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# Early stirrings of modern liberty in the thought of St. Thomas Aquinas

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## Abstract

In a 2021 contribution to *Politics and Religion*, Jesse Russell wrote that St. Thomas Aquinas “had a decidedly illiberal view of a government.” He says Aquinas “advocates a government in which the people are not given public liberty” and did not “prepare the way for the mixed monarchy of the English constitution.” But Aquinas places the rule of moral law above politics, endorses participatory government, prioritizes reciprocal duties rather than coerced conformity, favors a mixed regime with democratic representation, and sanctions resistance to tyrants. Each idea is an important component of modern understandings of freedom. Liberal democracy as a constitutional arrangement, and its various philosophical defenses, postdate Aquinas by centuries. It would be anachronistic to cast him as their partisan. But neither was he a proto-reactionary: his political philosophy is congenial to free, limited government that belongs to the people.

**Keywords:** democracy; history of political philosophy; Thomas Aquinas; monarchy; natural law

## 1. Introduction

In a 2021 contribution to *Politics and Religion*, Jesse Russell writes that Saint Thomas Aquinas (1224/25–1274) “had a decidedly illiberal view of a government” (Russell, 2021, 304). He thinks “the very principles of Thomism suggest an illiberal monarchic and hierarchical structure to society” where “‘inferiors’ are ruled by ‘betters’” (304, 306, citing Canning, 1996, 130). He says that Aquinas “advocates a government in which the people are not given public liberty” and denies that the scholastic “prepare[d] the way for the mixed monarchy of the English constitution” (Russell, 2021, 303, quoting Kraynak, 2001, 98).

Russell misreads Aquinas. I examine three primary sources that detail Aquinas’s actual approach: the *Summa Theologiae*, which he means to be a restatement of all Christian theology; his *Commentary on the Politics*, where he analyzes Aristotle; and *De Regno*, purportedly a letter he wrote to a Crusader king of Cyprus<sup>1</sup> (see Reid, 2022, 336, 339–340, 342–344). In them, Aquinas places the rule of moral law above politics (section 2), endorses participatory government (section 3), prioritizes

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reciprocal duties rather than coerced conformity (section 4), favors a mixed regime with democratic representation (section 5), and sanctions resistance to tyrants (section 6). Each of these ideas is an important part of modern freedom.

Liberal democracy as a constitutional arrangement, and its various philosophical defenses, postdate Aquinas by centuries. It would be anachronistic to cast him as their partisan. But neither was he a proto-reactionary: his political philosophy is congenial to free, limited government that belongs to the people.

## 2. The rule of moral law

Aquinas does not understand human law as a self-contained and self-referential system: it is subject to higher ethical standards. Human law is societies' participation in God's eternal law governing all creation. "[T]he eternal law is nothing else than the type of Divine Wisdom, as directing all actions and movements" (ST I-II, Q. 93, art. 1, resp.). Contained within the eternal law is the natural law, the partaking by the rational creature in "a share of providence, by being provident both for itself and for others"; this is "the rational creature's participation in the eternal law" (ST I-II, Q. 91, art. 1, resp.).

The natural law contains some self-evident precepts, such as to do good and avoid evil (ST I-II, Q. 94, art. 2, resp.). Among these are the requirements of acting according to reason (*ibid.* art. 4, resp.). The natural law "is the same for all" as to its general principles, but regarding "certain matters of detail," contingencies and human errors can cause variation (*ibid.*). The relationship of human law to the natural law is complex. In sections 4 and 6, I discuss why Aquinas accepted religious coercion, endorsed the tolerance of many vices, and justified resistance to human laws that violate the natural law. Briefly, Aquinas sees human law as a limited enterprise subject to moral criteria. Human laws are efforts to move from the natural law "to the more particular determination of certain matters" (ST I-II, Q. 91, art. 3, resp.). Like human reason, these laws participate in the eternal law only "according to [their] own mode, and imperfectly" (*ibid.* ad 1.). They lack "inerrancy" (*ibid.* ad 3.).

By teaching that "no regime can create the pre-political order willed into existence by God and which infuses humanity and the world itself with reason," Aquinas "desacralized the state" (Gregg, 2022). The idea that something stands above politics and "establish[es] clear limits on state power" is not exclusive to liberal-democratic philosophies, but does undermine totalitarianism and hold "a central role in the maintenance and deepening of democracy" (Negretto and Sánchez Talanquer, 2021, 523). Aquinas's distinction between ordinary political decisions and overarching moral norms is amenable to many modern concepts of liberty.

## 3. Participatory government

The natural law is the basis of legitimate government for Aquinas. He endorses popular participation in politics in terms of elections, covenantal duties, and customary law. One way or another, he writes, "all should take some share in the government: for this form of constitution ensures peace among the people, commends itself to all, and

is most enduring”<sup>2</sup> (ST I-II, Q. 105, art. 1, resp.). Why? Political authority arises directly from human nature.<sup>3</sup> Politics is a form of social cooperation based on rational deliberation, and reason inheres in human nature. Instead of “hair as a covering, teeth, horns, claws as means of defence or at least speed in flight,” humans have the ability to reason (DR para. 5). But no one can use it to secure everything necessary for life “unassisted”; therefore, humans live in societies “so that each one may assist his fellows, and different men may be occupied in seeking, by their reason, to make different discoveries” (paras. 5–6).

Every society has to decide rationally what “is best for itself”<sup>4</sup> (ST I-II, Q. 95, resp. 4). One key decision is who will govern. Aquinas provides a qualified, but still significant, endorsement of elective government. He says that a moderate, responsible, conscientious people should be able “to choose their own magistrates” (ST I-II, Q. 97, art. 1, resp., quoting Saint Augustine). He does warn that if people become “so corrupt as to sell their votes ... and entrust the government to scoundrels and criminals[,] then the right of appointing their public officials is rightly forfeit ... and the choice devolves to a few good men” (ibid., quoting Saint Augustine). But the best sort of government is elective, where “all are eligible to govern,” “the rules are chosen by all,” “the rulers can be chosen from the people, and the people have the right to choose their rulers” (Q. 105, art. 1, resp.).

