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The Problem of the Best Form of Government in Thomistic Political Philosophy

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THE PROBLEM OF THE BEST FORM OF GOVERNMENT
IN THOMISTIC POLITICAL
PHILOSOPHY.

By

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A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
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VITA

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CHAPTER I
INTRODUCTION

In various works of St. Thomas there are what appear to be conflicting statements about the relative superiority of different forms of rule. In the *De regimine principum*, for example, it is said: "More useful ... is the rule of one man than the rule of many." 1 In the *Summa theologica* we read: "There is likewise a form of government which is a mixture of these, and this is the best." 2 In the *Commentary on the Politics of Aristotle* alone there are the following statements: "Monarchy is the best form of government and the one most in accord with right reason." 3 "It is manifest that the aristocratic state is better than a monarchy." 4 "The multitude is stronger, better and richer than any particular groups within it. For the multitude includes those groups and others as well. No group of a few does this." 5

References:

1 *De regimine principum*, I, 2. Here, as in all other instances of translation occurring in the text, the English version is the present author's responsibility, unless other indication is made.
2 *Summa theologica*, IaIIae, q. 95, a.4, c.
3 *Politics*, IV, 1.
texts could be multiplied, but the apparent discrepancies are well known. 7

The opposition is most clearly to be seen in the apparent insistence of the De regimine on monarchy and the often cited passage of the Summa theologiae in which it is maintained "that the best ordering of powers was that established by the Old Law." 8 It is not implied, of course, that St. Thomas was guilty of contradiction or inconsistency, but the point is to discover the precise framework which holds these different propositions together.

Several proposals have been offered. For Gilson, the teaching of the Summa on the mixed regime is seemingly taken as a clarification by St. Thomas of what he meant by monarchy. 9 But there seem difficulties in Gilson's interpretation 10 of the passage in IaIIae, q.105, a.1, which is the text commonly cited in this matter. These difficulties will ------------------

6 Of., for example, the arguments for monarchy in De reg., I, 2; S.T., Ia, q.103, a.3, c.; Contra Gentiles, IV, 76; for government by an élite, in Pol. III, 14; for the mixed form, the famous passage, S.T., IaIIae, q.105, a.1.
8 S.T., IaIIae, q.105, a.1, c.
9 E. Gilson, op.cit., pp.456 et seq.
10 Ibid., p.457, cf., n.3.
be presented later in this thesis. Here we wish merely to note that if the difficulties prove to be real, they would obstruct the collation Professor Gilson suggests. 11

Father M.-D. Chenu would, in effect, resolve the antinomy between the De regimine and the Summa by suppressing one of the members, namely, the De regimine. That would seem to be the result of his proposal that the De regimine be treated as "a moral and pedagogical treatise for a prince's use, not an organic work of political theory." 12 What merit we find in Father Chenu's suggestion will be indicated further along, 13 in our discussion of the sources on which this thesis is based.

The most thorough treatment of the problem is that of Marcel Demongeot. 14 He has indicated the great complexity of the problem and the necessity of a multitude of distinctions.  

11 Cf. the similar proposed "solution" of the difficulty in Antonio Burri, Le teorie politiche di san Tommaso e il moderno diritto pubblico (Roma, 1884): "Così s. Tommaso riduce in ultima analisi le forme di governo all'uno e non uno, che come direbbe il Cousin sono gli elementi supremi di ogni teoria metafisica; ed applicata tale teoria alle forme di governo, ne segue come osserva il Taparelli (Dissert. II, cap. IX, nota LXVI), che la monarchia e la poliarchia differiscono essenzialmente in ciò, che nella prima l'unità sociale nasce dall'uno naturale, nell'altra dall'uno artisticale o morale." (p.55). Along similar lines, though more superficially, argues Wilhelm Muller, "Der Staat in seinen Beziehungen zur sittlichen Ordnung bei Thomas von Aquin," Bäumker's Beiträge, XIX (1916).

13 See p.
14 Marcel Demongeot, Le meilleur régime politique selon saint Thomas, Paris, Blot, 1928.
for its proper understanding. The differences of possible points of view in approaching the problem, which he seeks to classify with the aid of "formal logic," are presented in the following diagram:

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I. The Point of View of the Philosopher
   (Speculative with regard to end and general)
   1) Purely speculative and abstract
   2) Speculative with regard to mode
   3) Practical with regard to mode

II. The Point of View of the Legislator
    (Purely practical and particular)
    a) The best regime desirable for a city such as that under consideration
    b) The best regime possible for this city
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15 "Suivant le point de vue, la solution variera. Aussi risquerait-on fort de ne pas saisir dans toutes ses nuances la pensée de saint Thomas, et de n'y voir en définitive qu'affirmations contradictoires, si l'on n'avait soin de poser au préable quelques distinctions." ibid., p. 4.

16 Ibid., p. 76.

17 Ibid., p. 8.
In this thesis it is proposed that Demongeot's schema be modified by the elimination of the first member -- "purely speculative and abstract" -- for the following reasons:

(1) The introduction of "formal logic" gives the question an essentialist aspect. (2) It would seem that the consideration of "the best government absolutely" does not belong outside the practical order; such a consideration is still within the field of moral philosophy. 18

The elimination of the "purely speculative and abstract" member would seem to be possible if we utilize a more profound analysis of practical knowledge. The consequent reduction of the state of the question to the confines of the practical would seem to bring us closer to the conceptual framework within which St. Thomas considered the question of forms of government. For in his prologue to his Commentary on the Politics he says:

Secondly we must give an account of the genus of this science. For

18 This point will be more fully discussed in chapter II. Here it will suffice to note that the thing which is operable becomes the object of a purely speculative knowledge only on the supposition that its quid est is exclusively attended to. Cf. Cajetan's commentary on Ia, q.14, a.16: "... per speculativam ex modo tantum, id est de objecto operabili modo speculativo, non intelligitur scientia de operabili in universali ... sed intelligitur scientia de operabili scrutans non quomodo res fiat, sed quid est." So long as it remains a question of "le meilleur gouvernement" this supposition does not seem verifiable.
since practical sciences are distinguished from speculative sciences in that the speculative are ordered only to the knowledge of the truth while the practical are ordered to operation, this science has to be a part of practical philosophy. This has to be since the state is a certain kind of whole about which the human reason is not only knowing but also operating. Moreover, since there is a reasoning which is concerned with making by an operation which passes over to external matter -- this pertains to the so-called mechanical arts, such as carpentry, ship-building, etc. -- and since, on the other hand, there is a reasoning which is concerned with action by an operation which remains in him who acts -- examples of this are counselling, choosing, willing, etc., and such actions pertain to moral science --, it is evident that political science, which deals with ordering among men, is not to be placed under the sciences concerned with making, i.e., the mechanical arts, but rather is to be placed under the sciences concerned with acting, i.e., the moral sciences.

Collocation of the question wholly within the practical realm brings the whole line of discussion into continuity with prudence ("practical wisdom"), 19 which will make the

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19 Throughout this thesis we are understanding "prudence" in the sense that St. Thomas uses it, viz., as the moral virtue of prudence. This term has suffered great debilitation by the modern connotations attaching to it. We hope it will be clear from the development of our thesis that it is a grave injustice to St. Thomas to interpret his
final judgment as to the form of rule in a given case. This last point is most important in any attempt to recover the Thomistic approach to this question. Maritain has said:

The more one meditates on the moral teaching of St. Thomas, the more one remarks that this concrete continuity, the effective continuity of the whole order of the practical, is constantly presupposed (without prejudice to the differences of nature between the faculties or the habits which are involved). From moral philosophy down to the prudential act, a single concrete intention traverses the whole order of practical thinking, which becomes less and less "science" in the degree that it becomes more and more "practical". 20

"prudence" as "expediency". This is what Professor Adler does in the following passages: "If the rule for the common interest is the only principle which distinguishes good from bad government, and if the number of persons who exercise rule fails to distinguish types of good government as grades of perfection, the only argument which can be made for the superiority of one type of good government over another is entirely prudential: that one is a more expedient means for achieving the common good. Thus St. Thomas argues for the superiority of monarchy in De Regimine. ... What is said here against St. Thomas can be said similarly against other political writers who have used the principle of number to distinguish one good state from another, and have therefore been forced to order these good forms of government as better or worse entirely in terms of expediency. ..." (Mortimer J. Adler in "Round Table Discussion: Problem -- In Terms of What Moral Principle Is Democracy the Best Government," Proceedings of The American Catholic Philosophical Association, XV 1939 p.145 -- italics Adler's.)

