Michael Novak has recently been making the improbable claim that liberalism and Catholicism are not only compatible, but in many important respects essentially the same. To illustrate this, he is fond of asserting that St. Thomas Aquinas is the first liberal. Novak takes his cue from Friedrich Hayek, who approvingly cites Lord Acton’s assertion that St. Thomas (in a long quotation which Acton attributes to Thomas) put forward “the earliest exposition of the Whig theory of revolution.” Thus, Novak calls St. Thomas a proto-liberal, and calls for a return of the “Catholic Whig.”

Two problems arise in this procedure. First, while language similar to some of that which Acton attributes to Thomas may be found at various places in Aquinas, the “quote” is at best an interpolation, at worst a fabrication. Second, Novak has a great deal of theological, philosophical and historical revisionism to do in order to say that Aquinas would even understand the language of liberalism, much less hold the ideas which Novak attributes to him.

Acton puts the following in quotation marks, and credits “this language” to “the most celebrated of all the Guelphic writers,” St. Thomas Aquinas:

A king who is unfaithful to his duty forfeits his claim to obedience. It is not rebellion to depose him, for he is himself a rebel whom the nation has a right to put down. But it is better to abridge his power, that he may be unable to abuse it. For this purpose, the whole nation ought to have a share in governing itself; the Constitution ought to combine a limited and elective monarchy, with an aristocracy of merit, and such an admixture of democracy as shall admit all classes to office, by popular election. No government has a right to levy taxes beyond the limit determined by the people. All political authority is derived from popular suffrage, and all laws must be made by the people or their representatives. There is no security for us as long as we depend on the will of another man.

Nowhere in the Aquinas oeuvre can such a passage be found, though some similar sentences and phrases do appear at various places. Acton’s intended meaning of the passage, however, is foreign to Aquinas’ thought.

The first three sentences of Acton’s passage echo Aquinas’ words in De Regno. In book one, chapter six, St. Thomas says that the best rule is the rule of one man: a king. But since this is also easily abused, rule by a king ought to be arranged such that the danger of tyranny is mitigated as much as possible. Thomas says, “Once the king is es-
established, the government of the kingdom must be so arranged that opportunity to tyrannize be removed. At the same time his power should be so tempered that he cannot easily fall into tyranny.7

And if, despite the safeguards, the king becomes a tyrant, it is not unjust to depose him. Aquinas explains:

If to provide itself with a king belong to the right of any multitude, it is not unjust that the king set up by that multitude be destroyed or his power restricted, if he tyrannically abuse the royal power. It must not be thought that such a multitude is acting unfaithfully in deposing the tyrant,... because he himself has deserved that the covenant with his subjects should not be kept, since, in ruling the multitude, he did not act faithfully as the office of a king demands.8

Though Acton does faithfully convey part of Aquinas’ thought, he ignores the very “un-Whigish” premise of the passage, as well as an important qualification to the right to depose the tyrant. First, Aquinas, unlike Acton or any other liberal,9 advocates the rule of one man as “the best” and “to be preferred.” Aquinas would not remove the king in order to establish liberal democracy, but rather in order to establish another (just) king.

Second, the tyrant should not necessarily be deposed. “He should be tolerated even in his tyranny on account of the greater evil to be avoided.”10 And even if the tyrant can be overthrown, “from this fact itself very grave dissensions among the people frequently ensue: the multitude may be broken up by factions either during their revolt against the tyrant, or, concerning the organization of the government, after the tyrant has been overthrown.”11 The disorder of a fractured political community is a greater evil than some kinds of tyranny. In many conceivable cases, “danger to the people from the loss of their king would be more imminent than relief through the removal of the tyrant.”12

But for the Whig Acton, no political good is higher than individual freedom. “Liberty is not a means to a higher political end,” he asserts. Liberty “is itself the highest political end. It is not for the sake of a good public administration that it is required, but for security in the pursuit” of individual preference.13 For Acton liberal democracy, not monarchy, is the best “regime.” Still less could one ever argue that tyranny ought to be endured under some circumstances.