Even if a society eschews elections, participation in governance remains important. A society and its political authorities form a “covenant,” “communion,” or “friendship” that both sides must observe “faithfully” (ibid.; DR para. 78). Crucially, legitimate authorities govern “free men,” not “slaves” (CP para. 375). Russell is right that Aquinas accepts a *sort* of social hierarchy “in which ‘inferiors’ are ruled by ‘betters”” (Russell, 2021, 303–304). But Aquinas’s understanding is not “decidedly illiberal” (304). He distinguishes between two sorts of mastery—one over a slave, and one that means “governing and directing free men” (ST I-I, Q. 96, art. 4, resp.). Authority over the free person, who “has the disposal of himself,” is limited, “whereas a slave is ordered to another” (ibid.). Subjecting a (naturally free) person to slavery “is a grievous matter” and “implies of necessity” the infliction of pain (ibid.). It is “contrary to justice” for officials to “rule by dominating the city and make use of the citizens as slaves, that is to say, for their own benefit,” because a political society “is an association of free men and a slave is not a citizen”<sup>5</sup> (CP para. 390). By contrast, a free person’s “master” can direct him only “towards his proper welfare, or to the common good” (ST I-I, Q. 96, art. 4, resp.). If “a multitude of free men is ordered by the ruler towards the common good of the multitude, that rulership will be right and just, as is suitable to free men” (DR para. 10).

Free people form a political covenant based on consent. Aquinas writes that “there can be little or no friendship between tyrants and their subjects,” as they lack common aims (DR para. 78). Tyrants rule by force, and friendship can’t be forced (see Rooney, 2022). When subjects “feel they are not loved but despised, they certainly do not conceive any love” in return for their rulers (DR para. 78). Tyrants can’t complain about this, “since they do not act ... in such a way that they ought to be loved” (ibid.). On the other hand, authorities that “show that they love their subjects and are studiously intent on the common welfare” enjoy the stability that inherently comes from popular consent (ibid.). Tyrants, who are “displeasing to the multitude,” have

to constantly guard “against their subjects”—so much so that “it is necessary to spend more [on control] than they can rob” (para. 84). By contrast, consensual governments enjoy more free help than tyrants can seize (see *ibid.*).

This is not an incidental benefit enjoyed by the very best regimes, but the reward of basic legitimacy. A law can be unjust for the simple reason that the one imposing it has gone “beyond the power committed to him” by a political superior (or, I infer, society through its constitutional norms; ST I-II, Q. 96, art. 4, resp.). Even more superior are the eternal law and the reason found universally in human nature, as I explained in section 2. Additionally, the people can participate in making human laws, as this power “belongs either to the whole people”—all of whom possess reason—or to a public personage who has care of the whole people” (Q. 90, art. 3, resp.). In democracies, popular customs even *override* formal laws because “the consent of the whole people expressed by a custom counts far more” (Q. 97, art. 3, ad 3). Under authoritarian regimes, too, the people can adopt customs, and insofar as these are officially tolerated, they become law (see *ibid.*). Custom is one way that people “participate actively in the formation of the norms through which they are governed” (Porter, 2010, 165).

Aquinas’s idea of political participation includes people from different social classes. In commenting on Aristotle, where he may or may not be expressing his own views, he does write that people working in the “servile” trades can be excluded from politics (CP para. 373; see also Blythe, 1986, 549 n.9). This is indeed out of step with modern norms, at least insofar as voting is concerned. (Though it does remain rare for someone actively working as a laborer to hold public office, which may have been the degree of involvement Aristotle had in mind, given his ancient Greek context.) But Aquinas also notes that in a democratic regime, laborers must be allowed to participate in politics: “since they are free, they will have the possibility of being promoted to the government” (CP para. 381). His main reason for concern is laborers’ lack of political experience (*ibid.*). But literacy and formal education were rare in his day,<sup>6</sup> and Aquinas does prove egalitarian when considering artisans who earn wealth and put their trades aside, saying they can participate as both “citizens and rulers”<sup>7</sup> (CP para. 381). Aquinas’s thoughts on participation in government, and consent to it through elections, covenant, and custom, are friendly to later liberal democracy.

#### 4. Social unity through reciprocity

Russell observes that Aquinas emphasizes “unity and order” as “the goal of a political society,” so he argues that Aquinas thought “a pluralistic community would fall apart” (Russell, 2021, 302–303). Aquinas does prize social harmony, but as Fr. James Dominic Rooney observes, Aquinas believes that it comes about through “intelligent friendship based on free consent,” not “mere arbitrary use of power to quell conflicts” (Rooney, 2022). Aquinas deems unity the basis for “welfare and safety” and calls it “peace”<sup>8</sup> (DR para. 17). Without peace, “the multitude in its disagreement becomes a burden to itself” (*ibid.*). Peace does not come about totally spontaneously. Society needs some entity to be responsible for the public good, because if “each one is looking after his own interest, the multitude would be broken up and scattered”

(para. 8). This means that “the more efficacious a government is in keeping the unity of peace, the more useful it will be”<sup>9</sup> (para. 17).

But government depends always on reason and public participation. Unlike modern legal positivists, Aquinas does not define law “in terms of its ability to invoke violence or coercion ... Instead, law is a rule and measures [sic] of acts that is directed toward the reason of citizens and only, accidentally and in the situation of sin, to punishment and coercive force”<sup>10</sup> (Rooney, 2022). Coercion is limited to enabling life together.<sup>11</sup> Aquinas does not think officials should closely regulate personal life for the sake of moral unity. He rejects the idea that human law (as opposed to God’s) should suppress all vice (see ST I-II, Q. 96, art. 2). Laws have to accommodate human nature and customs, including imperfections (see *ibid.*). Because most people “are not perfect in virtue,” human laws “do not forbid all vices,” but only the worst ones, “from which it is possible for the majority to abstain” (*ibid.* resp.).