We shall attempt to show that the defect of Demongeot's classification is that by including the speculative member it fails to keep this fundamental continuity. 21

In the effort to resolve the apparent discrepancies in the Thomistic teaching on the best form of government our procedure will be as follows: First we shall present and discuss a schematization representing the organization of moral knowledge. We shall then propose the hypothesis that the "discrepancies" are due to the level of moral knowledge at which in each case the problem is considered.

With regard to the sources of the texts upon which this thesis is based, it should be noted in the first place that the De regimine is not being used. The portion of the De regimine which is to be attributed to St. Thomas seems not to be, if taken as a whole, really pertinent to the problem of the best form of governance. The De regimine is not a guide to choice (which, as the development of our thesis will show, is the central consideration in our problem); so far as Cyprus, to whose sovereign the work is addressed, was concerned, the choice had already been made. In this sense, the De regimine contains "second intention" politics; it assumes the question

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21 Not that Demongeot ignores the function of prudence (see op. cit., p.4); but he does not make what seems to be the necessary integration with the eventual prudential decision to present in its fullness the Thomistic approach to this problem.
we are discussing as already answered. 22 There are of course some texts in St. Thomas's portion of the De regimine which could be cited with pertinence in the development of our thesis. But if these texts are not adduced, there is no real loss, for the doctrine they represent is repeated in other places. And in view of the character we have assigned to St. Thomas's portion of the De regimine taken as a whole, it would seem that our thesis will have a clearer line if texts from this work are left out of discussion.

The principal question in the matter of sources is what use may legitimately be made of the Commentary on the Politics of Aristotle. There is a wide variety of opinion. Georg von Hertling formulated the following rule:

... that each passage of the Commentaries on Aristotle must be considered for itself and that such passages can be adduced as representing Thomas's own views only when, inasmuch as, and insofar as their confirmation can be found in his other writings. 23

Actually, however, this hardly takes us beyond the position of Antoniades, for whom the Commentaries represent simply and

22 There is thus some merit to the proposal of Father Chenu, which we noted earlier, p. 3.
solely the thought of Aristotle. 24 At the other extreme is Baumann; according to him the Commentaries may be taken as containing the thought of St. Thomas. 25 Demongeot notes the opinion of Feugueray that "the essential interest of the Commentaries is that they teach us the political vocabulary of St. Thomas." 26 This is the view which Demongeot adopts; it will likewise be ours.

Briefly, one can say that St. Thomas makes his own everything in the politics of Aristotle which is not in conflict with his theology. ... In our view, as a consequence of the principles we are going to propose, the Commentaries furnish all the concepts, all the "matter" of St. Thomas's own political thought, to be modified when necessary in the light of the principles contained in the Summa and the De regimine principum. 27

We are now ready to proceed with the presentation of our hypothesis. The next chapter will discuss the organization of moral knowledge. In accordance with the schema this organization seems to imply, we shall attempt to assign St. Thomas's various considerations of the problem of the best form of

24 Basilius Antoniades, Die Staatslehre des Thomas ab Aquino, Leipzig, 1890, p. 3.
26 Demongeot, op. cit., p. 16.
27 Ibid., p. 17.
government to their proper place in the schema. The last three chapters will therefore be devoted successively to indicating what we believe are the speculatively-practical, practically-practical, and prudential considerations.
CHAPTER II

THE ORGANIZATION OF MORAL KNOWLEDGE

If, as we have seen, 1 St. Thomas places political considerations under the genus of practical knowledge, it would seem that we must look to the organization of moral knowledge to resolve any "discrepancies" in his political teaching. It is our hope to present by way of hypothesis the framework together with its levels within which St. Thomas treats the question of the best form of government. To achieve this we must make a detailed study of the order of practical knowing.

Following Aristotle, St. Thomas divides knowing first of all into speculative and practical:

The theoretical, or speculative, intellect is properly distinguished from the operative, or practical, intellect in this, that the speculative intellect has for its end the truth it considers, whereas the practical intellect orders the truth considered to operation as its end: and hence the Philosopher says in III de Anima that they differ from each other with regard to end, and in II Metaphysic. it is said that the end of speculative [knowing] is

1 Cf. chapter I, pp. et seq.
truth, and the end of operative, or practical, [knowing] is action. Since, therefore, it is necessary that the matter be proportioned to the end, it is necessary that the matter of the practical sciences be those things which can be done by our effort, so that the knowledge of those things can be ordered to operation as an end. But the matter of the speculative sciences must be things which are not done by our work; whence their consideration cannot be ordered to operation as an end, and it is in accordance with this distinction among things that the speculative sciences are distinguished. 2

The end is the basis of this division:

Since philosophy or the arts are distinguished into theoretical and practical [branches], this distinction must be based upon their end; thus the practical is said to be that which is ordered to operation and the theoretical, that which is ordered only to knowledge of the truth. 3

Here, however, we ought to note that a thing operable in itself may become the object of a purely speculative consideration. This occurs when "an operable thing is not considered as operable." 4 St. Thomas has occasion to point out this possibility in discussing God's speculative knowledge

2 In Boetii de Trinitate, q. 5, a. 1. Cf. De veritate, q. 2, a. 3; S.T., Ia, q. 79, a. 11; In de Anima, lib. III, lect. 15.

3 In Boet. de Trin., q. 5, a. 1, ad 4um.

4 De veritate, q. 3, a. 3. Cf. ad 2um.
of created things:

... A science can be called speculative: ... first, because the things known are not operable by the knower -- such is man's knowledge of natural or divine things; second, because of the mode of knowing, as for example, a builder considering a house by defining, dividing, and pondering its universal predicates. This latter is to consider operable things in a speculative manner, and not insofar as they are operable. For the operable is something by reason of the application of form to matter and not by reason of the resolution of a composite into its universal formal principles. 5

It is to this latter type of knowledge that Demongeot's first division, i.e. "purely speculative and abstract," corresponds. It is our opinion, however, that it is impossible to raise the question of "the best government", even "absolutely" or "taken nakedly" 6 on this level. Questions

5 S.T., Ia, q.14, a.16, c. Cf. Maritain's comment on this passage: "Il convient de remarquer que dans cette question 14, a.16, saint Thomas, quand il parle de la science de mode speculative d'un objet d'opération, ne pense pas à la connaissance que nous appelons ici spéculativement pratique, par exemple à la philosophie morale. Comme le note Cajetan ('per speculativam ex modo tantum, id est de objecto operabili modo speculativo, non intelligitur scientia de operabili in universalis, ... sed intelligitur scientia de operabili scrutans non quomodo res fiat, sed quid est'), il pense à un connaissance purement speculative d'un objet qui par ailleurs se trouve être operable. C'est ainsi que Dieu a des choses qu'il fait ou peut faire une connaissance non seulement pratique mais aussi speculative, qui correspond suréminement à notre savoir purement speculative de ces mêmes objets." Les degrès du savoir, p.287.

appropriate to this level according to the mind of St. Thomas would be seemingly: "Is house a substance? Is house a genus?"

Or, in terms of our present matter: "Is society an ens rationis? etc." 7 The question of the value of a form of government has its earliest possible entrance at the first division of practical knowledge. It is only at this level that the ultimate end begins to play its part as principle; 8 hence it is only here that the question of better or best can begin intelligibly to be asked.

Now, as Maritain notes, it is fundamental to a true conception of the order of practical knowing to conceive the whole order as embodying a continuity with the prudential judgment:

Because practical knowledge is as it were, a continuous movement

7 This is the answer given (as we think, erroneously) by Father I. Th. Eschmann, O.P.: "Mais en thomisme elle est bien un 'ens rationis.'" in "Compte Rendu", Bulletin Thomiste, V (1928), p.710. Cf. the similar opinion of J. Stepa, "Le caractère total de l'état d'après S. Thomas d'Aquin," Studia Gnesnensia, XII (1935), pp. 429-441. The view we take of what kind of reality society is has been expressed by Father William Ferree, S.M., The Act of Social Justice, Washington, Catholic University, 1943, pp. 166 et seq. It is based on S.T., IaIIae, q.7, a.1, o.

8 "Principum autem totius ordinis in moralibus est finis ultimus qui ita se habet in operativis sicut principum indemonstrabile in speculativis." S.T., IaIIae, q.72, a.5; Cf. IaIIae, q.73, a.3; ibid., ad 3um; IaIIae, q.90, a.1. See Charles J. O'Neil, "The Unity of the Moral Order," The New Scholasticism, XV (1941), pp. 280-283.

