master the dynamics of revolution and anarchy. They recommended more rather than less repression by the police powers of state. Liberals, like Lamennais, Montalembert, and Lacordaire argued that the revolutions could be tamed by moderate, liberal constitutions, such as the Belgian Constitution of 1831—the first European constitution to renounce civil control of the Church. But both camps agreed on one cardinal point: That the common law of modern Christendom was itself the cause of the troubles. Neither side wished to conserve the *ancien régime* just as such. They did not need to read Tocqueville to understand that the so-called *ancien régime* was not medieval, but something quite modern.

So, they returned imaginatively and critically to the work of Gregory VII during the Investiture Controversy of the eleventh and twelfth centuries. It was Joseph de Maistre who first insisted that Gregory VII's work had to be completed in modern times. Maistre criticized the ecclesiology of national churches, and he accused kings and princes of a "great rebellion."²⁴ For Maistre, Gregory VII was "the genius," the man without whom "all was lost, humanly speaking."²⁵ Interestingly, in this context, Gregory VII was the "modern" because his reform was put in opposition to the "feudal," which is to say, vassalage of the Church to lay powers. To declare Gregory VII the model for the Church's relations to the restored crowns of 1815 was a most unlikely proposition. But the idea was vigorously and publicly pursued by virtually all of the important Catholic writers in the wake of the Revolution.²⁶ To speak of the Gregorian

²³ No encyclical better exhibits the principles and the failure of Legitimism than Gregory XVI's *Cum Primum* (June 9, 1832) commanding the Poles to obey the czar.

²⁴ Joseph de Maistre, *The Pope*, trans. Aeneas M. Dawson (1819; London: C. Dolman, 1850), III.4, at 277.

²⁵ *Ibid.*, II.12 at 199; III.2 at 255.

²⁶ Notable works in this genre include: Félicité Robert de Lamennais's notes on the history of the Gregorian reform, *Tradition de l'église sur l'institution des évêques* (1814); Dom Guéranger's *Affaire de la Légende De Saint Grégoire VII, in Institutions*

reforms as a model for the era of Restoration not only seemed anachronistic, but if put into effect it would mean that the Gregorian critique of the lay control of the Church had to be applied first against the remnants of Catholic temporal authorities, and second against the new, laicist states.

Improbably, this is exactly what found its way into papal rhetoric. From Clement XI (1700) until the election of Pius VI (1775), we find only a single reference in Roman teaching documents to Acts 5:29, "We must obey God rather than men."²⁷ Then it went into abeyance until after the *Syllabus of Errors* (1864). Recovered from its desuetude by Pius IX, Acts 5:29 became the text by which Roman authorities traced the boundary of Matthew 22:21 regarding the things not owed to Caesar. The Roman Magisterium was ready to critically engage and freely criticize the ruling powers. What had changed?

The Paper War of Pius IX: *Syllabus of Errors*

The *Syllabus of Errors* stood on a simple fact of political history. In 1860 Pius IX lost his Italian dominions to the House of Savoy, which installed not merely a lay state, but a laicist state. The Restoration was defunct. Pius's secretary of State, Cardinal Antonelli, confided to a British envoy that "exclusively Catholic governments had virtually ceased to exist."²⁸ The triumph of the Italian *Risorgimento* had the unintended effect of removing any inhibition of the papacy to speak on matters political. But how should it speak? There had been no systematic political theology for two centuries, since the school at Salamanca. Pius IX and his advisors cobbled together a number of pontifical statements and admonitions, grouped them under various headings, and fired away.

liturgiques, t. II, ch. XXI (1841); Henri Lacordaire's *Éloge Funèbre De Daniel O'Connell* (February 10, 1848); John Henry Newman's *Present Position of Catholics in England* (1851); Wilhelm Emmanuel von Ketteler's *Freedom, Authority, and the Church* (1862), XXV; Donoso Cortés's Letter to Cardinal Fornari (June 19, 1852), which provided notes for an early version of the *Syllabus of Errors*; and Antonio Rosmini's *Delle cinque piaghe della Santa Chiesa* (1832, 1848), a passionate but scholarly compendium of arguments against civil control of the Church. As late as Vatican II, the Gregorian theme was used by John Courtney Murray, S.J. See note 81 below.

²⁷ In a secret consistory during the Revolution, Pius VI once mentions Acts 5:29. For his remarks at the Quirinal (September 26, 1791), see M. N. S. Guillon, *Collection générale des brefs et instructions de Notre Très-Saint Père le Pape Pie VI, relatifs à la révolution Française*, vol. 2 (Paris: Chez Le Clere, 1798), 188–91.

²⁸ Lord Odo Russell to Earl of C. (March 7, 1870), in *The Roman Question, Extracts from the Despatches of Odo Russell from Rome, 1858–1870*, ed. Noel Blakiston (London: Chapman and Hall, 1962), 404.

Attached to the encyclical *Quanta Cura* (1864), the *Syllabus* lists eighty propositions. They are somewhat confusing because almost every erroneous proposition is stated in the affirmative. The reader must negate the affirmative proposition. So, for example, proposition 80 states that the Roman Pontiff ought to “reconcile himself to contemporary liberalism,” the negation of which *might* be “the pope is not obliged to reconcile himself to contemporary liberalism”; but it could *also* be, “the pope is not obliged to reconcile himself to this or that brand of liberalism, or not obliged to reconcile himself to liberalism as it is understood today.” Indeed, the search for a proper set of negations became very important to the Church’s response to the problems of the mid-nineteenth century.

From the outset, churchmen understood the problem of promulgating lists of errors. Catholic journals, including *The Dublin Review* considered republishing the *Syllabus* as a set of negative propositions.²⁹ In France, there was talk of making a new catechism out of the *Syllabus*, prompting the Minister of Public Worship to decree on January 1, 1865, that *Quanta Cura* and its appendix could not be addressed from the pulpit. Félix Dupanloup, the bishop of Orléans wryly responded, “this is done in the name of Gallican liberties, based on two specially liberal Sovereigns, to wit, Louis XIV, and Napoleon I.”³⁰ Dupanloup argued for a sensible principle of interpretation. He contended that the erroneous propositions listed in the *Syllabus* should be read as Liberal theses—Liberal “universals” as it were. A false theory when turned into a universal principle is bound to be bad in a great number of cases, and for that reason must be repudiated. Take proposition 42: “In the case of conflicting laws enacted by the two powers, civil law prevails.” This is not always true and therefore must be negated. Or take proposition 39: “The State, as being the origin and source of all rights, is endowed with a certain right not circumscribed by any limits.” This proposition is never true. But, alas, Dupanloup’s method required considerable sophistication. The ordinary person had to keep fixed in mind that the *Syllabus* lists liberal theses rather than Catholic doctrines, and then had to go in search of just the right negation.³¹

²⁹ See the account by Wilfrid Ward in *William George Ward and the Catholic Revival* (London: Macmillan, 1893), 242f. His father, William George Ward, editor of *The Dublin Review*, was also inclined in this direction, but reluctantly begged off (257).

³⁰ Msgr. Felix Dupanloup, *Remarks on the Encyclical, of the 8th of December, A.D. 1864* (32nd Paris ed., *Convention du 15 septembre et l’encyclique du 8 décembre*) trans. William J.M. Hutchinson, 2nd ed. (London: Burns, Lambert, & Oates, 1865), 4.

³¹ It also caused confusion because Catholics had already converted the (liberal) affirmations into negations, thus making it seem that it was the Catholic thesis that had to be derogated or qualified. On this view, the Catholic thesis (every state must have a religion) could be bent, in hypothesis, to cover certain exceptions

Despite such confusions, Pius IX clearly set forth the purposes and targets of the *Syllabus*. At the beginning of his encyclical, he notes that the errors are “opposed to the eternal natural law engraven by God in all men’s hearts, and to right reason; from which almost all other errors have their origin.”³² The chief harm, he says, is to the “good of human society.” The ideologues of state power intended nothing less than “to raze the foundations of the Catholic religion and of civil society.” This is not a disciplinary encyclical on matters *ad intra*. Rather, it is firmly anchored in the political questions following the revolutions of 1848. It would be difficult to imagine a more extroverted encyclical.

For our purposes, three things are important, and each supports our thesis that the social-political problem came first. First, among the *Syllabus*’s eighty propositions only seven are not directly related to the issue of Church and state (but also, by implication, marriage, family, education, sodalities, etc.). Second, only four are culled from papal statements prior to the revolutions of 1848. This is a fact of some importance, because it indicates that Pius IX and his editors knew they were entering a new situation. Third, the core of the document, propositions 19–55, laid waste to the older common law of Christendom.³³ In proposition after proposition, Pius IX flatly denies the rights once exercised by Catholic sovereigns, and now by nation-states. He declares, in effect, the independence of the Church not only in matters of ordinary governance (sacraments and the episcopacy), but also with regard to schools, religious orders, marriage and families, and sodalities. Although he did not intend to inaugurate what came to be known as Catholic social doctrine, many of the rudiments of this tradition are found in the *Syllabus*.