Aquinas goes still further, saying human laws “chiefly” prohibit those vices “that are to the hurt of others, without the prohibition of which human society could not be maintained,” such as murder and theft (*ibid.*). Elsewhere, he quotes Saint Isidore of Seville as saying that human laws should also check “audacity,” but here, he interprets that word narrowly as referring to assault, then says this is why human law prohibits it (Q. 95, art. 1, *contr.*; Q. 96, art. 2, ad 1). Aquinas’s approach to government coercion is at least prudentially libertarian.<sup>12</sup> Excessive paternalism actually undermines social unity: “imperfect [people], being unable to bear such precepts ... break out into yet greater evils,” including hatred of the laws (Q. 96, art. 2, ad 2). This is important context for his statement in *De Regno* that the good monarch “should command those things which lead to the happiness of Heaven and, as far as possible, forbid the contrary” (DR para. 115; see also Bersnak, 2014, 99).

Aquinas does say human laws are “proportionate” to three things: (1) the divine law, by fostering religion; (2) natural law, by imposing discipline; and (3) human usefulness, by furthering the common good (ST I-II, Q.95, art. 3, resp.). But he is not endorsing totalitarian theocracy. He means that divine, natural, and human laws are analogous and interrelated (see section 2), cooperating in support of human welfare. He also writes that “human law falls short of the eternal law” (Q. 96, art. 2, ad 3; see also Q. 91, art. 3, ad 1, 3). It is “framed for the government of states” and permits “many things that are punished by Divine providence”—even some forbidden by natural law (Q. 96, art. 2, ad 3, quoting Saint Augustine). Social unity is a tame concept for Aquinas, encompassing even the idea that people should “avoid offending” their neighbors (Q. 94, art. 2, resp.).

Aquinas does think people have *ethical* obligations to promote social unity. Fr. Rooney calls Aquinas’s concept of peace “a special kind of harmony that results from order” (Rooney, 2022). It “goes beyond mere absence of conflict and is envisioned as a ‘moral unity’ of all citizens in unified pursuit of the same goals” (*ibid.*). Perfect peace requires components that human laws cannot directly provide: “the personal virtue of each citizen” and a disposition of each toward the good of the whole (*ibid.*). Following Aristotle, Aquinas writes about the virtues of good citizens and good rulers (see again how governance is a mutual covenant). The virtuous citizen “works well to preserve the regime”<sup>13</sup> (CP para. 366). This does not require the citizen’s own moral perfection. No matter how good a government is, “it is impossible

... that all the citizens be virtuous”; it is enough that each person “perform his work pertaining to the city well” (para. 367). This is different from unthinking submission: Aquinas does not mean yielding “to a despotic rule, which is that of slaves, but to a political rule, which is that of free men” (para. 375). He means that good citizens observe legitimate laws and care for each other, thereby participating in governance (see *ibid.*).

Of course, it is even better if the good citizen is also a good person. The best citizens will understand both sides of the covenant: “how to rule and how to be subject to a rule,” as well as “have true opinion concerning things to be done, by which they can govern themselves in their own acts in accordance with the government of the ruler” (CP paras. 375–376). Model citizens, then, internalize social obligations, think critically about them, and carry them out on their own initiative, thus participating in public order in a higher way.

As for rulers, their virtues are both “prudence, which directs and governs,” and knowing how “to be governed and to obey” (CP para. 376). The latter is virtuous due to one of the government’s duties toward social unity: not flaunting the law. Because law is reasonable and reason is a universal human trait, “the sovereign is not exempt” from the law’s directive force (ST I-II, Q. 96, art. 5, ad 3). Even if a society lacks formal rules that can force the sovereign to face consequences (as is often the case even in liberal democracies because of legal immunity doctrines), “he should fulfill it to his own free-will” (ST I-II, Q. 96, art. 5, ad 3; see also [Wex](#)). The good ruler knows how to lead the citizen and how to *be* one.

Intentionally sowing discord is a grave sin arising from a lack of consideration for one’s neighbors (see ST II-II, Q. 37, art. 1). But not all disagreement is evil. There are cases where people honestly—innocently—disagree about what is good (*ibid.* resp.). The social unity that matters is one “of wills not of opinions” (*ibid.*).

Aquinas’s approach to diversity of thought differs from later thinkers, including notably John Stuart Mill, for whom tolerance is justified by reason’s fallibility.<sup>14</sup> By contrast, Aquinas thinks the “most general precepts” of the natural law are “known to all” and cannot be “blotted out from men’s hearts” (although conclusions derived from them can be missed due to “evil persuasions, just as in speculative matters errors occur in respect of necessary conclusions; or by vicious customs and corrupt habits”) (ST I-II, Q. 94, art. 6, resp.). What is more, divine grace instills “the law of the New Testament” into the Christian believer, “not only by indicating to him what he should do, but also by helping him to accomplish it” (ST I-II, Q. 106, art. 1, resp.). Bolstered by such confidence, Aquinas accepts the use of physical coercion against heresy and apostasy by Christians so “that they may fulfil what they have promised, and hold what they, at one time, received” (ST II-II, Q. 10, art. 8, resp.).

This is a major difference between Aquinas and later liberal-democratic theorists. While other aspects of his thought did contribute to the Second Vatican Council’s 1965 reconciliation of religious liberty with Christian conviction, Aquinas himself connects human and Christian certainty with the religious coercion of believers (see Paul, 1965; Rooney, 2022). Later liberal thinkers would call into question at least one of these beliefs; often, both.

But there is common ground in Aquinas’s acceptance of good-faith disagreements as part of social life where they are not marked by “error about things necessary to

salvation, or by undue obstinacy” (ST II-II, Q. 37, art. 1, resp.). Part of the reason for Aquinas’s view is his acknowledgment of legitimate intellectual diversity. At the society-wide level, the natural law’s general principles “cannot be applied to all men in the same way on account of the great variety of human affairs: and hence arises the diversity of positive laws among various people” (ST I-II, Q. 95, art. 2, ad 3). Turning to particular people, “there are certain individual goods which have not a necessary connection with happiness, because without them a man can be happy: and to such the will does not adhere of necessity” (ST I, Q. 82, art. 2, resp.). There are matters of legitimate personal choice. The diversity of goods pushes Aquinas toward tolerance just as doubt does for Mill.<sup>15</sup> Although Aquinas accepts religious coercion among Christians, he recognizes that commitment to the common good can dwell behind differing opinions. His ideal of social unity does not depend on harsh conformity.