9 "... non pas d'essence mais de tendance ou de direction..." Maritain, Les degrés du savoir, p.588.
of thought which moves down towards the placing of the concrete act in existence, its practical character, present from the beginning, becomes progressively intensified, becoming entirely dominant in prudence: there it engulfs the whole; and while the prudential judgment always involves knowing, its proper truth does not consist in knowing that which is, but rather in directing that which ought to be done. 10

According to Maritain, there is a three-fold division to be made in the practical order of knowing: speculatively-practical; practically-practical, and prudential.

It is the function of speculatively-practical knowledge to regulate action from afar, and hence to act upon the will from afar by the knowledge itself. In view of this end, it organizes in a practical context the matters with which it deals and it discovers in them the ontological articulations related to action, adapting to its practical purpose a conceptual equipment of modes of defining and judging still typically speculative. 11

It is this type of knowledge which Aristotle calls practical philosophy; it includes ethics, "economics", political philosophy, etc. 12 In this division belongs also moral theology,

10 Ibid., p. 879.
11 Ibid., p. 879 - 880.
12 Ibid., p. 620.
in the sense that the Ia IIae and the IIaIIae of the "Summa"
of St. Thomas are moral theology. 13

Claiming to base his proposal on the principles of
St. Thomas, 14 Maritain (and Yves Simon 15 after him) wants
to introduce between the speculatively-practical and the
prudential 16 "a fourth dimension". 17 This is the level

13 Not therefore moral theology in the sense of St. Alphonsus
Liguori. Cf. "Ainsi dans beaucoup de facultés de théologie
on a été amené à ajouter au cours de théologie morale spe­
culative, où l'on explique les sujets traités par saint
Thomas dans la IaIIae et la IIaIIae, un cours de théologie
morale pratique conçu du point de vue de la théologie de
14 "The distinction between speculatively-practical moral
knowing and the practically-practical moral sciences seems
to me solidly based on St. Thomas' principles, though, so
far as I know, St. Thomas never explicitly formulated it.
His own plan of thought was that of speculative science
and speculatively-practical science." Maritain, Science
and Wisdom, p. 138, n.2.
15 Yves Simon, Critique de la connaissance morale, Paris,
Desclée, 1934, pp. 53 et seq.
16 "Entre la prudence et le savoir spéculativement pratique
n'y a-t-il pas un zone de connaissance intermédiaire? Oui,
répondons-nous en explicitant les principes de saint Tho­
mas, c'est la science pratique au sens étroit du mot, disons
le savoir pratiquement pratique." Maritain, Les degrés
du savoir, pp. 623-624.
17 "... il y a dans le monde lui-même de l'esprit des dif­
férenciations structurales et une diversité des dimensions
qu'il importe avant tout de reconnaître, et l'on ne saurait
éviter des malentendus graves qu'en prenant soin d'assigner
à chaque type de pensée sa situation exacte dans cette
sorte de topique transcendantale. Les différences dont
nous parlons ici concernent la 'quatrième dimension,' selon
laquelle l'esprit diversifie ses valeurs de connaissances
au gré de ses finalités propres." Maritain, Les degrés
du savoir, p. 626.
of the practically-practical sciences. 18 These sciences differ from the speculatively-practical sciences by "the mode of defining and conceptualising and their ... typical ways of constructing concepts." 19 This knowledge is science

Because, if it is much more particularized than moral theology or ethics, if it considers cases in detail, it still nonetheless embraces as its proper object, the universal and the reasons of being. 20

But its mode is different from that of the speculatively-practical:

The mode, practical and composite not only with regard to the conditions of the object known but also with regard to the very structure of the means of apprehending and judging, does not characterize only prudence, which immediately regulates the act to be done hic et nunc by a judgment and a command appropriate to the absolute individualization of the concrete case; it characterizes also (though to a lesser degree) a science of human action which, different from prudence, has for its object to organize universal truths and which nevertheless proceeds no longer per

18 On the difference between the expressions "speculatively-practical" and "practico-practical" and the expressions "speculatively-practical" and "practically-practical", see Simon, op. cit., pp. 53-54 and 80-81.
principia remota operationis
as does moral philosophy (which
this science presupposes) but
per principia proxima operati-
onis. 21

In this division belong the works of "the great intuitives,
from Montaigne and Pascal to Nietzsche, from Shakespeare to
Racine and Baudelaire, from Swift or Meredith to Balzac and
Dostoievsly." 22 Here likewise belong the moral teaching
of St. Alphonsus Liguori and the case-studies of moralists
coming after him. 23

An adequate division of the practical order of knowing
would apparently, then, have three levels: speculatively-
practical; practically-practical, and prudential. It will
be our task in the remainder of our thesis to collocate the
various treatments by St. Thomas of the problem of the best
form of government to what we conceive to be their proper
levels in the practical order of knowing.

21 Ibid., p. 892.
22 Ibid., p. 626.
23 Cf., ibid., p. 892, no. 1, and Science and Wisdom,
   pp. 144-145.
CHAPTER III

THE FORMS OF GOVERNMENT: THE SPECULATIVELY-
PRACTICAL CONSIDERATION

As St. Thomas points out in the beginning of his commentaries on the fourth book of Aristotle's *Politics*, the political philosopher has to consider a wide range of topics:

It is evident that it belongs to this same science, namely, political science, to consider which is the best form of government. This latter is that which is especially desirable and which is willed unless there be some extrinsic impediment.... Also it behooves the political philosopher to consider which is the best form of government in view of certain conditions. 1

The political philosopher's task does not stop at this point:

Likewise, it pertains to the political philosopher to consider which form of government is best in view of conditions, and those not ideal conditions but conditions which are not unqualifiedly good.... Besides all these things the political philosopher considers which form of government is fitting for which commonwealth. 2

1 Comm. in Pol., IV, 1.
2 Ibid.
In discussing the problem of the best form of government we are faced with a complex question.

For St. Thomas politia or respublica connoted the organization of government and its personnel. 3 More than this, however, it is the form of the civitas; 4 it makes the civitas to be that which it is. 5 Government is a necessity for social life. 6

St. Thomas was aware that the forms of government are numerous in variety:

The diversity of governments derives first of all from the diversity of ends and then from the diversity of ways of regarding the end.... Because peoples choose diverse ends or choose the same end in different ways and pursue the end through various means, they make diverse ways of life and consequently diverse forms of government. For diverse ways of living are diverse forms

3 Cf. the numerous definitions in the Comm. in Pol.: "Ordo principantium" (IV,12); "ordo dominantium in civitate" (III,6); "ordo principatum in civitate" (IV,1); "ordinatio civitatis quantum ad omnes principatus, sed praecipue quantum ad maximum principatum" (III,5), etc.

4 Cf. such phrases as the following: "ordo civitatis" (IV,10); "vita civitatis" (ibid.); "ordo inhabitantium in civitate" (III,7); "communicatio civium" (III,2), etc.

5 Cf. "mutata politia, non remanet eadem civitas" (III,2); "cessante republica, cessat civitas" (IV,10).

6 "Socialis vita multorum esse non posset nisi aliquis praesideret, qui ad bonum commune intenderet." S.T., Ia, q.96, a. 4.
of government. 7

At the supreme level of the order of practical knowing, he sets about introducing some sort of classification. There are many classifications, but two sets of divisions emerge as principal. One of these is the traditional tripartite double series of forms of rule and their corruptions, inherited from Plato and Aristotle: monarchy -- tyranny; aristocracy -- oligarchy; republic -- democracy. 8 The principle of division in this classification is chiefly the number of governors involved, although it ought to be noted that qualitative considerations play a part also. 9 There is reason to consider this classification as of secondary importance in the political thought of St. Thomas.

For more fundamental and more in accord with the constant procedure of Thomist practical philosophy is the classification by reason of ends. 10 For St. Thomas, the ends which serve as principles of forms of government come essentially to three: virtue, wealth and freedom.

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7 Pol., VII, 6.
8 Cf. In Ethic., VIII, 10; Pol., II, 7; III, 6; IV, 3, etc.
9 Cf., for example, Pol., IV, 11, where in connection with oligarchy and democracy St. Thomas denies that number is the only distinction: "In prima proponit quod per se determinantur libertate et divitiis et per accidens multitudine et paucitate..." Also, Pol., III,6: "Necessitate est enim quod distinguantur politiae secundum diversitatem dominantium."
10 "Diversitas rerum publicarum primo est ex diversitate finis, deinde ex diverso modo se habendi ad ipsum..." Pol., VII,6.
In distributive justice, the more of the common goods accrue to a person, the greater the power he has in the community. Now in an aristocratic community the power is distributed according to virtue; in an oligarchic community, according to wealth; in a democratic community, according to freedom; and in other types of community, according to some other principle.

