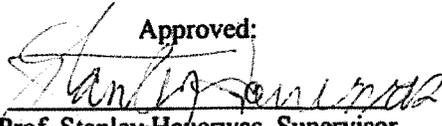


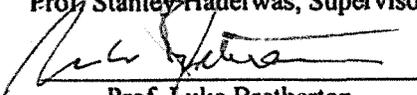
**Civic Democracy and Catholic Authority in Conflict?
Yves Simon's Thomist Democratic Authority**

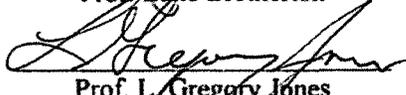
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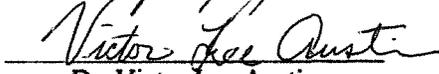
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Abstract

Are civic democracy and Catholic authority at odds? Do the aspirations of modern democratic politics imply theological claims that are in essential conflict with Catholic claims about civic authority? Does democratic tradition cultivate a self-reliant, skeptical stance toward authority that is incompatible with a cultivation of deference to authority in orthodox Christian tradition? Are we confronted with two traditions in conflict, such that the Catholic tradition must be rendered more democratic if it is to provide support for modern democratic politics? Is an approach to theological ethics that emphasizes the church, with its authoritative teachings and offices, and its claim to be a unique means of grace as a form of Christ's body, necessarily at odds with an approach that emphasizes the civic nation and lends support to struggles for democratic progress?

These questions are prompted by Jeffrey Stout's *Democracy and Tradition*, as well as D. Stephen Long's *Augustinian and Ecclesial Ethics* in his characterization of the debate between two schools of theological ethics, largely Niebuhrian and civic liberal or Yoderian and ecclesial in orientation, which he labels "Augustinian" and "ecclesial." This dissertation will present Yves Simon's political philosophy as providing significant elements of a way forward for this discussion. Following Alasdair MacIntyre, I present Simon as an adherent of both the Catholic and the modern democratic traditions, who as a Thomist is able to provide an account of civic politics wherein liberty and authority, authority and autonomy, and Catholicism and democracy are friends instead of enemies. Simon as a Thomist is able to do this, as I present him, while rival restorationist Augustinian and Enlightenment liberal accounts tended to see such pairs as antinomic.

In chapters one and two, I begin to assess Simon's contribution, following MacIntyre by seeking to understand him within the "complex political and moral history" out of which he emerged. In chapter one, I give an account of the tradition of Catholic social teaching Simon inherited, characterizing it as taken up by two approaches, Augustinian and Thomist, to confronting the challenge of practical atheism raised by Enlightenment liberalism. Simon took up the mantle of Leonine Thomism, in its deep criticism of liberalism's social contract, its rejection of restorationist Augustinian views of authority, and its articulation of civic authority as a created natural good with a divine origin, a positive aspect of our social nature in service of the common good.

In chapter two, I draw out the rootedness of Simon's political thought in the crises of the early twentieth century, showing how his critique of liberalism went along with firm support for democratic liberation, and how his developing theory of authority went hand in hand with opposition to authoritarian regimes. Here, I examine Simon's early political essays, books, and letters to his mentor Jacques Maritain. Simon emerges as a committed Leonine neo-Thomist who placed the Thomist tradition in conversation with the democratic tradition stemming from the French and American revolutions. Simon found resources in the Thomist and democratic traditions to support a politics in which authority and liberty were not opposites, but in service of common goods in which the liberty, equality, and fraternity of persons-in-community were secured.

In chapter three, I present Simon's mature political philosophy as a project that indicates how the Thomist preconciliar tradition of Catholic social thought can contribute to contemporary theological ethics. Simon's ontologically realist conception of the

common good helps us understand that authority is a correlative concept, that which enables a community to enjoy goods in common. Starting here, Simon is able to show that democratic aspirations for freedom and equality are better served within an authoritative community that pursues goods in common than by an Enlightenment liberal polity that does not. Moreover, it is better able to form people in the civic virtues needed for such a polity to flourish, and is capable of openness to God's grace.

In my conclusion, I place Simon's work into conversation with contemporary theological ethics. Simon's Thomist acceptance of the acquired or civic virtues, his Thomist account of authority in service of the common good (rather than an Augustinian account for which authority serves as a check against sin), his vigorous defense of democratic freedom and equality joined to his defense of civic authority, and his openness to the further ends of the theological virtues, all provide helpful tools for contemporary discussion. Today's conversation, largely Augustinian in character, can be moved forward by Thomist insights drawn from the preconciliar tradition of Catholic social teaching. Democratic freedom and equality need not be in conflict with Catholic authority. With Simon's Thomist account of civic authority and the common good, we are enabled to pursue both the civic national and the ecclesial projects at the same time.

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Introduction

Can democracy be Christian? So asks the title of a recent essay by Stanley Hauerwas,¹ intentionally or not echoing the opening query of John Courtney Murray's 1960 *We Hold These Truths*: "The question is sometimes raised, whether Catholicism is compatible with American democracy. The question is invalid as well as impertinent; for the manner of its position inverts the order of values, whether American democracy is compatible with Catholicism."² Jeffery Stout in his 2004 book *Democracy and Tradition* poses the question from the other side, asking Christian representatives of what he calls the "new traditionalism"—Alasdair MacIntyre, Stanley Hauerwas, and John Milbank most prominently among them—whether traditional Christianity can find support for democratic politics. "Is it not possible," Stout asks, "to discern the workings of the Holy Spirit, and thus some reflection of God's redemptive activity, in modern democratic aspirations? Is there nothing in the political life of modern democracies, or in the lives of those who are struggling for just and decent arrangements within them, that a loving God would bless?"³ Stout fears that for the "new traditionalist" Christian school the answer in large part is no, and as such he writes at great length to give an alternative position, rooted in what he calls a self-reliant democratic piety, to give a more positive affirmation of modern democracy.

In the fifteen years since Stout posed this question, a number of figures in Christian theological ethics have given what can be read as attempts at an answer to

¹ Stanley Hauerwas, "Can Democracy Be Christian? Reflections on How (Not) to be a Political Theologian," *ABC Religion and Ethics* (June 2014). <<https://www.abc.net.au/religion/can-democracy-be-christian-reflections-on-how-not-to-be-a-politi/10099212>> (Accessed May 6, 2019). Also published in slightly revised form in *The Work of Theology* (Grand Rapids, MI: Eerdmans, 2015), 170-190.

² John Courtney Murray, *We Hold These Truths* (New York: Sheed and Ward, 2005 [orig. published 1960]), ix-x.

³ Jeffrey Stout, *Democracy and Tradition* (Princeton, NJ: Princeton University Press, 2003), 104.

Stout, whether direct or indirect. D. Stephen Long, in his 2018 book *Augustinian and Ecclesial Christian Ethics*, draws many of these voices together under the heading “Augustinian” or “neo-Augustinian,” focusing particularly on the important work of Eric Gregory and Charles Mathewes (elaborated most particularly in Gregory’s 2008 *Politics and the Order of Love*, Mathewes’s 2007 *A Theology of Public Life*, and Mathewes’s 2010 *The Republic of Grace*). Their work, as Long characterizes it, is not vulnerable to the criticisms leveled by figures such as John Howard Yoder and Stanley Hauerwas at Reinhold Niebuhr and Niebuhrian realism, insofar as their political ethics do not depend on flattened or absent Christian theological convictions about core matters such as ecclesiology, eschatology, and Christology.⁴ While the “ecclesial ethics” school that took its bearings from Yoder, Hauerwas, and James McClendon (roughly consonant with the movement that Stout labeled “new traditionalist”) attempted to retrieve an “unapologetically *theological* approach to Christian ethics” that made such core doctrinal convictions central, the new Augustinians (unlike the Niebuhrians) cannot be accused of making anthropology do most of the work of political ethics or of rendering Christ’s Sermon on the Mount an impossibility for public life, a private ethic or regulative ideal beyond history that makes little to no impact on political affairs.⁵ Both Gregory and Mathewes, among other figures, have drawn upon core Christian doctrines for what Mathewes calls “a theology of public life,” taking the work of Augustine as their primary resource to construct an Augustinian “civic liberalism” that supports and guides the civic

⁴ D. Stephen Long, *Augustinian and Ecclesial Christian Ethics: On Loving Enemies* (Lanham, MD: Lexington/Fortress Academic, 2018), xvii.

⁵ *Ibid.*, xviii.

projects of democratic politics.⁶ In response to a criticism like Stout's, that "new traditionalist" movements in Christian theological ethics do not sufficiently appreciate and support the goods present in civic democratic politics and the pressing needs for justice and liberation that such politics can serve, this new Augustinian school seeks to provide strong theological support and guidance for modern democratic aspirations. And in response to the ecclesial school's concern that such support is only adventitiously theological, they seek to allow traditional theological loci to do real work for political ethics. In response to Stout and Hauerwas's questions—"Can democracy be Christian?", and "Is there nothing in the political life of modern democracies... that a loving God would bless?"—this school seeks to answer both sides with a resounding *yes*.

D. Stephen Long's *Augustinian and Ecclesial Christian Ethics* surveys a wide variety of recent representatives of what he terms "ecclesial ethics" in an attempt to show that they have ample resources to respond to Stout's question, as well as to suggest ways in which the ecclesial school would do well to attend more carefully to their critics and move the conversation forward. In company with Stout, many "new Augustinians" have worked under the assumption that central doctrinal assertions of the ecclesial school have had the unfortunate effect of discouraging Christians from finding common ground with non-Christians in support of the civic national projects of modern liberal democracies. James Davison Hunter sums up many of these concerns in his 2010 book *To Change the World*: "In effect," he writes, "theirs is a world-hating theology. It is not impossible, but it is rare all the same to find among any of its prominent theologians or its popularizers any affirmation of good in the social world and any acknowledgement of beauty in

⁶ Ibid., 47-52.

creation or truth shared in common with those outside the church.”⁷ Long identifies fifteen different criticisms made by Augustinians of the ecclesial school, most of which he contends are undergirded by the ecclesial school’s church/world distinction.⁸ As a representative of the ecclesial school, Long attempts to provide responses to each criticism, at times arguing that the ecclesial school has already provided sufficient reply to its critics and at other times nudging ecclesial ethicists to take on board their critics’ concerns. The heart of his counsel for ecclesial ethicists is that they recognize that the conversation has moved on from historic disagreements between Reinhold Niebuhr and John Howard Yoder, and in a similar move to the new Augustinians’ concerted effort to place their political ethics in meaningful engagement with theological doctrines such as Christology, ecclesiology, and eschatology, they should now respond to Stout and Augustinian ethicists by giving extended, careful theological attention to “national politics.”⁹ While the “first task of the church is to be the church,” Long writes, “there is a second task and it is to identify those places of longing, of goodness, beauty, and truth that constitute the wealth of nations and find a place for them.”¹⁰ Long, in other words, suggests that the conversation can now be carried on by pursuing the ecclesial and the civic national projects simultaneously.

This dissertation seeks to move this conversation forward by retrieving the political work of a relatively unexamined figure in contemporary theological ethics: the Catholic philosopher Yves Simon (1903-1961), Thomist and disciple of Jacques

⁷ Cited in Long, *Augustinian and Ecclesial Ethics*, xx. James Davison Hunter, *To Change the World: The Irony, Possibility, and Tragedy of Christianity in the Late Modern World* (Oxford: Oxford University Press, 2010).

⁸ Long, *Augustinian and Ecclesial Ethics*, 80.

⁹ *Ibid.*, 274.

¹⁰ *Ibid.*, 278.

Maritain, professor at the University of Lille (in his native France), Notre Dame, and the Committee on Social Thought at the University of Chicago. The selection of Simon is purposeful, insofar as he is not yet one more representative of Niebuhrian realism, neo-Augustinian civic liberalism, Yoderian ecclesial ethics, or Stout's "new traditionalism." Instead, Simon is perhaps better understood as the last great representative of what I will call the Thomist "old tradition," and one who sought with great care to bring it into conversation with the modern democratic tradition championed by Stout. By "old tradition," I mean what Philip Turner has described as the historic Christian tradition's insistence that political ethics begin by asking the foundational question of the "basis of political authority itself"—namely, the question of how it has come to be in the first place, and by what right it may or may not "place us under an obligation to abide by its judgments."¹¹ According to Turner, contemporary theological work has tended to focus not on such foundational questions but instead on the issue of political ends or goals, and so on "normative political concepts like liberty, equality, justice, and welfare."¹² This has had a certain practical advantage, in that it has allowed theological ethicists to contribute to public policy discussions about governance and community welfare, but Turner contends that it has come at the considerable cost of placing the advocacy of this or that policy on weak and insufficiently examined theological foundations that are often in significant ways at odds with core Christian doctrines. There are, for instance, common assumptions made in liberal democratic political theory about the social contract as the basis of political authority and the protection of individual human rights and liberties as its goal. But such assumptions cohere all too easily with "an account of moral

¹¹ Philip Turner, *Christian Ethics and the Church* (Grand Rapids, MI: Eerdmans, 2015), 221.

¹² *Ibid.*, 211.

agency that focuses on autonomous *persons* who are individual *selves* in pursuit of happiness,” and seem to imply that the source of political authority is “human wit and will” rather than the historic Christian tradition’s affirmation that God alone is political authority’s ultimate source.¹³ The foundational question of the theological basis of political authority thus has significant implications. Yves Simon simply assumed, as a Catholic who took seriously the clear thrust of the pre-Vatican II encyclical tradition, that he needed before anything else to address this topic as *the* “doctrinal issue between the Church and democracy.”¹⁴ But Augustinian civic liberals today, often following what they take to be the shift away from such questions (the Second Vatican Council’s role here is frequently cited by Catholics), tend instead to assume that civic government is an instrumental good at best, perhaps ineliminably morally ambiguous in nature. As such, they most often focus not on the basis of political authority but instead on the potentialities present within democratic political institutions for individual Christian citizens to love and serve their neighbors by seeking the highest degree of peace and justice available. Such positions, however, will as Turner contends often fail to interrogate the problematic theological assumptions at work in the customary liberal construals given of such institutions. Moreover, in the account that Long gives of their school, ecclesial ethicists have tended to avoid the question of the basis of civic political authority, focusing instead on ecclesiology and at times relying on a “catastrophic apocalyptic” version of eschatology that sees such civic concerns as overly worried about

¹³ Ibid., 222, 224.