For Aquinas, though, liberty is not the highest good, political or otherwise,14 and democracy is not the best regime. Though giving carefully qualified grounds for deposing the tyrant, Aquinas affirms two very un-Whigish political doctrines: monarchy as superior to democracy,15 and order as precedent to liberty. “The more efficacious ... a government is in keeping the unity of peace, the more useful it will be,” explains St. Thomas. “For we call that more useful which leads the better to the end. Now it is manifest that what is itself one can more efficaciously bring about unity than several... Therefore the rule of one man is more useful than the rule of many.”16

Other parts of Acton’s alleged quote which faintly echo St. Thomas are found in the treatise on law in the Summa Theologiae. First, Aquinas says that “all should take some share in the government: for this form of constitution ensures peace among the people,”17 corresponding to Acton’s “the whole nation ought to have a share in governing itself.” Similarly, Aquinas says that the best regime is one in which “all are eligible to govern,” and in which “the rules are chosen by all.” Partial democracy is preferred since, “in so far as the rulers can be chosen from the people... the people have the right to choose their rulers.”18 This corresponds roughly to Acton’s statement that Aquinas advocates “an admixture of democracy as shall admit all classes to office, by popular election.”

Acton is also correct to note that Aquinas advocates a mixed regime:
The best form of government is in a state or kingdom, wherein one is given the power to preside over all; while under him are others having governing powers: and yet a government of this kind is shared by all, both because all are eligible to govern, and because the rules are chosen by all. For this is the best form of polity, being partly kingdom, since there is one at the head of all; partly aristocracy, in so far as a number of persons are set in authority; partly democracy, i.e., government by the people.”19

Elsewhere, after describing what is meant by monarchy, aristocracy and democracy, Thomas says, “Finally, there is a form of government made up of all these, and which is the best.”20 Aquinas is not clear, however, that the monarch is “elective” or even “limited” in the way that Acton seems to imply. For Thomas, the monarch is kept from becoming a tyrant by wise safeguards against his power: “the rules are chosen by all.”21 But these are constitutional rules concerning the parameters of the king’s authority, not about how he assumes office. (And, of course, once in power, the king remains for life or until he is overthrown for abdicating his proper authority for the power of the tyrant.) The example Aquinas gives as an illustration of his point is one in which the king could not be chosen from among any class, or elected by popular suffrage. The strong, life-time reign of the prophet Moses and his successors is Aquinas’ model: “Moses and his successors governed the people in such a way that each of them ruled over all; so that there was a kind of kingdom.”22 Only as a concession to their disobedience were the people given a king so-called from among the people. And even then the proper selection of the king was to be guided by God’s own decision.23 Similarly, the kind of monarchy under which Aquinas lived, and which he endorsed in De Regno, is one in which the monarch is not appointed by suffrage at all. The people must consent to the choice of monarch, of course, else they will rebel. But their voice, if expressed at all, is expressed after the fact.

Moreover, the part of ancient Hebrew polity corresponding to aristocracy, the council of elders, was nominated by the people but approved and appointed by Moses. At Deuteronomy 1:13, 15 (to which Aquinas alludes) Moses explains how he had commanded the people to “choose wise and discerning and experienced men from your tribes, and I will appoint them as your heads”.... So I took the heads of your tribes ... and appointed them heads over you.” The authority of these elders derived from Moses’ command, not from the natural authority of the Hebrew population. Natural rule is the rule of one;24 limited, partial suffrage is merely the means toward making that rule most effective. And constitutional limitations of the king’s power are merely to guard against tyranny, the worst form of governance.25

Further, while the “language” of the last two sentences of Acton’s quote do have approximate references in Aquinas, Acton’s context and (seemingly) intended implication radically alter the meaning of the paraphrased Aquinas passages. First, in saying that “all political authority is derived from popular suffrage, and all laws must be made by the people or their representatives,” Acton’s point seems to be that the democratic part of the regime is the primary and highest part. But under such a mixed regime as Aquinas advocates, rulers are not necessarily appointed by suffrage, nor are all laws derived from the people or their elected representatives. In Aquinas’ illustration of the best regime, political authority is derived from God and administered through his proxy, the king-like prophet Moses. Lesser rulers are approved and officially appointed by the monarch. And even after the era of the prophets, political authority is derived from God alone. Acton has changed Aquinas’ mixed regime into a plebiscitary democracy.