Five years later, parts of the *Syllabus* were reworked into five chapters and twenty-one canons of the first draft of the conciliar document *De*

from the ideal. See M. Bévenot, S.J., “Thesis and Hypothesis,” *Theological Studies* 15 (1954): 440–46. Bévenot points out (433) that the confusion was due, in part, to the fact that one year earlier, in an unsigned article (attributed to C. M. Curci), *Civiltà Cattolica* had reversed the distinction. Fixed principles of ontology were identified with the “thesis,” while the “hypothesis” stood for things as they might become by intrusion of accidental circumstances, perhaps regrettable and sometimes criminal. (*Civiltà Cattolica*, 5th series, 8 [October 2, 1863]: 129–49). The *Syllabus* was turned upside-down, but this perspective did not always afford a better view. Confusions about the thesis-hypothesis distinction would haunt Catholic thought for the better part of the next century.

³² *Quanta cura* (December 8, 1864), §2 (Pii IX P.M., *Acta* I/3, 689).

³³ *Syllabus* (*Acta* I/3, 701–717).

Ecclesia Christi.³⁴ If conjoined to the doctrine of universal jurisdiction of the pope, the net effect would amount to something like a doctrinalization and enforcement of Gregory VII's reforms, albeit in a completely different time and place. The courts and cabinets of Europe certainly interpreted things in just this way. They were furious that the old fool, the epileptic, the so-called "Oracle of the Tiber," had out-maneuvered them. As it turned out, the chapters and canons drawn from the *Syllabus* had to be dropped because the bishops could not agree on any over-arching theory to unify them. And, of course, they worried about being harassed by their home governments. In July 1870, they gave the papacy universal jurisdiction and went home.

The *Syllabus* and Vatican I laid out the predicates of ecclesiastical order unfettered by civil control. They killed Gallicanism—no more national churches, no Catholicism controlled by local ecclesiastical and lay elites. The theory and the legality of the act were hardly developed or aligned, one with the other. Yet even Catholics like John Henry Newman and Bishop Von Ketteler, who were diffident about the timing of the decrees on papal infallibility and the award of universal jurisdiction, publicly celebrated the result. Newman admitted that "there will be no more of those misunderstandings out of which Jansenism and Gallicanism have arisen, and which in these latter days have begotten here in England the so-called Branch Theory."³⁵

The Leonine Project: A Thomist Response

When Leo was elected in 1878, he inherited an incomplete revolution. Unlike the time of Trent, he had no full set of conciliar doctrines; he had no new catechism; and, none of the revolution had been canonically codified (which will await the Pio-Benedictine *Code of Canon Law* of 1917). He inherited a fact, or a deed, rather than a coherent *doctrina civilis*. Therefore, he had to put three things into some kind of synthesis:

First, the *Syllabus of Errors*, with its eighty propositions, which had to be converted not merely into negations but into an adequate *doctrina civilis*.

³⁴ Ioannes Dominicus Mansi, ed., *Sacrorum Conciliorum Nova et Amplissima Collectio*, vol. 51, *Primum Schema Constitutionis de Ecclesia Christi* (Arnhem and Leipzig, 1926), chs. X–XV, 543–51; canons I–XXI, 551–53.

³⁵ *Letters and Diaries*, vol. XXV, 1873–77, 259. In 1883, when the Gladstone government introduced an Affirmation Bill that replaced the oath invoking the name of God, Newman refused to join other church leaders in protest; the God of Christianity, he thought, had long ceased to be the God of Parliament. *Ibid.*, vol. XXVIII, 206.

Second, Vatican Council I's Constitution *Dei Filius*, ratified unanimously in the spring of 1870, keyed itself to Wisdom 8:1, where Scripture says that divine providence governs all things sweetly [*suaviter*]. *Dei Filius* asserted that God is the "Lord of the Sciences," that faith and reason have distinct objects and ends which are mutually supportive, and that the "assent of faith is by no means a blind movement of the mind."³⁶ The preambles of the faith needed to be clarified and organized for modern times.

Third, he inherited from the Council authority to directly teach the Catholic world without interference of the state.

The question, then, was how to put these three together. The answer, in part, was to bring his Perugian Academy of St. Thomas Aquinas to Rome, and to make two of its faculty (one of whom was his brother) cardinals. A year later, he issued *Aeterni Patris* (1879).

Before we turn to that encyclical, two points need to be made. First, it should be mentioned that Leo never trusted the Romantic Reactionaries of the early nineteenth century. In his view, they gave a one-sided, and inadequately philosophical, response to the Enlightenment. In his famous *Speech on Dictatorship* (1849), Donoso Cortés asserted that, "[T]here are no more than two possible forms of repression. . . . There is a law of humanity, a law of History."³⁷ God does not subject creatures only to the natural laws. He is also a dictator in the sense that his decrees can bend or suspend the natural course, and hence by particular Providence history is the theatre of divine admonition and grace.³⁸ And as God governs in both modes of by pure positivity of power, dictatorially, as it were, so too in human societies we see the governance of the state and the Church.³⁹

For Leo, the idea of a divine dictator suspending the laws of nature, imposing a twofold order of repression, could not be reconciled with *Dei Filius*, which affirmed a twofold order of providence and a twofold order of knowledge rather than two modes of repression. It was the last thing

³⁶ *Pastor Aeternus* (July 18, 1870), cap. III, in *Decrees of the Ecumenical Councils*, vol. 2, ed. Norman P. Tanner (Washington, DC: Georgetown University Press, 1990), 813f. *Dei Filius* (April 24, 1870), cap. IV, in Tanner, *Decrees*, vol. 2, 808.

³⁷ "Speech on Dictatorship" (January 4, 1849), in *Selected Works of Juan Donoso Cortés*, trans. Jeffery P. Johnson (Westport, CT: Greenwood Press, 2000), 53.

³⁸ "So gentlemen, when God operates in this way, can it not be said, if human language can be applied to divine things, that he is operating dictatorially?" *Ibid.*, 48.

³⁹ Interestingly, Donoso was invited to assist with an early draft of the *Syllabus of Errors*. Letter to Cardinal Fornari, "Errors of Our Times" (June 19, 1852), in *Selected Works*, 110.

that modern states needed to hear. It was not, for example, the kind of message that he intended to send to Bismarck, whose *Kulturkampf* was still under way in Prussia and parts of Poland.

Second, Leo was also suspicious of what James Weisheipl aptly calls “nineteenth-century apologetics.”⁴⁰ Since the eighteenth century, philosophical efforts to defend Catholic doctrine as well as to create bridges to modern thought were not Thomistic. They were inspired rather by Descartes, Christian Wolff, Kant, and Hegel. Education in ecclesiastical institutions, we must remember, was only sporadically under Roman discipline. The new governments suppressed, or at the very least interfered with, Catholic education at every level. There was no “unitary” system of philosophy either at the level of curriculum or discipline. Occasionally, a certain thinker or book or set of ideas was censured by the Roman magisterium—Lamennais, Rosmini, Anton Günther, and George Hermes ran afoul of Roman authorities. Yet there was no over-arching policy of censoring philosophy, certainly nothing like the disciplinary apparatus created by Pius X after Leo’s death. Since the French Revolution, the papacy was too distracted by the political issues to land with both feet in the midst of intramural disputes about academic philosophy. The important thing now was the centralization of ecclesiastical jurisdiction after 1870, which gave Leo a window of opportunity to address the problem of philosophical eclecticism in institutions coming under Church discipline.

In *Aeterni Patris*, Leo insisted that a sound philosophy is needed “in order that sacred theology may receive and assume the nature, form, and genius of a true science.”⁴¹ The faith-reason issues highlighted in *Dei Filius* could be maintained or advanced on the basis of philosophical eclecticism. Leo complained that since the sixteenth century, philosophical systems have “multiplied beyond measure,” and that even Catholic philosophers accommodated themselves to a system “which depends on the authority and choice of any professor.”⁴² His remark about sixteenth-century “innovators” might be construed as a warning shot, fired in the direction of Baroque-era scholastics, particularly the Suárezians. But this is not quite true. In fact, he praises the schools of sixteenth-century Scholasticism, calling them “homes of human wisdom.”⁴³ He explicitly recognized that Thomas’s thought was “unfolded in good time by later masters and with a goodly yield.”⁴⁴ Leo’s immediate target was not intramural debate among

⁴⁰ Weisheipl, “Thomism as a Christian Philosophy,” 166.

⁴¹ Leo XIII, *Aeterni*, §6 (*Acta I*, 262).

⁴² *Ibid.*, §24 (*Acta I*, 278).

⁴³ *Ibid.*, §20 (*Acta I*, 274f.).

⁴⁴ *Ibid.*, §18 (*Acta I*, 273).

scholastics or schools of Thomism. He was speaking of “tottering and feeble” attempts to render modern philosophies user-friendly to Catholic doctrine, but only at the price of creating transitory and eccentric adaptations rather than sound syntheses needed for systematic theology.⁴⁵

It is true, however, that *Aeterni Patris* cannot be read, on its own terms, as an exhortation to a merely generic Scholasticism. Thomas is held out as the “Master,” and Leo does not hesitate to admonish churchmen “that nearly all the founders and lawgivers of the religious orders commanded their members to study and religiously adhere to the teachings of St. Thomas, fearful lest any of them should swerve even in the slightest degree from the footsteps of so great a man.”⁴⁶ Thomas’s doctrine must enjoy “excellence over others.”⁴⁷ Leo did not make a chart of the authentic “rivulets” of interpretation, much less make a list of polluted ones, but it is clear enough that he believed that there is an authentic Thomism.⁴⁸

When we read *Aeterni Patris* as a whole, we see that Leo framed the revival of Christian philosophy chiefly in the context of the ongoing political problems.