¹⁴ Yves Simon, “The Doctrinal Issue Between the Church and Democracy.” *Logos* v. 14 no. 1 (2011, originally published 1954): 132-164.

forms and institutions that are passing away.¹⁵ If Long is right that ecclesial ethicists ought to attend more carefully to a “theology of the nations,” then going back to the foundational question of the basis of political authority in the “old tradition” of Christian political thought may prove fruitful.¹⁶

By retrieving the political work of Simon, this dissertation seeks to contribute to rendering this “old tradition” and its neglected questions fruitful for the conversation of contemporary theological ethics. Simon is known today primarily as a theorist of authority, both authority in general and political authority in particular, as found chiefly in his 1962 *A General Theory of Authority* and his 1953 *Philosophy of Democratic Government*. While as a philosopher he did work in a bewildering variety of fields, such as the ontology of knowledge and the philosophy of natural science, Simon’s greatest impact both then and now remains his labors in political thought, which focused just as the “old tradition” did on the nature and basis of political authority. By retrieving his work, I hope to show that the central question of the “old tradition”—the nature and basis of political authority—remains relevant for our contemporary concerns, and that the answer it gives retains relevance as well: namely, that the ultimate source for political authority is God. The archeological work this will require, however, is extensive, and my work in this dissertation will primarily focus on the excavation work necessary to bring “old traditional” questions and concerns to life for contemporary theological ethics.

Simon began his 1962 *A General Theory of Authority* with a chapter on “The Bad Name of Authority.” Even then, just before the opening of the Second Vatican Council and the cultural shockwaves of the later 1960’s, Simon felt a need to open his book by

¹⁵ Long, *Augustinian and Ecclesial Ethics*, 240-246.

¹⁶ *Ibid.*, 278.

articulating and responding to the many objections that his primarily American audience would have at a defense of authority.¹⁷ It can be difficult for readers who take their bearings from the Second Vatican Council and John Courtney Murray, and/or from the conversation in political ethics that D. Stephen Long documents between adherents of Niebuhrian realism, Yoderian ecclesial ethics, or neo-Augustinian civic liberals, to enter into the intellectual and theological world that Simon and his readers took for granted. Save for the work of Oliver O'Donovan, whose work represents another kind of "old tradition" recovery project, the question of the basis of political authority is as Turner observes not often asked today. Neither is it well understood, save misunderstood as the attempt of the representatives of Christendom to shore up the political power that gave the church privileged status, and to underwrite repressive attempts to impose Christianity on unwilling minorities or on newly "discovered" people groups.

As such, the first chapter of this dissertation will focus on articulating the rootedness of Simon's political work in the tradition of Catholic social teaching that he took to be normative, attempting to show that its central concern (at least, as it came to be interpreted during the pontificate of Leo XIII) was not "obedience to the powers that be" and maintenance of church privilege, but instead the need to respect the nature of humanity as created for communion, both with our fellow human creatures and with God. For the modern encyclical tradition, as Stanley Hauerwas and Jana Bennett argue, "the primary social challenge... is quite simply atheism. Catholic social teachings are misunderstood if they are presented primarily as this or that pope's attitude toward

¹⁷ The book was Simon's last, published posthumously, and opens with a short note of thanks by Simon's wife Paule dated October, 1962: precisely the month when the Second Vatican Council opened. The types of political questions asked and answered after the Council (particularly after *Dignitatis Humanae*) tended to be quite different.

socialism or capitalism. Whatever the popes say about socialism or capitalism is framed by their theological analysis of what form social life should take before God.”¹⁸ The question of the basis of political authority was contested, and held vigorously by the encyclical tradition to be divine in origin, because the opposing Enlightenment liberal tradition tended to say instead that political authority originates in a “social contract” made by individuals, who as individuals are primordially free, neither “under God” nor under or alongside anyone else.

Yet the political implications of this basic Catholic assertion in the face of the modern Enlightenment tradition were highly contested in the modern encyclical tradition, according to whether the basic assertion took Augustinian or Thomist form. In the Augustinian form, as exemplified by *Mirari Vos* and Gregory XVI, political authority represents a divine remedy for a fallen world, meant to keep violence in check and a tolerable semblance of peace, justice, and order while the Church carries out her saving mission. It is better, in this Augustinian view, for political authority to be sanctified by the Church and her revealed wisdom, since minds and wills darkened and distorted by sin will be aided immeasurably by God’s grace. The political arrangements of Christendom follow quite naturally from this position, as presented memorably by Alasdair MacIntyre in *Three Rival Versions of Moral Enquiry*.¹⁹ In the Thomist form, to the contrary, political authority is not simply a remedy for sin but is an aspect of what it means to be created by God for communion, as political and social animals by nature who seek out goods in common. Leo XIII, no political liberal, was able as a neo-Thomist to take up

¹⁸Stanley Hauerwas and Jana Bennett, “Catholic Social Teaching” in *The Oxford Handbook of Theological Ethics*, ed. Gilbert Meilaender and William Werpehowski (New York: Oxford University Press, 2005), 523-4.

¹⁹ Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry* (Notre Dame, IN: University of Notre Dame Press, 1988), 84ff.

this insight and come to terms with modern democratic aspirations for liberty, viewing democracy as one among several possible authoritative political regimes capable of serving the civic common good under God. Drawing this position out, and showing it to be a response to both the conservative Augustinian Catholic and the secular liberal Enlightenment positions, will form the chief burden of our first chapter. By doing so, we will see that the “old tradition’s” concern for authority was not simply authoritarian in nature, but rather centered on a “theological analysis of what form social life should take before God,” in which our status as created for communion with God and one another was understood to be at stake. While the Augustinian strand of Catholic social teaching tended to think that this affirmation, made over against Enlightenment secular liberalism, required the restoration of Christendom-like political arrangements, the emerging Thomist strand as developed by Leo found resources within the orthodox Christian tradition for modern democratic aspirations. By examining this history, we will gain a far better understanding of the Leonine Thomist position that Simon took as his own.

Simon took up and developed Leo’s position in his own work, but doing this meant taking up a place within a highly contested Catholic tradition, within which it was not at all clear that Catholic teaching had room for modern democratic forms of civic government. Leo’s emerging neo-Thomist position was taken up by Simon in the face of sharp contestation and criticism, in which many in Simon’s native France and elsewhere held that it was either contrary to Catholic doctrine (conservative Augustinian Catholics) or antidemocratic and authoritarian (secularist Enlightenment liberals). Simon wrote as a Frenchman who had been deeply horrified by what he understood as the complicity of many Catholic conservatives with the rise of Vichy France and the various Fascist

regimes of early 20th-century Europe, such as Mussolini in Italy and Franco in Spain. He wrote also as a devoted heir of France's secular democratic tradition, a thinker who had devoured the works of the anarchist and atheist Pierre-Joseph Proudhon as a young man and remained intellectually indebted to him throughout his career. As such, Alasdair MacIntyre presents Simon in a highly suggestive unpublished essay as the classic type of a thinker immersed in two traditions—here, Catholicism and secular Enlightenment democracy—who knows both languages from the inside well enough to create a synthesis of the two that creatively responds to persistent internal problems of both schools. Unsurprisingly for the author of *Three Rival Versions*, MacIntyre presents Simon's Thomism as central to his ability to create such a creative synthesis, capable of moving past certain persistent problems of both Augustinian and liberal Enlightenment political theory. After the Second World War, MacIntyre writes, Simon aspired “not to be a Thomist and a democratic republican, someone in tension between those two positions, but rather someone who was a democrat because he was a Thomist and a Thomist because he was the sort of democrat that he was. Each position was to presuppose the other.”²⁰ The work of Simon, as such, provides a compelling test case in response to Stout's question. Is the orthodox Christian tradition of the “new traditionalists” capable of finding within itself resources to articulate a positive account of modern democratic aspirations? Or should that tradition instead be significantly modified, by its encounter with the objections raised by the democratic tradition Stout presents? This dissertation, by expositing and defending Simon's Thomist account of democracy, will show that the former of these options is more persuasive than the latter, while also suggesting that the

²⁰ Alasdair MacIntyre, “Yves R. Simon: Thomist and Sans-culotte Philosopher,” unpublished symposium paper. (Chicago: University of Chicago and Lumen Christi Institute, May 2000 [rev. ed. Feb. 2011]), 8.

Augustinianism of the “new traditionalist” ecclesial ethicists would benefit from certain insights of Simon’s “old traditionalist” Thomist school. The antidemocratic conservative Augustinian supporters of modern fascism did not see that traditional Catholic concerns about authority, the common good, and the public status of religion were in fact capable of finding satisfactory answers in democratic civic polities. Simon helps us see that civic democracy is compatible with Catholic Christian tradition, and this not as a matter of rendering an authoritarian and hierarchical Catholicism “more democratic” but rather as drawing out internal theological resources that have often been neglected and misunderstood, with the capacity to learn and develop in response to the modern Enlightenment democratic tradition.

In chapter two, I will focus on Simon’s early political work as set in the context of the struggle against the rise of fascism in early 20th-century Europe. Here, Simon’s passionate wartime political writings and his correspondence with his friend and teacher Jacques Maritain will add texture to my presentation of Simon as an anti-liberal friend of liberty and an anti-authoritarian theorist of authority, both faithful Thomist Catholic and engaged democratic citizen. To understand Simon, as MacIntyre argues, it is necessary to place him within both the context of Catholic social doctrine and the neo-Thomist revival within which he was educated, and the other side of his intellectual heritage, the secular Enlightenment democratic tradition. His early political engagements, writings, and letters, as he attempted to help stem the tide of support for Mussolini, Franco, and the Vichy regime in France, are a window into Simon’s struggle to synthesize two traditions, Catholicism and modern Enlightenment democracy, that most of his countrymen thought irreconcilable, and which as he wrote to Maritain he thought irreconcilable himself at

times. But this lively and at times deeply wrenching struggle, particularly with what he understood as Catholic complicity in the rise of fascism and the betrayal of France, was the furnace in which Simon forged his key political ideas, as can be seen in books and essays written during the heat of the Second World War on “the crisis of liberalism” and “the march to liberation,” democracy, authority, Thomism, and Catholic complicity in the sins of French and European politics. Simon’s later and more well-known work on democracy and authority within the Thomist Catholic tradition was no mere academic pursuit, but was instead a response to what he saw as the disastrous alignment of Catholicism with authoritarian political regimes and the catastrophic inability of Enlightenment political liberalism to resist authoritarianism’s rise.

Without this excavation work, it might be objected that Simon’s “old traditional” Thomist political approach is historically bound up with support for the authoritarian politics of old Christendom and modern fascism, and that this should be no surprise given its concern for authority. For Simon’s work is little read today in the field of Christian theological ethics,²¹ and perhaps (so it might be said) he is best left to history rather than revived, due to the unpleasant political alignments with which his kind of account was most often associated. The extensive historical contextualization of my second chapter is designed to combat this kind of dismissal. Simon gave a two-pronged account of the “road to Vichy” that his country and others had traveled, in which both Enlightenment liberalism and restorationist Catholicism bore their shares of the blame. As I will show,

²¹ The most extensive engagement with his work among Christian ethicists remains Philip Turner’s unpublished Princeton dissertation, written under the direction of Paul Ramsey: *Theological Anthropology and the State: A Study of the Political Ethics of Yves Simon and Helmut Thielicke* (Princeton, 1978). More recently, Victor Lee Austin’s *Up With Authority* (T&T Clark, 2010) draws heavily on Simon’s work on political and social authority. Russell Hittinger also draws on Simon in a number of essays, and contributed the foreword to Simon’s *The Tradition of Natural Law*.

Simon was a committed democrat who read Thomas in light of practical wisdom drawn from democratic struggles for liberation and the disastrous experience he had lived through of widespread Catholic support for authoritarian politics. Simon emerged from this struggle not as a democratic liberal, but instead as a convinced Leonine Thomist democrat who had learned practical things from the Enlightenment democratic tradition about the political promotion of liberty, equality, and fraternity. His defense of political authority was not allied with authoritarian politics, but came packaged together with at times fierce criticism of its Catholic supporters. Likewise, his critique of liberalism was not directed at dismantling modern democratic freedoms, but instead formed a significant part of his diagnosis of their demise. By placing both the Catholic and modern democratic traditions into conversation with one another, Simon set himself a course that assumed political philosophy had much to learn from their purification and creative synthesis. Extended treatments of this period of Simon's life are not yet to be found, and placing his mature political concerns in the context of his early writing, the political ferment in which they were written, and the sources and interlocutors with which they were engaged, is intended to shed helpful and rare light on the measure of his mature accomplishment. Simon's academic reserve and philosophical precision led him to rarely if ever connect the dots between his mature political work and the concrete political struggles in which he was engaged in his wartime writing, and so today such connections are rarely if ever drawn. My second chapter seeks to draw them.

In my third and final chapter, I will turn to Simon's mature political philosophy, the point at which most discussions of Simon begin. Simon began by addressing what he understood, taking his direction from Leo XIII as authoritative interpreter of the Thomist

tradition, as “the doctrinal issue between the Church and democracy”: the nature and source of political authority.²² If democracy entailed the characteristically liberal view that civic life does not entail genuine political authority, such that citizens or subjects are not morally obliged to obey the law but rather posit it as a mutually agreeable contractual arrangement, then democratic political life would amount to a practically atheist partnership of individuals rather than understood as continuous with the social nature of humanity as created by God. Since as social creatures we pursue goods in common, not simply as instrumental or external goods but as *bona honestum*, genuine goods internal to our common life, we are by nature social and political animals. And to seek such common goods requires authority, for the choice from among many contingently possible ways of realizing common goods will often not be rationally demonstrable. This is not a matter of restricting freedoms, for the freer we are the more good possibilities we will have in common, and so authority becomes all the more necessary as freedom extends. Following Aquinas, Simon thus roots political authority in human sociality, showing that it is not a response to human deficiencies (e.g., a holding action to maintain some measure of peace and justice in a sinful world), but instead a positive aspect of human nature. And as natural, Simon believes, then also divine in its source, for God has created us as social and political animals. This is not incompatible with democracy, for democracy rightly understood does not entail the rejection of political authority, but rather is one among several political regimes: for Simon, the question of how governing authorities are designated, whether by elections or some other method, is logically separate from the question of authority. Simon thus holds that democracy does not entail

²² Simon, “Doctrinal Issue.”

the liberal view that political authority is from the people *rather* than from God, while also holding that the traditional Catholic understanding of authority does not require the nondemocratic, at times absolutist or authoritarian divine-right rulers that some of the tradition (and too many of his fascist-sympathizer contemporaries) understood as the fitting or necessary entailment of that view.