To recall, Aquinas defines discord narrowly; he also never says that governments should forbid it per se. Punishment restores social “calm” after someone commits a wrong that “conduces to the injury of the commonwealth” (which, apropos of the preceding discussion, includes spiritual corruption; ST II-II, Q. 68, art. 1, resp.). Aquinas does not say precisely where that line lies with regard to secular matters, but he elsewhere identifies two evils that are more tangible than discord: strife and sedition. Strife is “a kind of private war ... between private persons,” à la Hatfields and McCoys (Q. 41, art. 1, resp.). One commits it when he “attacks another unjustly” and “inflicts harm” with the hands, or worse (ibid.). Strife has physical violence as an element; Aquinas proceeds immediately into a discussion of self-defense (ibid.). As for sedition, it is “when one part of the state rises in tumult against another”<sup>16</sup> (Q. 42, art. 1, resp.). Any government has to punish such crimes for the sake of peace: “It is not even legitimate for [the ruler] to deliberate whether he shall establish peace in the multitude subject to him” (DR para. 17). Without unity, a society “will be hindered from virtuous action” because it is busy “fighting against itself” (para. 118). There is nothing illiberal in forbidding strife and sedition as Aquinas defines them. Indeed, it is hard to imagine *any* political society enduring without doing so.

Concerning another aspect of unity that seems different from liberal norms at first glance, Aquinas does accept some social hierarchy. For instance, he says that one who “holds a more prominent position in the community” is entitled to “more of the common goods” (ST II-II, Q. 61, art. 2, resp.). But this, too, is frequent in liberal-democratic societies; official residences and vehicles are usually quite elegant. Aquinas also says that more punishment is due “when a person injures the person of one who is greater” (art. 4, resp.). But again, even in liberal democracies, crimes committed against public officials often carry heavier punishments, and for reasons like the one given by Aquinas: “it is a more grievous sin to strike or injure a person in authority than a private individual, because it conduces to the injury of the whole community”<sup>17</sup> (Q. 65, art. 4, resp.). These instances of inequality are not artifacts of what Russell deems “the hierarchical and ‘organicist’ thought of the Middle Ages” (Russell, 2021, 312). They’re enduring social norms.

In other respects, Aquinas’s approach to hierarchy comport well with liberal-democratic ones. He distinguishes between legitimate and illegitimate inequalities:



[I]f you promote a man to a professorship on account of his having sufficient knowledge, you consider the due cause, not the person; but if, in conferring something on someone, you consider in him not the fact that what you give him is proportionate or due to him, but the fact that he is this particular man ...

—then this is evil favoritism. (ST II-II, Q. 63, art. 1, resp.)

Aquinas grounds social unity on fairness, virtue, orderly disagreement, public peace, and reciprocal obligations, not totalitarianism or rigid hierarchy. Aquinas never taught that “any government use of force is justified as long as, by it, we bring people by hook or by crook to do what’s really good for them” (Rooney, 2022). “The common good of all is peace,” “a harmony that is based on free consent in the reasoned acceptance of the truth, not merely the harmony of forced concord and non-conflict” (ibid.). Just as legitimate government is based on participation and consent, so is the social unity it engenders.

## 5. Mixed government

What sort of government does that best? Aquinas is not an exclusivist, as William McCormick has recently noted (McCormick, 2022a). But he does profess an ideal resembling modern liberal democracy. Russell concedes that Aquinas favors mixed government with “democratic, aristocratic, and monarchic” elements (Russell, 2021, 303). But he then writes inaccurately that “Aquinas advocates a government in which the people are not given public liberty,” one unlike English-style mixed monarchy and lacking any “first stirring of modern liberty” (ibid.; quoting Kraynak, 2001, 98).

As I discussed in section 2, Aquinas insists that “all should take some share in the government: for this form of constitution ensures peace among the people, commends itself to all, and is most enduring” (ST I-II, Q. 105, art. 1, resp.). Regime types can vary, but popular participation is a must. Beyond this, Aquinas alternates between sociological analysis and philosophical prescription. Commenting on Aristotle’s survey of types of government known to ancient Greeks, Aquinas observes that some rulers have “full power” while others are “restricted by certain laws”<sup>18</sup> (CP para. 13). Both can differ from “despotic rule ... by which a master commands slaves” (ibid.).

After all, “rule over free men is primarily for the benefit of the subjects” (CP para. 389). This makes it “fitting” that political rules be “established in conformity with the equality and similarity of the citizens” (ibid.). One such rule: “some persons should rule for one period of time and others for another” (ibid.). Political rotation is Aquinas’s default. He does note—and I think the hypothetical phrasing is significant—that “[i]t would be otherwise ... *if* some of the citizens greatly surpassed others in goodness. For then it would be fitting for them to rule all of the time[.]” (ibid., emphasis added). But it was not a benign rise of the best that actually led many societies into despotism. Rather, “because of the benefits accruing from the common goods that rulers usurp for themselves and also from the very right of sovereignty, men wish to rule always” (ibid.). Aquinas mocks this, saying rulers approach power as if “to rule were to be healthy and not to rule to be sick”<sup>19</sup> (ibid.).



He then turns to substantive legitimacy, which depends on whether the government seeks the common good. A singular sovereign who does so is a monarch; a collective sovereign seeking the good is a “commonwealth” or republic (CP paras. 393–394). A government that instead seeks the private good of the rulers is known as “a perversion,” “tyranny,” “the rule of the few,” or “a popular state” (likewise depending on how many people rule it) (para. 394). Aquinas follows Aristotle here, but elaborates in the *Summa Theologiae*. There, he says “the best” form of government is a mixed regime that has much in common with modern liberal democracy (ST I-II, Q. 95, art. 4, resp.). He even identifies one of its characteristics as “law sanctioned by the ‘Lords and Commons,’” like in the later English constitution<sup>20</sup> (ibid.). But his own model is far more ancient. He analyzes the government God ordained for Israel at Mount Sinai (Q. 105, art. 1, resp.). The Israelites had one executive “given the power to preside over all; while under him are others having governing powers” (ibid.). This role was open to all “because all [we]re eligible to govern” (ibid.). The people had “the right to choose their rulers,” and human laws were “chosen by all” (ibid.). Aquinas believes God gave this government to the Israelites because it is best. As political historian James Blythe wrote, Aquinas’s biblical analysis “is embarrassing to those who think Thomas was an absolute monarchist” (Blythe, 1986, 561).