Whosoever turns his attention to the bitter strifes of these days and seeks a reason for the troubles that vex public and private life must come to the conclusion that . . . false conclusions concerning divine and human things, which originated in the schools of philosophy, have now crept into all the orders of the State.⁴⁹

When he enumerates the benefits of reviving scholastic philosophy, and more particularly, the philosophy of Thomas, he speaks first of the social-political issues (and “kindred subjects”), and then of the advance of the physical sciences.⁵⁰

⁴⁵ Just what Weisheipl calls “nineteenth-century apologetics,” or the attempt to cherry-pick a theme or principle in Descartes, Kant, or Hegel and then to turn it to the apparent advantage of Catholicism. Even here, however, Leo is gentle. “In saying this We have no intention of discountenancing the learned and able men who bring their industry and erudition, and, what is more, the wealth of new discoveries, to the service of philosophy; for, of course, We understand that this tends to the development of learning. But one should be very careful lest all or his chief labor be exhausted in these pursuits and in mere erudition.” *Aeterni*, §24.

⁴⁶ *Ibid.*, §19 (*Acta* I, 274).

⁴⁷ *Ibid.*, §31 (*Acta* I, 283).

⁴⁸ The subtitle of the encyclical implies as much: *De philosophia Christiana ad mentem Sancti Thomae Aquinatis in scholis catholicis instauranda*.

⁴⁹ *Ibid.*, §2 (*Acta* I, 256f.).

⁵⁰ *Ibid.*, §§29–29 (*Acta* I, 280f.).

It cannot be doubted that the Leonine revival was motivated by the search for an adequate *doctrina civilis*. Long before *Aeterni Patris*, Leo's mentors were using Thomas for just this purpose. The Jesuits on the editorial staff of *La Civiltà Cattolica*, founded in 1850 to respond to the political and cultural crisis of *Risorgimento*, had already begun to cut this groove. Luigi Taparelli first sketched his theories of social justice and subsidiarity in the cockpit of the journal. His colleague, Matteo Liberatore, who became one of Leo's trusted advisors and a member of the Roman Academy of St. Thomas Aquinas, actually converted to Thomism after joining the staff of *Civiltà Cattolica*. In other words, he came to Thomism through the crucible of the social and political issues. In Leo's own work—in the some 110 encyclicals and other teaching letters—Thomas is rarely discussed or referenced apart from the social-political problems.

These two aims—the systematic and pedagogical, and the search for an adequate *doctrina civilis*—were not without tension. Leo's metaphor of a fountain of doctrine dispersed into certain "rivulets" required an important though subtle distinction. In those subjects having propinquity to sacred doctrine, it is crucial to achieve a rather tightly organized account of the relationship between philosophy and the deposit of faith. Even slight changes in the philosophy will entail new estimations of the doctrine. If St. Thomas is to be the "Master" on such things, the relationship between the rivulets of interpretation and the source is not something about which the Church could be indifferent. On the bevy of issues which swarm around the social-political problem, the terrain allowed much more room for creative maneuver. As Thomas himself taught, the natural law can change "by addition."⁵¹ The very nature of the subject allows a broad threshold in which principle and prudence conjoin to deliver a suitable conclusion. In the case of Roman encyclicals, there was also the prudence of papal policies related to governance of the Church, particularly in its dealings with a variety of political situations. Leo explicitly called this level of prudence, concerning "diverse and multiform things," to the attention of the Church.⁵² So long as one did not contradict a basic principle, merely plausible lines of interpretation could suffice

⁵¹ *ST* I-II, q. 94, a. 5.

⁵² "The like disposition and the same order should prevail in the Christian society by so much the more that the political prudence of the Pontiff embraces diverse and multiform things, for it is his charge not only to rule the Church, but generally so to regulate the actions of Christian citizens that these may be in apt conformity to their hope of gaining eternal salvation. Whence it is clear that, in addition to the complete accordance of thought and deed, the faithful should follow the practical political wisdom of the ecclesiastical authority." *Sapientia Christianae* (January 10, 1890), §37 (*Acta* X, 34f.).

for fashioning a Thomistic position on such issues as democracy, the social contract, civil toleration of error, and so forth.

To be sure, there is overlap between the two foci. Metaphysical truths about divine providence, the ordination of the soul to a final end, the intelligibility of the good—to mention only a few—stand in both registers. Fundamental issues of anthropology are always Janus-faced, looking in one direction toward preambles of the faith and in another direction toward practical applications in the history of political and economic institutions. Leo wanted Thomism to guide both of these endeavors. But even Leo understood that the social vector had a developmental aspect distinct from the metaphysical and anthropological issues constituting preambles of faith.

Prior to Leo's election to the papacy, Catholic response to the social and political crises were not always Thomistic—not even in a broad, generic sense of the term. As we said, the Romantic reactionaries were anything but “schoolmen.” Archbishop Emmanuel von Ketteler used pieces of scholastic philosophy to frame the social question, but he did not have any apparent programmatic interest in Thomism. Dom Guéranger of Solesmes, Antonio Rosmini, and John Henry Newman had much to say about the Church-state problem without relying upon Thomistic, or even scholastic, systematics.

But it is not merely coincidental that the recently restored Society of Jesus would become a kind of sluice-gate for Leo's quest to develop a new *doctrina civilis* based upon Thomistic principles. Let us briefly consider why this was so. After their founding in 1640, the Jesuit *ratio studiorum* prescribed the study of St. Thomas. Although the *Constitutions* of the Society forbade Jesuits from staffing faculties of law,⁵³ it left them free to teach and publish on the deeper issues of jurisprudence and political philosophy. Thus began the first systematic modern “schooling” of Thomas's *De legibus*. Some three hundred years after they were written, Thomas's questions on law were excavated, propounded in lectures, summarized in textbooks, and applied not only to casuistical problems but more importantly to the most controversial issues of the time. Cardinal Bellarmine (1542–1621), Juan de Mariana (1536–1624), Louis de Molina (1535–1600), and Francisco Suárez (1548–1617), and a host of lesser lights, made extensive and astute investigations of political order, economics, and relations between the Church and temporal governance.

Like all schools of thought, this neo-Thomism eventually declined in vigor and creativity. Among other reasons, the Jesuits sometimes sailed

⁵³ *Constitutions*, cap. XII–4, Gans 215. This is a fact of some importance. Because they were pulled away from the actual practice of the law, Jesuits gravitated to the philosophical and theological issues in jurisprudence.

much too close to the shores of politics. In 1547, the books of Bellarmine and Vitoria were put on the *Index* (only temporarily) for suggesting that the pope did not enjoy *de iure* direct power in matters temporal. Jesuits more often ran afoul of Catholic sovereigns by speculating that political authority is vested inchoately in the body politic, that the original form of government was by nature democratic, that there are, in principle, plural forms of legitimate government; indeed, they argued that heathen peoples have a natural capacity and right of self-governance—rights that include not only standing at private law but also at international law. Yet they were the first to understand and to discuss in print the idea that the emerging common law of modern Catholic Christendom was weakly founded. The principle of Absolutism was not suitable for addressing either the Church-state problems in Europe or the problems of colonization abroad. Canon law did not immediately apply to heathen polities. Despite their support of both the papal and temporal monarchies, the Jesuits' search for a new *doctrina civilis* was potentially subversive.⁵⁴ But it was there to be plucked by a new generation of Thomists.

The Jesuits Taparelli and Liberatore had a stake in the systematic and educational reform issues; yet in their quest for a *doctrina civilis*, they rather freely adapted Thomas to contemporary questions of natural rights, private property, and the social principle of subsidiarity—all of which had purchase once one considers the organization and disposition of the modern state, the dislocation of labor, and the suppression of Catholic social institutions.⁵⁵ In America, Orestes Brownson's *The American Republic* (1865) resourced the ideas of the early-modern scholastics to understand and defend the American experiment in republican government and the rule of law. So, too, did Archbishop John Ireland, who used the modern scholastic authors to understand the natural-law foundations of limited government. Ireland took it for granted that the thought of Baroque scholasticism, as applied to the problems of the late nineteenth century, is what the recently elected Pope Leo had in mind. The lesson to be drawn is that Catholics did not view Thomas's political thought as something unmediated by commentators, polemicists, and schools of

⁵⁴ For example, when Rome was enveloped by revolutions of 1848, Pius IX took refuge in the kingdom of Naples. On April 6, 1850, appeared in Naples the first issue of *Civiltà Cattolica*. The Jesuit editors, however, made the mistake of arguing in one issue that St. Thomas and the Thomists taught that there are plural, legitimate forms of government. The king of Naples promptly expelled the journal in 1854 on the grounds that it taught doctrines subversive to the state.

