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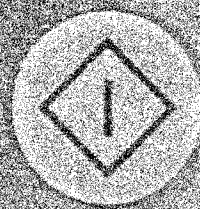
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AQUINAS LECTURE 1940

THE NATURE AND FUNCTIONS
OF AUTHORITY

JAMES H. SIMON



The Aquinas Lecture, 1940

NATURE
AND FUNCTIONS
OF AUTHORITY

Under the Auspices of the Aristotelian Society
of Marquette University

BY

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THE AQUINAS LECTURES

The Aristotelian Society of Marquette University each year invites a scholar to speak on the philosophy of St. Thomas Aquinas. These lectures have come to be called the Aquinas Lectures and are customarily delivered on the Sunday nearest March seven, the feast day of the Society's patron saint.

This year the Aristotelian Society has the pleasure of recording the lecture of Yves Simon, associate professor of philosophy at Notre Dame University. Born at Cherbourg, France, 1903, M. Simon pursued higher studies at the Catholic Institute of Paris and at the University of Paris, 1920-1929. He has taught philosophy at the Catholic University of Lille, France, 1930-38, and at the University of Notre Dame, 1938-.

Editor of the collection *Cours et Documents de Philosophie* (Paris, 1934-1938); contributor to several philosophical and political magazines, in particular to the *Revue de Philosophie*, Paris, and to the *Review of Politics*, Notre Dame, M. Simon is the author of the following

works: *Introduction à L'Ontologie du Connaître* (Paris, 1934); *Critique de la Connaissance morale* (Paris, 1934); *La Campagne d'Ethiopie et la Pensée Politique française* (Paris, 1936); *Trois Leçons sur le Travail* (Paris, 1938); *Travaux d'approche pour une Théorie du Déterminisme*, in *Études philosophiques*, Ecole des Hautes Études of Ghent, Belgium (1939).

Nature and Functions of Authority

THIS paper intends to set forth the present state of an investigation which is still far from being complete, although it was started many years ago. In order to characterize the purpose and the spirit of this research, I should like to specify the problems which stimulated it. These problems arise from commonplace observations. Radical anarchists excepted, no social thinker ever questioned the fact that social happiness is based upon a felicitous combination of authority and liberty. However vague and ill-defined our concepts of authority and liberty may be, we realize at once that authority and liberty are at the same time antinomic and complementary terms. By saying that they are antinomic terms, I do not mean that their antinomic character is absolute and unqualified. I mean only that, in a certain sense and to some extent, those terms are undeniably opposed to one another. As to their complementary character, it is quite clear that

authority, when it is not fairly balanced by liberty, is but tyranny, and that liberty, when it is not fairly balanced by authority, is but abusive license. Each of these terms destroys itself at the very moment when it destroys the other term by its excess. Therefore, both unrestricted liberty and boundless authority are fictitious conceptions, each of which implies its own negation together with the annihilation of society. There would be hardly any exaggeration in the statement that the essential question, for every social group, is that of combining rightly the forces of authority and liberty.

In the practical solution of such a question, the social virtues of the responsible persons play the decisive role. Whatever the considered community, small or large, familial, economic or political, its happiness depends on the ability of its head to determine exactly the right limits of his authority, together with the ability of those who must obey to recog-

nize that their claim for freedom cannot reasonably exceed certain limits. Inquiring into the nature of this ability to delineate the boundaries of one's field of action, let us say that it consists in a particular form of the virtue of prudence, in a wisdom which is practical in the full sense of the term, and proceeds from the virtuous dispositions of the will, justice, moderation, and charity.

Like any kind of prudence properly so-called, this prudence of the head and this prudence of the subject have to utter, in reference to singular and unrenewable circumstances, indemonstrable judgments. Owing to the contingency of their object, and to the fact that they are finally determined by the mysterious forces of the appetite, those judgments remain inevitably obscure. Now prudence is not self-satisfied with its obscurity. Although the proper mystery of the prudential determination cannot be discarded, the truly prudent man, the true man of action, wants to

have his prudence enlightened by principles. Knowing very well that universal necessities are involved in the contingencies of existential occurrences, and that a sound understanding of those necessities can helpfully reduce the field of his uncertainties, the true man of action proves very anxious to receive, from those who are acquainted with the laws of the universal and necessary objects, principles enabling him to guide himself in his action.

Now, this is the problem which determined our research on the nature and functions of authority: is it possible at all to discover principles to which we can refer, in our endeavor to proportion exactly authority and liberty in any given situation? I ask the reader to notice that this statement of the question in no way overlooks the indispensability of the prudential inquiry. No ethical science, no casuistry will teach the head and the subject what they must do, in reference to singular circumstances, to maintain the just

relationship between authority and liberty. All that philosophy can possibly do is describe the laws of essences engaged in the stream of contingency; how to behave in the midst of contingent circumstances is a question which can be solved only by the virtue of prudence.

The general problem which determined our research might be stated in a slightly different and more concrete form. Political and social consciousness, in modern times, evidences an obscure belief that the progress of freedom is synonymous with social progress, that social progress is, at bottom, the progress of freedom. This identification of the progress of liberty with social progress is proclaimed by those who call themselves liberals or progressives; it is rarely denied by those who call themselves conservatives or even reactionaries. It is very striking to observe that conservatives, in most cases, content themselves with accusing progressives, liber-

als, even revolutionaries, of precipitating the pace of social progress by asking for an amount of liberty that society, in its factual state, cannot stand. Thus they admit, no less than liberals and progressives, the basic assumption that social progress is identical with the progress of liberty. Now this progress of liberty is ordinarily conceived as implying a decay of authority, so that three terms, social progress, the progress of liberty, and the decay of authority, are currently identified. What are the implications and what is the value of these identifications? This is a question that we shall be able to solve insofar as we shall be able to point out the principles involved in the notion of authority and liberty as opposite and complementary forces.

Although a satisfactory definition of authority can result only from a complete analysis of the functions of authority, it seems that a provisional definition based upon common conceptions can be of help at the starting

point of our inquiry. Let us propose the following one:

Authority is an active power, residing in a person and exercised through a command, that is through a practical judgment to be taken as a rule of conduct by the free-will of another person.

Concerning the first element of this definition—the seat of authority is a *person*—it should be noticed that no authority can ever take the form of an impersonal necessity. When Rousseau urges the educator to have his pupil taught by nature rather than by men, to have him dependent on things rather than on persons, to have him led by inflexible laws rather than by the edicts of any human will; when he says that the child must act by necessity and not by obedience, we realize that he establishes the formula of every anti-authoritarian pedagogy.¹ In that connection, we can already perceive a difference between the closely related notions of authority and law. Although the traditional definition of law

rightly includes the issuance by a lawgiver, who is a person or a group of persons, *per eum qui curam communitatis habet promulgata*, yet the law can be conceived in a state of impersonality.² This is the way that we speak of natural laws immanent in the impersonal course of physical events. On the contrary, an immediate reference to a personal intellect and a personal will is apparently essential to the notion of authority.

By stating that the active power we call authority is meant to be exercised through a command, we state a distinction between two notions which are often identified, that of authority and that of coercion. The notion of coercion refers to the use of some physical force. Typical instances of coercion are found in a mechanical causality exerted by man over man, for example, in the arrest of the lawbreaker or in the repulsion of an invading army. Coercion, as a causal process whose proper effect is a physical one, is opposed to persuasion, a causal process whose proper

effect is a moral one, namely the origination of a certain disposition in the will of persons. Both coercion and persuasion are instruments of authority, and neither can be identified with authority as such.³

The third element of the definition, *as a rule of conduct*, implies that authority is not essentially a principle meant to determine any theoretical judgment. A theoretical judgment, that is, a judgment which refers to the reality of things, a judgment which states what the things are, is, *de jure*, to be thoroughly determined by its object. The theoretical judgment is not perfect unless the object is the only sufficient principle of its determination. Whenever any principle extraneous to the object has to intervene, be it the will of the knowing subject or the authority of a master, it is always on the ground of some deficiency in the knowing intellect. It does not mean that the part played by authority in the theoretical order is not very considerable;⁴ it only means that the function of authority, insofar as the

determination of the theoretical judgment is concerned, is but a substitutional one.

Consider what occurs in sciences. The beginner is requested to trust his master and to believe what he is taught: *oportet addiscentem credere*. Now the good master does not want to have pupils who will believe his words blindly and permanently. He wants to have them perceive, as soon as possible, the evidence of his demonstrations. Then only, when they will be able to see the truth of statements that they are at present provisionally believing, will they have become scientists, and this is the aim of the teacher. His authority provisionally substitutes for an evidence still undisclosed to the student, because it is indispensable, at least in many cases, to have believed in a scientific truth before becoming able to grasp it scientifically, that is, as an evident object.