Similarly, in the context of his remarks Acton seems to make the sentence, “There is no security for us as long as we depend on the will of another man,” refer to the inherent evil of rule by a king.26 But in the passage of Aquinas that bears a faint resemblance to Acton’s “quote,” Thomas is saying nothing about kinds of regime, but rather is explaining relationships of individuals and the laws that govern them. Thomas says:

Now the relations of one man with another are twofold: some are effected under the guidance of those in authority; others are effected by the will of private individuals. And since whatever is subject to the power of an individual can be disposed of according to his will, hence it is that the decision of matters between one man and another, and the punishment of evildoers, depend on the direction of those in authority, to whom men are subject. On the other hand, the power of
private persons is exercised over the things they possess: and consequently their dealings with one another, as regards such things, depend on their own will, for instance in buying, selling, giving and so forth. Now the [Mosaic] Law provided sufficiently in respect of each of these relations between one man and another. For it established judgments... It also directed the manner of pronouncing just judgments.... It also removed an occasion of pronouncing unjust judgment."

Aquinas is not talking about the will of one ruler, but about the relationships of private individuals within the regime. If our security is based solely on the good will of our neighbors, than “there is no security.” But if it is based on the rule of law, apart from whether the law is executed under the authority of a monarch or mixed regime, we are more secure.

Further, Acton’s “quote” of Aquinas, that “no government has a right to levy taxes beyond the limit determined by the people,” again finds no direct reference, but might be (generously considered) a paraphrase of objection 5 and its reply in the same question (I-II, qu. 105) from which the other parts of the paraphrase come. The objection is that the “Law made unfitting provision with regard to the institution of rulers,” since, quoting I Kings 8:11, “This will be the right of the king, that shall reign over you: he will take your sons;” etc. Aquinas replies that this not by divine institution; “rather was it foretold that kings would usurp that right, by framing unjust laws, and by degenerating into tyrants who preyed on their subjects.” Hence Samuel warned the people, using the words of the objection. But Aquinas does not draw from this the conclusion that Acton attributes to him. Thomas concludes the reply, “It may happen, however, that even a good king, without being a tyrant, may take away the sons, and make them tribunes and centurions; and may take many things from his subjects in order to secure the common weal.” The words Acton attributes to Thomas do not convey his opinions.28

This is further born out in Aquinas’ discussion of obedience. Just as a single monarch is the regime suggested by nature, so to is it natural for some men to obey others, “Just as in virtue of the divinely established natural order the lower natural things need to be subject to the movement of the higher, so too in human affairs, in virtue of the order of natural and divine law, inferiors are bound to obey their superiors.”29 More explicitly in conflict with the opinion that Acton attributes to him, Aquinas says that some men are indeed dependent upon the will of other men. Some men more naturally approach the supremely rational will of God, and therefore the will of these men may be a “second rule” to the man whose will is less perfectly conformed to God’s (less rational), and who therefore obeys the man of stronger will.30 Moreover, while the most meritorious deed is the one done without prompting, to do the deed in obedience to the prompting of another is also praiseworthy.31 In short, contra Acton, sometimes dependence upon the will of another man is the source of security.

Acton’s quilted paraphrase, while containing some authentic echoes of Thomas’ writing, clearly cannot be called a quote. Moreover, the meaning Acton tries to convey by the paragraph is clearly a departure from Thomas’ own thought. While one may or may not conclude that Thomas’ thought was a precursor to liberalism, he certainly advocates nothing like a liberal theory of revolution, nor can he be called a Whig. The essential point of Acton and the Whig theory he represents is that liberal democracy is not the least imperfect option among many, but that it is the best regime (or, rather, non-regime), in accord with man and his nature. The more refined is liberalism the more just the system; the less pure the less just. Thought of as a continuum, monarchy is the least just regime.