⁵⁵ According to Ernest Fortin, they took on board too much of the modern project. Ernest L. Fortin, "'Sacred and Inviolable': *Rerum Novarum* and Natural Rights," *Theological Studies* 53 (1992): 202–33.

philosophy, including different schools of Thomism. Catholics were reglossing ideas that had already been once glossed in the sixteenth century, and were being glossed once again.⁵⁶

Thus there emerged a kind of broad Thomism suitable for the political and social issues. When Leo spoke of the “rivulets which [are] derived from the very fount” of the Angelic Doctor, it was often the “rivulets” that seemed especially important. At least in this respect, there is some truth to Lord Acton’s claim that Thomas was the “first Whig.”⁵⁷ He should have said that the Thomists were Whiggish because they developed rather free-wheeling interpretations of the master on disputed issues of political, economic, legal, and social order in modern times, and they showed considerable ingenuity in making their adaptations look continuous with the work of the Angelic Doctor. This penchant for novel interpretations and applications was in full view in Leo’s own encyclicals. To take but one example, in *Rerum Novarum* (1891), Leo audaciously used Thomas’s *Contra impugnantes*—originally written to defend mendicant poverty and preaching—as the basis for understanding the natural right of laborers to form associations.⁵⁸ This is not to mention the point that Ernest Fortin has made regarding Leo’s rather interesting incorporation of a Lockean understanding of property rights (to possession and not merely private use) according to a labor theory of value.⁵⁹

None of this should suggest that Leo or his advisors were uninterested in the authentic teachings of Thomas on matters social and political. While Leo never made a list of core doctrines, there were certain principles that framed what could count as plausible interpretations. Chief

⁵⁶ See Orestes Brownson’s *The American Republic* (1865), especially parts V–VII for his appropriation of Baroque-era scholasticism. *Collected Works* (1885), vol. 18. See, also, Bishop John Ireland’s speech at the opening of the Third Plenary Council of Baltimore (November 10, 1884), later published under the title “The Catholic Church and Civil Society,” and collected in *John Ireland, The Church and Modern Society: Lectures and Addresses* (Chicago: D. H. McBride & Co., 1896), 7–47. Here I put to one side the debate between historical purists and innovators in order to make the point that it is historically naive to believe that Thomas’s political thought was suddenly hijacked by twentieth-century Catholic liberals. See Heinrich Rommen’s rather pointed remarks on this subject in his review of Jacques Maritain’s “Man and the State,” *Commonweal* 54 (1951): 239–42.

⁵⁷ *Selected Writings of Lord Acton*, vol. III, *Essays in Religion, Politics, and Morality*, ed. J. Rufus Fears (Indianapolis: Liberty Classics, 1988), 536; and vol. I, *Essays in the History of Liberty*, 34. Acton was here thinking of the doctrine of liberty and just revolution.

⁵⁸ *Rerum Novarum* (1891), nos. 51–53 (*Acta* XI, 134–37).

⁵⁹ Fortin, “Sacred and Inviolable.”

among these were the teaching on the Eternal Law, the participation in that law by natural reason, the harmony of faith and reason, the twofold order of divine providence, the priority of intellect to the will in practical reasoning, the common good as the measure of the political order, the penultimacy of political society, and so forth. All of these, and more, had solid foundation in Thomas. Equipped with only a few principles properly delineated and connected, one could go on to make considerable headway in developing a social doctrine.

We should bear in mind that in this sector of the Leonine program the aim was not to produce a pure Thomism to which social doctrine could be appended as so many conclusions; rather it was a quest, lasting over several pontificates, for a social doctrine. Moving from the mid-nineteenth to the mid-twentieth century, the problems continued to change along with the political, legal, and economic facts on the ground. Thomism was a resource for the project, but not its end. Beginning with the Jesuit editors at *Civiltà Cattolica* who cobbled together pieces of Thomism for a wide array of public policy problems, the Thomism in social thought was pluralistic and somewhat eclectic in the order of application.⁶⁰ Libertore was a Suarezian of sorts, Taparelli was not, even though his systematics in social questions reached far beyond the original texts of Thomas.⁶¹

Convinced that a new *doctrina civilis* was long overdue, Leo gave his Thomists permission to do four things. First, to resurrect the doctrine of plural legitimate forms of regimes. This was the sore spot of the Baroque tradition, and in Leo's time it was still a neuralgic issue for the remnants of the Catholic right-wing, particularly in France. Second, to speculatively reengage the so-called translation theory of authority, according to which God, by the natural law, vests authority originally though inchoately in the body politic. This seemed to be a promising way to give a scholastic foundation to political consent, and brought the Thomist tradition to the vestibule of democratic theory. Leo himself did not officially take a position one way or the other on the matter, but he made it clear that he would not rule out the so-called "translation" theory.⁶² Third, to integrate

⁶⁰ See Walter T. Odell, *The Political Theory of Civiltà Cattolica from 1850 to 1870* (Ph.D. diss. Georgetown University, 1969).

⁶¹ On Libertore, see Gerald McCool, *The Neo-Thomists* (Milwaukee: Marquette University Press, 1994), 33. On Taparelli, see Robert Jacquín, *Taparelli* (Paris: P. Lethielleux, 1943).

⁶² No issue better displays the plurality of opinions and different schools of Thomism in the area of political philosophy. Translation theorists held that political authority is vested by God implicitly in the body politic, which then, by implicit or express consent "translates" that authority into a particular form or regime. Designation theorists held that while political authority comes from

natural law and natural rights. Fourth, to allow analysis of historical change to play a role in the prudence of state-making.⁶³ All of these matters were discussed in Leo's encyclicals, but the Leonine vector of thought was completed in the work of a generation of thinkers who were born in the waning years of his pontificate: Luigi Sturzo (b. 1881), Jacques Maritain (b. 1882), Charles Journet (b. 1891), Heinrich Rommen (b. 1897), Yves Simon (b. 1903), and John Courtney Murray (b. 1904).⁶⁴

God, the human act of consent does not transfer or translate power to command from its original bearer, but rather designates the incumbent. There is no *ex professo* treatment of the issue in Thomas. The history of the debate is considered carefully by Jeremiah Newman, who makes the sensible point that translation theory achieved its first elaboration during the struggle against absolute monarchs, while the designation theory was devised to put a brake upon democratic extremism during the age of revolutions. *Studies in Political Morality* (Dublin: Scepter, 1962), 19. With the collapse of the papal states, and with Leo's decision to adopt a more creative stance toward the new states, the translation theory came back in vogue. Cardinal Cajetan (1480–1547), in his commentary on *ST* II–II, q. 50, a. 1, ad 3, introduced the notion of the people translating authority to a king (*potestatem in eum transtulerunt*), and then went on to speculate about a primordial election. Cajetan's commentary was included in the 1895 Leonine edition of the *Opera S. Thomae*. During Leo's time, Cardinal Billot explained that Leo denied what has "always been denied with unanimous consent by Catholic theologians," namely, that the people create the principatus. This left the question entirely open, for both sides held the premise that political power, as such, is not a human construct. For Billot's response, see Alfred O'Rahilly, "The Sovereignty of the People," *Studies* (Dublin) 10 (1921): 39–56, 277–87. Elsewhere, O'Rahilly lists some 139 scholastic thinkers who held the translation theory. See his "Theology of Tyranny," *Irish Theological Quarterly* 15 (1920): 301–20. After the rise of the totalitarian regimes in the 1920s, the translation theory commanded the consent of virtually all Thomists working the area of social doctrine. See Pius XII's address to the Roman Rota (October 2, 1945): "We bear in mind the favorite thesis of democracy—a doctrine which great Christian thinkers have proclaimed in all ages—namely, that the original subject of civil power derived from God is the people (not the 'masses')" (*AAS* 37, 258ff.). What we learn from this fascinating and somewhat exasperating tangle of interpretations is that Thomists had quite different opinions on the role of human consent in matters political, that they changed opinions over time, and that the evolution of opinion tracked very closely the evolving character of Catholic social thought in light of current political conditions. It is but one case in point for appreciating how Leo launched a Thomism "in motion" as it were.

⁶³ Regarding these permissions, see my chapters in *The Teachings of Modern Christianity: On Law, Politics, & Human Nature*, ed. John Witte and Frank Alexander (New York: Columbia University Press, 2005), 3–38 and 39–74.

⁶⁴ By the 1940s it was not so easy to distinguish Thomas and the Thomists on matters of political philosophy. The ever astute Leo Strauss expressed bewilderment at the extent to which Thomists were revising medieval terms to fit contemporary

Leo was engaged in a new kind of “paper war.” He took the outmoded structure of a medieval scholastic “article” (for example, what we find in the *Summa theologiae*, with the question, the objections, the *sed contra*, the response, and replies to objections), then he changed the questions and rebuilt the “article” in the prose of an encyclical teaching. It was in part dialectic, in part systematic, and in part apologetic. There was no need to make lists of errors that left Catholics scratching their heads about what had to be affirmed or negated. For example, if we take the most controversial proposition of Pius IX’s *Syllabus*—“The Roman Pontiff can, and ought to, reconcile himself, and come to terms with progress, liberalism, and recent civilization”—we convert it into a negation: “The Roman Pontiff need not reconcile himself with progress, liberalism, and recent civilization.” The negation is then converted into an affirmation: “By natural right, workers and their families may justly claim to organize and to bargain for living wages, the doctrines of *laissez-faire* liberalism notwithstanding.” Hence, we have the encyclical *Rerum Novarum*. All of Leo’s major encyclicals on social and political questions can be read in just this fashion. He begins with a question, surveys the authorities, affirms the harmony of faith and reason, and then goes on to construct a teaching on the question at hand.