Consider, furthermore, the character of supernatural faith as an assent given because of the authority of God and His Holy

Church to some truths which cannot be seen here below. Supernatural faith is, from every point of view, more precious and more certain than any rational knowledge. However, inasmuch as it implies an assent to an unseen truth, it implies a state of imperfection to which a state of perfection will succeed when the mysteries of the divine life will become evident objects for the beatified intellect. Faith is the beginning of the eternal life and it will no longer be necessary or possible when the eternal life will be fully possessed. In other words, the authority of God and His Church, which determines the faith-assent, substitutes here below for the evidence of the divine Truth which will beatify our intellects in the promised Vision.

Consider, finally, the meaning of authority in historical matters, namely when it is said that we believe in the actual occurrence of an event because of the authority of some reliable witness. Here, the term *authority* is taken in a less rigorous sense, since witnesses, even those

who are reliable, are not, to speak properly, empowered to oblige us to believe in their accounts. It is clear, on the other hand, that this authority improperly so-called, is but substituted for the evidence of facts which we are unable to see for ourselves.

Let us now inquire into the reasons why it may be good that a person be regulated in his conduct by some other person rather than by his own reason. To be ruled by another may be expedient or even necessary on the ground of one's inability to rule one's self. This is the case with children and this is also the case with the insane, the feeble-minded, or the criminal, who are legally considered, as well as children, to be minors. A minor is a person supposedly unable to govern *himself*, that is, to provide for the right order to be assured in his actions, even within the field of his personal aims. A minor is supposed to be incapable of knowing what is good for him—this is why another person has to guide him in the very pursuit of his proper good.

The inability of the minor to govern himself, to pursue his proper aims by himself, is always based on some deficiency. This deficiency may be unnatural and abnormal, as in the case of the insane or feeble-minded, and then it is a privation in the strongest sense of the term, an evil. It may be, on the contrary, natural and normal, as in the case of the child, and then it is no evil, but only a privation in the broad sense of the term. In any case, the notion of minority always refers to the lack of a quality which should be possessed if one is to be a person in the full sense of that word. The governing reason of the father is substituted for the reason of the child which is not yet fully developed; and when the working of reason is pathologically hampered in an adult, an officer representing society substitutes his reason for the deficient reason of this insane or feeble-minded person.

Thus it is not only in the theoretical order, which is in no way its proper sphere, but also in the practical order, that authority enjoys

substitutional functions. The question is now whether authority has any essential function; whether the necessity of authority always results from some deficiency; whether authority, when necessary, is necessary solely on the ground of some defect in the one who is subjected to it. The idea that authority has no essential function but only substitutional ones, is in fact very widespread. It is current among anarchists and liberal theorists. Let us mention, as particularly representative, Proudhon and J. S. Mill. With regard to Proudhon, many persons found it hard to understand that a man whose motto was: "Anarchy is the best government," obstinately maintained, whenever the family-society was concerned, a theory more authoritarian than the most traditionalistic ones. The reason why Proudhon opposed so intensely the ideas for the emancipation of women, which were universally upheld by his fellow socialists, is that he considered, on the basis of a psychology and physiology of his own, that woman is consti-

tutionally bound to remain a minor, unable to provide for her government by herself.⁵ J. S. Mill, on the other hand, at the beginning of his famous booklet *On Liberty*, warns the reader that his theory does not hold for primitive peoples, but only for highly civilized ones, in which the general development of reason renders the average man capable of self-government.

The assumption that authority has but substitutional functions has far-reaching consequences, for if authority is made necessary by deficiencies alone, it will be destined to disappear insofar as the deficiencies which make it necessary disappear. This assumption does not mean that authority will ever vanish completely: it is clear that the child will never be able to accomplish self-government, that there will always be feeble-minded and wicked people. It means that the amount of authority necessary in a society is inversely proportional to the perfection reached by that society and by the persons

and the elementary groups which compose it. At the ideal term of human progress, the field of authority would be limited to the government of the youngest children. Thus, the law of progress would take the form of an asymptotic curve at whose unattainable term there would be a complete elimination of authority.

(The best method of ascertaining whether there is such a thing as an essential function of authority is to consider a community of adults, intelligent and of perfect good will, and to inquire into the requirements of the common life of that community. (A community composed only of intelligent and good-willed persons is no utopian fiction, provided that we have in view a very small group, for instance, one formed by a husband and his wife.) This community, however small it may be, must be regulated in its common action by decisions which bind all its members. How will these decisions be made? They can be made unanimously, but the unanimity is not

guaranteed. There is no steady principle which could indefectibly assure this unanimity. Any member of the community under consideration can disagree with the others as to the best course to take in the common action. In case of a persistent disagreement, either the unity of action of the community will be broken, or one judgment will prevail, which means that some person or some group of persons will be recognized as having authority. I say: *a person or a group of persons*, because the decision which is to prevail can be issued by a single individual or by a majority-vote of the whole community, or by a majority-vote of a selected group within the community as well: as far as the principle of authority is concerned, it makes no difference.

And thus we have pointed out the essential function of authority: to assure the unity of action of a united multitude. A multitude aiming at a common good which can be attained only through a common action, must be united in its action by some steady princi-

ple. This principle is precisely what we call authority.

It is evident that the core of the theory consists in the statement that some disagreement is always possible concerning the course to be taken in the common action, or, what amounts to the same thing, that unanimity, in those matters, is but precarious and casual. This is the point that we want to clear up now. In this purpose, we must inquire into the conditions which render a judgment communicable to a plurality of minds. The problem that we have to deal with is the epistemological problem of the intersubjectivity of judgments.

The scientific judgment is intersubjectivable *par excellence* on the ground of the evidence and the universality of its object. The character of scientific objectivity is the steady basis of the communicability of scientific judgments. It should be noticed, however, that a judgment which is, *de jure*, intersubjectivable or communicable without limits, may enjoy,

in fact, a very limited intersubjectivability. Every demonstrated statement has within itself all that is necessary in order to determine the assent of any mind whatever. But, in order to have a demonstration determine one's assent, one must be able to follow the demonstration. In this connection, there is between the condition of philosophy and that of positive sciences a singular difference of which the philosopher must be fully aware. Many persons, including philosophers, overwhelmed by the conspicuous fact that schools of philosophy everlastingly disagree, conclude from what is an inevitable fact to what is mistaken for an essential necessity. Observing that philosophical theses are not, in fact, assented to beyond the boundaries of a group of kindred minds, they infer that philosophical proof is devoid of *de jure* intersubjectivability and consequently that it has no scientific objectivity. This disastrous inference can easily be avoided if only we take into account how rarely the numerous and delicate conditions of a clear

understanding of philosophical problems can be fully realized. Positive science, on the other hand, because of the functions it has to serve in social life, wants to obtain the agreement of as many minds as possible. The positive scientist purposively remains within a field of considerations where his conclusions are likely to be unanimously accepted by his fellow scientists.⁶

Now, there are statements which, although true and certain, will not necessarily obtain a unanimous assent, even under ideal conditions; statements which, however sound they may be, do not enjoy any *de jure* intersubjectivity because they do not refer to any necessary and universal object; statements which, even when entirely true, cannot make their truth evident. Statements of this kind can occasionally be assented to by numerous persons—they can possibly obtain the universal agreement of those who are interested in them: *such a unanimous agreement is but casual, and consequently precarious.* Any

statement which lacks evidence, lacks the objective principle of unanimous agreement, even under the best conditions.

Among those statements, which, despite their certainty, lack the objective principle of intersubjectivity, the most typical are prudential decisions. Let us recall, in this connection, some basic theses of the theory of prudence.

1. There are dispositions of the mind, as opinion for instance, which are unsteady by nature and able to lead to error as well as to truth. There are dispositions of the mind (science for instance) which are steady by nature and which can lead to truth alone. Such an intellectual habitus as science is an indefectible principle of certainty. Of course, the indefectibility of science is but an essential indefectibility, obviously compatible with accidental failures. The scientist errs, science does not err. The scientist is not led into error by science, but rather by the imperfection of his science. In a like manner, the just man can

occasionally sin against justice. Now this occurs because he is but imperfectly just.

2. Fundamentally considered, the problem of prudence can be stated as follows: in the order of ethical knowledge, envisaged under its fully practical aspect, can we secure an intellectual determination steady by nature, and meant to lead to truth only, just as science does? Asking myself what I must do in order to behave well, here and now, *I*, such as I am, with my personality and my unique history, amidst this particular and unrenowable set of circumstances,—I wonder whether the answer can be furnished by some steady determination of the mind, by some essentially indefectible principle of certainty.

The most common observations on the psychology of moral conscience can give us very significant suggestions. When a man has made a decision after a fully conscientious and honest deliberation, he knows that his decision is good, he knows that it is, in some sense, certainly true, and that its soundness

cannot be invalidated, whatever the factual consequences may be. Consider a simple and homely example: the head of a family makes up his mind to take a trip to the sea-shore with his family on a summer vacation. Since there is no insignificant matter in the government of a family, this decision has been carefully weighed: taking into consideration his financial situation, the state of his business, the health advantages of sea air, this honest man sincerely concluded that this trip was good for his family, and that it was reasonable to make it. A train-wreck occurs. A child is killed. In fact, the vacation trip has not been good for this family. However, it cannot be said that the decision proved unreasonable because of the accident. The accident could not reasonably have been foreseen and this is why, although the possibility of the accident could not be entirely discarded, the decision was reasonable, good, certainly true, and the father of the family has nothing of which to accuse himself.