In this chapter, I hope to show that by beginning his account of politics with the traditional question of the basis of political authority, Simon is able to give a positive articulation of the civic goods of democratic liberty, equality, and fraternity that is less vulnerable to the charge (sometimes made by ecclesial ethicists) that such conceptualities have been imported into Christian ethics without having been adequately baptized and transformed. Moreover, Simon's non-liberal account of civic democracy is better able to take on board ecclesial ethicists' concerns about the importance of formation in virtue and the persistent difficulties that liberal political orders have with virtue formation. As a Thomist rather than an Augustinian (whether "ecclesial" or "civic liberal"), he is able to give the extended attention to "national politics" that D. Stephen Long and Eric Gregory have suggested is if not the first then the second or third task of the church, a civic national project in which the goods and virtues of democratic politics are articulated and supported.²³ In response to the concerns of Jeffrey Stout, Simon's articulation of the compatibility of authority and liberty, authority and autonomy, and Catholic and democratic tradition helps us to see that pitting a self-reliant democratic piety over against orthodox Christian deference to authority is a misleadingly false dichotomy that the ongoing conversation in theological ethics should move beyond. And since Simon

²³ Long, *Augustinian and Ecclesial Ethics*, 64. Citing here Eric Gregory, *Politics and the Order of Love* (Chicago, IL: University of Chicago Press, 2008), 132.

shows how liberty, autonomy, and authority are necessary aspects of the natural human pursuit of common goods, he is better able than Augustinian civic liberals to articulate an account of the good of politics as coherent with our *social* nature, instead of an account that assumes at one level or another that politics is a necessary evil that individuals have created by contracting together to prevent even greater evils. The ghost of Augustine's uneasy judge, who prays that God might deliver him from his political necessities (which include responsibility for violence), is quite difficult if not impossible to exorcise from a vision of politics as a necessary evil in a sinful world, and today's Augustinian civic liberals remain vulnerable to longstanding criticisms made of Niebuhrian Augustinian "realism."²⁴ Given this and other persistent problems with the Enlightenment liberal democratic tradition, and what Long describes as the ecclesial tradition's need to attend more carefully to Stout's civic national project, I intend for this chapter to begin to show how Simon's "old tradition," and in particular his synthesis of the Thomist and the Enlightenment democratic traditions that he inherited, is capable of making an important contribution to the ongoing conversations of theological political ethics. I hope to suggest that the question of the source and nature of political authority is not obsolete, but instead a crucial topic of inquiry that contemporary discussions too often neglect. This aspect of the pre-Vatican II "old tradition," largely neglected since after Simon's death, continues to help answer questions that have not diminished in importance so much as been forgotten.

Since my third chapter will present Simon's mature work as set within my concern to show his potential to advance present-day conversations in theological ethics,

²⁴ As D. Stephen Long suggests (see *ibid.*, 227, 251-3).

I will in my dissertation's conclusion need to say something about how I think Simon contributes to this discussion. In brief, I believe that Simon gives us a compelling response to Stout's challenge to ecclesial ethicists or "new traditionalists" to find something in modern democratic aspirations that a loving God would bless, and as an "old traditionalist" Thomist democrat does so in a way that responds to and adds to the important work that has been done by the "neo-Augustinian" and "ecclesial" schools, as D. Stephen Long's book sets forth. In my conclusion, I will aspire to be no more than suggestive, indicating the contribution that Simon's work can make while leaving avenues open for future research.

Here, I hope to suggest that not only the Augustinian civic liberals, but also the so-called "new traditionalists," the ecclesial ethicists or "radical Augustinians,"²⁵ would be well-served to take on board more of the "old tradition," specifically in its Thomist form, than they at times do. More precisely and less memorably put, I believe that one aspect of the authentic tradition that they have in fact taken up anew—the Augustine of the *City of God*, suspicious of pagan virtue and the pride and violence at the dark heart of the city of man—should be supplemented by a later development of the Christian tradition, primarily certain distinctions concerning nature and grace made by the Aquinas whose political thought and virtue theory incorporated not only the theological ethics of Augustine but also the philosophical ethics of pagan thinkers such as Aristotle and Cicero. Jennifer Herdt's *Putting on Virtue* traced the history of Augustine's suspicion of

²⁵ These thinkers have gone by various names in recent overviews: called "antiliberal Augustinians" by Eric Gregory, "ecclesial ethicists" by D. Stephen Long, "hyper-Augustinians" by David Decosimo, and "new traditionalists" by Jeffery Stout. Though lists of membership differ, oft-cited names in this group include Stanley Hauerwas, John Milbank, Alasdair MacIntyre, William Cavanaugh, and others influenced by either or both Radical Orthodoxy and John Howard Yoder. For my purposes, the qualifier "Augustinian" is what matters here.

pagan virtue in the Christian tradition, a suspicion that she finds overcome in important aspects by Aquinas and the Christian humanist Erasmus, but which she thinks is lurking still in certain new traditionalist ethicists.²⁶ Similar concerns are expressed by prominent Augustinian civic liberals such as Charles Mathewes and Eric Gregory, who worry with Jeffery Stout that commitment to ecclesial ethics' theses about the distinction between church and world will drain the energy out of Christian citizens' engagement in democratic politics. Several of the alternatives provided by such thinkers, however—Erasmian humanism, and/or an Augustinian civic liberalism that tends to bypass central Augustinian claims about the ignorance and weakness of post-fall humanity, and the centrality of Christ, Christian teaching, and the church's sacramental practices²⁷—will likely not succeed in convincing Christians who are committed to traditional theological claims about the difference that Christ makes “for us and for our salvation” by way of the unique and central place of the graced practices of Word and Sacrament within the church as the body of Christ in a fallen world. As I believe, they ought not. But the options that the tradition provides are not limited to either radical Augustinianism or Augustinian civic liberalism. Rather, the pre-Vatican II Thomist tradition developed a rich account of political philosophy within which democratic politics on behalf of the civic common good could be understood as a genuinely virtuous pursuit for Christians and pagans alike, without demoting the central and necessary place of the church as a “school for virtue” within which grace elevates and saves but does not destroy nature within God's economy of salvation.

²⁶ Jennifer Herdt, *Putting on Virtue: The Legacy of the Splendid Vices* (Chicago, IL: University of Chicago Press, 2008).

²⁷ For the often-sharp difference between the Augustine of such Augustinian civic liberalism and the Augustine of history, see especially Robert Dodaro, *Christ and the Just Society in the Thought of Augustine* (Cambridge, UK: Cambridge University Press, 2008).

In recent years, there has been a small rivulet of work drawing on this Thomist school. David Decosimo's *Ethics as a Work of Charity: Thomas Aquinas and Pagan Virtue* is a meticulous re-presentation of Aquinas's view that pagan virtues are not mere semblances but true if incomplete virtue, and an argument for what he then calls the "prophetic Thomism" that seeks out of charity toward the pagan neighbor to make distinctions between truths of grace and nature in order to unite them. John Bowlin's *Tolerance as a Virtue* puts forward a Thomist case for political tolerance as a moral or acquired virtue within a perfectionist account, attempting to show that tolerance is not a modern liberal creation but instead can and should form part of a polity committed to a determinate vision of human flourishing. Russell Hittinger in a number of essays and books has provided an exceedingly careful overview and exposition of what we have called the "old tradition" of preconciliar Catholic social thought, doing important work to recover its ontologically realist account of the common good. And Thomas Bushlack's *Politics for a Pilgrim Church* presents a full-orbed "Thomistic theory of civic virtue," as a conscious addition to the numerous Augustinian accounts that have been recently written. There is, then, an emerging interest in Thomist democracy that is perhaps even bigger than a cloud the size of a man's hand. And yet there is in all the above-mentioned work no substantial engagement with Yves Simon, other than a footnote here or there, and little if any sustained attention to what he rightly took to be its central concern: the nature and basis of political authority. But Simon represents one of the most sophisticated representatives of this Thomist school in its "old traditionalist" form, moreover a representative who took deeply to heart and sought to give an answer to the horrific authoritarian abuses to which the Thomist tradition had so recently been put in

early 20th-century Europe. If Simon is able to give a compelling answer from within his Thomist tradition to Stout's question—in my paraphrase, “Can traditional Christians support civic democracy?”—as well as compelling answers to objections raised by the rival Augustinianisms of civic liberals and ecclesial ethics, his work will have shown itself to be a worthwhile carrying-forward of pressing political questions debated within contemporary Christian theological ethics.

A Note on Method

This dissertation seeks to make use of the work of Yves Simon in order to make a case for the fruitfulness of his position within the context of contemporary Christian theological ethics. As such, it does not seek to be a comprehensive intellectual-historical treatment of Simon. Neither does it seek to provide a theological-historical appraisal of Simon's exegesis of Thomas Aquinas. While legitimate questions can be raised about whether or not Simon's account of democracy is authentically Thomist, Simon like his teacher Maritain was interested in a “living Thomism,” a creative carrying-forward of Thomas's thought that did not feel a pressing need to reproduce the thought of the master at every point (particularly, so Simon thought, with respect to his Christendom politics). At the same time, an adequate understanding of Simon's work cannot be had without placing him within his context, as both a Thomist and a native Frenchman deeply influenced by both the Catholic and Enlightenment democratic traditions of his country of origin, and highly engaged in the politics and controversies of early 20th-century Europe. Moreover, the exposition and defense of a thinker known for his theory of authority will inevitably be charged with authoritarianism, and hence requires a

description of Simon's anti-fascist commitments and political engagements. Thus this dissertation makes use of Simon's early political writings and his newly published letters to Maritain in order to present Simon, as does Alasdair MacIntyre, as a successful synthesizer of the Enlightenment democratic and Thomist Catholic traditions he inherited, and so as without contradiction an anti-authoritarian theorist of authority and a non-liberal democratic friend of liberty. It is this Simon that I believe has important contributions to make to conversations about democracy among various schools in contemporary theological ethics. My chosen interlocutors are largely although not entirely drawn from the contemporary North American conversation, and it is no accident that Simon the naturalized American citizen, professor at Notre Dame and Chicago, has a different and therefore helpful angle to take than many of the interlocutors with whom I will put him in conversation—both as a pre-Vatican II Thomist seeking to be faithful to the Catholic social teaching of his time, and as a native Frenchman who resisted the liberalism that he saw as defenseless against the rise of fascism as well as the authoritarian construals of Catholic social teaching that he saw as complicit in the same.

Chapter One

Democratic Liberty or Catholic Authority? Thomism, Restorationist Augustinianism, and Liberalism in Conflict

Introduction

In 1940, as Hitler's armies marched across Europe and occupied France, Yves Simon gave the annual Aquinas lecture at Marquette University. Only two years prior he had taken his young family from France to the relative safety of Indiana, having left his teaching post at the University of Lille for a professorship at Notre Dame. His Aquinas lecture, published that year as *Nature and Functions of Authority*, makes no direct gestures to the political context in which it was written. It is possible to read it as a relatively abstract discussion of a topic of political philosophy, opening up lines of inquiry that Simon was to pursue in his better-known later works *Philosophy of Democratic Government* (1951) and *A General Theory of Authority* (1962). But if we read it abstracted away from the theological and political traditions within which Simon wrote, and abstracted away from Simon's directly political writings and commitments, we miss both the measure of his accomplishment and the urgency of his task. Simon began his Aquinas lecture by remarking that "no social thinker ever questioned the fact that social happiness is based upon a felicitous combination of authority and liberty," terms which are "at the same time antinomic and complementary."¹ But as abstract and uncontroversial as Simon makes this thesis appear, he knew well and deeply lamented the fact that many conservative Catholic thinkers of his time, including friends and former colleagues, cheered on Hitler's armies and Vichy France for re-instituting the

¹ Yves Simon, *Nature and Functions of Authority* (Milwaukee: Marquette University Press, 1940), 1.

authoritative social order that the liberals of the French Revolution had destroyed. And he also knew well and deeply lamented the role that Enlightenment political liberalism had played, as he understood it, in undermining social commitment to the democratic freedoms of the French Republic. Simon diagnosed the political crisis of his time as one in which the whole world, so it seemed, had divided itself up into warring parties of Authority and Liberty—on the Right, the hierarchical sacral order of the *ancien regime*, with throne and altar united in support of divinely-appointed political authority; and on the Left, the egalitarian liberal democracy of the French Republic, committed to doing away with the traditional link between politics and religion and placing the individual rights and freedoms of voting citizens in its stead. Thus in 1940, for Simon to deliver an Aquinas Lecture on the relationship between authority and liberty was no mere intellectual exercise, but an attempt to re-think an apparent “antimony” that was tearing the world apart even as he delivered his lecture, and to do so from within a Catholic tradition that had contributed to the murderous divisions of the 20th-century Western world and continued to fuel it as he spoke.

It is precisely from within this context that we will begin reading Simon, by giving an account of the body of pre-Vatican II modern Catholic social teaching he inherited as an extended and conflicted theological endeavor to come to terms with modern Enlightenment liberalism’s attempt to create a practically atheistic social order.² At the heart of this body of work, as Simon well understood, was the question of the nature and basis of political authority, which Simon saw as the key “doctrinal issue

² Stanley Hauerwas and Jana Bennett, “Catholic Social Teaching” in *The Oxford Handbook of Theological Ethics*, ed. Gilbert Meilaender and William Werpehowski (New York: Oxford University Press, 2005), 523-4.

between the Church and democracy” that needed to be resolved.³ For early 19th-century figures such as Pope Gregory XVI, French Enlightenment liberal democracy was a clear manifestation of public atheism and disobedience to divine authority, against which the clear response ought to be the restoration of the traditional Catholic monarchies that the revolutionaries had overturned. Both supporters of this restorationist view, largely Augustinian in its inspiration, and detractors from within the secular liberal Enlightenment school were largely in agreement that they represented a binary choice: *either* the secular liberalism of the French Revolution, *or* the throne-and-altar alliance of Christendom. Catholicism and democracy, for both parties, were incompatible options between which one must simply choose, for they gave opposite answers to the question of the nature and basis of political authority: either God and God’s divinely-appointed regents, or the freely-choosing and rights-bearing individual. Yet as the 19th century wore on, Pope Leo XIII began setting forth a line of social teaching, resourced by the Thomist revival he championed, that was capable of taking on board and sharpening the criticisms of liberalism made by his predecessors while at the same time viewing modern democratic political aspirations as legitimate. For this Leonine neo-Thomist view, democracy could be seen as one among several possible forms of political authority under God, rather than as simply and unavoidably associated with the public atheism and individualism of Enlightenment liberalism.