Aquinas does qualify his ideal, supporting popular elections only where “the people have a sense of moderation and responsibility, and are most careful guardians of the common weal” (ST I-II, Q. 97, art. 1, resp.). But his counterexample (as noted above) is limited: “[I]f, as time goes on, the same people become so corrupt as to sell their votes, and entrust the government to scoundrels and criminals; then the right of appointing their public officials is rightly forfeit to such a people, and the choice devolves to a few good men” (ibid., quoting Saint Augustine). True, Aquinas does not unequivocally require elections; then again, he also wrote centuries before the general spread of literacy, in an era when Western elective democracy was only just beginning to reemerge.<sup>21</sup>

Aquinas also praises monarchy in other writings, but he describes it in a way compatible with his ideal. In *De Regno*, Aquinas offers what Russell calls the “organic” defense of monarchy (Russell, 2021, 306, quoting Canning, 1996, 130). Aquinas says that what is unitary is better at uniting other things, so “the rule of one man is more useful than the rule of many” (DR para. 17; see also Aquinas, 1955–1957, Book IV, ch. 76, para. 4). Additionally, “several persons could by no means preserve the stability of the community if they totally disagreed” (para. 18). Here, Aquinas is not defending hereditary dictatorship, but a singular head of government, in contrast to the multi-person rule found in classical Greece and Rome.<sup>22</sup>

Aquinas also couches his approval of monarchy with many warnings about the dangers of unchecked rule. Blythe even called the balancing of government powers Aquinas’s great development of Aristotle, who emphasized balancing social classes instead (Blythe, 1986, 564). Aquinas does follow Aristotle in defining tyranny as “the rule of one man seeking his own benefit” (CP para. 394). He writes that the tyrant “oppresses by might instead of ruling by justice” (DR para. 11). The very unity that makes monarchy desirable makes it “more harmful” when it is “operating for evil” (para. 23). Because of the consolidation of force, “tyranny is more harmful than oligarchy; and oligarchy more harmful than [corrupted] democracy” (ibid.). At

least in the latter kind of regime, “the advantage of many is sought” (para. 24). “Among unjust governments, therefore, [corrupted] democracy is the most tolerable, but the worst is tyranny” (para. 25). Monarchy often devolves into tyranny, too. Without distinguishing between pagans and Christians, Aquinas notes that in ancient Rome, most of the emperors “became tyrants towards their subjects while indolent and vacillating before their enemies, and brought the Roman commonwealth to naught” (para. 33). Aquinas has no nostalgia for classical autocracy.

There is another reason to fear tyranny. While collective rule might be marked by bickering and sedition, a tyrant “will oppress his subjects in different ways according as he is dominated by different passions to acquire certain goods” (DR para. 26). He is fickle. “Thus there can be no safety. Everything is uncertain when there is a departure from justice. Nobody will be able firmly to state: This thing is such and such, when it depends upon the will of another, not to say upon his caprice” (ibid.).

Tyrants are also exceptionally jealous, “suspecting all excellence in their subjects to be prejudicial to their own evil domination. For tyrants hold the good in greater suspicion than the wicked, and to them the valour of others is always fraught with danger” (ibid.). They bully good people and constantly undermine social trust, “for as long as one has no confidence in the other, no plot will be set up against the tyrant’s domination” (para. 27). So they “forbid anything which furthers society and co-operation among men, such as marriage, company at table and anything of like character, through which familiarity and confidence are engendered among men” (ibid.). Tyrants also loathe private wealth, suspecting the rich “to be as wicked as themselves” and so a threat<sup>23</sup> (ibid.). In the fraught environment tyrants create, “few virtuous men are found ... . [T]o be subject to a tyrant is the same thing as to lie prostrate beneath a raging beast” (paras. 28–29).

Aquinas softly—maybe even wryly, given that he is writing to a king—suggests that “[d]anger thus lurks on either side. Either men are held by the fear of a tyrant and they miss the opportunity of having that very best government which is kingship; or, they want a king and the kingly power turns into tyrannical wickedness” (para. 35).

These are the perils of monarchy perverted, but even the good kind has some disadvantages. Aquinas anticipates Alexis de Tocqueville in saying that “men living under a king strive more sluggishly for the common good, inasmuch as they consider that what they devote to the common good, they do not confer upon themselves but upon another”<sup>24</sup> (DR para. 31). By contrast, “when they see that the common good is not under the power of one man ... each one attends to it as if it were his own” (ibid.). Hence, “small services exacted by kings weigh more heavily than great burdens imposed by the community of citizens” (para. 32). Popular participation means better government.

Then why is monarchy best? Group government “most frequently breeds dissension” that corrodes social unity (DR paras. 37). If even one co-ruler becomes corrupt, then “the chiefs quarrel” and “dissension will follow in the people” (para. 38). Whatever a tyrant’s foibles, at least he doesn’t do this—“unless, of course,” Aquinas writes, “there be an excess of tyranny and the tyrant rages against the whole community”<sup>25</sup> (para. 37). Besides, “[t]here has hardly ever been a polyarchy that did not end in tyranny” (para. 39). Consider once more ancient Rome, which

had dual consuls as co-rulers until “animosities, dissensions and civil wars arose and it fell into the power of the most cruel tyrants” (ibid.). If government is going to land in one person’s hands anyway, it’s better that it arrives there stably and lawfully, rather than through civil war.

But cynical despair is not Aquinas’s last word. He proposes that “a scheme should be carefully worked out which would prevent” tyranny (DR para. 41). Perhaps most obviously, the person “who is raised up to be king by those whom it concerns” (a reference to popular consent in some contexts, to multi-tiered governments in others such as empires) “should be of such condition that it is improbable that he should become a tyrant” (para. 42). Then, “the government of the kingdom must be so arranged that opportunity to tyrannize is removed” (ibid.). Monarchical power should be “tempered”<sup>26</sup> (ibid.). Lastly, “provision must be made for facing” tyranny that develops anyway (DR para. 43). Analyzing monarchy for a royal reader, Aquinas warns of tyranny and proposes constitutional safeguards against it.