3. On the other hand, this decision implied a judgment which proved to be untrue, namely that this vacation trip *was* to be good. In fact, the trip has been no good thing, it has been a calamity. And thus we are led to recognize that there is, in the practical judgment, a twofold truth. In the practical judgment some theoretical consideration is always involved, namely some consideration referring to the reality of things, to what the things are and to what the things will be; in the cited example the theoretical consideration was that the trip was to be a good thing. This theoretical consideration proved untrue: the following course of events showed that it was not in conformity with what was to happen in fact. The truth of the theoretical consideration implied in the practical judgment cannot be established with an entire certainty because we are unable to overcome the mysteries of contingency, because we are unable to foresee the future with certainty. However, we are all convinced that a decision may be certainly

true despite this inability to foresee with certainty its possible consequences. The certitude of the practical judgment does not concern the theoretical assumptions implied in it, but the very practical aspect of the practical judgment. Speaking of the certain truth of the practical judgment, we do not refer to its conformity with the reality of things—this conformity cannot be perfectly ascertained—we refer to its conformity with the requirements of a will which is supposed to be sound, healthy, honest. According to the so enlightening view of Aristotle, the certain truth of which the practical judgment is capable is no theoretical but a practical truth; it is not the truth of a cognition but the truth of a direction; it does not consist in a relation of conformity between the mind and things, but in a relation of conformity between the judgment of the mind and the requirements of a right appetite of the end to be pursued. Whatever the factual consequences of a decision will be, owing to the unpredictable interference of

contingent causes, one who made a decision honestly, in full accord with the exigencies of a virtuous will, has not to repent: his decision was what it ought to have been; it was true, undoubtedly true, even if, for lack of knowing things that we could not know, it implied some assumptions that the factual course of events invalidated.⁷

Thus, the practical order, despite the contingency which reigns in the field where human practice takes place, can be the object of a steady principle of indefectible truth. We recognize that prudence, like science, is an indefectible principle of certainty, provided that we distinguish between the theoretical implications of the prudential judgment, which can be but probable, and the prudential judgment itself which, as a rule of direction, enjoys an absolute certainty. Now, this distinction between the theoretical implications of the prudential judgment and the prudential judgment itself, this possible discrepancy between those theoretical implications which are, at best,

probable, and the prudential judgment which is, as such, certain, do not mean in any sense that the virtue of prudence is not intensely interested in the theoretical implications of the judgments that it has to utter: it only means that the prudential judgment is not intersubjectivable, or, better, lacks the objective foundation of a regular intersubjectivity. A prudent decision is always preceded by a careful deliberation: a decision is not prudent one, indeed, if it is made hurriedly and rashly. Now, deliberation includes, in the first place, an investigation of the real dispositions and possibilities of the persons and things concerned with the decision to be made; an investigation which is, at bottom, theoretical, since it intends to reach conclusions in conformity with what the things are and what they will be. Were this investigation able to conclude with certainty and to bring forth a demonstration of its conclusions, then there would be no possible discrepancy between the practical validity of the prudential

judgment and that of its theoretical implications. Then, the theoretical implications of the practical judgment being demonstrated, the practical judgment itself would follow from them necessarily and share their evidence. Then, the prudential judgment would be steadily intersubjectivable. Then, decisions concerning the common action of a multitude could be taken unanimously, at least under the ideal conditions of a community made up of intelligent and virtuous persons alone. This is not the case, because contingency prevents us from knowing exhaustively the factors with which our decision is concerned and from predicting their future with any kind of certainty. In the complex matters of collective behavior, more than anywhere else, the theoretical considerations on which the prudential judgment is based, cannot be demonstrated. Accordingly, it can never be shown evidently that this or that practical judgment, to be taken as a rule for our common action, is the best possible one. However conscientious the

deliberation may be, since it cannot afford to prove its conclusions, anybody can, at any time, object that a better course of action could be conceived, and the unity of action which is supposed to be required by the pursuit of the common good will be ceaselessly jeopardized unless all members of the community agree to follow one prudential decision and only one—which is to submit themselves to some authority.

Thus, beyond necessities and conveniences which result from the unreasonableness, ignorance and wickedness of men, the principle of authority answers a necessity which is in no way accidental, which is not a consequence of any sin, evil or deficiency, a necessity which is but a metaphysical consequence of the nature of things. Considered in its principle, authority is neither a necessary evil nor the consequence of any evil, nor a lesser good, nor the consequence of some lesser good, but an absolutely good thing founded upon the metaphysical goodness of nature. Considered

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In providing an ∞ of available choices where only one is possible at a given time.

in its essential function, as identical with the prudence of society in its collective action, authority is the everlastingly good principle of the social unity in the pursuit of the common good.⁸

A new light can be thrown upon the question by comparing the notion of authority with the notion of law. We already alluded to this comparison at the beginning of this talk. I want now to consider the fiction of a society ruled by laws only and which, on the basis of its being perfectly ruled by laws, should be able to do without any authority. This fiction, familiar to many liberals and to some anarchists, is most clearly described in the earliest writings of P. J. Proudhon.⁹ There, we find the idea that there are objective laws of social behavior which are as determined and necessary as physical laws, and are immanent in the course of social events just as physical laws, previous to any consideration by the human understanding, are immanent in the course of physical events. For the lack of a

sufficient knowledge of the social Nature, for the lack of a reason sufficiently aware of the objective laws of society, we seek a precarious salvation in our reliance on the wisdom of a king, or, what amounts to the same result, on the wisdom of popular sovereignty. Now, only the objective laws of the real are truly reliable. Sovereignty should not belong to any will, be it that of the king or that of the people. It should belong to reason alone as an impersonal interpreter of laws which are in no sense to be issued by man, but only to be recognized by him as deriving from the nature of social things and finally identical with it. The progress of social sciences is, in fact, meant to enable us to do away, step by step, with authority, by making us realize more and more perfectly the objective requirements of the social nature. At the ideal term of that process, government, if still necessary at all, would have no other duty than compelling those who do not understand the law or refuse to obey it. Thanks to social science, a

rational society would be installed, in which the reign of reason would be the realization of anarchy.

In this description we recognize the ordinary features of the rationalistic mind, characterized, as everybody knows, by a singular aversion for the proper mystery of contingency, by a constant tendency, in social philosophy as well as in philosophy of nature, to disregard the contingency, which plays, indeed, such an overwhelming part, both in the physical and human world. Whatever may be the true nature of social laws, something at least is certain: namely, that the laws of the social world, insofar as they are previous to any positive intervention of human wisdom, insofar as they are to be discovered and recognized rather than made and issued by man, express but the universal and necessary aspects of the social beings. Consequently, the knowledge of these laws, even if supposed to be perfect, would not provide us with any demonstrable rule of conduct, re-

garding our particular behavior amid the contingencies of existential positions. If the development of social sciences ever reaches a state of perfect achievement, authority will remain necessary then, just as it is now, as a social prudence, able to maintain the unity of society in its common action.¹⁰

After having surveyed the main functions of authority, we have to consider now the two great kinds of dominions which constitute, in a sense, the most basic divisions of the forms of authority. I refer to the distinction made by St. Thomas between the so-called *dominium super servos* and the so-called *dominium super liberos*, let us say dominion of servitude and dominion of freedom. This distinction is taken from the ends pursued by the authority exercised by one man over another. When a man is governed for his own good or for the common good of the society of which he is a member, this man is said to be free. On the contrary, one who is governed for the private welfare of a master is said to

be a slave. Thus the notion of servitude is defined in St. Thomas by the alienation of the human effort. One who works for the common good does not undergo any alienation, since the common good is in no way alien or extraneous to the line of development of the person. One who works for the private good of another person has his activity, at least in part, alienated. We have in this way a definition of servitude which does not imply the special connotations ordinarily conveyed by the words slavery or serfdom. However free a man may be to choose and to change his trade, his residence and his master, as long as he works for the private good of a master, he undergoes an alienation of his activity and remains an unfree man.¹¹