We can thus speak of three principles of forms of government: the aristocratic principle, the oligarchic, and the democratic. The classification, however, is not yet complete. In the first place we must add to our list monarchy. From one aspect, monarchy and aristocracy belong to the same genus; they both are "according to virtue." But when the important consideration of unity, which we are soon to discuss, is taken into account, the difference between monarchy and aristocracy widens. "Monarchy and the aristocratic state are per se contraries; for they intend diverse ends and the one corrupts the other." In the second place we shall have to include in our list a form of governance in which the end is the individual good sought at the expense of the common good.

11 S.T., IIaIIae, q.61, a.2; cf. also, Pol., IV, 2 and IV, 7.
12 "Sicut assumitur princeps secundum virtutem in statu optimatum, sic in regno." And further along: "Regnum est institutem secundum statum optimatum." Pol., IV, 7.
13 Pol., V, 10.
This is tyranny. Since, however, its end is so opposed to the true good of the community, tyranny is only improperly to be called a form of government.

The full Thomist classification seems to be that which is given in compact form in the *Summa Theologica*:

Human laws are distinguished according to the diverse forms of government of states. One of these, according to the Philosopher, is monarchy, when, namely, the state is governed by one man...; another form of rule is aristocracy, that is, the rule of the best men or of the nobles...; another form of rule is oligarchy, that is the rule of a few rich or powerful men...; another form of rule is that of the people, and this is called democracy...; another is the tyrannical form of rule, which is altogether corrupt. 14

These are what might be called the "simple" types of rule; that is, each of these has its own proper principle, and each is irreducible to the other. It is true that St. Thomas adds to this list another regimen, the "mixture of those forms," 15, but, as we shall see, consideration of this form belongs to a level lower along the line of practical knowing.

Here, we should perhaps note before proceeding to discuss

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14 S.T., IaIIae, q.95, a.4.
15 "Est etiam aliquod regimen ex istis commixtum quod est optimum." Ibid.
St. Thomas's judgment on the respective value of the simple regimes, that two other sets of distinctions are to be found in the Commentary on the Politics. These distinctions regard modes of government rather than forms properly so called. 16

The first set of distinctions is concerned with "the political regimen" and "the royal regimen". 17 The political regimen differs from the royal in the element of constitution, as already noted, 18 and in that it is found where men are free and equal 19 and in that the multitude has the right of choosing and reprimanding the governors. 20 The second distinction of mode in governance is that between "the dominative" and "the political". The dominative is that in which the governor is the master of his subjects, 21 in which the

16 See, Demongeot, op. laud., pp. 42 and 44.
17 "Civitas autem duplìci regimine regitur, scilicet, politico et regali. Regale quidem est regimen quando ille qui civitati praest habet pleniam potestatem. Politicum autem regimen est quando ille qui praest habet potestatem coarctam secundum aliquas leges civitatis." Pol., I,1.
"Hic loquitur de principatu politico secundum quod politicum distinguitur a regali." Ibid., I,5.
18 Ibid.
19 "Política est principatus liberorum et aequalium; unde commutantur personae principantes et subjectae propter aequalitatem et constituuntur etiam principatus vel in uno vel in diversis officiis." Pol., I, 5.
20 "In civilibus principatibus transmutantur personae principantes et subjectae; qui enim sunt in officio principatus uno anno, subditi sunt alio ..." Pol. I, 10. "In aliqua politia non expedit multituddinem habere potestatem in eligendo et corrigendo, sicut in regno...; sed in politica ubi multitudo est aequalis, expedit." Pol., III, 10.
21 "Est quidem principatus dominativus in quo princeps est dominus subditorum." Pol., III, 3.
subjects are as slaves, 22 and in which the governor seeks only his own individual interest. 23 This mode of government is either tyranny, when the domination of the governor is imposed by force, or despotism, when the domination is accepted voluntarily. 24 The political mode (as political is used in terms of this distinction, i.e., as opposed to dominative) is that in which the subjects are dealt with as free men, 25 as equals of the governor, 26 and are directed to their proper good. 27

We may now ask what St. Thomas thought of the respective value of the "simple" types of rule, which we have taken to be his principal classification. Here it will be in order to put down the criterion according to which St. Thomas judges

22 "Oportet quod ille qui est simpliciter bonus civis sciat et principari et subjici principatui, scilicet non dominativo qui est servorum, sed politico qui est liberorum." Ibid.

23 "Duplex est principatus, unus quidem qui principaliter est ad bonum principantis, propter autem bonum subditi secundum accidens; alius autem est qui principaliter est propter aliquod bonum subditorum, vel alius communis principanti et subjecto, et consequenti propter utilitatem principantis." Pol., VII, 10. "Haec enim est differentia inter dominativum principatum et civilem, quia principans principatu dominativo principatur per se propter utilitatem subditi, et e contrario est di civili." Pol., VII, 10.

24 "In illo principatu [despotico] subditi subjiciuntur tyranno voluntarie, quia inclinantur ad subjiciendum tali principatu, sicut in principatu barbarorum." Pol., IV, 9.

25 "Politica est principatus eorum qui sunt liberi secundam naturam, despotica autem est principatus servorum." Pol., I, 5.

26 "Est quidam principatus secundum quem aliquis principatur non sicut dominus servis, sed sicut liberis et sibi aequalibus, et hie est civilis principatus." Pol., III, 3.

the best form of governance. His criterion may be presented in the following few citations:

The goodness of a thing is discerned from its relation to the end. 28 -- Something is said to be good insofar as it is perfect. 29 -- The best state is determined by the best end. 30 -- The best form of government is that according to which the state governs and lives best. 31

Which of the simple forms of government is the best? There is a statement in the beginning of the fourth lecture of the Commentary on the sixth book of the Politics, which while it is probably not from the hand of St. Thomas himself, 32 seems succinctly to summarize his answer to this question: "The best form of government speaking absolutely is monarchy, in which one man holds the power." St. Thomas in several places offers monarchy as the best form of government; the principal reason for his selection is in accord with his criterion -- peace is the end of government and the best cause of unity is that which is itself one.

The best form of rule for a multitude is that it should be ruled by one man. This is evident from

28 Pol., IV, 11.
29 S.T., Ia, q.5, a.5.
30 Pol., VII, 10.
31 Ibid.
32 Only the first four books seem to have been written by St. Thomas. Cf. Demangeot, op. cit., p.15.
the end of rule, which is peace. For peace and the unity of his subjects is the end of the ruler. But one man is a more fitting cause of unity than many men are.

The same idea is expressed in the *Summa Theologica*:

Governance is nothing other than the direction of those governed to an end, which is some good. But unity pertains to the ratio of goodness, as Boethius proves from this, that as all things desire good so also they desire unity, without which they cannot be. Each thing insofar as it is, to that extent is one. Whence we see that a thing resists its division as much as it can and that the dissolution of anything proceeds from a defect in that thing. And therefore that towards which the intention of one governing a multitude is directed is unity, i.e., peace. But a cause per se of unity is one. For it is obvious that a plurality of things cannot unite and bring together many things, unless the plurality of things is itself united in some way. But that which is per se one can be more readily the cause of unity than can many things united. Hence a multitude is better governed by one man than by many men.

Another argument for monarchy is that it most resembles the divine governance of the world: "Monarchy is the best form of government and the most divine and the most in accord

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33 Contra Gent., IV, 76.
34 *S.T.*, Ia, q.103, a.3.
with right reason." 35

This, then, is St. Thomas's conclusion at the top-level of the practical order of knowing, where the mode is most speculative: 36 "Among right forms of rule monarchy is the best and most right of the forms of "governance." 37 Monarchy is "the rule and the measure of the others"; 38 so much so, that it gives its name to the special ratio of prudence involved in any other form of government. 39 It is, according to St. Thomas, the form of regimen that would have obtained if man had remained in the state of innocence. 40

But as we have already noted at the beginning of this chapter, for St. Thomas, the political philosopher's consideration of the best form of government is to include not only consideration of the best absolutely speaking but also con-