But for Aquinas, rule by one wise man is the best regime, both because it is consistent with nature and it works best. Since no man is sufficiently wise or above temptation toward evil, other types of regime are mixed with the best regime to arrive at the most workable. But the essential point is that the regime is closest to being most natural when it is headed by the single wise king. For Aquinas, the best regime is monarchy; democracy and aristocracy are mixed with monarchy only because of the possible failure of the king to remain just. Thus to call St. Thomas a Whig is to ascribe to him exactly the opposite opinion of the just regime.

An excellent illustration of the error of calling Aquinas a Whig is his view on “religious liberty,” a phrase not coined until long after the 13th century, but the issue of which St. Thomas addresses in the treatise on unbelief in the secunda secundae of the *Summa Theologiae*. Presumably, since Novak and others wear the mantle of liberal (or Whig), and count Aquinas as a fellow-traveler,
Thomas’ ideas about the relation of the unbeliever to the state would be similar to those outlined above. But, like Aquinas’ advocacy of a monarchy as the best pure regime (and a mixed regime the best practical one), his thoughts on religious liberty are rather “un-liberal.”

By the very nature of religious belief, an unbeliever cannot be compelled to the faith. But this does not mean that we are merely indifferent to non-believers, or tolerant of all their actions. Rather, “they should be compelled, if it be possible to do so, so that they do not hinder the faith, by their blasphemies, or by their evil persuasion, or even by their open persecutions.” While belief cannot be, compelled, if practicable, non-believers ought to be compelled not to interfere with the religious practice and opinion of the faithful.

But this limited tolerance does not apply to those who, after having professed the true faith, deviate from it in thought or practice. “Such should be submitted even to bodily compulsion, that they may fulfill what they have promised, and hold what they, at one time, received.” Jews who have not professed faith in Christ “ought by no means to be compelled” to believe. But those who have confessed Christian faith, “ought to be compelled to keep it,” as ought converts from heathenism. To believe is beyond the control of another, “whereas keeping the faith, when one has received it, is a matter of obligation,” and therefore a matter open to compulsion. “Heretics should be compelled to keep the faith.”

Moreover, though prudence may dictate that unbelievers have authority over believers, the rule is that unbelievers do not have authority over believers. Thomas considers two circumstances: where the unbeliever establishes authority over one who already believes; and where an unbeliever under the authority of an unbeliever becomes a believer. The former situation ought never to occur, “for subjects are easily influenced by their supporters to comply with their commands, unless the subjects are of great virtue.” Hence, the rule is that the “Church altogether forbids unbelievers to acquire dominion over believers, or to have authority over them in any capacity.”

In the second situation (in which the unbelieving subject converts), pre-existing authority of the unbeliever ought to remain since it is an institution of legitimate human law, derived from reason. Nevertheless, if it is prudent to do so this rule may be done away with by the Church, “who has the authority of God,” since by divine law unbelievers forfeit the right of rule over believers. If to do away with this pre-existing authority would “cause scandal” then the Church’s authority ought not be exercised in that case.”

Thus, in principle, the unbeliever has no natural right of authority over the believer. However, since authority of unbeliever over unbeliever is natural, and since the divine law which governs the distinction between believer and unbeliever does not abrogate natural law, it does not violate natural law for the unbeliever to maintain authority over the convert. But the Church maintains the authority to do away with this natural authority if such action is prudent and does not cause scandal.

In a similar way, St. Thomas argues that the religious rites of unbelievers ought to be tolerated, not as a right but as a point of political prudence. Unbelief and the rites of unbelievers are evil, and “although God is all-powerful and supremely good, nevertheless He allows certain evils to take place in the universe, which he might prevent” lest by preventing them greater evil occur, or some good be thwarted. The rites of Jews ought to have a special toleration, since they bear an imperfect witness to Christianity. But in principle the rites of non-Jewish unbelievers ought not to be tolerated, “except perchance in order to avoid an evil, e.g., the scandal or disturbance that might ensue, or some hindrance to the salvation of those who if they were unmolested might gradually be converted to the faith.”