Leo’s *Pharmakon* and Pius X’s Prescriptions

Leo’s response to the political and social aspects of modernity proved very successful. For one thing, there was no living memory of a pope doing this kind of work—namely, doing something more than issuing ad hoc complaints or making lists of errors. At least on questions of political and social order—the role of consent, the importance of historical change, the proper role of human creativity in exercising prudence in political foundations, the quest of the third estate for natural rights limiting the state—Leo made use of the *pharmakon*, the thing that is both the disease and the cure. The subversive questions of the Enlightenment were brought within the purview of the Catholic tradition, where they were corrected and harmonized with Catholic truth. From philosophers like Marsilius of Padua to

discussions. See, for example, his generally favorable review of Heinrich A. Rommen, “The State in Catholic Thought: A Treatise in Political Philosophy,” *Social Research* 13 (June 1946): 250–52, reprinted in *What Is Political Philosophy? and Other Studies* (Chicago: University of Chicago Press, 1988), 281–84. But see also his more critical evaluation of Yves Simon (306–11) and Anton Pegis (284–86) in that same collection. Interestingly, Strauss recognized the difference between adaptations in political-institutional questions and fundamental principles in the philosophy of nature. In his review of Pegis, he was unforgiving where he detected compromise on the systematic issues.

Locke to Rousseau, and on issues running from Church-state relations to the origin of authority, and from problems of class warfare to international law, Leo believed that social doctrine enabled the Church to be something more than the outsider in modern life.⁶⁵

The underlying scholastic doctrine gave the body of work at least the appearance of coherence; and as Leo's successors, as well as lay and clerical scholars, continued the project, there emerged a remarkably structured but evolving body of social doctrine. In many respects, it was more sophisticated than its secular rivals. It proved successful because the Leonine project was ready to ascertain what is open or closed in the secular mind, and to use the right mixture of dialectics and systematics to move the latter toward the former. Finally, it proved successful because his lengthy pontificate was the seedbed for six future popes.⁶⁶ This allowed a virtually contemporaneous communication of the method and its application to new issues. By 1950, the Leonine project had established itself as a different kind of liberalism that survived the crises of the twentieth century. It was robust and confident. After the Second Vatican Council, the only significant resistance to this vector of doctrine were the neo-Gallicans in France (Marcel Lefevre) and Liberationists in Latin America.

But this brings us back to *Pascendi* and to our over-arching theme of "Two Modernisms, Two Thomisms." Pius X went back into the mode of making lists of errors. *Lamentabili Sane* listed sixty-five errors. To complicate matters, Pius also referenced the encyclical *Auctorem Fidei* (1794), which condemned a list of another eighty-five, propositions in connection with Jansenism.⁶⁷ A scrupulous scholar under ecclesiastical discipline now found himself reckoning with 150 propositions; and if we include the *Syllabus of Errors*, 230 erroneous propositions. Who could keep track of all these errors?

Charity of interpretation requires us to concede that Leo had the advantage of dealing with a different sector of Liberalism, and in Catholic affairs, with a different species of Liberal. Montalembert, Lacordaire, Lamennais (through his mid-career, before he defected), and Rosmini

⁶⁵ As John Paul II said in *Centesimus Annus*, §5, "*Rerum novarum* gave the Church citizenship status."

⁶⁶ Pius X (b. 1835), Benedict XIV (b. 1854), Pius XI (1857), Pius XII (b. 1876), John XXIII (b. 1881), Paul VI (b. 1897).

⁶⁷ Pius X, *Pascendi*, §24 (*Acta V*, 73). From the Synod of Pistoia, a schismatic synod held in Tuscany in 1786. See Denzinger-Hünemann (1997), §§2600–2700. During the turmoil of the French Revolution, while the Catholic sovereigns were distracted by the war, Pius VI condemned propositions tintured with Febronian (Jansenist) principles on ecclesiastical and civil relations. Interestingly, by 1907 those propositions had been condemned and rendered defunct not only

were liberal but pro-papal. Montalembert's most famous work was his multivolume *The Monks of the West*, dedicated to Pope Pius IX—he was hardly a Hans Küng in-the-making.⁶⁸ These men had no interest in impeaching the deposit of sacred doctrine or of appealing to history in order to suggest profound discontinuity in theology proper. Pius X was dealing with an entirely different kind of theological liberal who resented the post-1870 Roman authority emancipated from civil or democratic control, and who rejected not only Leo's Thomism but scholasticism itself.

Leo also had the advantage of focusing upon the institutional survival of the Church, as well as the array of social institutions clustered around it. Even though it had taken more than three hundred years to develop an adequate *doctrina civilis*, once Rome recovered its bearings, this task played to the strong suit of Church unity against external threats. More often than not the misbehavior of the nation-states only reinforced the perception among Catholics (and non-Catholics) that Leo's teachings were well measured. Disciplinary action *ad intra* could be handled within the ordinary politics and prudence of the pontifical office as well as through the usual instrument of Vatican diplomacy. Clearly, this was an easier battle than tracking down heretical professors in one's own seminaries, where the Church would seem to play the role of the bully. The Oath Against Modernism (*Sacrorum Antistitum*, 1910) and the institution of committees of vigilance at the parish levels certainly distracted attention from the serious theological issues discussed in *Pascendi*.

Pius X turned inward and fixed upon the other set of issues that stood close to sacred doctrine. In *Lamentabili*, only six of the sixty-five propositions remotely touch upon the social questions. In *Pascendi*, we find perhaps three paragraphs in the sphere of social-political thought.⁶⁹ Interestingly, in

by Pius VI, but by the *Syllabus* of Pius IX, by the decrees of the First Vatican Council, but also in several of Leo's encyclicals. Why would Pius X want to resurrect a battle that had already been won by the Church of Rome? The answer probably lies in the few passages in *Lamentabili*, and *Pascendi* touching upon the analogies and disanalogies between ecclesiological and political order. See note 68 below.

⁶⁸ Here, paraphrasing Marvin R. O'Connell's insight, in *Critics on Trial: An Introduction to the Catholic Modernist Crisis* (Washington, DC: The Catholic University of America Press, 1994), 14.

⁶⁹ In *Lamentabili*, §§52, 53, 56–59 (*Acta*V, 83) attack the idea that the Church should be understood primarily in social and historical terms. In *Pascendi*, Pius X criticizes the reduction of the Church to a democratic form (§23; *Acta* V, 71f.), the inferiority of the Church to the state on *mixti quaestionibus*, on issues of overlapping jurisdiction such as marriage and education (§24; *Acta*V, 72), and the notion that religion is purely spiritual, without authority in the order of external acts (§25; *Acta* V, 73f.). All of these were fighting issues for Pius IX and Leo.

all of Pius X's teaching letters, the favorite Leonine theme of the "Eternal Law," which constituted the synthetic fulcrum of his social teaching, is mentioned but once.⁷⁰ For Pius X, the "synthesis of all heresies" was a different sort of Modernism. At least in the sphere of sacred doctrine and the metaphysical principles conjoined to it by way of preambles, there could be no compromise, nor could there be a development analogous to what was already underway in social teaching. Inevitably, Thomism would be put in a defensive role not only with regard to the deployment of its philosophical theology but also in terms of ecclesiastical discipline.

The apparatus of ecclesiastical discipline consisted not merely of what had accrued from the decretum *Lamentabili*, the encyclical *Pascendi*, and *motu proprio Sacrorum Antistitum* (the Oath Against Modernism, 1910). Some of the impetus for internal discipline arose from questions not quite settled by Leo. In the first year of his pontificate, Pius X sent a brief to the Roman Academy of St. Thomas, noting that Leo's plan for installing Thomism in the seminaries was not moving along satisfactorily.⁷¹ Institutional resistance began not with the Modernists, but inside the Society of Jesus during Leo's own pontificate. Four years after *Aeterni Patris*, at their XXIII General Congregation (1883), the Jesuits pledged their allegiance to the plan of the encyclical, but at the same time expressed esteem for their own scholastics and masters, such as Suárez. This prompted a mild but clear admonition from Leo concerning any derogation from the unity of doctrine. A decade later, the General of the Society, Luis Martín inquired whether Jesuit teachers were required to follow Thomas's "real distinction" between essence and the act of existence in creatures. Again, Leo replied that the Society's *Constitutions* required the teaching of Thomas's doctrines, though he added that adherence to the Angelic Doctor did not imply any lack of esteem for the erudition and profundity of the Jesuit doctors. This was a delicate situation indeed; for in the sphere of social, political, and legal thought, the Baroque-era Jesuit thinkers provided useful resources for the development of political theory. Moreover, the minds of some of Leo's own teachers and colleagues were more than a little tinctured with Suárezianism. But the social doctrine was not

⁷⁰ I rely on the word count by Elsbernd, *Papal Statements on Rights*, 406.