It should be noticed that the set of opposite notions, *dominion of servitude*, *dominion of freedom*, is often erroneously thought to be equivalent to two other sets of opposite notions. Some might think that the opposition made between the dominion of servitude and

the dominion of freedom fully coincides with the opposition between *regimen politicum* and *regimen despoticum*. We are touching one of the most equivocal aspects of the social philosophy of Aristotle. On close examination, it seems that there are in Aristotle two definitions of the slave, which can easily be mistaken as equivalent (and possibly were mistaken as such by Aristotle himself¹²), and which in fact do not cover the same object, either in comprehension or in extension. From the point of view of final causality, the slave is one whose activity undergoes alienation, while a free man is one whose activity is not alienated. Now, from the point of view of efficient causality a free man is one who is endowed with some power of resisting the orders he receives (*regimen politicum* or statutory regime), while a slave is one who is not given such a power of resistance (*regimen despoticum*). It is clear that those definitions are not equivalent in comprehension, since the point of view from which they proceed is

not the same; nor are they equivalent in extension, since one who does not enjoy any power of resisting the orders he receives is not thereby necessarily bound to serve the private welfare of his superior. The classic example of *regimen despoticum* is that of the dominion exercised by the father over his children. Just as the slave, the child is devoid of any power of resisting the orders he receives. Now the child is not at all the slave of his father if the notion of slave is envisaged from the point of view of final causality, since the leadership exercised by the father over his child does not aim at the private good of the father but rather at the proper good of the child and at the common welfare of the family community. Moreover, none of those sets of opposite notions can be identified with the opposition we stated between the essential and the substitutional functions of authority. The essential functions of authority can be exercised in the form of a political or despotical regime as well; the substitutional functions of authority

can be exercised both in the form of a dominion of servitude and in that of a dominion of freedom. It is of high importance, in our opinion, to keep sight of the irreducibility to one another of those three sets of notions, since the expediencies which may justify the despotical regime or the substitutional interventions of authority are sometimes wrongly taken as a justification for the dominion of servitude. If one is incapable of self-government, it does not follow necessarily that one should be treated as a slave and placed at the service of the private good of a master. If the members of a society have not reached a sufficient degree of political maturity as to deserve a statutory regime, it does not follow necessarily that they are to be exploited for the private profit of their leaders. Thus, the dominion of servitude cannot be justified by the principles which justify the substitutional intervention of authority or the non-statutory regime. If it is justifiable at all, it must be justified by principles proper to it.

It can be asked, indeed, whether the dominion of servitude, the alienation of human effort, the exploitation of man by man can be at all justified, except by quite accidental and temporary considerations.¹⁸ At first view it might be said that the using a person for the private good of another person without reference to the common good is but unlawful violence. Now, if there is any reference to common good, it seems that the considered dominion is no longer a dominion of servitude. It should be observed, however, that the activity of a person may be related to the common good in two very different ways. The relation may be direct, and then there is no alienation and no servitude. Now, besides that direct relation to the common good which is proper to the free man, another relation to the common good, namely an indirect one, can be conceived as follows. It might be said, indeed, that the common welfare of the society requires that there be a privileged class enjoying leisures, luxuries and special consideration,—

all being things which are reputed to be obtained only at the price of the exploitation of a number of men. Such is at bottom the eternal argument of those who uphold that there is no sound social order without an aristocratic constitution of society. In view of these considerations, the problem of the legitimacy of a certain dominion of servitude—limited indeed, and wholly respectful of the inalienable rights of the human person—may be reduced to the question whether the production of superior individuals, obviously indispensable for the general welfare of society, can be secured only at the expense of an aristocratic constitution. All that I wish to add is that apparently, as man masters more thoroughly physical nature through science and machinery, it becomes less and less necessary, in order to have superior individuals enjoy leisure and means of culture, to maintain a number of alienated workers at their service. Let us not forget, in that connection, that, according to Aristotle, society would be able

to do without slaves if only the shuttle could weave by itself: this is precisely what we see happening more and more in modern industry.

This is the survey I wanted to present to you on the nature, function and forms of authority. Let us summarize, by way of short theses, the results of our inquiry:

First: authority is not identical with coercion, which is but one of the instruments possibly used by it.

Second: the proper field of authority is the practical order. In the theoretical order, authority can but substitute for an insufficiently enlightened object.

Third: within the practical order, the functions of authority are of a substitutional character when authority provides for the government of a person in the very line of the pursuit of his personal welfare. The essential function of authority is to provide for the unity of action of every multitude which can-

not attain its common good but through common action.

Fourth: authority, at times, is used for the private good of the one who exercises it. It is in no way essential to authority to take this form of a dominion of servitude. In particular, to conceive political authority after the pattern of a dominion of servitude implies a most fanciful idea of the nature of the state.

And now, we have to come back to the questions we stated at the beginning of this paper. We asked ourselves whether it is possible to find out principles to which we can make appeal in our endeavor to proportion exactly authority and liberty in any given situation. Moreover, we asked what was the meaning and value of the current identification of social progress, progress of liberty and decay of authority.

Before trying to answer those questions, it is necessary to remove some equivocations by clearing up, as briefly as possible, the notion of liberty that we have in view. I should

like to refer to the theory so splendidly developed by Maritain in the first chapter of his book *Freedom in the Modern World*. Among the various meanings of the notion of liberty, we have to distinguish, fundamentally, an *initial* liberty and a *terminal* liberty. Initial liberty is the sheer power of choosing, I mean the power of choosing the good and the evil as well. This liberty, which immediately flows from our rational nature, this liberty that we are provided with by the very fact that we are given our rational nature, can be used rightly as well as wrongly, and has the value of a means rather than that of an end. Now, at the term of our endeavor to improve our nature by supplementing it with virtues, another liberty appears, which is a power of choosing the good alone. The process through which this terminal liberty is secured consists in an interiorization of the law. The virtuous man is no longer subjected to the law, since the law has become interior to him and rules him from within. The prescriptions of the law are truly

identical with the dynamism of the virtuous nature. Terminal liberty does not mean only freedom of choice, but also autonomy.

Now, while initial freedom is but a mixed perfection, a *perfectio mixta* in the precise meaning this expression has in metaphysical language, terminal liberty is an absolute perfection, a *perfectio simpliciter simplex*, a perfection whose concept does not involve any kind of imperfection and which must be attributed to God in a formal sense. So defined, liberty is a divine name.²⁴ I would even say that it occupies a singular position among the absolute perfections. Consider, indeed, that every being, inasmuch as it *is*, enjoys some amount of autonomy. The basic statement that every nature is the realization of an idea implies that every nature has within itself a law of activity which is its own law. Let us recall the thomistic definition of nature, *ratio artis divinae, indita rebus, qua moventur ad fines*, an idea of the divine art, which is incorporated into things and by which things

are directed to their ends. The more a being is elevated in the hierarchy of things, that is, the more perfectly it participates in the idea of being, the greater is the amount of autonomy it enjoys. Autonomy, on the one hand, immediately springs from the perfections of being and, on the other hand, makes those perfections evident, conspicuous and admirable. Autonomy is the glory, the splendor of being. Now, terminal freedom, since it is both freedom of choice and autonomy, is the kind of autonomy which properly fits the rational nature as such. Terminal liberty is the glory of the rational nature.

From these metaphysical considerations, the obvious conclusion is that the progress of liberty is rightly identified with the very progress of man and society, provided we have in mind terminal liberty. As to whether the progress of liberty implies the decay of authority, this is a question that we shall try to answer by considering the forms, functions

and instruments of authority in reference to the idea of liberty as meaning autonomy.

Let us do away, first, with the dominion of servitude. It is exceedingly clear that the exploitation of man by man, even when possibly legitimate, is opposed to the requirements of autonomy. Thus, *the progress of liberty implies the decay of authority insofar as authority takes the form of a dominion of servitude.*

As regards the instruments of authority, it is no less clear that a leadership exercised through persuasion agrees better with the autonomy of those who are led, than a leadership exercised through coercion. *Thus, the progress of liberty implies the substitution of persuasion for coercion wherever this substitution can be reasonably realized.*

Third: the substitutional functions which authority exercises within the practical order are justified, as we have seen, only because of the inability of some persons, or some groups, for self-government. Accordingly, *the progress of liberty implies the decay of authority*

insofar as authority assumes substitutional functions.

On the contrary, *the progress of liberty does not imply the decay of authority insofar as the essential function of authority is concerned.* The more effectively a society be united in its common action, the more perfect, happy, and free this society will be.

Thus, as we suggested at the beginning of this paper, the antinomy between authority and liberty is no absolute one. Viewed in the purity of their metaphysical goodness, authority and liberty fully agree with one another and their complementary character definitely prevails over their opposition.

To conclude: it seems that we are now able to set forth, according to our initial wish, principles of a nature to guide us in our endeavor to proportion exactly the forces of authority and those of liberty. Let us call these principles the *principle of authority* and the *principle of autonomy*. They can be formulated as follows: Principle of Authority.

Wherever the welfare of a community requires a common action, the unity of that common action must be assured by the higher organs of that community. Principle of Autonomy. Wherever a task can be satisfactorily achieved by the initiative of the individual or that of small social units, the fulfillment of that task must be left to the initiative of the individual or to that of small social units.