So while Thomas has a notion of religious tolerance (one which in America might yield a great deal of freedom to heretics and non-believers), by no means is this a matter of “human right” or any other kind of right. The Church’s position is that no man has a human right not to believe; and the political freedom not to believe is only for the sake of peace. While unbelief might be given wide allowance, this is a matter of concession or toleration, not right or principle. The positive teaching is that unbelief is not a right.
From these observations, it seems impossible to say that Thomas Aquinas is a liberal. Of course it makes little historical sense to call Aquinas a liberal or non-liberal. As Pierre Manent has recently said:

Despite the authority of Lord Acton, it is not possible to describe Thomas Aquinas as a liberal. Saint Thomas was not a liberal. Nor was he antiliberal, which goes without saying. He described, analyzed, and pronounced what appeared to him to be the objective order of things and the nature of man, founded on an objective hierarchy of what was good. Now, it was such a “dogmatic” presupposition that was rejected by those authors who developed the liberal viewpoint. The starting point of the idea and of the liberal undertaking was skepticism: the idea of what was good is an uncertain one and that is why men fight. As Hobbes and Locke took pleasure in proclaiming, there is no summum bonum.... It is certain that, by radically criticizing the idea of good, the idea of conscience, and the idea of an objective morality, they undermined a vital presupposition of Christian doctrine.  

Manent rightly sees that liberalism is not the Church’s complement, but her rival.

NOTES


2See Friedrich A. von Hayek, The Constitution of Liberty (Chicago: University of Chicago Press, 1960), p. 457, fn 4. Hayek says, “In some respects Lord Acton was not being altogether paradoxical when he described Thomas Aquinas as the first Whig.” (Acton did not mean to be paradoxical at all, it seems, though the quote he attributes to Aquinas is elusive.)

3Acton, “The History of Freedom in Christianity,” in Selected Writings of Lord Acton, Vol. I: Essays in the History of Liberty, ed. J. Rufus Fears (Indianapolis: Liberty Classics, 1985), p. 34. (Originally published as The History of Freedom in Antiquity and the History of Freedom in Christianity, Two Addresses Delivered to the Members of the Bridgnorth Institute at the Agricultural Hall, February 26, and May 28, 1877 [Bridgnorth, U.K.]. It should be noted that, despite Novak’s repetition of Hayek’s error, Acton does not call Aquinas the “first Whig”; rather, Acton says that the quote he attributes to Aquinas “contains the earliest exposition of the Whig theory of revolution.” As the discussion below argues, even this lesser claim is highly dubious.

4In passing, John Courtney Murray, S.J. also calls Aquinas the first Whig in We Hold These Truths. Murray says that the shorthand phrase, “A free people under a limited government... is a phrase that would have satisfied the first Whig St. Thomas Aquinas” (p. 32). I know of no other place in which Murray makes such an allusion, and he gives no explanation here (other than the original publication of this chapter of WHTT in Thought in 1954, reprinted in Thought, Vol. 65, No. 258 (September 1990): 323-358.

5Acton, loc. cit.

6Acton is sufficiently vague in his description that he is immune from the charge that the quote is a fabrication. He says (loc. cit.) that “this language ... is taken from the works of St. Thomas Aquinas.”