⁷¹ Pius X, *In Praecipuis Laudibus*, AAS 36 (1903–4): 654. For the controversy over Thomism during the pontificate of Pius X and for the precise sequence of events leading to the publication of the XXIV theses in 1914, I rely on the fine work of Jesús Villagrana, L.C., "Origin, Nature and Initial Reception of the XXIV Thomistic Theses in the Light of the Controversy Between Neo-Thomism and Suarezianism," *Doctor Angelicus* 6 (2006): 193–230. See, also, the collection he recently edited, *Neotomismo & Suarezismo*, a cura di Jesús Villagrana (Roma: Ateneo Pontificio Regina Apostolorum, 2006).

the problem. Rather, at issue was the unity of the metaphysical theses constituting the *praeambula fidei*. Leo made his *mind* clear on this matter. Seminarians were not to be trained in plural metaphysical systems, which at this point in time meant plural Thomisms.

Pius X intended to supply something more than exhortation. The sure sign of Modernism was derogation from, or even disparagement, of Scholasticism.

Whether it is ignorance or fear, or both, that inspires this conduct in them, certain it is that the passion for novelty is always united in them with hatred of scholasticism, and there is no surer sign that a man is tending to Modernism than when he begins to show his dislike for the scholastic method.⁷²

To be heard “carping” (*carpendo*) at Scholasticism was a ground for dismissing either faculty or administrators in ecclesiastical schools.⁷³ Lest there be any doubt what is meant by Scholasticism, Pius X issued a *motu proprio Doctoris Angelici* (1914), putting the Thomistic norm for studies (in degree-granting ecclesiastical schools) explicitly under precept from the Holy See. In order to curb the private opinions of professors, Pius X ordered that the text of the *Summa theologiae* be used as the text of the lectures and that professorial comments be restricted to Latin (*et latino sermone explicent*).⁷⁴ Understanding how unlikely it would be that the entirety of the *Summa* would be so taught, Pius X added: “It goes without saying that Our intention was to be understood as referring above all to those principles upon which that philosophy is based as its foundations [*principiis maxime hoc intelligi voluisse, quibus, tamquam fundamentis*].”⁷⁵ These principles, fundaments, or “capital theses” (*capita*) are not to be “placed in the category of opinions capable of being debated one way or the other.”⁷⁶ Importantly, none of the social and political issues, which were already being vigorously debated and expounded, appear among the principles targeted in the *motu proprio*.

History teaches that to even hint at a list of core principles requires one to say more. Hence, a few weeks later, virtually on the eve of Pius X’s death, Cardinal Lorenzelli, Prefect of the Sacred Congregation for Studies, published a list of XXIV theses.⁷⁷ These include, at the outset of the list, an affirmation of the divine being as pure act, in contrast to the

⁷² Pius X, *Pascendi*, §42 (*Acta V*, 98).

⁷³ *Ibid.*, §48 (*Acta V*, 104).

⁷⁴ Pius X, *Doctoris Angelici* (June 29, 1914) *AAS* 6 (1914): 340.

⁷⁵ *Ibid.*, *AAS* 6 (1914): 337.

⁷⁶ *Ibid.*, *AAS* 6 (1914): 338.

⁷⁷ *Decretum*, *AAS* 6 (1914): 383–86; Denzinger–Hünemann (1997), §§3601–24.

admixture of potency in creatures.⁷⁸ They comprise metaphysical theses of just the sort that Pius X said cannot be placed “in the category of opinions capable of being debated.” Everyone understood that the XXIV theses were aimed in the direction of Suárez, beginning with the doctrine of the real distinction between essence and existence in creatures, which was not generally held by the Suárezians. The advisors who labored on the list did, in fact, worry that another summary list of truths (or corresponding errors) would be received as a compendium, and thus might suggest that Thomistic principles are to be found simply within the four corners of the list. Editors at *La Civiltà Cattolica* noted that the subtlety of interpretations is built-in the questions themselves. The editors were too discreet to draw the obvious conclusion: that learning to think Thomistically requires the student to learn how to grapple with very complex and subtle metaphysical issues. Still other churchmen worried that the new list would appear to be a “piece of propaganda” that might impugn the seriousness and authority of Thomas.⁷⁹

Two Thomisms

When Pius X died on August 20, 1914, there were “two Thomisms,” one broadly devised and oriented to social questions, the other narrow and consisting of *capita* which could not be debated. The former was ensconced in the ordinary prose and philosophical expositions within the encyclical tradition, the latter in the newly framed lists of errors and truths. In 1917 there was planned an international Congress in Granada, celebrating the third centenary of the death of Suárez. The Catholic press, of course, noted that the XXIV theses had impeached the reliability of Suárez on certain questions of metaphysics.⁸⁰ Moreover, the newly drafted, soon to be promulgated *Code of Canon Law* (1917) required those in charge of religious and clerical formation to teach the “principles of the Angelic Doctor and hold to them religiously.”⁸¹ The Congress did not juridically fall under the disciplinary decretals, but it was an awkward moment

⁷⁸ On the context and effects of the theses, see Fergus Kerr, *Twentieth-Century Catholic Theologians: From Neoscholasticism to Nuptial Mysticism* (Oxford: Blackwell Publishing, 2007), 3–4, 21–24.

⁷⁹ See Villagrasa, “Origin, Nature and Initial Reception,” 229.

⁸⁰ On the Granada Congress, see *ibid.*, 225–26. It should also be noted that the Congress provided Fr. Luis Alonso Getino with a timely opportunity to correlate the XXIV authentically Thomist theses with the errors of Suárez. This work, in parallel columns, is included in *Neotomismo & Suarezismo*. See the appendix titled *Tesi di Tommaso d’Aquino e di Francisco Suárez*, 165–78.

⁸¹ *Code of Canon Law* (1917), can. 1366 §2. See also can. 595 §1.

nonetheless. Apparently, Rome recommended that the Congress focus upon the social, political, and international-law aspects of Suárez's thought. On these matters, one was permitted to avow an evolving line of thought and to celebrate its utility in handling modern problems.

We have highlighted only a few important moments and problems in the emergence of these two foci of modernity to which Thomism was applied. At least in passing, we should say that the field of social doctrine was not wide open. Political programs and movements could run afoul of Roman authority, as did Marc Sangnier's *Le Sillon* (1910), and on the other end of the political spectrum, *L'Action Française* (1926). Moreover, significant differences between Thomas and Suárez on both the epistemological and metaphysical foundations of law were well-known both to clerical and lay scholars. But our general point holds true. So long as one did not advocate Bolshevism or state control of the Church or reduction of ecclesiological principles to match those of (democratic) civil government, one had to rather egregiously run afoul of Roman diplomatic or political policies to be censured in the area of social theory. Important, if subtle, differences within the Thomistic schools were aired and debated at an academic level.⁸² Undoubtedly, these debates could have a practical impact within a particular school, faculty, or religious order. Even so, opinions were not put completely out of bounds in the same way as the Pian disciplinary actions. Decades later, John Courtney Murray, S.J., was censured for his opinions on Church-state questions, but this had nothing immediately to do with

⁸² Suárez taught that command (*imperium*) is chiefly an act of the will rather than of intellect. This had implications for the doctrine on the Eternal Law, and could not be reasonably accommodated either to Thomas's teaching or to Leo's stout intellectualism in matters of law (and kindred aspects of practical reason). The best treatment of the similarities and differences between Thomas and Suárez on natural law and metaphysics of participation is the doctoral thesis written at the University of Fribourg by Walter Farrell, O.P., *The Natural Moral Law According to St. Thomas and Suarez* (Ditchling: St. Dominic's Press, 1930). Like Fr. Getino's 1917 article on the XXIV theses, Farrell puts the Thomistic and Suarezian theses on law into parallel columns (148–52). Farrell is at pains to explain why and how the most important differences are subtle. He does not invoke ecclesiastical discipline to make his argument. Only in the conclusion does he discreetly observe that Suárez's voluntaristic bent comports with "a decidedly popular theory in modern statecraft." In effect, he suggests that Suárez cannot deliver the foundations for which Thomism was being revived in matters legal and political. On this score, see Vernon Bourke's obituary for Heinrich Rommen, "In Memoriam: Heinrich Albert Rommen (1897–1967)," *Natural Law Forum* 12 (1967): vii–viii. A Thomist of the more strict observance, Bourke explicitly notes that Rommen's Suárezian studies never led him into some of the more disputable voluntaristic theses.