## 6. Resistance to tyranny

If these fail, Aquinas accepts two solutions that are essential to later liberal-democratic theories: disobedience and revolution.<sup>27</sup> Aquinas says that tyrannical government “is altogether corrupt” and lawless (ST I-II, Q. 95, art. 4, resp.). “[T]he man who assumes the office of king and acts like a tyrant” is “a hypocrite” who “mimics the person of another, as is done on the stage”<sup>28</sup> (DR para. 83). This metaphor is revealing: one who uses governmental power illegitimately is illegitimate as a ruler. Aquinas interprets the Bible accordingly, interpreting 1 Samuel 8:11–18<sup>29</sup> as a prophecy that “kings would usurp [their] right, by framing unjust laws, and by degenerating into tyrants.” The prophet Samuel’s declaration that subjects would become their rulers’ “slaves” is not divine sanction, but signifies “tyranny, since a tyrant rules” like a slave master (ST I-II, Q. 105, art. 1, ad 5).

The good news? Because the tyrant is like a robber and “it is lawful to resist robbers, so is it lawful ... to resist wicked princes” who seek the people’s blood (ST II-II, Q. 69, art. 4, resp.). Indeed, even a private person “who despoils a single man, or casts him into slavery, or kills him, deserves the greatest punishment (death in the judgment of men, and in the judgment of God eternal damnation)” (DR para. 87). The tyrant deserves these all the more because he “robs everybody, works against the common liberty of all, and kills whom he will at his merest whim” (ibid.). The tyrant attacks the law and shows “contempt” for the common good, which “may lead to all kinds of sin” (ST II-II, Q. 59, art. 1, resp.).

People can disobey tyrannical laws containing “anything contrary to the natural right” because they have “no binding force”<sup>30</sup> (ST II-II, Q. 60, art. 5, ad 1). Human laws derive their authority from the eternal law by way of the natural law. A tyrannical human law conflicts with reason (that is, with the natural law) and so is a “perversion of law”<sup>31</sup> (ST I-II, Q. 92, art. 1, ad 4). Unjust human laws are “acts of violence rather than laws” (Q. 96, art. 4, resp.). The only reasons someone might have to obey them are extrinsic, like avoiding “scandal or disturbance” to social order (ibid.).

The people can also seek the tyrant's removal. Aquinas distinguishes between three methods: (1) if a society is part of a larger one such that "it pertains to the right of a higher authority to provide a king for a certain multitude," the people should seek aid from that authority (DR para. 50). This means of recourse would be available in empires where a central authority oversees local rulers.

(2) If the people raise up their own rulers, then the tyrant can "be deposed or have his power restricted by that same multitude" (ibid. para. 49.). Ordinary political virtues like obedience lose their force: "tyrants cannot rely on the loyalty of their subjects, for such a degree of virtue is not found among the generality of men, that they should be restrained by the virtue of fidelity from throwing off the yoke of unmerited servitude, if they are able to do so" (DR para. 81). Aquinas notes that "many" thinkers deny that it would actually violate the virtue of fidelity for the people to "frustrate the wickedness of tyrants by any means whatsoever" (ibid.). Even though by electing a monarch, a democratic society may have "previously subjected itself to him in perpetuity," it does not act "unfaithfully" in giving resistance (ibid. para. 49). The tyrant did not "act faithfully," so "he himself has deserved that the covenant with his subjects should not be kept" (ibid.).

(3) If "no human aid whatsoever against a tyrant be forthcoming," then "recourse must be had to God, the King of all, Who is a helper in due time in tribulation"<sup>32</sup> (DR para. 51). But Aquinas thinks this will rarely be the case because of sociological probabilities. He doubts that government "hateful to the multitude" can persist for long (para. 80). "[A]dversities" will happen, leading to uprisings (ibid.). "Then the people will fervently favour the insurgent, and what is attempted with the sympathy of the multitude will not easily fail of its effects" (ibid.). Though tyrants try to govern through fear, it "is a weak support" (para. 81). Oppressed subjects will rise up "if the opportunity ever occurs when they can hope to do it with impunity" (ibid.). Then, the terror that sustained the government becomes a liability; the people "rebel against their rulers all the more furiously the more they have been kept in subjection against their will by fear alone, just as water confined under pressure flows with greater impetus when it finds an outlet" (ibid.). Pent-up fear "impels a man boldly to dare anything" (ibid.).

Does Aquinas morally sanction this process? Yes. Legal historian Charles Reid contends that ratification by officials is necessary for Aquinas based on his classical Roman examples, and *De Regno* specifically mentions only appeals to higher political authorities and to popular sovereignty in democratic regimes (Reid, 2022, 357; Reid, 2020, 114). But I don't think the second point can be understood without reference to the universal necessity of participatory government, as discussed in section 3 above. Aquinas's point is that resistance should be undertaken by "public authority" (more on this momentarily), which means a higher ruler in a multi-tiered order and otherwise the people as a whole, rather than a lone wolf (DR para. 48). Additionally, Aquinas does not mention any constitutional arrangement that condemns the people to suffer tyranny without worldly recourse. His suggestion to turn to prayer only refers to cases where purely human help does not appear. Regardless, in the *Summa Theologiae*, Aquinas writes that the people who rebel against a tyrant are not seditious, the tyrant is: "since he encourages discord and sedition among his subjects, that he may lord over them more securely" (ST II-II, Q. 42, art. 2, ad 3). Aquinas

says this without distinguishing among regime types (see *ibid.*). Likewise unqualified is the passage sanctioning resistance to bloodthirsty tyrants as equivalent to resisting robbers (Q. 69, art. 4, resp.).