It is this line of Leonine neo-Thomist thought that Simon carried forward with his own work on democracy, liberty, and authority. As such if the concerns and questions that animated this body of thought are not first articulated and understood, Simon’s

³ Yves Simon, “The Doctrinal Issue Between the Church and Democracy.” *Logos* v. 14 no. 1 (2011, originally published 1954): 132-164.

mature political thought cannot but help but appear as a somewhat abstract attempt to answer questions that few scholars and politically engaged citizens today are concerned to ask. Therefore the task of this chapter will be to articulate how Leonine Thomist political thought represented an attempt at a way forward from the apparent antimony into which the 19th century had fallen: either the democratic freedoms of secular Enlightenment liberalism, or the authoritative Catholic political order of restorationist Augustinianism. For Leo, “Catholic democracy” was not an oxymoron, even though many assumed that it must be. By showing the achievement of Leo’s thought, the nature of Simon’s project and the measure of his own achievement will become clearer.

At present, it is not often recognized that Simon’s political thought was highly contextual in nature. When he is read today, it is usually for his insights into the nature of authority or democratic political theory, which are presented in his mature work as the fruit of pure philosophical reflection, in the abstract mode of a midcentury University of Chicago philosopher. Yet Simon’s interests were not simply abstract, but concerned with finding a better way forward from the political crises that had devastated early 20th-century Europe, and as he saw it had tempted vast portions of the Catholic world into alliances with authoritarian fascist regimes. Simon does not often connect these dots for his readers; his most well-known treatises on democracy and authority are for the most part scrubbed of any reference to contextual political implications, and his large output of polemical political writings and vast cache of letters to his mentor Jacques Maritain are not often read. Yet reading them all together shows a picture of a thinker highly concerned to find a way past the tragic false choice that, as he saw it, so many of his time thought they had to make: *either* Catholic faith and the authoritarian political order that

supported it, *or* Enlightenment liberalism and the democratic freedoms that went along with it. In the work of Thomas Aquinas as interpreted by Pope Leo XIII, Simon thought he had found a better way forward for Catholicism and democracy alike. Studies of Simon's work are not often set within this troubled dual heritage, within which secular and egalitarian democratic liberty and Catholic hierarchical and royalist authority were often understood to be binary and opposed options.⁴ But as Alasdair MacIntyre writes, to understand his thought it is first necessary to understand "that he emerged from a complex political and moral history."⁵ In a highly laudatory unpublished essay on Simon, MacIntyre suggests that Simon should be seen as providing a way forward from the impasse into which Catholicism and the modern liberal democratic West had fallen: Simon was, rather uniquely for his time, both a Catholic committed to the magisterial social doctrine of his church and its root-and-branch criticism of modern political liberalism, and also a committed and articulate French and American democrat.⁶ For MacIntyre, Simon as a Thomist is able to synthesize from within the Catholic and Enlightenment democratic traditions he inherited, thereby playing a political role similar to the Aquinas who appears in his *Three Rival Versions of Moral Enquiry* as a synthesizer of the Augustinian and Aristotelian traditions. With MacIntyre's suggestive contextual positioning of Simon, we can see him today more clearly not simply as an abstracted University of Chicago philosopher with interests in democracy and the nature of authority, but instead as a 20th-century Thomist democrat able to criticize the wrong political turns that Augustinian political thought had taken in its Christendom-nostalgic

⁴ Alasdair MacIntyre, "Yves R. Simon: Thomist and Sans-culotte Philosopher," unpublished symposium paper. (Chicago: University of Chicago and Lumen Christi Institute, May 2000 [rev. ed. Feb. 2011]), 2.

⁵ *Ibid.*, 2.

⁶ *Ibid.*, 1-3.

support for fascist order, and as a Catholic able to criticize the practical atheism, individualism, and nihilism of Enlightenment political liberalism. By giving an account of this intellectual and historical context and showing how Simon carries forward Leo's Thomist political vision, we will be in a better position than most of today's literature in understanding Simon's work.

By recounting the background of Simon's political writing in 19th- and early 20th-century Catholic social teaching, we will also be able to see more clearly the contribution that he can make to contemporary theological ethics. Simon represents something of a road not taken for modern Catholic social thought and theological ethics more broadly in the United States since the Second Vatican Council, and precisely for this reason has the potential to take us past certain persistent difficulties in recent conversation. Simon wrote his mature political philosophy in the United States of the 1950s, publishing his last book *A General Theory of Authority* two years after John Courtney Murray's *We Hold These Truths*.⁷ Simon died just before the opening of the Second Vatican Council, in which Murray was to play a key role in the formulation of *Dignitatis Humanae*, the groundbreaking text on religious liberty. In the decades to follow, Murray was taken by many on the Catholic left and right alike as the inspiration for the new way forward for Catholic political thought, as it left behind the anti-liberal restorationist world of the *Syllabus of Errors* and Joseph de Maistre and entered instead into a constructive engagement with liberal democracy, with (so it was thought) the critical sanction of Vatican II itself. Whether Charles Curran on the left, or Michael Novak and Richard John Neuhaus on the right, many looked in some form to Murray for

⁷While Simon had a number of other manuscripts published posthumously, his 1962 *A General Theory of Authority* was the last book he saw to completion before his death.

the way forward, and often saw John Paul II as ratifying this direction with encyclicals such as *Centesimus Annus*. In the post-Vatican II era following Simon's death, both Thomist and Augustinian civic liberals have accepted liberalism as a necessary framework for political ethics, and have sought to give this framework a theological construal that was for the most part assumed to be impossible by Catholic social teaching in Simon's time, precisely insofar as it was thought to undermine Catholic claims about the social, political, and ecclesial nature of authority's role in ordering a people toward their common good. Radical Augustinians have renewed many of the lines of critique that Catholic social teaching directed against political liberalism in Simon's era, but have for the most part declined to follow either the content or the method of that era's teaching on the nature of political authority and the civic common good, instead largely confining their reconstruction of a political common good to the church itself.

Arguably, the terms of this discussion show that it remains the case that theological political ethics (and political thought more generally speaking) is in large part captive to the "antimony" between authority and liberty in the *civitas* that Simon identified in his work, often corresponding to the same social and political division between Right and Left into which nearly everyone in Simon's France was socialized. Is it possible to give an account of civic democratic liberty from within the authoritative Catholic tradition into which Simon was born, or is it necessary instead to base such an account within one or another form of political liberalism? There are few voices in the contemporary conversation that seek to articulate the relationship between authority and liberty within the civic common good as Simon did: either the traditional theological question of the nature and basis of political authority within the *civitas* is set aside as

irretrievably authoritarian and hierarchical (and therefore undemocratic), or it is adopted only as part of an explicitly Christ-centered and sacramental ecclesiology. The implication, for the most part implicitly assumed rather than explicitly spelled out, is that there simply is no way to bridge the antimony between political authority and liberty for the civic common good from within the Catholic tradition. If there is an account of democratic politics, it is a liberal account that is on offer; if there is an account of authority in service of a common good, it is the church and not the *civitas* being discussed. The antimony that Simon set himself the task of resolving in 1940 remains a very live one today.

As such, in order to present Simon's political philosophy and begin to defend and articulate the significant contribution it represents when placed into conversation with contemporary theological ethics, it will be necessary first to place his work within the main lines of the warring traditions he inherited and the political and intellectual controversies of the time in which he was engaged. Not only is it necessary to locate Simon within this context in order to understand him, but also in order to answer the concern that the traditional theological account he gives of the nature and basis of political authority is inextricably bound up with authoritarian, non-democratic politics. Indeed this concern appears particularly apt, insofar as Simon himself discovered to his great chagrin that the Catholic tradition that he dedicated himself to had led many of his intellectual colleagues to support fascism as a bulwark against atheist and anti-clerical political liberalism. Thus after giving an account in this chapter of 19th and early 20th-century Catholic social teaching's conflict with Enlightenment political liberalism, played out as an engagement between restorationist *ancien regime* Augustinianism and Leonine

Thomism against their common Enlightenment liberal opponent, I will move on in my second chapter to explicate Simon's early political writings and engagements as set within this highly conflictual context, particularly as this controversy took on the form of a sharply pitched battle within Simon's own native France. Simon's early political engagements, writings, and letters, as he attempted to stem the tide of support for Mussolini, Franco, and the Vichy regime in France, are a window onto his struggle to synthesize Catholicism and modern democratic aspirations. Most of his countrymen thought the two irreconcilable, and as Simon's letters to Maritain reveal, he found them difficult to reconcile himself at times. This lively and at times deeply wrenching struggle, particularly with what he understood as Catholic complicity in the rise of fascism and the betrayal of France, was the furnace in which Simon forged his key political ideas, as can be seen in books and essays written during the heat of the Second World War on "the crisis of liberalism" and "the march to liberation," democracy, liberty and authority, Thomism, and Catholic complicity in the sins of French and European politics. In examining this material we will see how Simon's mature social philosophy (as we will discuss in Chapter Three) was no mere abstraction, but instead represented an attempt to articulate a non-authoritarian account of political authority and a non-liberal account of democratic political liberties. Moreover, we will see how his project was explicitly guided by the need to respond to "the doctrinal issue between the Church and democracy"⁸ as articulated by Catholic social teaching, which Simon understood as chiefly to do with the nature and basis of political authority. In so doing, Simon worked

⁸ Simon, "The Doctrinal Issue Between the Church and Democracy."

to bridge a division between two traditions, Catholic and liberal democratic, that were more than metaphorically at war.

In this chapter, we will present the Leonine neo-Thomist tradition of Catholic social thought that Simon carried forward, insofar as Simon gives a non-liberal account of civic political authority as a created natural good with a divine basis and origin, a positive aspect of our social nature, rather than the Augustinian tradition's assumption that political authority is a gracious God-given solution for the deficiencies of human sin and weakness that render it necessary. Like the Thomist Pope Leo XIII, Simon does so while dismantling the royalist assumptions of the traditional *ancien regime*'s fusion between throne and altar, showing how the proper relationship between authority and liberty (or *subsidiarity*, as Catholic social thought has come to call it) within a political regime creates ample space for democratic liberties and prudential judgments. Also like Leo, Simon does this while retaining the criticisms of French Enlightenment liberalism that had been forcefully made by restorationist Augustinians such as Pope Gregory XVI and Joseph de Maistre, while re-directing their critique away from democracy as such and instead toward the practically atheist and individualist assumptions present in the myth of the social contract, liberalism's account of the nature and basis of political authority. And Simon does all this as a Thomist philosopher rather than as a dogmatic theologian, making a case for democratic liberty and authority that neither depends upon special revelation nor assumes a wholly secular civic square, but instead reasons about the nature of civic common life under God in a manner that is in principle accessible to all people of good will. Thus the *content* of Simon's position represents a sophisticated articulation of Catholic social thought rooted in Leo XIII's neo-Thomist teaching, in its

presentation of democratic political authority and liberty under God and for the civic common good within a non-liberal framework. And in keeping with the Leonine Thomist revival that Simon saw himself as carrying forward, the *method* with which he articulates this position is philosophical in nature, as an exercise in “moral reasoning rightly understood” that is open to receiving principles from theology about humanity’s concrete state in both sin and grace. This represents a significant Thomist contribution to a debate that in Leo’s day as well as Simon’s was often understood as presenting a binary alternative between Augustinian restorationist support for the *ancien regime* or Enlightenment liberal support for democratic politics: theology *or* philosophy, faith *or* reason, traditional Catholic authority *or* secular democratic liberal freedoms.

As such Simon offers to the contemporary conversation something that is not often available: a non-liberal account of civic politics that seeks to articulate the nature and basis of political authority in its relationship with democratic liberties, and that does so in a manner that is neither immediately dependent upon Christocentric and ecclesiological language nor assumes that such theological language drawn from special revelation has no place in a theology of ‘public’ life. To recover Simon for the contemporary context is to assert that the “old tradition” of neo-Thomist Catholic social teaching, the main lines of which were set forth by Pope Leo XIII and continued by Pius XI, constitutes a living resource for political theology instead of simply reflecting bygone Christendom assumptions about political authority that have by now been overcome by liberal democracy. In this tradition’s refusal to accept any model of political, social, and economic life that is atheist and individualist in nature,⁹ we are still presented with a

⁹ Stanley Hauerwas and Jana Bennett, “Catholic Social Teaching,” 523.

significant challenge to political liberalism's dependence upon the social contract on the nature and basis of political authority, in the place of the tradition's claim that "every authority is from God" and is charged with serving the common good of a people (Rom. 13:1). Simon takes up this challenge and presents what may well be its most sophisticated 20th-century articulation, and does so as neither a restorationist Augustinian Catholic conservative nor an Enlightenment liberal, but rather as a committed Thomist Catholic democrat seeking to purify and carry forward the best ideals of the French Revolution within the neo-Thomist Catholic tradition articulated most authoritatively by Pope Leo XIII. Therefore to understand Simon and his contribution to present discussion, we will need to begin by articulating the root concerns and theses of the "old tradition" (pre-Vatican II) of Catholic social teaching within which Simon was working.

As we shall see, Simon by no means inherited a single and uncontroversial "traditional" teaching, but instead a highly conflictual debate between three different schools on the nature and basis of political authority: Augustinian restorationism, Leonine Thomism, and Enlightenment liberalism. Simon took Leo XIII to authoritatively articulate for the Catholic tradition the way forward through this conflict, but Leo had only stated in compact form what Catholic political philosophers and theologians would need to take up and elaborate. In doing so, Simon asked and answered fundamental political questions about the nature and basis of political authority in the *civitas* that our contemporary theological discussion would do well to take up again. Understanding these questions, however, and beginning to see their importance for today, will require a certain amount of excavation work. We will need to begin by examining the roots of Catholic social teaching in the 19th and even 18th centuries, as scholars such as Russell

Hittinger and Michael Schuck have done, in order to understand why articulating the nature and basis of political authority in the face of the “practical atheism” and individualism of Enlightenment liberalism, and in the wake of a crumbling *ancien regime* that had tried to preserve Christendom long past its sell-by date, was and remains an important task for theological ethics.