From the association of the principle of autonomy with the principle of authority results an order which is hierarchical. In such an order, the autonomy of the inferior social unit supplements and balances the authority of the higher social unit. This is what the upholders of tyranny seem to understand perfectly well. Materializing a dream of Rousseau, the totalitarian state indefatigably pursues the destruction of every social group within the state, so as to establish an absolute domination over a crowd of individuals that no autonomic organization is able to protect. In contrast with that abomination, I should like to end with the

image of social happiness, made up of authority, autonomy and hierarchy, that is found in the following page of Thomas Jefferson: ". . . it is not by the consolidation, or concentration of powers, but by their distribution, that good government is effected. Were not this great country already divided into States, that division must be made, that each might do for itself what concerns itself directly, and what it can do so much better than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds: each county again into townships or wards, to manage minute details; and every ward into farms, to be governed by its individual proprietor. Were we directed from Washington when to sow, and when to reap, we should soon want bread. It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed, for the good and prosperity of all."¹⁵

NOTES

1. Rousseau, *Emile*, II, (Flammarion ed., Paris, vol. I, pp. 79-81).—"There are two kinds of dependences: that on things, which is from Nature, that on men, which is from society. Dependence on things, having no moral character, is no handicap to freedom and does not engender any vice; dependence on men, for lack of regulation, engenders all vices, and, owing to it, master and slave corrupt one another. If there is any means of remedying this evil in society, it consists in substituting law for man, empowering the general wills with a real force superior to the action of any particular will. If the laws of nations could have, as those of Nature do, an inflexibility that no human force could ever overcome, dependence on men would become identifiable with that on things . . . Keep the child solely dependent on things; you will have followed the order of Nature in the process of his education. Never oppose to his unreasonable wishes any but physical obstacles or punishments resulting from the actions themselves—he will remember these punishments in similar situations. It is enough to prevent him from doing evil without forbidding him to do it. Experience and impotency alone must take the place of laws for him. Do not vouchsafe anything to his wishes because he asks, but only because he needs. Let him not know what obedience is when he acts, nor what dominion is when somebody acts for him . . . I have already said that your child must not get

anything because he demands it, but because he needs it, nor do anything by obedience but only by necessity; thus the words, obey and command, will be excluded from his vocabulary still more rigorously than those of duty and obligation; but those of force, necessity, impotency and coercion will have an important place in it."

2. In order to understand exactly the relationship between the notion of law and that of a governing person, it might be helpful to inquire into the genesis of our conceptions concerning the various kinds of laws. Significantly enough, the definition that St. Thomas gives of the law (*Summa theologica* I-II, 90) refers properly to the law issued by the state society: this is, indeed, the kind of law which is prior in our cognition. Considering the several kinds of laws as an analogical series, let us say that the civil law is, *for us*, the first analogate of the whole series. Now civil law is no self-sufficient and independent rule; the very way that everybody (including the maintainers of juridical positivism) speaks and thinks of positive laws proves that the positive law participates in a higher law, i.e., in the body of self-evident principles that we call natural law. Thus, the primary conception of the natural law is that of a body of statements issued by the reason. These statements, on the other hand, refer to the nature of things which are prior to the exercise of the reason. Just as the principle of identity actually rules the real previous to its being recognized and uttered by the reason, so the

principles of morality are immanent in the nature of man previous to their being recognized and promulgated by the human reason. Better: just as the theoretical reason, when uttering the principle of identity, recognizes in it the supreme law of being, so the practical reason, when uttering its self-evident principles, intends only to recognize and to express, in the form of obligatory statements, the fundamental tendencies of human nature (op. cit. I-II, 94, 2). Thus, the natural law exists in human nature before existing in human reason. This is why it is necessary to go a step further, and to acknowledge that the natural law participates in the eternal law, which is identical with the reason of God. Should we not make this step, the supreme law would appear to be that which exists within nature, and thus the first and most essential element of the definition of law, *an ordinance of reason*, would be finally nullified, the implication being that the rational universe would be ultimately dominated by irrational nature.

Here, it should be noticed that in the hierarchy of laws, a twofold relation of subordination takes place. Two different laws, each of different content, may be subordinated to one another. This is the way that positive laws are subordinated to natural laws. On the other hand, the relation of subordination can take place between two existential conditions (or two *states*) of one and the same law. Observing the behavior of cab-drivers in a crowded city, I see that it embodies a certain rule; this rule has been issued by a governing reason, it

has existed in a governing reason before existing in the factual behavior of these cab-drivers. We must say that the rule, as existing in this factual behavior, is subordinated to, or participates in the rule as existing in the governing reason. Now the rule is one and the same; if rightly enforced, it has the same content, both in the factual behavior which embodies it, and in the governing reason which issues it, *in mensurato et in mensurante*. This is the way that natural law, as a precept of the human reason, is subordinated to the natural law immanent in human nature, and the natural law immanent in human nature to the eternal law, which is the divine reason. The content of the law remains the same, its existential condition, or its state, is diverse. In the divine reason, the natural law, as an aspect of the eternal law, enjoys a state of personality; in nature, a state of impersonality; finally, in the human reason, it enjoys again a state of personality.

A new light can be shed upon the whole question by considering the hierarchy of laws in the synthetic order, beginning with the term which is the first analogate *quoad se*. Then, we understand that the eternal law engrafts participations of itself in created natures; these participations of the eternal law, insofar as the human nature is concerned, are recognized and promulgated as obligatory precepts by the human reason, while, in beings devoid of reason, which do not act freely, but by natural necessity, they retain the condition of physical laws. Physical laws, on the other hand,

can be taken by the human intellect as objects of science and expressed (more or less successfully, always inexhaustively) in theoretical formulae (scientific laws).

3. Concerning the functions of coercion, see *Summa theologica* I-II, 95, 1 (*Utrum fuerit utile aliquas leges poni ab hominibus*).

St. Thomas takes in the most rigorous sense both the term *laws* and the clause *stated by men*. *Stated by men* means that we are dealing with laws issued by a *temporal* community; on the other hand, a community endowed with the power of issuing laws properly so called is a *perfect* community, Church or State (op. cit. I-II, 91, 1). In fact, the question treated by St. Thomas in this article is that of the *raison d'être* of the state. St. Thomas understands the power of coercion to be the distinguishing feature of state society. This does not imply that every community distinct from the state is devoid of any power of coercion, it only means that the state alone enjoys a power of *unconditional* coercion, according to the felicitous expression used by Georges Gurvitch. Let us observe, moreover, that the power of unconditional coercion does not constitute the essence of the state; it is but a characteristic property following from its essence. The definition of the state implied in this article is no essential definition, but a definition taken from a characteristic attribute (*propria passio*).

Thus, considering the state as a community endowed with a power of unconditional coercion,

St. Thomas justifies it on the basis of pedagogical expediencies. Every man needs education and virtuous training. Paternal training, whose proper instrument is persuasion (*disciplina paterna, quae est per monitiones*), provides sufficiently for the training of youths who are prone to virtue; on the contrary, those who are prone to vice must be prevented from doing wrong by coercion (*vis*) or fear (*metus*). By compelling bad boys to refrain from doing wrong, a twofold result is secured: first, the tranquillity of honest people is assured; secondly, the bad boys themselves get used to acting honestly, so that they may finally become virtuous, having become able to do voluntarily what they previously did by fear of punishment.

This elevated conception of the pedagogical function of coercion rests upon the psychological fact that a good habit generated by fear, although non-virtuous in its origin, makes virtue easier, the substitution of good will for fear taking place easily when the exterior acts of a virtue have become habitual. Coercion, in the long run, paves the way for persuasion, because habitual automatism turns to voluntariness. Let us recall the famous analyses of Pascal on religious habits as a preparation to faith. (See Georges Desgrippes, *Études sur Pascal. De l'automatisme à la foi*, Paris, Téqui, 1935).

Thus, there is a transition from coercion to persuasion and coercion can be used as a means for persuasion. Conversely, there is a transition from persuasion to coercion, and persuasion, as

soon as it takes hold of masses, gives birth to coercion. For instance, a campaign to influence public opinion, if successful, can eventually marshal coercive forces (strike, boycott, etc.). In a like manner, the ecclesiastical practice of the Interdict, such as it was used in the Middle Ages to curb temporal powers, was a measure of persuasion turning to coercion.

Liberals fail constantly to recognize the pedagogical function of coercion, and accordingly limit the role of coercion to the protection of others against misdemeanors. Note L. T. Hobhouse, *Liberalism*, Henry Holt & Co., N. Y., 1911, p. 143: "If we refrain from coercing a man for his own good, it is not because his good is indifferent to us, but because it cannot be furthered by coercion. The difficulty is founded on the nature of the good itself, which on its personal side depends on the spontaneous flow of feeling checked and guided not by the external restraint, but by rational self-control. To try to form character by coercion is to destroy it in the making. Personality is not built up from without but grows from within, and the function of the outer order is not to create it, but to provide for it the most suitable conditions of growth. Thus, to the common question whether it is possible to make men good by Act of Parliament, the reply is that it is not possible to compel morality because morality is the act or character of a free agent, but that it is possible to create the conditions under which morality can develop, and among these not the least important is freedom

from compulsion by others." The point is, precisely, that good habits possibly determined by coercion are to be numbered among these "conditions under which morality can develop."