Aquinas does urge caution, writing that it is wiser to tolerate “milder tyranny for a while” than “become involved in many perils more grievous than the tyranny itself” (DR para. 44). Unsuccessful revolts often drive a tyrant to worse abuses (see *ibid.*). Even where rebellions succeed, “very grave dissensions among the people frequently ensue” (*ibid.*). A revolutionary leader may become a tyrant; then, “fearing to suffer from another what he did to his predecessor, he oppresses his subjects with an even more grievous slavery” (*ibid.*). This often happens because, “without abandoning the previous oppressions, he himself thinks up fresh ones from the malice of his heart” (*ibid.*).

A revolution is also subject to ethical limits in its execution. Aquinas notes that some writers approve of tyrannicide but he calls this un-Christian<sup>33</sup> (DR paras. 45–46). (However, Reid also observes that Aquinas accepts the post-hoc legitimizations of the assassinations of the Roman tyrants Tarquin the Proud, Julius Caesar, and Domitian [Reid, 2022, 335–336, 348–351].)

Finally, regarding public authority, Aquinas thinks that revolutions should be social efforts and not individual ones. Individual rebels are often “wicked” people who are as likely to kill a good ruler as a bad one, “for the rule of a [legitimate] king, no less than that of a tyrant, is burdensome to them” (DR. para. 47). But Aquinas does not impose strict limits akin to those later proposed by John Calvin, who taught that private subjects had no right other than “to obey and suffer,” with resistance being led only by those government officials specifically “appointed to curb the tyranny of kings”<sup>34</sup> (Calvin, 1845, IV.xx.31).

Aquinas’s reservations are not anti-democratic. They anticipate the U. S. Declaration of Independence’s words: “Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes ... mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed”; only after “a long train of abuses and usurpations,” revealing “a design to reduce them under absolute Despotism,” does it become the people’s right and duty “to throw off such Government”<sup>35</sup> (National Archives). Aquinas isn’t illiberal here. He’s prudent.

## 7. Conclusion

Aquinas holds much in common with modern liberal democracy. To be sure, he does not develop a theory of personal rights, accepts religious coercion of Christians, gives only a limited defense of elections, and certainly never calls for a global crusade to remake the world in the United States’ image.<sup>36</sup> But he also leaves the door open to later intellectual developments. Aquinas writes that laws can change because “those who first endeavored to discover something useful for the human community” could not “take everything into consideration” (ST I-II, Q. 97, art. 1, resp.). They “set up certain institutions which were deficient in many ways” but still subject to future improvements (*ibid.*).

Aquinas does not think of his as the last word. But he does support five central aspects of modern freedom: the rule of moral laws over politics, participatory

government, social unity through reciprocity, democratic representation, and resistance to tyrants. He is not a “decidedly illiberal” enemy of “public liberty” (Russell, 2021, 303–304). Much friendly to it stirs throughout his writings.

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## Notes

1. *De Regno*'s context, and Aquinas's authorship of it, have come into question, but Aquinas likely wrote at least its first book (which is the portion I cite; see McCormick, 2022b, 11–12; Reid, 2022, 344). The chronological order of the three primary texts I discuss is unclear; all were written in the 1260s–1270s (see McCormick, 2022b, 12).

Some scholars question the importance of politics for Aquinas. True, his discussion of laws (including human ones) in the *Summa Theologiae* is only one small part of an expansive work. But even that discussion is hardly marginal, and the other two works I discuss are extended treatments of political questions. Aquinas had a capacious mind, and political theory was one of the many subjects he handled seriously.

2. Note that “the relevant practices [are not] limited to the forms of Western democracy,” nor always formalized or equally open to all (Porter, 2010, 165–166). For instance, “a share in government might be given to those who could claim to represent the constituent communities (cities and provinces)” of the society (Aroney, 2007, 227).

3. Of course, Aquinas identifies God's eternal law as the ultimate foundation for political authority (see Aquinas, 1991, para. 1025). Saint Robert Cardinal Bellarmine (1542–1621) and Spanish Renaissance Thomists later wrote on how God gives societies collective sovereignty through the natural law, which they then consensually confer on public authorities (see Tierney, 1997, 288–316; Bellarmine, 2012, 22).

4. See also Porter (2010, 165), explaining that legitimate governments let people participate in “ongoing processes of communal discernment and decision-making” (cf. Wojtyła, 1975–1976, 2021).

5. Aquinas recognizes reciprocity in slavery as well, writing (lamentably) that it is legitimate because “it is useful to this man to be ruled by a wiser man, and to the latter to be helped by the former” (ST II-II, Q. 57, art. 3, ad 2; see also CP para. 19; Reid, 2020, 119–120). The conditions of slavery in medieval Europe varied according to time and place (Barker, 2019).

6. The United States and United Kingdom enfranchised laborers only in the 1800s (see UK Parliament; Al Jazeera, 2020).

7. See also Reid (2020, 103–104), noting that Aquinas believes that some people are born with more reason than others and so fit to rule, but also that political leadership depends on practical and not abstract intelligence; and Porter (2015, 456), writing that for Aquinas, “the hierarchical structures of society, legitimate and necessary though they may be, are almost always conventional rather than natural, and always presuppose that the parties involved stand as equals to one another, simply by virtue of shared humanity.”

8. See also Bleakley (1999, 578–579), noting Cicero's influence (cf. Aquinas, 1991, para. 1043), saying tribute is paid to a ruler so “that he might govern the country in peace and quiet.”

9. “Usefulness” (*utilitas*) has a wide meaning, referring to how good rulers “shape the law to match the needs of the communities” (Reid, 2020, 117).

10. See also ST I-II, Q. 90, art. 4, resp.; Hittinger (2004, 264 n.14); cf. Aquinas (1991, paras. 1030, 1035). As to the broad meanings of *lex*, *regula*, and *ordinatio*, see Reid (2020, 116–117).

11. But note my discussion of heresy and apostasy below.

12. Aquinas accepts regulation of public behavior and commercial activity, as well as positive programs of moral formation. See Keys (2006, 203–225), who thinks Aquinas approves of vice prohibitions more than I conclude he does.

13. See also Aquinas (1964, Book V, paras. 900–912, commenting on the section of Aristotle's *Nicomachean Ethics* dealing with virtues and citizenship).