Thomism. Rather, his troubles ensued upon a spitting match with Cardinal Ottaviani, then the dean of ecclesiastical public law.⁸³

In the summer of 1914, it was clear that intramural disputes among Thomists had been brought into the Modernist controversy. Popes soon began to have second thoughts about this strange and potentially crippling consequence. Beginning with Benedict XV, they were unwilling to strictly enforce Pius X's "official" Thomism within the seminaries and the ranks of religious orders. While the exhortations of Leo and the precepts of Pius X were duly noted by Benedict and his successors, rigorous enforcement proved to be the exception rather than the rule. Indeed, only five months after Pius X's death, Benedict conceded that there is room "for divergent opinions" so long as they constitute no "harm to faith or discipline" and so long as they are expressed "with due moderation."⁸⁴ He explicitly warned that no one should take upon himself the role of impugning the orthodoxy of others and affixing "the stigma of disloyalty to faith or to discipline." His successors adopted the same policy, insisting on the normativity of Thomas *in re metaphysica*, while at the same time quietly acting to prevent the in-house educational system from becoming

⁸³ John Courtney Murray, S.J., first cut his teeth on the Baroque-era scholastics and on the post-1789 reactionaries: "St. Robert Bellarmine on the Indirect Power," *Theological Studies* 9 (1948): 491–535; and idem, "Political Thought of Joseph de Maistre," *Review of Politics* 11 (1949): 63–86. On Thomas's social, legal, and political thought, Murray's opinions were mostly derivative of work already finished. See, for example, Heinrich Rommen's *The State in Catholic Thought* (German 1935, English 1945). Murray and Rommen admired one another, but Rommen was the senior scholar, and it was to Rommen rather than Murray that the *New Catholic Encyclopedia* turned in the early 1960s for its entry on the State. "The State," *New Catholic Encyclopedia*, vol. XIII (New York: McGraw-Hill Book Co., 1967), 644–54. Relying on work already done by others, Murray's genius was not as a commentator on Thomas but rather his uncanny ability to discern developmental threads in papal teachings. He carefully studied the magisterial documents from Pius IX up to John XXIII, and was able to cite chapter-and-verse, as it were, the "growing end" of the tradition. In the summer of 1964, he circulated a brief that was later published under the title "The Problem of Religious Freedom" (1964, 1993). Tracing the crisis through the *Syllabus of Errors* and the letters of Leo XIII, Murray showed why the crisis called for a recovery of "the Gregorian state of the question of public care of religion," as well as a new discernment of the "'growing end' of the tradition." The brief circulated at the Council: John Courtney Murray, "The Problem of Religious Freedom," in *Religious Liberty: Catholic Struggles with Pluralism*, ed. J. Leon Hooper, S.J. (Louisville, KY: Westminster John Knox Press, 1993), 165, 188.

⁸⁴ Benedict XV, *Ad beatissimi* (November 1, 1914), no. 23, *AAS* 6 (1914): 576f.

politically suffocating.⁸⁵ Yet this prudent policy could not remove the sense among faculty and students that in the systematic area it was necessary to tread carefully. As James Weisheipl concluded many years later:

Not even the ardent efforts of Pius X, Benedict XV, Pius XI, or Pius XII were able to effect anything more than a closed, safe, and sterile Thomism, imposed by legislative authority. Legislation did not stimulate a return to the authentic thought and spirit of St. Thomas. Legislation led rather to the production of safe textbooks.⁸⁶

Weisheipl correctly distinguishes this in-house Thomism from the more creative Thomism developed in social thought: “on social problems, government, human liberty, sacred scripture, Catholic Action, marriage, and education.”⁸⁷

Benedict’s amelioration of the decretals was motivated by a desire to prevent the Modernism crisis from engulfing the internal order with unnecessary disputes and accusations. However, another factor was in play. With the disaster of the Great War and the rise of the totalitarian regimes, the papacy’s attention was funneled back into the social and political issues. The shift of magisterial attention back to political modernity is particularly evident during the pontificate of Pius XI (Achille Ratti). As a young cleric, Ratti had been trained by Leo’s Thomistic colleagues in Rome. In two encyclicals he weighed in on the issue of the program of ecclesiastical studies and formation.

In *Studiorum Duce*m (1923), Pius XI extolled the virtues of Thomas: “[I]t will be sufficient perhaps to point out that Thomas wrote under the inspiration of the supernatural spirit which animated his life and that his writings, which contain the principles of, and the laws governing, all

⁸⁵ On the gradual amelioration of the disciplinary decretals, one can read José Pereira’s “Thomism and the Magisterium: From *Aeterni Patris* to *Veritatis Splendor*,” *Logos* 5 (2002): 147–83. He does not distinguish, as we do, between the different sectors of Thomism (social-political and metaphysical), and is concerned entirely with the problem and, in his estimation, the inanity of an officially imposed philosophy. Pereira would seem to make the canonical and disciplinary actions the measure of the papal esteem for Thomism. This confusion is answered by Steven Long’s keynote address, “The Thomistic Meta-Structure of John Paul II’s Doctrinal Initiatives,” Lilly Foundation sponsored seminar on “The Vocation of the Catholic Intellectual,” Catholic Studies Center, University of St. Thomas, St. Paul (2003).

⁸⁶ Weisheipl, “Thomism as a Christian Philosophy,” 184. He is speaking of the official Thomism within ecclesiastical institutions.

⁸⁷ *Ibid.*, 177.

sacred studies, must be said to possess a universal character.”⁸⁸ He approvingly quotes Pius X’s admonition that there must be no deviation from Thomas, *praesertim in re metaphysica*,⁸⁹ and he very clearly reiterates the conviction that the organization and presentation of sacred doctrine require the preambles, or “reasons for belief” drawn from philosophy.⁹⁰ This core of metaphysical systematics must be preserved intact, even while allowing the “lovers of Thomas” (*amatores sancti Thomae*) to engage in “honorable rivalry in a just and proper freedom which is the life-blood of studies.”⁹¹

But what is most striking about *Studiorum Ducem* is Pius XI’s interest in the social and political issues. One might think of a team that had trouble running the ball but still knew how to throw the pass and make the big play in social doctrine. In the section on the preambles, for example, he includes Thomas’s contributions “in the science of morals, in sociology and law, by laying down sound principles of legal and social, commutative and distributive justice and explaining the relations between justice and charity.”⁹² The over-arching theme of the Pian pontificate, the rule of Christ the King, also needed preambles drawn from the natural order. He writes:

He [Thomas] also composed a substantial moral theology, capable of directing all human acts in accordance with the supernatural last end of man. And as he is, as We have said, the perfect theologian, so he gives infallible rules and precepts of life not only for individuals, but also for civil and domestic society which is the object also of moral science, both economic and politic. Hence those superb chapters in the second part of the *Summa Theologica* on paternal or domestic government, the lawful power of the State or the nation, natural and international law, peace and war, justice and property, laws and the obedience they command, the duty of helping individual citizens in their need and cooperating with all to secure the prosperity of the State, both in the natural and the supernatural order. If these precepts were religiously and inviolably observed in private life and public affairs, and in the duties of mutual obligation between nations, nothing else would be required to secure mankind that “peace of Christ in the Kingdom of Christ” which the world so ardently longs for. It is therefore to be wished that the teachings of Aquinas, *more particularly* his exposition [*praesertim explicando*] of international law and the laws governing the

⁸⁸ Pius XI, *Studiorum Ducem* (June 29, 1923), §11, *AAS* 15 (1923): 314f.

⁸⁹ *Ibid.*, §16, *AAS* 15 (1923): 317.

⁹⁰ *Ibid.*, §27, *AAS* 15 (1923): 322.

⁹¹ *Ibid.*, §30, *AAS* 15 (1923): 323.

⁹² *Ibid.*, §27, *AAS* 15 (1923): 322.

mutual relations of peoples, became more and more studied, for it contains the foundations of a genuine “League of Nations.”⁹³

While adhering to Pius X’s prescriptions regarding what must be adhered to (*praesertim in re metaphysica*), he returns to the Leonine project of what especially needs to be explicated (*praesertim explicando*). Interestingly, it is not the *prima pars*, with its metaphysical armature, but rather the *secunda pars* of the *Summa*, on human conduct. This line of thought is repeated in *Divini Illius Magistri* (1929), which takes up the problem of education, chiefly *ad extra*—in families, in schools, and particularly in the face of claims by governments to enjoy a monopoly on education. Here, Pius recommends Luigi Taparelli’s work on natural right—“a work never sufficiently praised and recommended to university students.”⁹⁴ *Divini Illius* is also the first encyclical to cite an American Supreme Court decision, *Pierce v. Society of Sisters* (1925), in which the Court insisted that “the child is not the mere creature of the State.”⁹⁵ On balance, Pius XI held together the two Thomisms, but with the broad and synthetic Leonine approach to the social and political issues put front and center, because he believed that political modernism was by no means rendered defunct by the Great War. In his first encyclical, Pius had distinguished two modernisms: “There is a species of moral, legal, and social modernism which We condemn, no less decidedly than We condemn theological modernism.”⁹⁶ As the political crises mounted in Europe and Latin America, Pius XI gave a certain cachet to this broad Thomism by canonizing Robert Bellarmine in 1931, and by making him a Doctor of the Church the following year. It was Bellarmine’s social and political thought that was held up as exemplary for the Church’s struggle against state absolutism.

Some Conclusions

We set out to show how Thomas’s thought was resurrected and put into play with respect to problems posed by political modernity and then by

⁹³ *Ibid.*, §20, *AAS* 15 (1923): 319.

⁹⁴ Luigi Taparelli, *Saggio teoretico di Diritto Naturale (A Theoretical Treatise on Natural Right, Based on Fact)* (1840–43); Pius XI, *Divini Illius Magistri* (December 31, 1929) *AAS* XXII: 65 n. 27.