In the same connection, I should like to mention that the modern forms of propaganda, such as they are carried out, most of all, by the National Socialist Party, are relevant to coercion more than to persuasion. The process of persuasion is characterized as an appeal to free will; the process of coercion is characterized by its bringing into operation some *natural determinism*. Until recently, man was hardly able to compel man save by means of corporeal determinisms (strokes, wounds, starvation, confinement, etc.); at the present time, skilled propagandists know how to produce by *psychical* means, i.e., by repetition of carefully chosen stimuli, a state of nervous exhaustion which is just as intolerable as starvation, imprisonment or strokes.

Consider a man who is subjected to intensified propaganda in favor of a policy that he deems to be criminal. Walking in the street, he sees everywhere posters praising that policy; reading newspapers, listening to the radio, he everyday, possibly several times a day, reads the eulogy of that policy and listens to it. No doubt, he will resist for a while and oppose his judgment, let us say: *these men are criminals*, to that judgment which propaganda intends to impose on his mind. This very resistance to ceaselessly repeated stimuli implies a number of emotional reflexes which soon tire out the organism and result in a state of depression;

then continued resistance is possible only at the cost of a greater fatigue. A moment comes when the abandonment of any resistance appears to be the only way to avoid exhaustion. The art of the propagandist is based upon the law, well known by psychiatrists, that among the several forms of overexertion, emotional overexertion is the one that the organism is less able to stand.

In order to understand the true character of modern propaganda, and to realize the tremendous threat it represents for societies, one must bear in mind that a quantitative change in the stimulation means a qualitative change in the biologicopsychical reaction. Moderate propaganda is a process of persuasion, intensive propaganda a process of psychical coercion. Since it is difficult to trace a borderline between moderate and intensive propaganda, the democratic state, whose dynamism is based on a process of persuasion, is generally unwilling to prevent moderate propaganda from degenerating into intensive propaganda. Thus, private groups get endowed with a power of coercion which, although using merely psychical means, may enable these groups to substitute their leadership for that of the state in extensive sections of society. At the term of that process, the men who have established, thanks to their power of psychical coercion, a state within the state, solemnly declare that *they are the state*. Then the totalitarian revolution is achieved.

Of course, this notion of psychical coercion, as opposed to persuasion (which is also a psychical

process) implies the recognition of two causal systems within the *psyche*: there are psychical processes which are determined, just as physical processes are determined. These psychical processes, when considered only for the sake of knowledge, are the object of theoretical sciences, namely positive Psychology and philosophical Psychology (which is a part of the Philosophy of Nature); when considered for the sake of action, they constitute the object of a technique (let us say, applied Psychology). Such psychical processes, obeying natural determinations, belong to the physical world, *physical* being, then, understood in contradiction to *moral*. On the other hand, there are psychical processes whose proper cause is the will, which is no determined source of activity, but a super-determined or free one; these processes are the matter of morality, morality itself consisting in their conformity or non-conformity with the rules issued by reason. This moral world does not fall under the consideration of any theoretical science, either positive psychology or philosophy of nature. *Moral Psychology* (up to now a poorly systematized discipline, whose best elements are found in works of essayists, novelists, dramatists) is subordinated to Ethics. It can even be ventured that it is but a part of Ethics: although the moral psychologist does not necessarily intend to direct human action, some practical purpose seems to be essential to the discipline he is practicing. When this practical purpose is fully disentangled and definitely prevailing, in other terms, when the con-

sideration of moral facts is immediately related to action, the intellectual habitus which deals with moral reality is no longer any science, because of the immediate relation to action; it is not a technique either, because of the moral character of its object. Its name is *prudence*.

4. One of the most constant, profound and pernicious features of the liberal mind consists in its refusal to recognize the part that authority has to play in the fostering and protection of theoretical truth. See, in particular, J. S. Mill, *On Liberty*, and the already quoted book of L. T. Hobhouse, *Liberalism*. While many liberal minded persons, on the basis of a skeptical agnosticism, show little interest in theoretical truth (mostly in metaphysical and religious matters), the above writers endeavor to prove that even if one rejects every skepticism, the claim for an absolute freedom of thought and expression remains justified, their idea being that in any circumstance whatever, truth can but profit by unrestricted freedom. Summarizing his discussion on the freedom of expression, J. S. Mill writes: "First, if any opinion is compelled to silence, that opinion may, for aught we certainly know, be true. To deny this is to assume our own infallibility. Secondly, though the silenced opinion be an error, it may, and very commonly does, contain a portion of truth; and since the general and prevailing opinion on any subject is rarely or never the whole truth, it is only by the collision of adverse opinions that the remainder of the truth has

any chance of being supplied. Thirdly, even if the received opinion be not only true, but the whole truth, unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice, with little comprehension or feeling of its rational grounds. And not only this, but, fourthly, the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its vital effect on the character and conduct: the dogma becoming a mere formal profession, inefficacious for good, but cumbering the ground, and preventing the growth of any real and heartfelt conviction, from reason and personal experience." (*On Liberty*, McMillan ed. 1936, p. 20). The following page of L. T. Hobhouse is found at the beginning of a chapter significantly entitled *The Heart of Liberalism*, p. 116: "The Liberal does not meet opinions which he conceives to be false with toleration, as though they did not matter. He meets them with justice, and exacts for them a fair hearing as though they mattered just as much as his own. He is always ready to put his own convictions to the proof, not because he doubts them, but because he believes in them. For, both as to that which he holds for true and as to that which he holds for false, he believes that one final test applies. Let error have free play, and one of two things will happen. Either as it develops, as its implications and consequences become clear, some elements of truth will appear within it. They will separate themselves out; they will go to enrich the

stock of human ideas; they will add something to the truth which he himself mistakenly took as final; they will serve to explain the root of the error; for error itself is generally a truth misconceived, and it is only when it is explained that it is finally and satisfactorily confuted. Or, in the alternative, no element of truth will appear. In that case the more fully the error is understood, the more patiently it is followed up in all the windings of its implications and consequences, the more thoroughly will it refute itself. The cancerous growth cannot be extirpated by the knife. The root is always left, and it is only the evolution of the self-protecting anti-toxin that works the final cure. . . . Liberalism applies the wisdom of Gamaliel in no spirit of indifference, but in the full conviction of the potency of truth. If this thing be of man, i.e., if it is not rooted in actual verity, it will come to nought. If it be of God, let us take care that we be not found fighting against God."

The idea that error may occasionally favor the progress of truth is in no way a specifically liberal one. Now, it is quite obvious that error can be but an accidental cause of truth; the contribution of error to the development of truth is but a happy occurrence, whose regularity is not guaranteed by any steady principle. Liberals ascribe to accidental occurrences a regularity that accident does not admit of. At the *heart of Liberalism* lies an almost religious belief in a kind of Demiurge immanent in the stream of contingent events, or better, identical with the very stream of contingencies (cf. the

"Providence" of the school of Bastiat). Owing to this benevolent Spirit of Nature, contingency and chance are supposed to result indefectibly in happy achievements. Wrong use of the human freedom, in the long run at least, does not matter. Regarding both truth-values and economic values, the Liberal confidently relies upon the *laissez faire laissez passer* system. Liberalism is an *optimistic naturalism*.

5. P. J. Proudhon, *De la Justice dans la Révolution et dans l'Église*, 1858, Études X et XI.
6. On intersubjectivability as a property of the scientific knowledge, see: Auguste Comte, *Discours sur l'Esprit Positif*, ch. IV; Whitehead, *Introduction to Mathematics*, Henry Holt & Co., N. Y., 1911, p. 11; E. W. Hobson, *The Domain of Natural Sciences*, MacMillan, N. Y., 1923, p. 37; H. Dingle, *Science and human experience*, MacMillan, N. Y., 1932, p. 94 ff.
7. Concerning prudence and the nature of practical truth, see Aristotle, *Ethics*, VI; St. Thomas, *Expositio in decem libros Ethicorum Aristotelis ad Nicomachum*, VI; *Summa theologica* I-II, 57; II-II, 47-56; Commentary by Cajetan on the *Summa*; John of St. Thomas, *Cursus Theologicus*, I-II, disp. 16, a. 4-5. Let us quote, as particularly relevant to our subject, two texts of Cajetan. In his commentary on I-II, 57, 5 ad 3, (St. Thomas *Opera Omnia*, Leonine ed. vol. VI, pp. 369-70) he asks himself whether any intellectual virtue