What then were those democratic ideals that Simon saw as worth incorporating into the Catholic tradition? And what were the challenges Simon faced in purifying and re-articulating them within a Catholic tradition that most of his compatriots thought directly opposed to democratic liberties? As we will show, most of Simon’s contemporaries imagined that liberty and authority represented a “great choice” that had to be made, between the *ancien regime* and the French Revolution. The roots of this debate are to be found within the Catholic tradition of social thought, and represent a centuries-old dispute about the nature and basis of political authority between three schools: Augustinian political theology, Thomist political theology and philosophy, and secular Enlightenment social-contract liberalism. The first and the last of these schools were largely pitted against one another in the France into which Simon was born, in support of the *ancien regime* and the secular French Republic respectively, as it was widely thought that the Catholic doctrine of political authority required precisely the sort of sacrally-authorized monarchical regime that the secular liberalism of the French Revolution opposed. Against this, the Thomist school as revived in the late 19th century by Pope Leo XIII represented an attempt to accommodate modern democratic aspirations within the Catholic tradition. To understand Simon’s project as an intervention in this debate, and specifically as carrying forward Leo’s Thomist political teaching over against

the other two schools, we will turn first to the stark division between the parties of Enlightenment liberty and Catholic authority in the 19th and early 20th century as Simon himself describes it, only in the context of which will the importance of Leo's intervention and Simon's project become apparent.

1.1. A Great Choice? Liberty or Authority in Simon's France

In 1941, not long after the fall of France to the Nazis and the installation of the collaborationist Vichy regime under Marshall Petain, Simon took up his pen to attempt to tell the story of how and why it had come to pass. As he tells it, it was in large part a tragedy of errors and spiraling partisan hatreds: France had divided itself up into two warring parties, one of secular Liberty and the other of divine Authority, each side despising the other for the real wrongs it had done them, and ending with neither side believing in the democratic liberties that the best ideals of the now-extinct French Republic had sought to defend. Beginning his account in *La Grande Crise de la Republique Francaise* (translated the following year into English as *The Road to Vichy*), Simon quoted several lines from a letter by the socialist and Catholic convert Charles Peguy, writing to a friend who had become skeptical of the achievements of the French Republic:

You are forgetting, you are ignoring that there has been a Republican mysticism, and though you forget and ignore it, it will not be as if it had not been. Men have died for freedom just as men have died for the Faith. These elections today seem to you a ridiculous formality, universally deceitful and altogether crooked, and you have the right to say so. But men have lived, countless men, heroes, martyrs, and I shall even say saints—and when I say saints I believe I know whereof I speak—countless men have lived heroic, saintly lives; men have suffered, men have died, a whole people has lived so that any fool today may have the right to go through this crooked formality... To cast your vote: today this expression seems to you utterly ridiculous. Yet it was prepared by a century of heroism. And I do not mean fake heroism, literary heroism. It was prepared by a century of the most unquestionable, of the most genuine heroism, and I will say of

the most *French* heroism. These elections are laughable. But there has been one election. It was the great division of the world, the great choice that the modern world had to make between the Ancien Regime and the Revolution.¹⁰

Simon inherited a homeland and a church in which this “great choice” appeared urgent and obvious to nearly everyone: the world was a place marked by a “great division,” and one either fell on one side of it or the other.

Simon was born in 1904, only two years before the “laic laws” were passed by the secularist government of the Third Republic: religious orders had been expelled and/or forbidden to teach, with their Catholic schools and hospitals given to laypeople in the name of the “public”; church property seized, and so on. As late as 1924, a government was elected in France on a strongly anti-clerical platform. Simon grew up in a Catholic France that had in large part responded to this by withdrawing into its own world, supplied by its own druggists, lawyers, and doctors. Not surprisingly, this was accompanied by an intellectual withdrawal as well. The Catholic intellectual culture of Simon’s student days and young adulthood was dominated by the *Action Francaise*, the royalist antiliberal movement led by Charles Maurras that sought to “reject the whole heritage of the French Revolution.”¹¹ Simon recalled of this milieu:

Whoever came out as a democrat in these circles was doomed to be the object of an ironical and scornful pity; he was looked down upon as a person behind the times, a survivor of another age. In order to appear up to date and to succeed in your career you had to denounce liberal errors with an air of self-satisfied superiority, scoff at liberty, equality and fraternity, joke about progress, look skeptical when human dignity and the rights of conscience were spoken of, affirm authoritatively that every plan for international order was a bloody dream, and sneer at the League of Nations.¹²

There was, then, very little if any sympathy for liberal democracy among Catholic France as Simon knew it. One either chose for the French Revolution or against it, and to choose

¹⁰ Yves Simon, *The Road to Vichy: 1918-1938* (Lanham, MD: University Press of America, 1988), 11-13.

¹¹ *Ibid.*, 39.

¹² *Ibid.*, 39.

against it was to choose for the restoration of an integral Catholic France ruled by its “Most Christian” kings; for the sacral and hierarchical authoritative order of Reims Cathedral and King Charles X. In the years leading up to the Vichy regime, the Third Republic had precious few defenders among its committed Catholics. And yet, as Simon tells it, the Republic had lost its defenders among the heirs of the French Revolution as well. After the great trials of the First World War, the air had gone out of the balloon of the Republic’s mythos, and what remained was “an atmosphere of disillusionment” that gave way to “the worst forces of destruction: skepticism, cynicism and despair.”¹³ Liberalism had not been sufficient to sustain belief in and commitment to a democratic *res publica*, and in its place was left mere emptiness: “the void thus produced has exhausted France.”¹⁴ Although the republic’s “worship of liberty, justice and right was in many ways an idolatrous one,” anti-clerical and proud, “it was also an homage paid to the *unknown God*, for liberty and justice are names of the true God.”¹⁵ The “collapse of revolutionary beliefs” had given way to “practical atheism,” to “scoundrels” who were “true atheists” whether they went to Mass or not, for “whoever mocks these divine names, liberty, justice, mercy, cannot remain a worshipper of the true God.”¹⁶ Simon again quoted Peguy, who decried what he saw coming as “the world of those who believe in nothing, not even in atheism. The movement of the *derepublicanization* of France is fundamentally the same movement as that of her *dechristianization*.”¹⁷ Into this practically atheistic spiritual void, within which secular liberals no longer believed in either God or the Republic, and Catholics mocked the divine names of liberty, justice,

¹³ Ibid., 11.

¹⁴ Ibid., 14.

¹⁵ Ibid., 14.

¹⁶ Ibid., 14-15.

¹⁷ Ibid., 15.

and mercy, the invigorating mythos of Nazism swept aside the cobwebbed ideals of a free democratic republic with ease.

In 1941, the same year in which he wrote *The Road to Vichy*, Simon wrote to his teacher and friend Jacques Maritain, recalling about his student days twenty years earlier that “I am the only *sans culotte* who from 1922 was attached to you and to your philosophy, despite your attachment to the *Action Francaise* and the appalling people that would come and shake your hand at the Institute and take your courses...!”¹⁸ In a sentence, Simon here gestured toward the massive social and political division between conservative Catholic France and liberal secular Republican France, and to his own unusual status as a Frenchman who straddled that divide: “*sans culotte*” was an old jeer of French aristocrats toward the working-class partisans of the Revolution, which had come to be adopted with pride by some of the Revolution’s most radical defenders; while the anti-liberal and anti-democratic conservative royalist *Action Francaise* dominated the Catholic intellectual world within which Simon learned the philosophy of St. Thomas Aquinas.¹⁹ Simon thus signaled, in other words, his own adherence to and location within two sharply opposed traditions that had dedicated themselves to the apparently opposed causes of authority and liberty, as well as the fact that those who had taught him the Catholic tradition had for the most part set themselves firmly against the democratic liberties of the secularist French Republic and in defense of the traditional authorities of Catholic France.

¹⁸ Simon to Maritain, Sept. 3, 1941. *Jacques Maritain – Yves Simon Correspondance: Tome 2, Les années américaines (1941-1961)*, ed. Florian Michel (Tours, France: CLD Editions, 2011), 69-70.

¹⁹ MacIntyre, “Yves Simon,” 4.

1.2. The Doctrinal Issue Between the Church and Democracy

Although overviews of Catholic social teaching conventionally begin with Leo XIII's *Rerum Novarum* (1891) and look forward from there to the forging of a middle way between capitalism and communism in the 20th century, Michael Schuck and Russell Hittinger rightly remind us that *Rerum Novarum* is best understood when placed within the sharp controversies between the church and newly assertive secular states after the French Revolution.²⁰ As Stanley Hauerwas and Jana Bennett argue, "the theological agenda of the encyclicals has sometimes been lost, because it has not been recognized that the encyclicals represent the Church's attempt to come to terms with the political and social changes represented by the Enlightenment."²¹ Those changes were not simply to do with applying the concept of subsidiarity to the "new things" represented by an industrial economy, but rather with French Enlightenment liberalism's attempt to conceive of and organize a practically atheistic political order.²² Pius IX's 1864 encyclical *Quanta cura*, published alongside his *Syllabus of Errors*, excoriates those who would apply "to civil society the impious and absurd principle of *naturalism*, as they call it," by which it is taught that "the best constitution of civil society and civil progress altogether require that human society be conducted and governed without regard being

²⁰ Michael Schuck, *That They Be One: The Social Teachings of the Papal Encyclicals 1740-1989*. (Washington, DC: Georgetown University Press, 1991), 39. Cited in Hauerwas and Bennett, "Catholic Social Teaching," 522. See also Russell Hittinger, "Introduction to Modern Catholicism" in *The Teachings of Modern Roman Catholicism*, ed. John Witte Jr. and Frank S. Alexander (New York: Columbia University Press, 2007), 1-38.

²¹ Hauerwas and Bennett, "Catholic Social Teaching," 522.

²² Cf. Hauerwas and Bennett: "The primary social challenge according to the encyclicals is quite simply atheism... Catholic social teachings are misunderstood if they are presented primarily as this or that pope's attitude toward socialism or capitalism. Whatever the popes say about socialism or capitalism is framed by their theological analysis of what form social life should take before God" ("Catholic Social Teaching," 523-4).

had to religion any more than if it did not exist.”²³ The following somewhat lengthy quotation from Leo XIII’s 1892 encyclical on church-state issues in France, *Au Milieu Des Sollicitudes*, is not atypical but representative and serves as a useful reminder of the centrality of atheism to how the popes understood what was “new” in the “new things” of modern liberal social orders:

Let us take as a starting-point a well-known truth admitted by all men of good sense and loudly proclaimed by the history of all peoples; namely, that religion, and religion only, can create the social bond; that it alone maintains the peace of a nation on a solid foundation... Now, morality, in man, by the mere fact that it should establish harmony among so many dissimilar rights and duties, since it enters as an element into every human act, necessarily supposes God, and with God, religion, that sacred bond whose privilege is to unite, anteriorly to all other bonds, man to God. Indeed, the idea of morality signifies, above all, an order of dependence with regard to truth which is the light of the mind; in regard to good which is the object of the will; and without truth and good there is no morality worthy of the name. And what is the principal and essential truth, that from which all truth is derived? It is God. What, therefore, is the supreme good from which all other good proceeds? God. Finally, who is the creator and guardian of our reason, our will, our whole being, as well as the end of our life? God, always God. Since, therefore, religion is the interior and exterior expression of the dependence which, in justice, we owe to God, there follows a grave obligation. All citizens are bound to unite in maintaining in the nation true religious sentiment, and to defend it in case of need, if ever, despite the protestations of nature and of history, an atheistical school should set about banishing God from society, thereby surely annihilating the moral sense even in the depths of the human conscience.²⁴

Crucially, in this letter and elsewhere, Leo XIII did not equate democracy with an “atheistical school” set on “banishing God from society.” Rather, he articulated a view that was to become standard Catholic teaching, but was by no means uncontroversial at the time: namely, that the Church did not make distinctions between one type of political regime over another (such as monarchy or democracy), so long as they serve “the common good for which social authority is constituted.”²⁵ The heart of the problem as

²³ Pius IX, *Quanta cura* (1864), § 3. Cited in Thomas Bushlack, *Politics for a Pilgrim Church* (Grand Rapids, MI: Eerdmans, 2015), 49.

²⁴ Leo XIII, *Au Milieu des Sollicitudes* (1892), § 5-6.

²⁵ *Ibid.*, § 14.

Leo XIII understood it was not democracy as such, but rather any political form that denied that “civil power, considered as such, is from God, always from God: ‘For there is no power but from God’ (Rom. 13:1).”²⁶

It was however not clear to many Catholics, and not clear even to careful readers of the social encyclicals written by Leo XIII and other nineteenth and early twentieth century popes, that democracy could in fact be extricated from the public atheism of the French Revolution. In his 1954 essay “The Doctrinal Issue Between the Church and Democracy,” Yves Simon argued that “between the Church and the modern state the doctrinal issues of major significance are three: (1) the general relation of the state to religion (will Church and state be united in some way, or entirely separated?); (2) freedom of belief and expression; (3) the origin and ultimate meaning of temporal power.”²⁷ The former two questions, Simon believed, were “liberal rather than democratic in essence,” while only the latter question of “the origin and meaning of temporal power concerns the specific essence of democracy.”²⁸ Insofar as democracy was construed as inseparable from liberalism, the church was concerned that freedom of belief and expression would be understood without connection to the true and the good, particularly to the truths about God and human nature that describe the common goods of civic and ecclesial life. Insofar as democracy was understood as implying that the basis of political authority arises from a horizontal social contract among free individuals, the church was concerned that civic and social life would no longer be understood as a natural created good, but instead as a instrument used by individuals to further their

²⁶ Ibid., §18.

²⁷ Simon, “Doctrinal Issue,” 133.