14. See, e.g., Mill (2003, 100): “We can never be sure that the opinion we are endeavouring to stifle is a false opinion ... Those who desire to suppress it, of course deny its truth; but they are not infallible. They have no authority to decide the question for all mankind, and exclude every other person from the means of judging. To refuse a hearing to an opinion, because they are sure that it is false, is to assume that *their* certainty is the same thing as *absolute* certainty. All silencing of discussion is an assumption of infallibility.”

15. Aquinas does not articulate a theory of subjective natural rights based on the diversity of goods (or any other rationale; Porter, 2015, 455; see also Tierney, 2014, 69–91). However, he does discuss human freedom, acknowledge many ways in which natural law is permissive, and hold “certain views about the normative significance of human nature” with regards to liberty and equality (Porter, 2015, 455). Later Thomists did develop theories of natural rights (see generally Finnis, 2011; Tierney, 2014).

16. See also Reid (2022, 340), characterizing sedition as involving at least preparation for violence.

17. Consider how deeply assassinations can traumatize the public: a 2011 Pew Research survey taken nearly half a century after the assassination of U. S. President John F. Kennedy found that “95% of Americans born in 1955 or earlier said they could recall exactly where they were or what they were doing” when it happened (Gao, 2013).

18. This distinction is based on a mistranslation of Aristotle’s Greek. Aristotle’s classification hinges on “a rotation of offices” and not legal limits on rulers (Rhonheimer, 2019, 446).

19. Cf. DR para. 26, where Aquinas refers to the tyrant’s “caprice,” echoing Saint Augustine’s analysis of the Romans’ “insatiable appetite” to dominate (McCormick, 2022b, 65).

20. A particularly British translation, but a faithful one; the Latin has “*maiores*” and “*plebibus*.”

Russell quotes from political scientist Robert Kraynak’s criticism of Lord Acton’s argument that Aquinas is a forerunner of the English constitution (Russell, 2021, 303, citing Kraynak, 2001, 98). Kraynak writes that unlike English rationales, Aquinas “defends power sharing and political participation, not as a right of the people to parliamentary consent nor as a means for protecting personal rights and liberties, but as the prudent application of natural law whose ends are best realized in a stable constitutional order dedicated to peace, virtue, and Christian piety” (Kraynak, 2001, 98). Whatever Kraynak’s quarrel with Lord Acton, he may be unfairly denying the English constitution deeper philosophical dimensions, and he is certainly too hasty in reducing Aquinas’s preference to a matter of practicality (cf. 234, “Thomas denies that the people are sovereign as a matter of right,” with my part 2 above). However, Kraynak also says that the English constitution reflects Aquinas’s ideal (235).

21. See Reid (2022, 340), noting that Aquinas would have known about northern Italian “experiments in democratic rule.”

22. Legal historian Charles Reid thinks Aquinas’s “paradigm was not the hereditary monarch, but the elected,” like those in the Empire and Venice (Reid, 2022, 346). That said, McCormick notes that Aquinas’s family was related to the hereditary monarchs of Castile, Aragon, and France (in addition to elected emperors); he suggests that in *De Regno*, Aquinas assumes monarchy’s value for simply historical reasons or because he is addressing a king (McCormick, 2022b, 56).

23. For a modern argument regarding the role of private wealth in safeguarding liberal democracy, see Friedman (1962).

24. See also de Tocqueville (2010, 896; “Wherever, at the head of a new undertaking, you see in France the government, and in England, a great lord, count on seeing in the United States, an association”).

25. McCormick thinks Aquinas is suggesting that excessive tyranny is rare (although he does note that Aquinas elsewhere observes that descent into tyranny is frequent (McCormick, 2022b, 80, 82)). However, I think Aquinas’s tone is softly sardonic even at this juncture.

26. See also Blythe (1986, 556), interpreting this as institutional oversight.

27. This is not to say that only modern liberal democrats accept armed resistance. See generally de Mariana (1981) for a Renaissance Jesuit’s defense of tyrannicide and Witte (2007) regarding rights, resistance, and freedom in the Reformed Protestant tradition.

28. Aquinas already identifies usurpers as tyrants in his student-era *Commentary on the Sentences* of Peter Lombard (CS II, dist. 44, art. 2, resp. and ad 4).

29. Stating that the first king of the Hebrews would draft his subjects’ sons into his armies and labor force, make their daughters work, seize subjects’ property, tax their harvests and flocks, take their slaves and animals, and “you will become his slaves. On that day you will cry out because of the king whom you have chosen, but the LORD will not answer you on that day” (New American Bible).



30. Scholar of Thomism Russell Hittinger argues that Aquinas allows an inferior judge only to refuse to render judgment pursuant to a tyrannical law, not “plough ahead and substitute his own” appraisal of the natural law (Hittinger, 2004, 284; see also *ibid.*, 282, finding no basis by which “judges can invalidate unjust positive law” based on natural law). These observations are relevant to recent demands, frequently made by U. S. Catholics, that jurisprudence not be “enslaved to the original meaning of the Constitution” but instead draw on “principles of objective natural morality” (Vermeule, 2020; see also Arkes, 2011).
31. Martin Luther King Jr. cited this in his “Letter from Birmingham Jail” (King, 1963).
32. John Locke echoed this (Locke, 2003, sec. 20; “[H]aving no appeal on earth to right them, they are left to the only remedy in such cases, an appeal to heaven”). The phrase “*An Appeal to Heaven*” appeared on some Patriot flags during the American Revolution (Kang, 2009, 281).
33. Note his earlier, contrary discussion in CS II, dist. 44, art. 2, ad 5, citing Cicero and saying that in the absence of a higher political authority, “one who slays the [usurper] for the freedom of his country is praised and receives a reward.”
34. On the later expansion of Calvinist theories of resistance to tyranny, see Witte (2007).
35. Cf. Breidenbach and McCormick (2015, 13–14), discussing Aquinas’s prudential and piety-based reasons for caution.
36. Note Russell’s bromide against Western capitalism and criticisms of Anglosphere neoconservative Thomists, which I suspect drive his antiliberal interpretation of Aquinas (Russell, 2021, 295–300, 313).

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