can deal with contingent objects: "Si enim [aliquis habitus] est intellectualis virtus, ergo semper verus, ac per hoc, non contingentium: quia contingentium multa est falsitas. Et si est contingentium, ergo non semper verus: ac per hoc, non est virtus intellectualis . . . Hanc difficultatem non potest effugere quisquis perfectionem intellectus practici in sola cognitione ponit. . . . Nam quantumcumque intellectus noster discurrat, numquam ad hoc pervenire potest, ut de particularibus contingentibus habitum per se verum semper, acquirat. Quoniam, cum *ab eo quod res est vel non est, oratio sit vera vel falsa* (Arist. *Cat.* III, 22); et contingentia aliter et aliter se habeant: impossibile est quod intellectus nostri cognitio conformetur infallibiliter contingentibus . . . Tu autem, sectator Aristotelis and Divi Thomae, cui datum est videre quod praedicta duo [scilicet quod prudentia sit virtus intellectualis et quod sit circa contingentia], si referantur ad perfectionem cognitionis, impossibilia sunt, inspicias litteram in hac responsione, et invenies quod divinum Auctoris ingenium videns quod propter hanc rationem, scilicet hujus impossibilitatis, nulla virtus intellectualis ponitur in intellectu speculativo, cujus perfectio consistit in cognoscere, circa contingentia. Unde, ut haec duo coeant, necesse est ad intellectum digredi ejus perfectio: ac per hoc, veritas non consistit in cognoscere, sed in alio actu, qui perfectus verusque infallibiliter circa contingentia esse possit. Talis est autem intellectus practicus, ut sic: *quoniam ejus perfectio ac veritas in actu diri-*

gendi consistit, quae directio infallibiliter est vera circa contingentia, si consona sit appetitui recto precedenti. Et sic Auctor virtutem intellectualem semper veram respectu contingentium salvavit, non in quantum cognitorum, sed in quantum attingibilem ab humano opere, propter conformitatem ad appetitum rectum." In a still more explicit way, Cajetan writes (in II-II, 47, 3, ad 2, Leonine ed. Vol. VIII, p. 551): "adverte quod certitudo prudentiae est duplex. Quaedam in sola cognitione consistens. Et haec in universali quidem est eadem cum certitudine scientiae moralis, cujus universale est verum ut in pluribus. In particulari autem non excedit certitudinem opinionis, cum de futuris concludit aut absentibus. Et haec non est propria prudentiae. Quaedam autem est certitudo practicae veritatis, quae consistit in confesse se habere appetitui recto. Et haec est propria prudentiae, quae non in sola ratione consistit. Et talis certitudo semper adest prudentiae, etiam respectu singularium absentium et futurorum. Quoniam prudens praecipiens sic agendum pro republica, quamvis non eveniat intentus finis aut impediatur actio, habet tamen actum praecepti verissimum, optimum et certum, utpote consonum rationi et appetitui rectis."

8. St. Thomas, *De Regimine Principum (On the Governance of Rulers)*, trans. by G. B. Phelan, St. Michael's College, Toronto, 1935, pp. 30-32. ". . . the light of reason is placed by nature in every man, to guide him in his acts towards his end. Were man intended to live alone, as many

animals do, he would require no other guide to his end. Then would each man be a king unto himself, under God, the highest King, inasmuch as he would direct himself in his acts by the light of reason given him from on high.

"However, it is natural for man to be a social and political animal, to live in group . . . If, therefore, it is natural for man to live in the society of many, it is necessary that there exist among men some means by which the group may be governed. For where there are many men together, and each one is looking after his own interest, the group would be broken up and scattered unless there were also someone to take care of what appertains to the common weal. In like manner the body of a man, or any other animal would disintegrate unless there were a general regulating force within the body which watches over the common good of all the members. With this in mind Solomon says (Prov. XI, 14): 'Where there is no governor, the people shall fall.'

"Indeed it is reasonable that this happen, for what is proper and what is common are not identical. Things differ by what is proper to each: they are united by what they have in common. For diversity of effects is due to diversity of causes. Consequently, there must exist something which impels towards the common good of the many, over and above that which impels towards the private good of the individual. Wherefore, also in all things that are ordained towards a single end there is something to be found which rules the rest." Cf.

also *Commentarium in Librum Sententiarum* II, d. 44, q. 1, a. 3; *Summa theologica* I, 92, 1 ad 2; 1, 96, 4.

Leo XIII, *Immortale Dei*. "Man's natural instinct moves him to live in civil society, for he cannot, if dwelling apart, provide himself with the necessary requirements of life, nor procure the means of developing his mental and moral faculties. Hence it is divinely ordained that he should lead his life—be it family, social or civil—with his fellow-men, amongst whom alone his several wants can be adequately supplied. But as no society can hold together unless someone be over all, directing all to strive earnestly for the common good; every civilized community must have a ruling authority, and this authority, no less than society itself, has its source in nature, and has, consequently God for its author. For God alone is the true and supreme Lord of the world."

Taparelli d'Azeglio, *Essai théorique de Droit Naturel*, Nos. 424-426. "Society consists in a union of intelligent beings which tend toward a common end; now, whence comes to these essentially free intellects this common tendency? A common end is already a principle of social unity. However, in the present case, the end is not connected with any determined means in such a close way that all minds be bound, and spontaneously agree, to consider it as a necessary means; reason and experience show, on the contrary, that unanimity of opinions and sentiments is a thing rare and difficult to obtain. On the other hand, the good and the

perfection of society pressingly requires the conformity of tendencies, the coordination of internal and external means in relation to this end; since, for lack of such a coordination, the aim is not attained, or is attained but in an imperfect way. In short: being endowed with intellect and free-will, the members of a society must tend by several means toward a common end; they can choose between those means. Since diverse and opposite means would abolish social unity and destroy the essence of society, it is necessary to have an intelligent principle regulate the minds and impress the same tendencies on all the wills. Now, we call authority this power which binds all members of society. Thus, authority is an essential element of society."

D. Lallement, *Principes Catholiques d'Action Civique*, Desclée De Brouwer, Paris, 1935. "Let us observe that the function of authority cannot be limited to declaring or notifying what is fitting for the common good. Its essential role is to issue a decision which binds the wills. Love for common good, even if general in society, could not substitute for authority. Indeed, the point is to determine, among the several possible means that various ones might prefer, the one to which everybody shall be true, in order to secure the unity of the common action. It is the very choice made by authority which, deciding upon this convenient means rather than another one, establishes a necessary connection between

this means and the common good, and thereby makes this means to be obligatory."

9. P. J. Proudhon, *De la Célébration du Dimanche*, Marcel Rivière ed., p. 40. "The government of the Hebrews was not, as some persons believe, a democracy after the pattern of the Social Contract. It was not, either, a theocracy in the sense of a government of the priests. Moses, when he founded his republic and requested the people to swear allegiance to the Covenant, did not intend to submit his work to the judgment of the multitude: that which is just in itself and absolutely true cannot be the object of an acceptance or a pact. Man is free to obey, at his own risk, the voice of his conscience, he is not permitted to compromise with it: this is the way that the Jewish people was subjected to the Law." *Qu' est-ce que la Propriété?* 1840, p. 148. (In the previous passage, the writer has stated a distinction between *progress* and *revolution*; he means that in 1789, a struggle and a progress did take place, but no revolution). "The people, for so long a time a victim of the selfishness of the monarchy, believed that they were getting rid of it forever by declaring that they were the only sovereign. Now, what was monarchy? the sovereignty of a man. What is democracy? the sovereignty of the people, or, better, of the national majority. It means, in both cases, the sovereignty of man instead of the sovereignty of law, the sovereignty of the will instead of the sovereignty of the reason, in short, the passions instead of the Right."

Idée générale de la Révolution au XIXe siècle, 1851, p. 436. "We, anarchists, we say, on the contrary: a social science exists. Political economy has stated its principles and develops them constantly. These principles, free from any character of personality and arbitrariness, pure ideas of the universal reason, are the immutable and necessary axioms which lead societies, first, in an unconscious way, later, consciously. Such axioms, when promulgated by the people, are exclusive of every political convention and of every human legislation." In *De la Justice dans la Révolution et dans l'Église*, 1858, Proudhon states that no system of unrestricted liberty will ever be realized, because social science will never be perfectly rigorous and will never admit of infallible applications. In *Du Principe fédératif*, (1863) he acknowledges the permanent necessity of authority as a principle of arbitration in particular cases for which law lacks provision: "However wisely and precisely the rights and duties of citizens, the competence of public officers are determined; however wisely and precisely contingencies, exceptions and anomalies are provided for, the possibilities of the unforeseen always go far beyond the provisions of the statesman, and the more numerous the legislations, the more numerous are the litigations. All this requires, on the side of the men in power, an initiative and an arbitration which cannot be obeyed unless granted with authority. Take away from the democratic principle, take away from liberty, this su-

preme sanction, v.g., Authority, and the state disappears immediately." (p. 41).