35 Pol., IV, 1. Cf. S.T., IaIIae, q.105, a.1, ad 2um.
36 "[Cognitio ... practica efficitur] per extensionem speculativa ad opus." De veritate, q.2, a.8. Cf. S.T., Ia, q.79, a.11; Com. in De Anima, lib. III, lect. 15.
37 Pol., III, 13.
38 Ibid.
39 "Regnum inter alias politias est optimum regimen, ut dicitur. Et ideo species prudentiae magis debuit denominari a regno; ita tamen quod sub regnativa comprehendantur omnia alia regimina recta, non autem perversa, quae virtutis opponuntur: unde non pertinent ad prudentiam." S.T., IIaIIae, q.50, a.1, ad 2um.
40 Cf. In II Sent., d. 44, q.1, a.3, sol. For the compatibility of the inequality involved and the state of innocence, see St. Thomas's argument by analogy with the condition of the angels in S.T., Ia, q.94, a.4, s.c. Cf. "Es sei noch hervorgehoben nach Thomas auch im Stande der Unschuld die Form der Regierung gewesen sein würde." Müller, op. cit., p.85.
sideration of the best in view of conditions. 41 In his view of the requirements of the question, "it is necessary to consider in the beginning what sort of thing can be done and what sort of thing can be maintained over a period of time." He was well aware that the best form absolutely speaking would be the object of volition only on condition that there was no extrinsic impediment. 42

As a theologian, St. Thomas could not, of course, share an optimism about the natural goodness of man such as Jean Jacques Rousseau was later to introduce into political thinking. He knew that because of the effects of Original Sin, "more men follow the inclinations of sensitive nature than follow the order of reason." 43 He knew the effect of this on political life: "Fomes, that is, the inclination toward sensuality, does not incline to the common good, but rather to the private good." 44 He recognized as well the effects for many men on the all-important prudence: "many men there are in whom prudence of the flesh is dominant." 45

He was thus well prepared for the possibility that a

41 Cf. the passage already cited from Pol. IV, 1.
42 "Haec [optima politia] autem est quae maxime desideratur, et est secundum voluntatem, si non sit impedimentum per aliquod extrinsecum." Ibid.
43 IaIIae, q.71, a.2, ad 3um.
44 IaIIae, q.91, a.6, obj. 3.
45 IaIIae, q.93, a.6, obj. 2.
king, whom it behooves to possess perfect virtue, might nullify the advantages which accrue to kingship per se as a source of unity by his lack of experience, stupidity or weakness. And so St. Thomas descends from the consideration of the question of the best form of government on the top-level of practical knowledge to a point somewhat lower on the line that runs through this order of knowing. His purpose is to make a general consideration of the difficulties likely to be faced by a regime. This we might call the consideration of the best form of government in view of conditions.

In general, the dangers to be met by a form of government are two: degeneration into tyranny and revolution. Tyranny can arise in any form of rule: "From a democratic state which is too proud there arises tyranny; similarly, from the power of a few." But tyranny would seem most likely to eventuate from monarchy, whose proper corruption it is:

By reason of the great power

46 "Ille qui principatur ... oportet quod habeat perfectum virtutem moralem." Pol., I, 10. "Oportet quod rex ... differat a subditis secundum naturam in quadam magnitudine bonitatis." Ibid. "Regem, aut solum nomen regis oportet habere, et aequivoce, aut talem esse propter excellentiam virtutis et boni universaliter." Pol., IV, 1.

47 "Ea quae gubernantur ab uno, a se invicem non dissentient, nisi propter imperitiam aut insipientiam aut impotentiam gubernantis." S.T., Ia, q.103, a.3, obj. 2.

48 Pol., IV, 10.
conceded to a king, monarchy easily degenerates into tyranny, unless he to whom such power is conceded possesses perfect virtue.... Perfect virtue, however, is to be found in few men. 49

The second general difficulty to be taken into account is the possibility of revolt. In order that a form of government be maintained it is necessary that the governed be satisfied:

In order that a form of government may be maintained, it is necessary that all parts of the state want the form to exist and that the form provide sufficiently for each part of the state so that that part can preserve its status. 50

The basic cause of revolution is dissatisfaction with the inequalities which are, or appear to be, involved in the various forms of government. 51 Under monarchy, the "virtuous men" other than the king may become restive:

If one very virtuous man dominates, there will be many more who are not honored with the dignity of rule. But this is not fitting. For from this there follow dissensions and disturbances. 52

49 S.T., IaIIae, q.105, a.1, ad 2um.
51 Cf. Pol., V, 1.
In the aristocratic state, the non-members of the aristocracy constitute the source of trouble:

If only the virtuous have the power of rule, all the others will be lacking in honor, because they do not attain the honor of office, for offices are honors. But this is not fitting; for it is the cause of dissension. 53

When the oligarchical principle is in effect, the situation is much the same:

It seems a terrible thing in no wise to share in honors.... [Those who do not share in honors] will think themselves dishonored, and, since they are numerous and poor, there will follow sedition and strife in the state, and that is terrible. 54

In view of this general difficulty, i.e., at this level of speculatively-practical consideration, St. Thomas says: "That form of government is best which is most lacking in sedition and strife." 55

Weighting the problem of the best form of government with this and the other difficulties we have discussed, St. Thomas might be said to be making a fresh approach to the solution.

The first step in view of the difficulties met with at

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54 Pol., III, 9.
55 Pol., IV, 10, prope finem.
this lower level is to examine the simple types of forms of government other than monarchy. The purpose is to discover what advantages each has to offer. Granted the superiority on the highest level of consideration of monarchy by reason of its unity, do the other forms offer any remedy to the difficulties which may make pure monarchy unrealizable?

In his Commentary on the third book of the Politics, St. Thomas discusses one of the advantages peculiar to aristocracy. It is that of providing a better source of judgments than the single person of a king could ever proffer. A plurality of men provide better observation than one alone. They are less susceptible to the influence of passion in making their judgment. They are able to see more of the question being discussed. In addition to this advantage, government by the optimates carries with it something of a safeguard against the danger of tyranny: "A plurality of good men are more difficult to pervert and corrupt than one good man." 

56 "Inconveniens est dicere quod unus duobus oculis et duabus auribus melius percipiat quam multi multis auribus et multis oculis." Pol., III, 15.
57 "Plures magis sunt indifferentes respectu passionum turbantium et pervertentium judicium rectum, quam unus sive pauci." Ibid.
58 "Plures consiliantes super aliquo plura possunt videre quam unus, ergo manifestum est quod unus comparatus ad plures deterior est in judicando." Pol., III, 14.
59 Pol., III, 14.
Aristocracy incorporates another advantage; it realizes distributive justice. "In the rule of the nobles there is a distribution of the power of rule according to the dignity of virtue." 60 As a matter of fact, it is only in aristocracy that the virtue of the good man and the good citizen fully coincide. 61 That distributive justice be realized is important to the peace. 62

With regard to democracy, it seems that for St. Thomas the principal advantage it procures is the satisfaction of the citizens. In the text which will be a subject of extensive consideration in our next chapter, St. Thomas says:

... with regard to a good ordering of powers in some state or people, two things are to be observed: of these, one is that all have some part in the power of rule; for by this means peace is preserved among the people, and they all like and abide by this ordering ... 63

It should perhaps be remarked that St. Thomas did not share

60 Pol., IV, 7.
61 "Item in sola ista republica [scl. optimatum] idem est optimus vir et civis optimus simpliciter." Pol., IV, 6.
62 "... cum unusquisque secundum unam dignitatem debeat, recipere de bonis communibus, quando non recipiunt secundum quod existimant se dignos, faciunt seditionem in civitate et mutant rempublicam: ex hoc enim quod non recipiunt secundum existimationem quam habent de se, videtur eis, quod fiat eis injustum, et quod contemnantur. Ista autem causa sunt dissensionis." Pol., V, 1.
63 S.T., IaIIae, q.105, a.1.
our modern preoccupation with political freedom. Hence it is only by anachronism and distortion that he can be made a supporter of the contemporary enthusiasm for the democratic form, as is sometimes done.

As we have seen, St. Thomas, in his consideration in view of conditions, takes account of the difficulties and the advantages connected with each of the simple types of government. After an examination of each type successively, he says: "... the same difficulties turn up all the time." Does this consideration alter our answer to the question of what is the best form of rule? Yes; for let us remember that here

... we have not to speak of that best form of rule which is willed and chosen absolutely. We have rather to speak of the best life possible for the more men and states and of forms of government which most states can achieve.

In view of the difficulties, St. Thomas recommends that the advantages of the different simple forms be combined: "It

65 Cf., for example, Father Moorehouse F.X.Millar's foreword to his James Wilson and the Natural Law Basis of Positive Law (New York, Fordham, 1937).
66 Pol., III, 8.
67 Pol., IV, 10.
will help to mix the aforementioned forms of rule in the states." 68 In this combination "one form of government is tempered by being mixed with another, and less ground for sedition is provided." 69 We may take as St. Thomas's answer on this level of consideration: "There is some form of rule which is a mixture of these [scl. monarchy, aristocracy, oligarchy, democracy]; this is best." 70

Thus, we see that St. Thomas gives two answers to the question, "What is the best form of government?" The answers correspond to the level of practical knowledge at which the question is posed. At the highest level (absolute consideration) the decision is in favor of monarchy. At a somewhat lower level (consideration with conditions in view) where possible difficulties of realization are taken into consideration in a general way, the answer suggests a mixture—a mixture of the elements in the simple forms that are required by the circumstances.