²⁸ Ibid., 133.

separate interests. It is this theory associated with the French Enlightenment and French Revolution—namely, social-contract theory, labeled more colorfully by Simon as “the cab-driver theory of government”—that Simon understood to be at odds with “the very definite teaching of the Church on the meaning of political authority.”²⁹ But although it was the burden of Simon’s political philosophy to show that liberalism’s social contract construal of political authority was not in fact essential to democracy, that was neither historically nor conceptually clear to many. Does not democracy imply the sovereignty of the people as such, whether Catholic or not, and therefore the disestablishment of the church? Do they not decide through free political processes what is true and good for them, rather than submit such decisions to the church or some other nondemocratic body? But this raises immediate problems, for it would seem that this presumes that civic government exists best not in the “Christian City” of Christendom but rather in a neutral secular space. As the architects of the Enlightenment hoped, the political and theoretical language used to negotiate this space would be drawn from pure reason, political philosophy and natural law, and not from particularist Christian theology and Catholic teaching. Not only does this imply public atheism and the irrelevance of theology and church teaching for public life, but it also seems not to take adequate account of human sin, due to which it cannot be presumed that citizens can be trusted with democratic political power without being guided explicitly by Christian authorities. And so is it not the case that democratically-elected governments represent an *alternative* to, rather than a permissible variant of, political orders that understand the origin of their civil power as divinely authorized? These and other questions had to be worked out by the Catholic

²⁹ Ibid., 144.

church's social teaching in the 19th century, and it was by no means obvious that democracy could be understood as a legitimate development. In the Augustinian tradition, the church confronted a powerful theological case that the democratic construal of political authority was incompatible with Christian doctrine. This line of thought was to appear both in authoritative papal teaching and in prominent Catholic social thinkers like Joseph de Maistre.

1.3. The Augustinian Theological Case against Democracy

There were no shortage of magisterial documents that drew on this Augustinian tradition in order to make a theological case against democracy, and in favor of the longstanding tradition of rule by divine-right Christian monarchs. As Russell Hittinger writes, the early nineteenth-century Catholic church was led to believe for a time that the Congress of Vienna (1815) would mark the ultimate turning of the tide against the secular revolutionary movements, and so to the restoration of the altar-throne order of the *ancien regime*. Hittinger cites Gregory XVI's 1832 *Cum primum* as the high-water mark of this counter-revolutionary turn, written in response to a Polish uprising against the rule of Tsar Nicholas I that had resulted in severe reprisals and repression from Russia, in which the constitution had been suspended and Catholic churches severely restricted.³⁰

Gregory's response was not to defend the autonomy of Catholic Poland or her churches, but instead to express the hope that Poland would be "restored to peace and the rule of legitimate authority" under the Russian Tsar. In support of this Gregory cited Rom. 13:1-2 ("Let everyone be subject to higher authorities... he who resists the authority resists the

³⁰ Hittinger, "Introduction to Modern Catholicism," 6-7.

ordination of God”) and 1 Pet. 2:13 (“Be subject to every human creature for God’s sake, whether to the king as supreme, or to the governors sent through him”). Legitimate authority, for *Cum primum*, did not appear to bear any great distinction from the powers that be, so long as those powers stood against modern revolutionary movements. In the same year, Gregory’s *Mirari vos* assailed what he saw as the great danger of the politics of liberal “indifferentism,” the “perverse opinion” whereby it is claimed that “it is possible to obtain the eternal salvation of the soul by the profession of any kind of religion, as long as morality is maintained.”³¹ From this error arises “that absurd and erroneous proposition which claims that liberty of conscience must be maintained for everyone,” which “spreads ruin in sacred and civil affairs,” along with the “harmful and never sufficiently denounced freedom to publish any writings whatever and disseminate them to the people.”³² Such teachings for Gregory only serve to undermine the “trust and submission due to princes,” “unchanging subjection” to whom necessarily follows “from the most holy precepts of the Christian tradition.”³³ Pius IX’s 1864 *Syllabus of Errors* could be seen as following the same anti-democratic line of thought, written in the wake of the apparent failure of the Congress of Vienna’s restoration after the revolutions of 1848 and the more recent loss of the Papal States. Pius IX famously condemned as erroneous the notion that “the Roman Pontiff can, and ought to, reconcile himself, and come to terms with progress, liberalism and modern civilization.”³⁴ These apparently anti-democratic elements were not limited to the 19th century, but can be seen also as late as the conservative Pius X in the early 20th century. While Pius X was far more

³¹ Gregory XVI, *Mirari vos* (1832), § 13.

³² *Ibid.*, § 14-15.

³³ *Ibid.*, § 17, 19.

³⁴ Pius IX, *Syllabus errorum* (1864), § X.

interested in condemning theological “Modernism” than with political questions, in his 1910 *Letter on the Sillon (Notre Charge Apostolique)* he discerned modernist heresies at work in this burgeoning French Catholic democratic movement. The Sillon had sought to come alongside Protestants and secular Frenchmen in building up democratic civic life, but Pius X warned that this amounted to doctrinal indifferentism, “liberal and Protestant concepts of doctrine and obedience” in which civic life can flourish of its own resources without being explicitly guided and reformed by Catholic truth and grace.³⁵ “There is no true civilization without a moral civilization, and no true moral civilization without the true religion,” Pius contended: “the City cannot be built otherwise than as God has built it; society cannot be set up unless the Church lays the foundations and supervises the work; no, civilization is not something yet to be found, nor is the New City to be built on hazy notions; it has been in existence and still is: it is Christian civilization, it is the Catholic City.”³⁶ Therefore according to Pius, the Church “does not have to free herself from the past” in its politics, but “all that is needed is to take up again... the organisms which the Revolution shattered, and to adapt them, in the same Christian spirit that inspired them, to the new environment arising from the material development of today’s society.”³⁷ Given such teachings, it is not difficult to see why many Catholics understood rule by Catholic monarchs, explicitly authorized to rule in services resembling priestly ordinations in churches like Reims Cathedral, as the Catholic alternative to democracy.

As becomes clear from only a brief survey of this material, for Simon to assert in 1954 that the church’s condemnation of liberalism could be extricated from an apparent

³⁵ Pius X, *Notre Charge Apostolique (Letter on the Sillon)* (1910).

³⁶ *Ibid.*

³⁷ *Ibid.*

condemnation of democracy was by no means a straightforward claim. Popes such as Gregory XVI, Pius IX, and to a lesser extent Pius X sought to return Western Europe to an integrated throne-altar alliance that they understood as the most fitting expression of “Christian civilization,” “the Catholic City.” The theological arguments they made should not be dismissed as mere toadying on behalf of a power structure in which they had a stake, but instead as part of an Augustinian theological conception of authority, civic and ecclesial, that had for centuries been at the heart of political Christendom. Alasdair MacIntyre provides perhaps the clearest and most sympathetic overview of this powerful argument. At its heart is a theological epistemology that assumes that the mind stands in need of a “source of intelligibility beyond itself” as it seeks to understand texts and objects within a world that is not self-interpreting, and yet

...the intellect and the desires do not naturally flow towards that good which is at once the foundation for knowledge and that from which lesser goods flow. The will which directs them is initially perverse and needs a kind of redirection which will enable it to trust obediently in a teacher who will guide the mind towards the discovery both of its own resources and of what lies outside the mind, both in nature and in God. Hence faith in authority has to precede rational understanding. And hence the acquisition of that virtue which the will requires to be so guided, humility, is the necessary first step in education or in self-education.³⁸

This means that rational inquiry, of the sort in which philosophical theologians like Anselm and Abelard were engaged, presupposed authoritative guidance as a “necessary feature of the Augustinian scheme of understanding.”³⁹ Authority in this Augustinian view serves as a powerful remedy for deficiencies in fallen human nature: since “the will is more fundamental than intelligence” and the prideful will cannot help but lead the intellect astray by self-interestedly distorting perception of the true and the good, “it is

³⁸ Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry* (Notre Dame, IN: University of Notre Dame Press, 1990), 84.

³⁹ *Ibid.*, 92.

only through the transformation of the will from a state of pride to one of humility that the intelligence can be rightly directed.”⁴⁰ In this transformation, one must learn humility by obediently submitting to authority. It is important to note that in the Augustinian schema, there is no significant distinction to be made between realms of inquiry that do and do not require this kind of authoritative guidance. As guided by authority, one must believe in order to understand, and this both at the beginning stages of rational inquiry and throughout its operation: first, because one cannot at first know what separates good from bad reasons in the evaluation of evidence, and then because as one progresses in understanding it becomes clear that there remain “greater or lesser degrees of unintelligibility” within a “a movement toward a truth never as yet wholly grasped.”⁴¹ Augustine’s theological epistemology is broadly Platonist in its assumptions. Intelligibility is at bottom a matter of conformity to the “exemplars of created things in the mind of God,” understanding of which means to “move away from the initial judgments of everyday life,” the cave of Plato’s *Republic* in which the natural person dwells.⁴² Thus theological illumination is of great importance in every sort of intellectual inquiry. There is no clear demarcation to be made between theology and philosophy. Both the nature of rational inquiry itself, and the fallen state in which human beings carry it out, underscore the need for authoritative guidance.

Given such a schema, Pius X’s evaluation of the Sillon logically follows. He points out what is obvious from within the Augustinian framework: “The new Sillonists cannot pretend that they are merely working ‘on the ground of practical realities’ where

⁴⁰ Ibid., 91.

⁴¹ Ibid., 92-3.

⁴² Ibid., 90.

differences of belief do not matter,” for it is clearly the case that “all practical results reflect the nature of one’s religious convictions, just as the limbs of a man down to his finger-tips owe their very shape to the principle of life that dwells in his body.”⁴³ Pius X holds that one’s conceptions about the final end of human existence will of necessity shape each practical decision that is made. And religion simply is the way in which human beings bind together the whole of life into a shape that is directed toward that which is conceived of as the overall point, the focus and goal of life. Catholics and non-Catholics have different conceptions of life’s final end, and so they will not be able to find common ground while working together “on the ground of practical realities” in the civic sphere. Pius X finds

alarming and saddening at the same time... the audacity and frivolity of men who call themselves Catholics and dream of re-shaping society under such conditions, and of establishing on earth, over and beyond the pale of the Catholic Church, "the reign of love and justice" with workers coming from everywhere, of all religions and of no religion, with or without beliefs, so long as they forego what might divide them - their religious and philosophical convictions, and so long as they share what unites them - a "generous idealism and moral forces drawn from whence they can." When we consider the forces, knowledge, and supernatural virtues which are necessary to establish the Christian City, and the sufferings of millions of martyrs, and the light given by the Fathers and Doctors of the Church, and the self-sacrifice of all the heroes of charity, and a powerful hierarchy ordained in heaven, and the streams of Divine Grace - the whole having been built up, bound together, and impregnated by the life and spirit of Jesus Christ, the Wisdom of God, the Word made man - when we think, I say, of all this, it is frightening to behold new apostles eagerly attempting to do better by a common interchange of vague idealism and civic virtues.⁴⁴

There is no clear distinction that can be made between theology and philosophy, or between the ecclesial and the civic spheres. “The reign of love and justice” cannot be brought about by Catholic and non-Catholic citizens uniting around the natural *civitas* as a common object of love, and in this pursuit growing in the “civic virtues” necessary to

⁴³ Pius X, *Notre Charge Apostolique*.

⁴⁴ *Ibid*.

work toward the city's flourishing. For Pius X, this is a "frightening" attempt to privilege a vague civic idealism over the "supernatural virtues which are necessary to establish the Christian City," preeminent among them charity, and the ecclesial hierarchy through which flows the "streams of Divine Grace" that nourish them. The Sillonists' attempt to locate a civic sphere within which the church's authoritative guidance is unnecessary represents for Pius a separation between nature and grace, theology and philosophy, and the natural and theological virtues that is not in keeping with their Christ-centered harmony within an integrated "Christian City," in which the whole is "built up, bound together, and impregnated by the life and spirit of Jesus Christ."

Pius X stresses the need for humble obedience to legitimate authority as well, without which it would not be possible for the prideful human will to come to know and love the true and the good. As such he criticizes certain "democratic practices" of the Sillon, wherein hierarchies are done away with and master/student relationships are replaced by "study groups in which each member is both master and student."⁴⁵ Given these democratic practices, which are the "hidden cause" of the "lack of discipline" among the Sillonists, Pius tells the French bishops that "it is not surprising that you do not find among the leaders and their comrades trained on these lines, whether seminarists or priests, the respect, the docility, and the obedience which are due to your authority."⁴⁶ While Pius notably does not conclude from this that democracy as such is necessarily bound together with the liberalism that the church condemns—he could not, for Leo XIII had made clear that "Christian democracy" is a legitimate possibility for Catholics—Gregory XVI wrote before Leo and was not bound by the precedent his encyclicals set.

⁴⁵ Ibid.

⁴⁶ Ibid.

For Gregory, as noted earlier, the “trust and submission due to princes” that necessarily proceeds “from the most holy precepts of the Christian religion” is needful to check human pride: the “detestable insolence and improbity” of those who are “consumed with the unbridled lust for freedom.”⁴⁷ Liberal “indifferentism” wrongly supposes that the commitment to the common good of the Christian City is possible without the authoritative guidance of the Church and the healing supernatural grace available only in the Church’s hierarchy. In liberal societies, “the minds of the youth are corrupted and a tremendous blow is dealt to religion and the perversion of morals is spread. So the restraints of religion are thrown off, by which alone kingdoms stand. We see the destruction of public order, the fall of principalities, and the overturning of all legitimate power.”⁴⁸ The answer to this problem, as Gregory saw it, was the restoration of the “legitimate power” of authoritative Christian monarchs at the Congress of Vienna, and the “trust and submission” they were due as authoritative guardians of a political common good ordered to the true religion, without which kingdoms and public order cannot stand.

Russell Hittinger and Emile Perreau-Saussine underscore the theological case that both Catholic social teaching and many prominent Catholic social thinkers of this time sought to press against what they saw as the secularist attempt to create a political framework using the tools of natural law and political philosophy, and therefore in theory and arguably also in practice independent of the authoritative guidance of the established Church. In *Mirari vos*, Gregory XVI warned against the notion that Church discipline

⁴⁷ Gregory XVI, *Mirari vos* (1832), § 9. Gregory XVI. *Mirari Vos*. In *The Papal Encyclicals*, ed. Claudia Carlen. Wilmington, NC: McGrath Publishing Co., 1981 (orig. pub. 1832, Vatican City).