10. (In order to supplement our considerations concerning the relationship between the notion of authority and that of law, we note that if both terms are taken in their most formal sense, they are opposed just as the concrete and contingent aspects of the real are opposed to universal necessities. It does not follow therefrom that prudence has nothing to do with the issuance of laws.) Let us survey, indeed, the several categories of laws issued by the human reason. We have in the first place the natural law, which is the formula of evident truths. The knowledge of the natural law is relevant to a habitus (*synderesis*) which is anterior to moral science and enjoys a greater evidence and certitude than any moral science, just as the *intellectus principiorum* is superior to any theoretical science in evidence and certitude. Prudence does not elicit the principles of morality, but presupposes them. Now, when passing from the natural laws, which are self-evident principles, to positive laws which are principles devoid of self-evidence, we observe that the latter fall into two widely different categories, according as they are or are not deductively connected with the self-evident principles of the natural law. This is the way that St. Thomas accounts for the traditional distinction between the law of nations (*jus gentium*) and the civil law properly so called (*jus civile*). Every positive law, of course, must derive from the

natural law, otherwise it would not be just, and then it would be no true law. Now, a positive law may derive from the natural law in the way that a deduced conclusion derives from a principle, "for instance, *one ought not to kill* may be derived as a conclusion from the precept *one ought not to do any evil.*" On the other hand, a positive law may proceed from the natural law inasmuch as it states in a determined way what is stated by the natural law but indeterminately, "for instance, the law of nature demands that the sinner be punished, but the penalty to be applied is a determination of the law of nature" (*Summa theologica* I-II, 95, 2).

The body of positive laws which are deductively connected with the natural law, constitutes the *law of nations*; these laws are most generally recognized by human societies, precisely because, being deductively connected with self-evident principles, they can be made evident by demonstration and thus enjoy the foundation of unrestricted *de jure* intersubjectivity. On the ground of their being demonstrable, the statements of the *law of nations* are relevant to moral science rather than to prudence and thus are not comprehended in the field of authority, if authority is to be identified with governing prudence. On the contrary, the civil laws properly so-called, which cannot be deductively connected with an evident principle, are elaborated by some prudential reasoning and thus are relevant to the principle of authority. Consider, for instance, the problem of private property. It is currently, and rightly, said that the right of property

belongs to the *law of nations*; it is possible, indeed, to demonstrate that the welfare of persons and society is better provided for, under ordinary circumstances, by private ownership than by community ownership. Now the limits and modalities of the right of ownership vary greatly according to historical conditions and cannot be in any way rigorously deduced from any evident principle; they can but be appreciated, estimated by the prudence of governing persons in reference to the historical data that a given society has to cope with. In short, the connection of the positive law with the natural law, so long as it has the form of a deduction (*per modum deductionis*) is to be established by the scientific reason and does not belong to authority as such; the connection of the positive law with the natural law, as soon as it has the form of a determination (*per modum determinationis*) can be established only by prudential reason and belongs to authority. The *law of nations* is above authority, the *civil law* is issued by it.

According to this conception, it would be a gross error to identify authority with the executive power, as if the legislative power would have only to recognize and promulgate evident statements contained in the natural law or rigorously deduced from it. Insofar as the legislative power has to issue statements which are but determinations of the natural law (or *civil laws* in the sense defined by St. Thomas), it acts as governing prudence and authority. It remains true, however, that law and authority, when taken in their most typical forms,

are said in contradistinction to one another. A law which is a self-evident or demonstrable rule of conduct (natural law or law of nations) realizes more completely the ideal notion of law than a law which is but a prudential determination (civil law). On the other hand, authority realizes more completely the ideal notion of social prudence when it deals with more particular and concrete circumstances (decrees of the executive power) than when it deals with more general and lasting situations (civil laws).

11. *Summa theologica*, I, 96, 4 (translated by the Fathers of the English Dominican Province, London. Burns, Oates & Washbourne Ltd., London, 1922). "Mastership has a twofold meaning: first as opposed to servitude, in which sense a master means one to whom another is subject as a slave. In another sense mastership is commonly referred to any kind of subject, and in that sense even he who has the office of governing and directing free men can be called a master. In the first meaning of mastership, man would not have been ruled by man in the state of innocence; but in the latter sense man could be ruled by man in that state. This distinction is founded on the reason that a slave differs from a free man in that the latter has the disposal of himself, as is stated in the beginning of the *Metaphysics*, whereas a slave is ordered to another, so that a man rules over another as his slave when he refers the one whom he rules to his own—namely, the ruler's—use. And since every

man's own proper good is desirable to himself, and consequently it is a grievous matter to yield to another what ought to be one's own; therefore such dominion implies of necessity a pain inflicted on the subject; and in the state of innocence such a thing could not have existed between man and man.

"But a man is the master of a free subject by directing him either towards his proper welfare, or to the common good. Such a kind of mastership would have existed in the state of innocence between man and man, for two reasons: first, because man is naturally a social being, and so in the state of innocence he would have led a social life. Now a social life cannot exist among a number of people unless under the presidency of one to look after the common good; for many, as such, seek many things, whereas one attends only to one. Wherefore the Philosopher says, in the beginning of the *Politics*, that wherever many things are ordered to one, we shall always find one at the head directing them. Secondly, if one man surpassed another in knowledge and virtue, this would not have been fitting unless these gifts issued to the benefit of others . . ." cf. also, *Sent.* II, d. 44, q. 1, a. 3.

12. "At all events we may firstly observe in living creatures both a despotical and constitutional rule (*δεσποτικήν ἀρχήν καὶ πολιτικήν*); for the soul rules the body with a despotical rule, whereas the intellect rules the appetites with a constitutional and royal rule." (*Politica*, I, 5, 1254 b, 3). Re-

ferring to this text in a psychological connection (*Summa theologica* I, 81, 3, ad 2), St. Thomas says that the despotical regime is that which is exercised on slaves (*servi*) who have no power of resisting the commands of their master, ("quia nihil sui habent"); the political regime (*principatus politicus et regalis*) is that which is exercised over free men who, although they are subjected to the government of a ruler, are able to resist the commands of their head, since they enjoy a certain autonomy, "tamen habent aliquid proprium, ex quo possunt reniti praecipientis imperio." Now this is the way that the equivocation we are alluding to takes place in the text of Aristotle. Immediately after the passage we have quoted he writes "And it is clear that the rule of the soul over the body, and of the rational element over the passionate, is natural and expedient; whereas the equality of the two or the rule of the inferior is always hurtful. The same holds good of animals in relation to men; for tame animals have a better nature than wild, and all tame animals are better off when they are ruled by man; for then they are preserved. Again, the male is by nature superior and the female inferior; and the one rules, and the other is ruled; this principle, or necessity, extends to all mankind. Where, then, there is such a difference as that between soul and body, or between men and animals (as in the case of those whose business is to use their body, and who can do nothing better), the lower sort are by nature slaves, and it is better for them as for all inferiors that

they should be under the rule of a master. For he who can be, and therefore is another's, and he who participates in the rational principle enough to apprehend, but not to have such a principle, is a slave by nature." Now a slave, in Aristotle's sense of the word, is a man whose activity is alienated for the profit of a master (even completely alienated). The reasoning of Aristotle can be summed up as follows: Whenever there is such an inequality between two men as to make it expedient for one of them to be ruled despotically by the other one, the former must be the slave of the latter. This reasoning does not hold unless it be established that despotic rule over a person necessarily implies the alienation of that person for the benefit of the ruler. Since it is apparently impossible to show that every despotic regime necessarily implies on the side of the subject a state or condition of alienation, it seems to us unquestionable that a sophistical confusion lies at the bottom of the Aristotelian theory of servitude.

13. To explain: let us consider, for instance, an industrial region where, because of the exceedingly low rate of wages, the working population, within living memory, has always undergone a dreadful misery. The business situation is such that wages could easily be raised, if only the employers would be willing to reduce their profits. We have to deal with a regime of exploitation which is obviously iniquitous. Now, in such matters as just salaries (or just prices), individual conscience is so largely

dependent on the data of collective conscience that many employers (I have in view a precise instance) are not at all aware of the serious faults they are daily committing against justice: let us admit that most of them are honest persons, living in an invincible ignorance. Those who can do anything to better the situation, either by enlightening the conscience of the employers or by organizing labor-pressure, cannot remain idle. It is not evident, however, that the complete abolition of that exploitation is to be sought immediately. Besides that a considerable increase of the wage-rate, if secured hastily, would cause harmful disturbances in the economic life, I imagine that men of good will, suddenly realizing that their whole social behavior has been based on iniquity for years and generations, would be driven to despair and undergo a moral breakdown serious enough to disable them from fulfilling any longer their social task. Thus, it can happen that a state of exploitation, even if decidedly contrary to justice, should be temporarily tolerated (at least to some extent) for the only reason that its immediate suppression would cause a great deal of harm to many persons, including the exploited ones. This is the kind of situation I have in view when I speak of a justification of alienation by "quite accidental and temporary considerations."

14. This is what contemporary critics of liberalism have often lost sight of. In the first years of his power, Mussolini was widely cheered for having

boasted of the readiness of Fascism to trample upon the "more or less decomposed body of the Goddess of Liberty." It is quite true that the liberal philosophy of the last centuries implied an idolatrous deification of the human liberty. In fact, fascist-minded censors of liberalism did not care for distinguishing between true and false liberty, and it soon became evident that their contempt for liberty covered indiscriminately both an out of fashion goddess and a divine name.

15. Th. Jefferson, *Autobiography (The Writings of Thomas Jefferson)*, Taylor and Maury, Washington, D. C., 1853), vol. I, p. 82.