But as St. Thomas says: "Over and above all those things,

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68 Pol., II, 7.
69 Ibid.
70 S.T., IaIIae, q.95, a.4. That this solution is given in view of the difficulties is clear from the discussion of them in article 1 of this question. Cf. Billuart's commentary on a.1: "Leges humanae sunt necessariae non quidem simpliciter et absolute, sed sic, ut attenta hominum pervicacia, corruptione, et pronitate in malum, sine legibus humanis, nec respublica pacem habere et conservare posset."
the political philosopher likewise considers which form of
government is suitable for which state." 71 This latter
type of consideration seems to us to belong to a lower di-
mension of the practical order of knowing, namely, the prac-
tically-practical. We further believe that there is a pas-
sage in which St. Thomas makes such a consideration. This
matter will be discussed in the following chapter.

71 Pol., IV, 1.
CHAPTER IV
A PRACTICALLY-PRACTICAL CONSIDERATION

In discussing the respective value of the simple forms of government, Marcel Demongeot remarks: "It is very foolish to wish to make of St. Thomas at all costs a royalist, for example, or a democrat." 1 It would, it seems to us, be equally inconvenient to identify him with any particular combination of simple types. 2 As is said in the Commentary on the Politica, there is a considerable variety of possible combinations. 3 And there is the statement of St. Thomas himself, that the combination of oligarchy and democracy which is "politia without qualification" or "republic, as this name is understood in ordinary usage" 4 (and the

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1 Demongeot, op. laud., p. 123.
2 As Demongeot does in reference to the "politia bene commixta ex regno ... ex aristocratia ... et ex democratia ..." discussed in IaIIae, q. 105, a.1. This is for his interpretation "le régime modèl" according to St. Thomas. Cf. op. cit., p. 148 et seq.
3 "Contingit autem commixtiones vel combinationes istarum fieri, puta quod accipiatur consiliatium unius et judicium alterius, et sic de aliiis; et secundum hoc contingit diversimode misceri respublicas. ... Istae enim partes diversimode combinatae faciunt diversitatem rerumpublicarum." Pol., VI, 1.
4 Cf. Pol., IV, 7 and 10.
combination of oligarchy and aristocracy which is closely related to it but which is difficult of realization)

"are best and possible to more states and men." And this latter is certainly different from Demongeot's "mixed regime properly so called." 

It is customary to cite the text from the *Summa Theologica*, IaIIae, q.105, a.1, as most representative of what St. Thomas thought the best form of rule to be. This response of St. Thomas to the question, "Whether the Old Law made fitting disposition with regard to rulers," might well be called the common place in this matter. The body of the article reads as follows:

I answer that in the matter of

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5 "... manifestum est quod non multum distant." *Pol.*, IV, 7.
6 *Pol.*, IV, 10.
8 See above, note 2.
the disposition of rulers in some state or people, two things must be considered. One of these is that everybody have a part in the ruling; for by this peace is preserved among the people and all like, and all abide by, such a set-up, as it is said. The other thing to be looked to is the form of rule or the disposition of powers. Of this there are different kinds, as the Philosopher tells us. The principal forms are monarchy, in which one man holds rule by reason of his virtue; aristocracy, that is the rule of nobles, in which some few men hold the power of rule by reason of their virtue. Whence the best disposition of rulers in some state or realm is that in which one man is made chief by reason of his virtue and he presides over all; under him there are some men who hold the power of rule by reason of their virtue; and still such a power of rule pertains to all, both because the rulers can be chosen from all and because the rulers are elected by all. But such is every form of rule well composed of monarchy, inasmuch as one presides; of aristocracy, inasmuch as many hold the power of rule by reason of their virtue; and of democracy, inasmuch as the rulers can be selected from the people and the election of rulers pertains to the people. And this is what was set up by divine law: For Moses and his successors govern the people, ruling alone as it were over all -- this is a kind of monarchy. Seventy-two elders were elected for their virtue; for it is said in Deut. I, vers. 15: And I took out of your tribes men wise and honorable, and I appointed them rulers,
and this was aristocratic. But it was democratic that they were elected from all the people; for it is said in Exod. XVIII, 21: 'Provide out of all the people able men, etc. Whence it is evident that the disposition of rulers which the Law ordained was best. 10

What shall we make of this passage? The first thing to be established, it would seem, is what St. Thomas is doing here. To us it seems clear that he is engaged in a theological consideration. Specifically, he is engaged in the ordinary theological task of seeking reasons of appropriateness (rationes convenientiae). 11 This process involves seeking to provide explanations of the fittingness of divine action. In most cases this is done by bringing to bear what theology knows of God on the particular instance under discussion. Ordinarily, therefore, the gathering of reasons of appropriateness involves the exercise of the theological habit purely and simply. As such, the procedure would not be of direct

10 S.T., IIaIIae, q.105, a.1. The only variant reading noted in the Leonine edition which would seem to have any possible influence on the interpretation is the Editio Romana (likewise in the Codex Cameracensis) reading: "Talis est enim optima politia" for "Talis vero est omnis politia."

11 Such would seem to be the import of the "Utrum conveniencer" of the question of the article. (All four articles are concerned with questions of this type.) In the light of this, Demongeot's paraphrase of the question: "si l'organisation gouvernementale donnee aux Hebreux par la loi divine etait bien la meilleure," (op. cit., p.9) would seem a little forced.
philosophical interest.

Sometimes it happens, however, that what is under discussion is a matter which is "supernatural in mode only." In other words, the agent is God, but the action is not such in concept as to require God as agent. In such a case the theologian makes an instrumental use of philosophical truth in his search for some, at least, of the reasons of appropriateness. This gives the philosopher an area in a question of this type wherein he may legitimately philosophize.

Since the text which we have cited is, in our view, of the type just described, we may press further our consideration of how the theologian works in such a situation. It would seem that the theologian tries to get as close to the conditions of the case he is studying as possible. In a sense, he tries to put himself insofar as he possibly can in God's position. His effort will be to muster the best reasons he can in the hope that these will provide him with some inkling of "what God had in mind" in operating as He did. This would seem to be involved in the attempt to discover how

12 "The light of faith is different in kind from that of pure reason. But that does not prevent theology from taking up in an instrumental way the knowledge provided by reason (which thereupon ceases to be the science of pure reason) into a form of knowledge which tends to resolve itself into the science of the blessed."
God's disposition of the matter was fitting. To put it another way: In such a procedure we would seem to have a "case study", which is to say, the very type of what Maritain calls practically-practical knowledge.

Now, as we see it, the text we have under discussion involves practically-practical knowing as much as any case about Cletus and Rufina ever did. If so, the text will show this chiefly by the way it is impregnated with consideration of the conditions of the case. It is our belief that the whole article demands this interpretation.

In the first place, St. Thomas is aware of the historical period (under the Law) in which this form of regimen was set up. This is clear from the fact that the form

13 Cf. above, Chapter II, note 23.
14 "[Le savoir pratiquement-pratique] est beaucoup particulierisé que la théologie morale ou l'éthique, ... elle considère le détail des cas ..." J. Maritain, Les degrés du savoir, p.624.
15 Cf. his division of human history into three periods: ante legem; sub lege; sub gratia. S.T., IIaIIae, q.174, a.6.
16 This is by no means a negligible consideration in view of St. Thomas's doctrine on the conditions that prevailed under the Law. Cf. particularly the principle which he is constantly invoking in interpreting Genesis: "Moyses rudi populo loquebatur, quorum imbecillitati condescendens, illa solem eis proposuit quae manifeste sensui apparent." S.T., Ia, q.68, a.3. See also, S.T., Ia, q.61, a.1, ad lum, etc. P. Rousselot, S.J., gives an excellent summary of St. Thomas's doctrine on the conditions under the Law in L'Intellectualisme de saint Thomas (Paris, Beauchesne, 1924), pp. 235 et seq.
chosen was not monarchy, which for St. Thomas would have been the form of governance if the Fall had not taken place. 17 He has not forgotten or abjured his teaching elsewhere that monarchy is the best form of government. This is evident from his words in the second objection: "... the best ordering of any state or people is that it should be governed by a king." 18

A monarchy was not set up precisely because of the tendency of the particular people involved to become tyrants:

... the Israelites were particularly cruel and prone to avarice; through these vices especially do men fall into tyranny. 19

The peculiar danger of revolts involved is evident throughout the article. In the beginning of the body of the article, St. Thomas says in effect that in considering the political set-up of some state or people two things must be taken into account, viz., the end of the regimen (pax populi) and the means to that end (species regiminis vel ordinatio principatum). But, concerning the end of the regimen, he adds what, in our interpretation, is already the consideration of a type of condition, viz., a people difficult to control; for he says:

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17 See above, Chapter III, note 40.
18 Loc. cit.; he confirms this in the reply. Cf. also obj. 5.
19 Loc. cit., ad 2um.
One of these is that everybody have a part in the ruling; for by this peace is preserved among the people and all alike, and all abide by, such a set-up, as it is said. 20

The immediate context abounds with references to the propensity of the Israelites to revolt. In the reply to the second objection, St. Thomas tells of God's concession to the people's demand for a king (hitherto withheld because of the danger of tyranny, as already noted):

... but later, and as if it were indignantly, He conceded a king at the request of the people, as is clear from what He said to Samuel: For they have not rejected thee, but me, that I should not reign over them. [I Kings, VIII, 7] 2401

In the third objection St. Thomas tell us that the later division of the kingdom, which Ahias was ordered to make, 22

was visited upon that people in punishment for their many dissensions, especially those which they initiated against David the just....

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20 The reference is to Aristotle, Političes, II, 9, 1270b 18 et seq., where it is a question of the Ephorality feature of the Lacedaemonian constitution and its usefulness in maintaining contentment among the people. See above, Chapter III, notes 52, 53, and 56.c.
21 Cf. loc. cit., ad 5um: "... unde hoc dicebat Samuel ad terendum eos, ne regem peterent; sequitur enim: Noluit autem audire populus vocem Samuei: Is I Reg., VIII, 19."
22 III Reg., XI.
The oligarchical principle, which is absent from the mixed regime as presented in this article, seems to have been advisedly excluded to remove a cause of revolt. 23

The foregoing considerations seem to make it clear that as St. Thomas wrote this article he had the special conditions of the Israelite people very vividly in view. There is another consideration, a verbal one, which is at least persuasive of the particularity of the viewpoint taken. This is the use of "some" in the two following phrases in the body of the article:

I answer that in the matter of the disposition of rulers in some state or people, two things must be considered.... Whence the best disposition of rulers in some state or realm ...

We realize, of course, that nothing certain can be argued from this usage. It does, however, favor our interpretation in the sense that an "all" or "every" here would embarrass it.

Since, in effect, we have here the study of a particular case, the considerations are for us on the practically-

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23 Cf., loc. cit., ad 4um: "... et praecipue cum Dominus prohiberet etiam in lege ne superabundarent [sol. principes] divitiis, aut magnifico apparatu; tum quia non erat facile quin ex his in superbiam et tyrannidem erigerentur; tum etiam quia si principes non erant multum divites, et erat laboriosus principatus, non multum affectabatur a popularibus; et sic tolebatur seditionis materia." Cf. also, ad 2um: "... et ad avaritiam proni."
practical level. What may therefore be concluded? That the considerations retain some universality is taken for granted in the theory of practically-practical knowing. 24 The question is: To what extent may we apply St. Thomas's considerations in this article? In our interpretation it comes to this: In the first part of the body of the article, where he is bringing considerations from the speculatively-practical level to bear on his problem ("Whence the best disposition of rulers etc." 25 "But such is every form of rule well composed etc.")], the "best" is to be understood as "best in view of conditions." 26 In this sense the particular form of a mixed regime, composed of monarchy, aristocracy and democracy as elements, will be best wherever the circumstances require and allow this combination. In the last sentence of the body of the article — "Whence it is evident that the disposition of rulers which the Law ordained was best" — the "best" is to be taken with the qualification "in view of the particular circumstances obtaining among the

24 "[Le savoir pratiquement pratique] c'est encore une science, parce que, si elle est beaucoup plus particularisée que la théologie morale ou l'éthique, si elle considère le détail des cas, c'est encore cependant en brassant, comme son objet propre, de l'universel et des raisons d'être." J. Maritain, Les degrés du savoir, p.624. Cf., also, p.892.

25 As we have noted above in note 10, the reading is doubtful.

26 See above, Chapter III, notes 1 and 2.
people under the Law." Even here, of course, there is an element of universality left: A similar set-up would be "best" wherever and insofar as these circumstances were approximated. 27

27 Before we pass to the final chapter, it seems in order to give a brief consideration to two interpretations of the locus communis (IIaIIae, q.105, a.1) which differ from our own. The first of these is that of Étienne Gilson, Le Thomisme, Ve ed., pp.453 et seq. For Gilson, as we have already noted (see above, Chapter I, note 9), this article is to be taken as a kind of explanation by St. Thomas of what he means by monarchy. It seems clear, however, from objection 2 and its reply, that the Divine ordination did not set up a regnum in the beginning because of the tendency of the Israelites to tyranny. Gilson cites: "Est etiam aliquod regimen ex istis commixtum, quod est optimum" from q.95, a.4. He then identifies this mixed form with the one described in q.105, a.1: "Il est certain que le regimen commixtum du texte précédent est celui que décrit Sum. theol., IaIIae, 105, 1, ad Resp. On lit, en effet, dans ce dernier texte: 'Talis enim est optima politia, bene commixta!'" (op. cit., p.457, notes 2 and 3). But is this identification certain? In the text from q.95, a.4, the antecedent of istis includes regnum, aristocracia, oligarchia, and democracia (omitting tyrannicum). In q.105, a.1, the oligarchic element is omitted from the mixed, seemingly on purpose (see above, note 23). For oligarchy as an element of the mixed form, see above, Chapter III, note 55, and above, this chapter, notes 4, 5, and 6. Further, Gilson says: "Il s'agit ici de l'Ancienne Loi, mais n'oublions pas que saint Thomas y voit le type même d'une optima politia. Voir le Sed contra: 'Ergo per legem populus fuit circa principes bene institutus!'" (op. cit., p.459, note 3). In the sense of type of best form of government in that it exhibits the best adaptation to the circumstances, we could concede this. Such, however, does not seem to be Gilson's meaning; cf. "... le régime politique institué selon la loi de Dieu est certainement le meilleur de tous" (op. cit., p.457, note 3). --- Demon- geot gives a succinct summary of his interpretation in op. cit., pp.11-13. His points together with our criticisms
It now remains for us to consider the last of the levels of practical knowing, namely, the prudential. This will be the burden of the next chapter.

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are as follows:

10) Il aborde la question à propos d'un cas particulier: celui des Hébreux. Mais aussitôt il s'en écarte et, pour résoudre ce cas particulier, s'élève à une théorie générale. La structure même de l'article le montre: le titre pose la question pour les Hébreux, mais le corps de l'article ne contient pas la moindre considération à eux particulière dans la description du régime mixte, et il n'en fait qu'après coup l'application à leur constitution. C'est donc bien en philosophe, non en législateur, que saint Thomas traite le problème, et le régime mixte n'est pas seulement le meilleur régime souhaitable pour les Hébreux, mais le meilleur régime en général;" "Our view of this will be clear from our discussion in the text. It might be pointed out, however, that in the solution of any case, it is usual to prefix the principles according to which the solution will be made, and that the principles themselves are selected because they apply in casu.

20) mais non d'une superiorité d'ordre purement spéculatif. Car il ne borne pas à étudier en elle-même et en pur métaphysicien la notion de régime politique. Il l'étudie concrètement, il tient compte des conditions générales des cités humaines, comme le montre dès la première lecture notre texte, notamment: per hoc enim conservatur pax populi, et omnes talem ordinationem amant et custodiunt. C'est donc le meilleur régime en fait, pratiquement;" "We have already stated earlier that the speculative study of "le meilleur régime politique" does not seem to have much meaning (see above, Chapter I, note 17). For St. Thomas, political questions are questions in the practical order of knowing (see above, Chapter III, notes 1 and 2). As should by now be clear, our proposal is to eliminate the so-called "speculative" consideration, to put the whole discussion within the practical order of knowing, and to distinguish the different levels at which the question is considered along the line that leads down to the prudential.

30) il est manifeste que l'intention de saint Thomas est d'établir que la constitution donnée aux Hébreux était la plus digne d'être donnée par Dieu lui-même: etc."
is true.