⁹⁵ Pius XI, *Divini Illius Magistri*, §37, citing *Pierce v. Society of Sisters* (1925), 268 U.S., at 534–35.

⁹⁶ *Ubi arcano* (1922), §61 (*AAS* 14 [1922], 696. *In quo genus quoddam modernismi moralis, iuridici ac socialis est agnoscendum; quod quidem, una cum modernismo illo dogmatico*. Interestingly, Pius’s citations of Thomas and Augustine, as well as his citations of the pronouncements of his immediate predecessors (Leo XIII, Pius X, and Benedict XV), are concerned exclusively with the *genus moralis/socialis*.

the philosophical and theological issues related to the Modernism crisis of the early twentieth century. We looked at these two foci primarily from the standpoint and documents of the Roman Magisterium. All of these matters need to be delineated at a more detailed and complete level. But if our narrative is generally correct, we can draw four conclusions. The first two would seem to follow rather directly from our exposition; the second two are more hypothetical, needing careful thought beyond the bounds of this essay.

First, the Roman attempt for issuing syllabi and lists of errors (and truths) did not necessarily achieve the results for which the lists were designed. Whether in response to political or philosophical modernity, from the early lists in the Jansenist controversy, such as *Unigenitus* (1713), through the *Syllabus of Errors* (1864), and then up to *Lamentabili* (1907) and the XXIV theses (1914), the lists sparked confusions. On balance, the Leonine practice of encyclical teaching was more effective, both *ad extra* and *ad intra*. Encyclicals provided magisterial models that could be completed by scholars.

Second, the list-making approach did not play to the strong suit of Thomism, which requires not only definitions and conclusions but also a deeply textured set of questions and distinctions. Particularly on social questions, the developmental curve entails an exquisite balance of principles and facts. On the one hand, it is dependent upon ever-changing historical events. On the other hand, the post-1789 questions could hardly be answered just by repairing to Thomas's treatment of political matters in the thirteenth century. These questions had been glossed by several centuries of scholastic commentary and, after the election of Leo, by the tradition of papal encyclicals that provided a new template for bringing Thomas's thought to modern problems. Skill in this area required one to know Thomas (and Aristotle), the commentators, and the new applications forged in the crucible of magisterial teachings. As we explained, the vector of social thought got a head start over the recovery of Thomas's metaphysics. For nearly a generation, therefore, the recovery of the systematics and its deployment in the curricula of schools had to play catch-up; and it had to do so while laboring under the disadvantage of trying to forge a consensus among different schools of Thomism, which had crystallized their opinions over the course of several centuries. Opinions were hardened, too, by loyalties within religious orders and their lay associates. In social thought, however, the "schooling" of Thomism allowed more consensus because the material was permeable to the politico-ecclesiastical needs and policies of Leo and his successors.

For their part, the metaphysical issues were complex and subtle. They are difficult on their own terms, never mind the practical questions of

how to instantiate and to enforce them in educational institutions. The XXIV theses were not strictly juridical in nature, though it was perhaps naive to think that they would not be regarded as glosses on the canonical and other disciplinary *apparatus*. The theses rather tried to expose the deep veins of Thomas's metaphysics. By and large, these veins were much deeper than what many faculty or students could have mastered even under the best conditions. A slight and passing familiarity with Thomas's system, usually acquired secondhand, was almost bound to breed that kind of contempt that comes from knowing a little but not enough. Leo and his successors certainly wanted to keep Thomism in the intelligible rather than in the merely canonical or disciplinary order.⁹⁷ Just how to enkindle Thomism as a living pattern of thought, and by what combination of exhortation and precept, proved to be a very difficult problem.

Third, although it would take us far beyond the bounds of our present essay, it would be useful to ask whether Leo's aim for a systematic Thomism *in re metaphysica* did not harbor a tension. On the one hand, he discerned the need for a careful exposition of the preambles needed for a scientific organization of sacred doctrine. On the other hand, he wanted systematic Thomism to build a bridge of discourse with contemporary philosophies and sciences. The two are related, of course, but they are not exactly the same kind of work, nor do they include (in the context of modern academics and scholarship) exactly the same audience.

The official discipline, though duly relaxed after 1914, created disgruntlement within clerical ranks. Academicians began to question the need for philosophically organized *praeambula fidei*. Such dissatisfaction could take the route of wanting to make the preambles entirely a matter of theology and history. One could repair, for example, to the history of the early Church and to patristic thinking, or to the theory that Thomas's philosophy was chiefly a work of theology. These lines of inquiry had the seeming advantage of bypassing not only the bewildering welter of medieval disputes, but also the forbidden zone of opinion carved out by the official Thomism. They also had the advantage of a thoroughly theological answer to modernity: The deep calling upon the deep, as it were. It had the promise of a new, and less philosophically constrained, apologetics.⁹⁸ At the same

⁹⁷ As Thomas himself wrote: "It is unseemly and rather ridiculous for professors of sacred doctrine to cite the little glosses of canon lawyers as theological authorities, or to make them the basis of argument" (*quamvis inconsonum et derisibile videatur quod sacrae doctrinae professores, iuristarum glossulas in auctoritatem inducant, vel de eis disceptent*), *Contra retrahentes*, 13. I thank Steven Long for calling my attention to this gem.

⁹⁸ On a more direct theological investigation that is not constrained by the long ramp of philosophical preambles, see Kerr, *op cit.*, 168 and 191.

time, truly novel and perhaps heterodox philosophical theologies could be developed if one was clever enough to drape the philosophy in the officially approved terminology.

As ecclesiastical discipline declined precipitously in the 1950s and 1960s, and as the drapes were removed, systematic Thomism underwent a kind of defenestration. No longer privileged in the curriculum of either seminaries or Catholic schools (which, by then, chiefly was about the education of the laity), systematic Thomism became a historical specialty. It is ironic that it was Pius X's fear that modernists "wish the scholastic philosophy to be relegated to the history of philosophy."⁹⁹ But after the curricular defenestration, this is just where it was deposited. The quest for a pure and official Thomism in systematic questions became a historical specialty charged with the responsibility to deliver, according to contemporary methods of research, just what Thomas said, but often without the systematic or apologetical project for putting that information to good use.¹⁰⁰

Fourth, the Thomistic contribution to social doctrine was never meant to be a complete Thomism, but rather an adaptation for the purposes at hand. Social doctrine had its own momentum, seemingly unaffected by the institutional demise of systematic Thomism. Most everyone understood that the great encyclical teachings were wound together by various and sundry threads of Thomistic thinking. For several decades, both progressives and conservatives could affirm the general profile of teachings on the common good, subsidiarity, social justice, and human rights. The gradual separation of the social doctrine from the overall system of Thomas, however, began to create the impression that the philosophy of practical reason was free-standing, a kind of *prima philosophia* having connection to the metaphysical system only by way of dotted lines. This could prove attractive not only for progressives but for moral conservatives as well. The frayed edges between metaphysics and practical reason was particularly evident in the diverse conceptions of natural law, a subject that became a kind of "public reason" detached from the Leonine teachings about participation in the Eternal Law, divine providence, and the *finis ultimis*—detached even from teleology and the rudiments of philosophy of nature. Such issues really did stand close to the preambles.

Leo's revival made "natural law" a common coin of discourse and exposition. Given the fact that natural-law thinking had gone into abeyance in Catholic thinking during the eighteenth century and the subsequent era of Legitimism, it was quite an accomplishment to have

⁹⁹ Pius X, *Pascendi*, §38 (*Acta* V, 91).

¹⁰⁰ Which is not to disparage the value of historical research, nor the painstaking labor needed to assemble critical editions of Thomas's *opera*.

brought it back so late in the game of modern debates over political philosophy. But the coin came in different denominations. As early as 1930, Walter Farrell took note of the fact that standard textbooks on moral and social thought could contain as many as six different opinions on natural law. "Evidently," he remarked, "it is time that some definite, well established ideas be proposed on this subject."¹⁰¹ Farrell detected that the chief term in social doctrine was being used very loosely and confusedly, and that it was necessary to locate the subject more securely in Thomas's own doctrine.

Perhaps we should conclude that the Leonine and Pian insistence upon adherence to Thomas *praesertim in re metaphysica* turned out to be the more important issue. Leo certainly wanted to preserve the proper analogies and systematic connections between the two foci of metaphysics and politics. A century after *Pascendi*, however, the two Thomisms are not at peace. To some degree, this is due to the fact that the *secunda pars* (on human action) is not always adequately integrated with the *prima pars* of the *Summa theologiae*. We need only survey the chronic and significant differences of opinion over the systematic grounding of natural law today, and the extraordinarily complicated and controversial skirmish lines over questions of moral theology to see that this is so. As the legislated Thomism in metaphysics retreated in our time, the issues of discipline and Church authority migrated from metaphysics and the preambles of faith into sectors of practical reasoning, particularly the life issues. How strange, but true. But it is not our aim here to complete this circle. We set out to show how the different orbits of Modernism and the Thomistic revival began and how they developed both in and out of tandem through the *Pascendi* era. N-V

¹⁰¹ Farrell, *The Natural Moral Law*, Introduction. Here, referring to L. Lehu, O.P., *Philosophia Moralis et Socialis* (Paris: Gabalda, 1914).