⁴⁸ *Ibid.*, § 5.

might be criticized as “contrary to certain principles of natural law.”⁴⁹ Rather, adjudication of what is natural ought to be left up to “the Church and her ministers.” As Hittinger writes, Catholic conservatives like Gregory were concerned “that philosophers make much of natural law in order to cast doubt on particular providence,” meaning most of all the “claims and titles of the particular ecclesiastical and civil institutions inherited from Christendom.”⁵⁰ The prominent 19th-century French conservative Joseph de Maistre thought popular sovereignty as such was insufficient to guarantee political order, since “rational political constraints” such as human rights or representative government could never take the place of “religious constraints.” As Perreau-Saussine puts it, for de Maistre “natural law and positive human law were simply inadequate: only divine law would do.”⁵¹ And a significant reason for this inadequacy, according to de Maistre, is the fallen state of humanity. Against the social contract theory of Rousseau, de Maistre wrote: “It is impossible, man being what he is, that he should not be governed, for a being at once social and wicked must be kept under the yoke.”⁵² Authority was necessary to keep the prideful human will in check, and this authority could only be secured by Christian monarchs ruling by divine right and overseen by the even higher divine authority found in the pope. For de Maistre, in keeping with the tradition of political Augustinianism, there is no firm distinction to be made between civic and sacred authority, and natural law and philosophy were largely blind guides in a fallen world. Rather, “politics and religion merge into one another. The priest and the legislator can be

⁴⁹ Ibid., § 9.

⁵⁰ Russell Hittinger, “Pope Leo XIII (1810-1903)” in *The Teachings of Modern Roman Catholicism*, ed. John Witte Jr. and Frank S. Alexander (New York: Columbia University Press, 2007), 46.

⁵¹ Emile Perreau-Saussine, *Catholicism and Democracy: An Essay in the History of Political Thought* (Princeton, NJ: Princeton University Press, 2012), 31.

⁵² Cited in Perreau-Saussine, *Catholicism and Democracy*, 32.

distinguished only with difficulty.” And so “all conceivable political institutions rest on a religious basis, or else they pass away. Their strength and durability depend on how far they are *divinized*...”.⁵³ De Maistre, like many of his fellow counter-revolutionaries, was highly skeptical of the Enlightenment’s claim to base society on “reason alone.” Rather, “the principle of political life was to be found not in rational argument but in received opinion and dogma.”⁵⁴ As Perreau-Saussine and Hittinger both judge, this school of 19th-century Catholic social thought understood politics as an almost entirely theological matter, one in which the centrality of the theological virtues and supernatural graces flowing from Christ and the church’s sacraments were emphasized over against the potential of a civic realm in which philosophical reason could in principle make common cause with non-Catholic citizens of good will. But although in the hands of a writer like de Maistre, this line of thought could be taken in the direction of an almost irrational exaltation of the need for divine revelation and sacral authority, we have seen from MacIntyre that within the Augustinian tradition the need for authoritative guidance had only be understood as the path that reason takes in a world in which intelligibility in any field depends upon divine illumination, which light is dimmed in our intellects by the prideful human will. The arguments made by such writers were not merely so many irritable mental gestures on behalf of a bygone era and a favorable power structure, but rather represented a powerful theological argument drawn from the Augustinian tradition that had been accepted by many Catholic Christian thinkers for hundreds of years.

It was not then by any means clear that what Simon in 1940 called the apparent “antimony” between authority and liberty could be resolved, if the latter were construed

⁵³ Ibid., 33.

⁵⁴ Ibid., 33.

as democratic political liberties. Democracy seemed to imply the sovereignty of the people, a “bottom-up” view of political authority that sat uncomfortably with, and perhaps contradicted altogether, the traditional establishment of the non-democratic and hierarchical Catholic church within the public and political order.⁵⁵ Certainly, it seemed to contradict the divine source of authority, in favor of an anthropocentric social contract. As such “liberal democracy” would be guilty of the sins of liberal indifferentism, and of creating a religiously indifferent or atheist social order. Particular providence’s establishment of the true religion would be ignored. Public life would be viewed as governed best by a theologically neutral language, natural law and Enlightenment philosophy, rather than with the thick particularist language of Christian theology and church doctrine in which all things are bound together in Jesus Christ. Such a view implied that a “vague idealism” and natural “civic virtues” such as justice were sufficient for politics, and ignored the need for the supernatural grace that flowed from the church’s hierarchy, infusing the “Christian City” with charity and the theological virtues centered on Christ the King. Moreover in a fallen world, prideful human wills could not be trusted to reach the truth and do the good without the guidance of Christian authority, trust in and subjection to whom forms persons in the humble docility without which no one can come to know truths that must first be believed in if they are to be understood.

It would seem, this tradition considered, that the Catholic royalist partisans of *Action Francaise* were correct in their assumption that there was a “great choice” to be

⁵⁵ Pius X wrote in his *Letter on the Sillon* that their “bottom-up” view of authority was doctrinally suspect: “Admittedly, the Sillon holds that authority - which first places in the people - descends from God, but in such a way: ‘as to return from below upwards, whilst in the organization of the Church power descends from above downwards.’ But besides its being abnormal for the delegation of power to ascend, since it is in its nature to descend, Leo XIII refuted in advance this attempt to reconcile Catholic Doctrine with the error of philosophism.”

made between Catholic authority and modern democratic liberty, the *ancien regime* and the French Revolution. As Simon knew, nearly all of France in the early 20th century had divided and organized itself around this assumption. If there was to be another way forward, it was not an obvious one. But as Simon saw it, the way forward was not a wholesale rejection of Catholic tradition, but instead its synthesis with modern democratic aspirations in the Thomist tradition as authoritatively interpreted by the social teaching of Leo XIII. Simon, as a key figure participating in the Thomist revival that Leo's *Aeterni Patris* (1879) began, carried forward Leo's project of providing a philosophical and natural law construal of democracy from within the Thomist tradition. In this project, Leo had to give an answer to important Augustinian questions, such as those outlined above, which could not simply be brushed aside. Its achievement in large part consists in the measure in which he was indeed able to give answers to these questions, rather than set them aside in favor of a new and more modern practically atheist liberal "democratic" paradigm. Was democracy necessarily packaged together with the liberal "indifferentism" that Gregory XVI and Pius IX had so clearly condemned? Could a common civic ground be forged, however limited, with non-Catholic democrats and citizens? Could there be such a thing as democratic political authority, in keeping with Catholic commitments about the divine nature and basis of political authority?

While Leo did not give complete and definitive answers to all of these questions, Simon's contribution cannot be well understood if it is not seen as a sophisticated continuation of the Thomist case for democracy to be found within Leo's social teachings. This case did not, for Leo, amount to viewing democracy as the best regime,

but instead as a legitimate political regime whose authority could be understood in natural terms under God, even if not explicitly Christian, as an aspect of created social and civic life. The well-known argument for what came to be known as subsidiarity in Leo's *Rerum Novarum* was only part of Leo's articulation of liberty and authority as two sides of the same coin, in the everyday human pursuit of common goods. As natural, this aspect of human nature was created, and therefore very good as such and divine in origin. Moreover, Leo drew on Thomas to give an account of political authority that was not grounded in any sort of human deficiency due to sin, such as the prideful human will that needed to learn humble obedience before the intellect could know the truth, but instead as an essential part of the natural human pursuit of goods in common. Crucially, Leo did not make use of the "pure reason" of Enlightenment philosophy to build a wholly secular public space, but rather worked with the traditional Thomist theological construal of the distinction between nature and grace in order to help Catholic theology think about the created goods of the human city, the *civitas*, healed and elevated but not destroyed in the Christian City in which the *ecclesia* participates. For Leo's Thomist politics, one did not have to choose between nature or grace, philosophy or theology, *civitas* or *ecclesia*, liberty or authority. The "great choice" that *Action Francaise* and sans-culotte partisans of the Revolution both assumed necessary was not.⁵⁶ One could be, as Simon was, a *sans-culotte* Thomist. As we see how Simon's "antimony" began to be resolved by Leo's

⁵⁶ Russell Hittinger sums up the 19th century scene that Leo XIII would confront as follows: "Catholic opinion was divided on the question of whether the political and social instability of Europe was due chiefly to an excess of liberty or to an excess of authority. Catholic 'liberals' such as Lammennais, Montalembert, and Lacordaire took the position that the main problem was an excess of authority. The new states were neither Christian nor secular, but exploited the alliance of throne and altar to repress the church and society. Liberals urged that the church put its moral authority behind liberty. Catholic 'conservatives,' such as Louis de Bonald, Joseph de Maistre, and Donoso Cortes emphasized the role of authority. The mediation of this dispute would have to await the magisterial encyclicals of Leo XIII and the formation of Catholic social doctrine in subsequent decades" (Hittinger, "Introduction to Modern Catholicism," 8).

social teachings, we will begin to better understand the achievement that underlies the apparent contradictions of Simon, the Catholic philosopher at the University of Chicago, anti-authoritarian theorist of authority and anti-liberal Catholic democrat. Simon carried forward a Leonine Thomist project that synthesized an apparently anti-democratic Catholic tradition with the “new things” of a liberal democratic age in the face of strong and enduring criticism, particularly from more traditionally Augustinian critics. By further examining the Leonine Thomist roots of Simon’s work, we will be better equipped both to understand the nature of Simon’s anti-fascist political writings and to place him into conversation with today’s Augustinian civic liberals, none of whom are capable of taking as seriously as Leo and Simon either the traditional Catholic concerns raised against liberalism or the traditional Catholic account of the nature and basis of political authority that they inherited.

1.4. The Thomist Case for Democracy in Leo XIII’s Social Teaching

When Leo XIII ascended to the papal throne in 1878 at the age of sixty-eight, he was expected to be little more than a caretaker pope. The church had lost the Papal States only eight years prior to the nascent Italian state, but still laid claim to them and would not see the recognition of Vatican City as an independent state until 1929. Many hoped that Leo would bring some resolution to this issue and then pass the papacy along to a younger man. This he did not do. But while Leo failed to resolve the issue of the Papal States, he lived until 1903 and issued no fewer than 110 encyclicals and teaching letters, raising this method of teaching to the prominence that it has had ever since. In the process Leo did more than any other pope before or since to create what is now called

Catholic social doctrine, which Pius XI was later to speak of as a doctrinal tradition handed on from Leo's time.⁵⁷

As we have seen, there was a strong current of Catholic social teaching and thought in the 19th century and into the early 20th century that drew on traditional Augustinian theological themes in an attempt to restore the integralist throne-altar alliances that had been thrown over in the French Revolution. Such alliances were viewed by many as simply the *ancien regime*, the Christian tradition that needed only to be restored. But Leo confronted a church that by 1878 was beginning to recognize the vast social and political changes that had taken place since 1789. As Russell Hittinger notes, "in 1500, there were about five hundred independent political entities in Europe; when Leo wrote his magisterial encyclicals, there were twenty-five."⁵⁸ What Leo referred to in his encyclicals as the *civitas* had undergone a vast transformation from the local patchwork of small Catholic city-states, regional monarchies, duchies, and bishoprics that had been the pre-Westphalian and pre-Reformation norm. The "state," as *civitas* was translated in English, was now more often a vast and secular nation-state, often with imperial ambitions, such as Napoleonic France. To be allied with such a state was a very different matter than it had once been, and Leo and his compatriots recognized that the old policy of what he called "regalism" was no longer possible. The old system of *ius patronus*, by which Catholic rulers exercised the right as patrons to name bishops of the church, assumed that rulers were indeed Catholic.⁵⁹ But this system, dating back from the feudal era, was manifestly untenable in an age in which the bishops and clergy of

⁵⁷ Pius XI, *Quadragesimo anno*, § 39.

⁵⁸ Hittinger, "Leo XIII," 48.

⁵⁹ Hittinger, "Introduction to Modern Catholicism," 4-11 (in this section, I am following Hittinger's overview).

revolutionary France were in essence regarded as civil servants of the secular state. The First Vatican Council in 1870 threw over this system, refusing to invite Catholic sovereigns to attend and asserting the political independence of the church to name her own clergy, under the authority of the pope alone. Notwithstanding this significant rejection of an essential component of the Christendom order, by 1878 there had been no coherent positive vision put forward of how the church was to relate to this new political world. The *Syllabus of Errors* had been a largely negative approach, and nothing had emerged save for the increasingly problematic “restorationist” or “regalist” counter-revolutionary views of men like Joseph de Maistre and Gregory XVI.

Into this context, largely Augustinian and restorationist, Leo put forward a body of work that creatively drew on Thomas Aquinas and the Thomist tradition to think through the nature of human freedom and socio-political life under God. Leo’s project represented the judgment that only after thinking down to the roots of the nature of human sociality would burning and controversial modern questions about the relationship between liberty and authority, church and state, and theology and philosophy make sense. As Russell Hittinger and Thomas Bushlack write, his project is best understood as a “Leonine synthesis,” finding in the Thomist system both connections and distinctions “between eternal and natural law, between metaphysical truths, revelation, and the principles of the Catholic faith, and the application of the first principles of the law in historical, contingent circumstances.”⁶⁰ Leo’s Thomist social teaching was able to distinguish between legitimate modern democratic aspirations and the Enlightenment secular liberal forms in which they often were expressed, and to synthesize the

⁶⁰ Bushlack, *Politics for a Pilgrim Church*, 53; Hittinger, “Introduction to Modern Catholicism,” 11-12.

Augustinian condemnations found in the *Syllabus of Errors* and the restorationist school with Vatican I's clear affirmation of the political independence of the church and the harmony of Catholic faith with right reason. The *civitas*, for Leo, was a social form within the scope of divine providence with a distinct ontological status, the common good of the city, and not simply an instrumental good. The political form it took could be reasoned about in contingent historical circumstances, not limited to whatever form a sacral ruler might decide upon. Therefore the Augustinian assumption that political authorities are from God and to be obeyed was correct but significantly incomplete, for the question of the form that authority takes needed also to be asked and answered. The *ancien regime* was simply one among many possible forms of political authority; there could be others, and Leo's Thomism opened up the previous century of Catholic social teaching to recognize that there were. Moreover, authority was not simply a remedy for human deficiency in a fallen world, as Augustinians believed, but a good and necessary aspect of social life, the natural human quest for goods in common. It might then be realized not simply by Christian monarchs charged with holding a sinful multitude in check, but in positive political and social endeavors. Leo was thus able to provide a positive socio-political vision for the sharply changed political landscape in which the church found herself, and did so by drawing upon Thomas to think through what Hittinger calls the "ontological landscape internal to social forms" and the distinctive forms of authority and freedom to be found in each.⁶¹

Losing little time after his 1878 enthronement, Leo issued his programmatically Thomist encyclical *Aeterni Patris* the following year. Leo noted that many of those

⁶¹ Hittinger, "Introduction to Modern Catholicism," 14.