"40) enfin et surtout il faut tenir compte de ce que, la Bible étant un livre inspiré, tout ce qu'elle contient a une valeur exemplaire. Pour un chrétien comme saint Thomas, le seul fait qu'une constitution est inscrite dans la Bible la recommande d'une manière éminente au philosophe politique." Our view of this will be clear from the text. -- To complete Demongeot's interpretation, we can add his conclusion: "En un mot, le régime mixte [as described in IaIIae, q.105, a.1] est aux yeux de saint Thomas le régime modèle" (op. cit., p.13).
CHAPTER V

PRUDENCE: THE END OF THE LINE

St. Thomas was seemingly not much concerned with the foundation of new states as such and the selection of the forms of government for them. So far as we are aware, he nowhere explicitly says who would exercise the choice in such a case. It would, of course, be a mistake to associate with him the problem that was to come to the fore in the days of Bellarmine and Suarez; 1 as Mueller remarks, efforts to read the Vertragstheorie into Aquinas have not as yet been successful. 2

Since the choice of form of rule is a matter concerning the common good, it would seem that this decision will be made by the whole multitude or by him who, by one title or another, is charged with their care, for

To order ... something to the common good pertains either to the whole multitude or to someone who takes the place of the whole multitude. 3

2 Mueller, op. cit., pp. 7-10.
3 S.T., IaIIae, q.90, a.3. It is here a question of law. The vice gerens is "persona publica, quae totius multitudinis curam habet." (idem.)
St. Thomas does not show us the multitude setting up a form of government, but he does present them as at work on a related matter, as doing something related to the common good. This is their "making", abolishing and interpreting of law by means of custom. This example is instructive and pertinent; it will repay us to give it a brief consideration.

In the first place, laws are not abruptly to be changed:

... those things which belong to art have their efficacy from reason alone; and hence wherever it happens that there is opportunity for their betterment, that which was previously in force is to be changed. But laws have their greatest force from custom ... and they are therefore not lightly to be changed.

But progress in the law is not excluded:

human ... law derives from the will of man regulated by reason. But as the reason and will of man in things to be done are manifested in words, so also are they manifested in deed. For each person seems to choose as a good that which he carries out in doing. But it is evident that a law can be changed and likewise interpreted by words, insofar as these manifest an interior change and concept of the human reason. Hence it is also

4 "... consuetudo et habet vim legis, et legem aboleat, et est legum interpretatrix." S.T., IaIIae, q.97, a.3.
5 S.T., IaIIae, q.97, a.2, ad 1um.
possible by deeds, especially the multiplication of deeds which constitute a custom, to change or interpret a law and even to establish something having the force of law; inasmuch as these exterior multiplied acts most effectively declare the interior change of the will and the concepts of reason. For when something is done repeatedly, it seemingly proceeds from a deliberate judgment of the reason... 6

What interests us in this example is that that which ultimately decides what is for the common good is not the law but the socially exercised prudential judgment of the people. And this brings us to the central point towards which our whole thesis has been tending.

Whoever makes the choice of the form of government -- the whole multitude, a group, or a person -- will have to act in accordance with reason. 7 For to establish a state...

6 S.T., IaIIae, q.97, a,3. Cf. Rousselot, op. cit., p.239: "Nous avons distingue, dans l'individu, des jugements intimes, fonciers et vitaux, d'avec les propositions qui forment comme la periherie verbale de la vie intellectuelle; on se rappelle l'exempie de l'homme ivre: 'etsi ore proferat hoc non esse faciendum, tamen interius hoc animo sentit quod sit faciendum.' [Ia2ae, q.77 a.2 ad 5]. Il y a, dans la conscience des peuples, un phénomène exactement semblable. La coutume vaut contre la loi, parce qu'elle est l'expression d'un jugement plus reluèchi et plus profond."

7 Cf. the remarkable text in De veritate, q.17, a.5, ad 4um: "Subditus non habet judicare de praecepto praeleti, sed de impletione praecepti, quae ad ipsum spectat. Unusquisque enim tenetur actus suos examinare ad scientiam quam a Deo habet, sive sit naturalis, sive acquisita, sive infusa: omnis enim homo debet secundum rationem agere." Cf. ibid.,
is a work of the practical reason, in fact its principal achievement. 8 Now running through the whole order of practical knowing there is a line 9 which connects this knowing, and brings it into continuity, with prudence -- right reason about things to be done. 10 Along this line we may distinguish, as we have seen, 11 different levels according as the consideration becomes less universal; these levels are occupied by the practical sciences. But when it is a question of an actual choice here and now, the practical sciences alone are an insufficient guide. 12 As sciences, they are universal;
in the case in which the choice is to be made the things to be considered are contingent particulars. And it belongs to prudence "rightly to judge concerning the human good in single things to be done." 13 To prudence it belongs to make the application of right reason to the work to be done. 14

The possible objection that prudence has to do only with the rule of one's self is forestalled:

[This would be] contradictory to right reason, which judges that the common good is better than the good of one. Therefore, because it pertains to prudence rightly to counsel, judge and command in those things by which one arrives at the due end, it is evident that prudence regards not only the private good of one man but also the common good of the multitude. 15

This species of prudence is called political. 16

At the concrete level of an actual situation the choice of the best form of government, therefore, will be guided by

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13 "Oportet quod ratio practica perficiatur aliquo habitu ad hoc quod recte dijudicet de bono humano secundum singula agenda. Et haec virtus dicitur prudentia." De virtutibus in communi, a.6. "Prudentia includit cognitionem et universalium et singularium operabilium ad quae prudens universalia principia applicat." S.T., IIaIIae, q.47, a.15.

14 "Ad prudentiam ... pertinet ... applicatio rectae rationis ad opus ..." S.T., IIaIIae, q.47, a.4.

15 S.T., IIaIIae, q.47, a.10.

16 "... dicitur autem politica secundum ordinem ad bonum commune." S.T., IIaIIae, q.47, a.11.
the prudential judgment. At this level St. Thomas does not give us any statement as to which is the best form. Nor can we expect any such statement. This is clear if we bear in mind the fact that the prudential judgment is incommunicable. 17 As O'Neil says:

It is the very incommunicability of prudence which puts it beyond the competence of the most learned and devoted teachers. The most inspiring lecturer cannot impart it, and the most carefully wrought book cannot contain it. For prudence is a man's very precious possession, his own and incommunicable wisdom. Moral philosophy may be learned, moral sciences may be taught. Prudence must be lived. 18

And thus, at the prudential level the question of the best form of government has to be left open, to be decided in

17 "Those very characteristics which elevate prudence to the dignity of wisdom make it an incommunicable wisdom. Human operation in the temporal order is the human person in his ultimate fulfillment: in my act of union with good I am most fully myself; but my act is my own and no other's act can be mine. And as I am myself incommunicable so is the rational perfection of my act incommunicable. For only the human individual can resolve the last doubt that calls for counsel; the human individual has only his own native ability and experience to sharpen his intuition of the practical situation; only the human individual himself can issue the ultimate moral precept, for that command is heard in that inner realm, wherein, under God, he alone is master." Charles J. O'Neil, Prudence, The Incommunicable Wisdom, in Essays in Thomism (New York, Sheed and Ward, 1942), pp. 203-204.

18 Ibid., p.204.
each instance in view of the concrete contingencies of the given situation.

With our descent to the prudential judgment our hypothesis as to the framework within which St. Thomas treats the question of the best form of government is complete. We believe that it fulfills the requirements of a good hypothesis, namely, that "it explains in a consistent fashion all the facts which it was assumed to account for." 19 That hypothesis, together with collocations of the doctrine to the corresponding levels, is as follows:

St. Thomas treats the question of the best form of government wholly within the order of practical knowing.

At what we have identified as the top-level of this order, his teaching is that monarchy is the best form of government. This is the absolute consideration at the speculatively-practical level of the order of practical knowing.

At a lower level of the speculatively-practical division his decision is in favor of some form of mixed regime. At this lower level consideration of the problem is made with conditions in view, i.e., possible difficulties of realization are taken into account in a general way.

In the Summa Theologica, IaIIae, q.105, a.1, it is a

19 Carolus Frick, S.J., Logica, ed. 5a, (Friburgi Brisgoviae, Herder, 1919), p.91.
question of practically-practical knowing. St. Thomas's teaching here is that the particular combination of simple forms of government instituted by God for the Jewish people was best in view of the circumstances.

At the level of concrete choice the best form of government is to be determined by prudence in the sense of the virtue of practical wisdom. In the last analysis, therefore, the problem of the best form of government can only be answered by a "prudential" judgment.

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The thesis submitted by George Drury has been read and approved by three members of the Department of Philosophy.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

January 30, 1948

Date

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Signature of Adviser