8De Regno, pp. 58-59.
9Hobbes’ advocacy of absolute monarchy is noted, but this is based upon a very different view of man and politics than Aquinas’.  
10De Regno, p. 55. While one might be tempted to say that the greater evil to be avoided is liberal democracy, Aquinas has chaotic anarchy in mind (if only because the locution “liberal democracy,” has not yet been coined).  
11De Regno, p. 56. One might note the irony of Aquinas’ assumption of the danger of factions compared with Madison’s celebration of them in Federalist 10.  
12De Regno, p. 58.  
14See, for instance, Summa contra Gentiles, 111:37.  
15This is not to say that Thomas denies the limited goodness of democracy and aristocracy. As I explain below, in the Summa he advocates something like a mixed regime built around monarchy.  
16De Regno, p. 41. Aquinas (ibid., p. 42) continues to explain that rule by one is best since it is from nature. “Every natural governance is governance by one.... For every multitude is derived from unity... This is also evident from experience; for provinces or cities which are not ruled by one person are torn with dissensions and are tossed about without peace.... But, on the contrary, provinces and cities which are ruled under one king enjoy peace, flourish in justice and delight in prosperity.”  
17Summa Theologiae, MI, q. 105, a. 1.  
18Ibid.  
19Ibid.  
20Ibid., q. 95, a. 4. Aquinas also lists oligarchy “government by a few rich and powerful men,” as one form of government, corresponding to Praetorian or Honorary law.  
21Ibid., q. 105, a. 1.  
22Ibid. Cf. Spinoza, A Theologico-Political Treatise, Ch. XVIII, pp. 237-38: “After the Hebrews had transferred their rights to God, they conferred the sovereign right of ruling on Moses, investing him with the sole power of instituting and abrogating laws in the name of God, of choosing priests, of judging, of teaching, of punishing - in fact, all the prerogatives of an absolute monarch.”  
23It is significant that Thomas uses the period of the prophets to illustrate this point. God told the prophet Samuel that the people had rejected Him, not Samuel in their clamoring for a king. Before that, the regime God had chosen (and which Thomas uses to illustrate proper monarchical rule) was of the prophet as God’s vicar. “Thus,” explains St. Thomas, “by God’s orders Josue was set at the head in place of Moses: and we read about each of the judges who succeeded Josue that God ‘raised... up a saviour’ for the people, and that the ‘spirit of the Lord was’ in them. Hence the Lord did not leave the choice of a king to the people; but reserved this to Himself” (Aquinas, Summa Theologiae, I-II, q. 105, a. 1, ad 1).  
24St. Thomas says (De Regno, 1:2, pp. 41-42), “Whatever is in accord with nature is best: for in all things nature does what is best. Now, every natural governance is governance by one.... [I]n the whole universe there is One God, Maker and Ruler of all things. And this is reasonable. For every multitude is derived from unity. Wherefore, artificial things imitate natural things and since a work of art is better according as it attains a closer likeness to what is in nature, it necessarily follows that it is best, in the case of a human multitude, that it be ruled by one person.”  
25“Just as the government of a king is best, the government of a tyrant is the worst” (De Regno, 1:3, p. 43.).  
26It must be remembered that Acton says his “quote” of Aquinas is the “earliest exposition of the Whig theory of the revolution.”  
27Summa Theologiae, I-II, q. 105, a. 2.  
28Aquinas, in fact, is more worried about democratic tyranny than about monarchical tyranny. See De Regno, 1:5.  
29Summa Theologiae, II-II, q. 104, a. 1.  
30Ibid., q. 104, a. 1, ad 2.  
31Ibid., q. 104, a. 1, ad 3.  
32Ibid., q. 10, a. 8.  
33Ibid.  
34Ibid., q. 10, a. 8, ad 2.  
35Ibid., q. 10, a. 8, ad 3.
36Ibid., q. 10, a. 10. This is a simple statement of the chief concern of this essay. Theologians in America seem to have succumbed to this very problem: the commands of liberalism that the church comply with and advocate liberal “virtues” like tolerance, pluralism, liberty as an end, and democracy illustrate the force of Aquinas’ argument.

37Ibid.

38“The Divine law does not do away with human law which is the law of natural reason.” (Summa Theologiae, II-II, q. 10, a. 10.)

39Aquinas uses a similar explanation in the question of whether the children of Jews and other unbelievers ought to be baptized against their parents’ wills. While by divine law, all men should be believers, by natural justice a child belongs to his father, and therefore ought not be baptized against the father’s will before the child reaches the age of reason. (Summa Theologiae, II-II, q. 10, a. 12.)

40Aquinas uses the same argument in discussing whether the apostate believer maintains authority over the faithful believer. (Summa Theologiae, II-II, q. 12, a. 2.)

41Ibid., q. 10, a. 11.

42Ibid.

43This sounds a bit like the later teaching (since condemned) that “error has no rights.” But this formulation is not one that Thomas could have made, based as it is on a theory of subjective individual rights (rather than objective right), which came after Thomas, and which developed first into human rights and then political or civil rights. Thomas’ teaching might be summarized as “error is not right,” which is not different from the rather uncontroversial statement “wrong is not right.” The modern project has been to do away with this idea of objective transcendent right, for one of claims of subjective rights. Thus “error” cannot be denied rights because there is no such thing as error.