“who, with minds alienated from the faith, hate Catholic institutions, claim reason as their sole mistress and guide.” To them, Leo recommended the “solid doctrine” of the “Scholastics,” who are able to show that the divine faith is in “perfect accord with reason.”⁶² In particular, Leo recommended “the teachings of Thomas on the true meaning of liberty” and the “divine origin of all authority,” which if well understood “have very great and invincible force to overturn those principles of the new order which are well known to be dangerous to the peaceful order of things.”⁶³ Among those principles of the new order, Leo directed sustained criticism toward the social contract, the revisionist account of the nature and basis of political authority at the core of Enlightenment secular liberal political theory. In *Diuturnum*, his 1881 encyclical on “the origin of civil power,” Leo attempted to show how the teachings of Thomas on liberty and the divine origin of authority undercut liberal social contract theory as a basic principle of the practical atheism undergirding new modern political orders. In doing so, in notable distinction from his predecessors, Leo managed to give an account of the divine nature and basis of political authority that did not simply underwrite the restoration of so-called “legitimate” Christian monarchs, but instead showed the harmony of the Christian account with natural reason and recognized the diversity of legitimate political regimes.

The encyclical begins with an invocation of recent uprisings and political assassinations, similar in this way to Gregory XVII’s response in *Cum primum* to uprisings in Poland. But unlike Gregory, Leo does not move simply to urge obedience on theological and biblical grounds to the legitimate powers that be, but instead begins to

⁶² Leo XIII, *Aeterni Patris* (1879), § 27.

⁶³ *Ibid.*, § 29.

give an account of the nature of political power. Leo speaks not only of the duties of subjects to obey legitimate princes, but instead of “a just and wise proportion of mutual rights and duties in both princes and peoples.”⁶⁴ This proportion, Leo writes, is found both “in the precepts and example of Christ our Lord” and in “that which is most according to nature.”⁶⁵ Christ, Leo says, attested to the divine origin of civil power when he told Pontius Pilate that he would have no power except as given from above (John 19:11), and the same is found in Paul’s letter to the Romans, in which the apostle says that “there is no power but from God... the prince is the minister of God” (Rom. 13:1-4).⁶⁶ And the testimony of Christ and Scripture agrees with that of “nature, or rather God who is the Author of Nature,” who “wills that man should live in a civil society”:

...this is clearly shown both by the faculty of language, the greatest medium of intercourse, and by numerous innate desires of the mind, and the many necessary things, and things of great importance, which men isolated cannot procure, but which they can procure when joined and associated with others. But now, a society can neither exist nor be conceived in which there is no one to govern the wills of individuals, in such a way to make, as it were, one will out of many, and to impel them rightly and orderly to the common good; therefore, God has willed that in a civil society there should be some to rule the multitude. And this also is a powerful argument, that those by whose authority the state is administered must be able so to compel the citizens to obedience that it is clearly a sin in the latter not to obey. But no man has in himself or of himself the power of constraining the free will of others by fetters of authority of this kind. This power resides solely in God, the Creator and Legislator of all things; and it is necessary that those who exercise it should do it as having received it from God.⁶⁷

Political authority, Leo argues, must be understood as both natural and divine at the same time. It is natural, since our social nature testifies to the existence of goods in common that we cannot achieve alone.⁶⁸ We seek community with one another by speaking

⁶⁴ Leo XIII, *Diuturnum* (1881), § 3.

⁶⁵ *Ibid.*, § 3.

⁶⁶ *Ibid.*, § 9.

⁶⁷ *Ibid.*, § 11. As we shall see later on, this compact yet very rich argument from Leo is a crucial touchstone for Simon’s theory of political authority.

⁶⁸ I am echoing here the oft-cited line from Michael Sandel’s *Liberalism and the Limits of Justice* (Cambridge, UK: Cambridge University Press, 1982).

languages that we did not invent; we desire these common goods innately as rational beings gifted with minds, and not simply as animals with irrational private desires and preferences. And in seeking these common civic goods, we cannot do without political authority in order to coordinate the common action of individuals. It is therefore a moral duty to obey civil authorities. And yet no one has such a moral power within themselves, to bind the conscience of another. Political power must then exist only as it is authorized, and can be authorized only as received from God. While Leo's compact argument here is clearly not detailed enough to answer all possible philosophical objections, it is notable that it is the sort of account capable of responding to such objections, and flexible enough to account for the presence of properly constituted authority in multiple political forms, including democracy. Leo states this explicitly and from the start: "It is of importance, however, to remark in this place that those who may be placed over the state may in certain cases be chosen by the will and decision of the multitude, without opposition to or impugning of the Catholic doctrine."⁶⁹ Democratic liberties are not necessarily the obverse of political authority, but rather democratic government is one among several legitimate ways in which civic authority can be exercised. In three significant ways, then, Leo's response to a similar political situation can already be seen as different than that of Gregory XVI. First, it is not only a theological but also a philosophical account of political authority, one that assumes the compatibility of faith and reason. Second, it is as such an account that grounds political authority not in deficiencies due to human finitude and sin, but instead as essential to social human nature as created. Third, and as a result of both of the above, it marks a shift away from the restoration of "regalist"

⁶⁹ Leo XIII, *Diuturnum*, § 6.

alliances of throne and altar toward recognition of the legitimacy of democratic authorities, which can be understood as reasonable ways for human beings to pursue common civic goods under God.

Unlike Gregory XVI, Leo did not diagnose the problem present in political uprisings as one of simple disobedience to legitimate authority, but instead as part of a deeper problem. This problem he understood as rejection of civic authority itself, due to the rejection of its origin in God. Hence while Gregory and Leo could unite in the diagnosis that the central problem with political modernity was its practical atheism, they diverged on their understanding of what that practical atheism amounted to. For Leo, it was not democracy, the loss of the *ancien regime* model of integral throne-altar alliances, or even disobedience to political authorities as such, but rather the practical atheism implied in Enlightenment liberalism's social contract construal of the nature and basis of political authority. As Leo understood it, the basic problem with such a construal lay not in the reconfiguration of a given regime to a more representative system (he was explicitly open to such arrangements), but rather to the shift from a "vertical" understanding of the divine origin of political authority to a "horizontal" understanding of its origin within agreements made by individuals for mutual benefit.

Nowhere does Leo spell out more clearly the complementary relationships between liberty, authority, and law within a political order under God, and the tendency of these concepts to splinter and become opposed to each other when the divine origin of political authority and just law is forgotten, than in his 1888 encyclical *Libertas*. "There are many," Leo begins *Libertas* by noting, "who imagine that the Church is hostile to human liberty," and that the "so-called modern liberties" are "the very basis of civil life,

without which no perfect government can be conceived.”⁷⁰ Leo acknowledges that there is much that is commendable in the modern aspiration toward liberty, “the highest of natural endowments,” and yet judges that modern liberalism has a “false and absurd notion as to what liberty is” that places the “common good” itself at risk.⁷¹ Liberty is the highest natural endowment of rational creatures, and consists in conferring on humanity the power to “obey his reason, to seek moral good, and to strive unswervingly after his last end.” And yet “he is free also to turn aside to all other things; and, in pursuing the empty semblance of good, to disturb rightful order and to fall headlong into the destruction which he has voluntarily chosen.”⁷² The heart of the problem with modern liberal conceptions of freedom consists in its misidentification of the full scope of human freedom with the initial liberty of an intellectual creature to choose between truth and its mere appearances, between good and its semblances, which as such severs the crucial connection between will and intellect. Genuine freedom does not indeed exist where the initial freedom of the choosing will is suppressed, but the particular dignity of the human free will is that it is also a rational will that makes judgments between true and false goods. While “freedom of choice is a property of the will,” the will “cannot proceed to act until it is enlightened by the knowledge possessed by the intellect.”⁷³ Therefore we should speak not simply of a choosing will and its non-rational preferences, but rather of “the rational will” that makes choices “subsequent to a judgment upon the truth of the good” presented to it by the intellect.⁷⁴ In the domain of human action, such judgments

⁷⁰ Leo XIII, *Libertas* (1888), § 1-2.

⁷¹ *Ibid.*, § 1-2.

⁷² *Ibid.*, § 1.

⁷³ *Ibid.*, § 5.

⁷⁴ *Ibid.*, § 5. Here, Leo is drawing on the rich and complex schema of Thomas Aquinas on the relationship between the will and the intellect in human action. The details of this schema need not detain us here;

are not only to do with “what is right and wrong of its own nature, but also what is practically good and therefore to be chosen, and what is practically evil and therefore to be avoided.”⁷⁵ This is nothing other than the intellect presenting to the will what ought and ought not to be done, “in order to the eventual attainment of man’s last end, for the sake of which all his actions ought to be performed,” which “ordination of reason is called law.”⁷⁶ As such, rightly understood, it makes no sense to oppose freedom and law, for to do so would be to say that for our wills to “become free we must be deprived of reason.”⁷⁷ And this is what modern liberalism in effect says, by proclaiming “the supremacy of human reason” over natural and eternal reason and substituting for genuine freedom a “boundless license.”⁷⁸ While this may not be immediately obvious, the connection can be seen especially in the domain of civil society, “when once man is firmly persuaded he is subject to no one, it follows that the efficient cause of the unity of civil society is not to be sought in any principle external to man, or superior to him, but simply in the free will of individuals.”⁷⁹ Leo is here assuming his previous compact argument that reason is equivalent with “the natural law, which is written and engraved in the mind of every man,” which is also “the same thing as the eternal law, implanted in rational creatures, and inclining them to their right action and end”—to act rationally depends upon the intellect’s truthful perception of that which in nature comports with

suffice to say that the free human action for Aquinas is one in which the will and the intellect are twinned at every step such that one may and should speak of the “intellectual appetite” and the “rational will.” For a helpful brief exposition, see Daniel Westberg, *Renewing Moral Theology* (Downers Grove, IL: IVP Academic, 2015), 30-57.

⁷⁵ *Ibid.*, § 7.

⁷⁶ *Ibid.*, § 7.

⁷⁷ *Ibid.*, § 7.

⁷⁸ *Ibid.*, § 15.

⁷⁹ *Ibid.*, § 15.

genuine human flourishing, which is reasonable in character only insofar as it also reflects the eternal reason by which the divine Wisdom created humanity to flourish in the natural world.⁸⁰ But by placing the unity of civil society in individual free *will* rather than reason, liberalism is led to “the doctrine of the supremacy of the greater number, and that all right and all duty reside in the majority”—as there is no rational way of adjudicating what ought or ought not to be done, there is left only the apparently democratic majority of freely willing individuals. Since this is “in contradiction to reason,” it is “simply a road leading straight to tyranny,” whether by the majority or some smaller number of the most powerful and assertive wills.⁸¹ The “so-called modern liberty” to choose what appears good and true to individual free wills, then, tends to disintegrate on the socio-political level into the tyranny of some wills over others. Liberty, if severed from the truth, becomes a license for tyranny; this is how modern liberties place the common good at risk, as Leo understands it. Free societies cannot remain free if premised only upon the free preferences of non-rational individual wills, detached from the intellect’s responsibility to make judgments about what is good to do in practice for the commonweal. And these judgments can be rational only if understood as participations in the eternal reason by which divine Wisdom has ordered the world. Again, we see that the root problem for Leo is practical atheism. But the complementary relationships between liberty, authority, and law can be coherently understood if seen as aspects of human participation in divine Wisdom. “The nature of human liberty,” Leo sums up, “however it be considered... supposes the necessity of obedience to some supreme and eternal law, which is no other than the authority of God, commanding good

⁸⁰ Ibid., § 8.

⁸¹ Ibid., § 16.

and forbidding evil. And, so far from this most just authority of God over men diminishing, or even destroying their liberty, it protects and perfects it, for the real perfection of all creatures is found in the prosecution and attainment of their respective ends; but the supreme end to which human liberty must aspire is God.”⁸²

Leo’s criticisms of horizontal rather than vertical construals of the nature and basis of political authority—and for him, the chief culprit is liberal social contract theory—were spelled out further in *Diuturnum*, in terms that are readily recognizable within contemporary political theory. “Those who believe civil society to have risen from the free consent of men, looking for the origin of its authority from the same source,” Leo wrote, “say that each individual has given up something of his right, and that voluntarily every person has put himself into the power of the one man in whose person the whole of those rights has been centered.”⁸³ Leo does not here name any specific theorist, but the general resemblance to social contract political philosophers such as Hobbes, Locke, and Rousseau is clear enough. And Leo levels three criticisms at this theory: we are “not a nomad race,” but rather human persons “have been created, without their own free will, for a natural community of life.”⁸⁴ Social contract theory erroneously implies that we are fundamentally individuals, like wandering nomads, who only secondarily contract with other wanderers for mutual benefit, but this is not so: we are by nature created for life in community, seeking and sharing goods in common that we cannot have alone. Here, Leo sounds much like contemporary communitarian theorists such as Michael Sandel, who criticize liberalism’s assumption of a bare self who

⁸² Ibid., § 11. Note in this passage the theocentric conjunction of the terms “liberty,” “authority,” and “law.”

⁸³ Leo XIII, *Diuturnum*, § 12.

⁸⁴ Ibid., § 12.

exists shorn of the thick web of communal history and commitments that are in significant part constitutive of selfhood.⁸⁵ Second, “the pact” that such theorists allege “is openly a falsehood and a fiction.”⁸⁶ Though Leo does not elaborate on this point, it would appear that he is making a criticism that remains current in contemporary political theory: that for contracts to be valid, they require informed consent from all parties, but the imaginary “social contract” could never have been voluntarily consented to in this manner. Nicholas Wolterstorff has recently renewed this criticism, pointing out that when the problem of the origin of political authority is dealt with in modern liberal theory (which is not often), the issue of the need for actual informed consent remains problematic and unresolved.⁸⁷ Moreover, as critics such as Chantal Mouffe have pointed out, liberalism’s assumption of a social contract tends to paper over and delegitimize real disagreements and conflicts, which disappear under the cover of a purported fundamental agreement that all “reasonable” liberal citizens *must* have made.⁸⁸ Third, Leo believes that a horizontal social contract will fail to confer upon government “such great force, dignity, and firmness as the safety of the State and the common good of the citizens require.”⁸⁹ To say that political “power depends on the will of the people” is a great error, for “authority will be placed on too weak and unstable a foundation.” “Popular passions,” he continues, “will break out more insolently; and, with great harm to the commonweal, descend headlong by an easy and smooth road to revolts and to open

⁸⁵ Sandel, *Liberalism and the Limits of Justice*.

⁸⁶ Leo XIII, *Diuturnum*, § 12.

⁸⁷ Nicholas Wolterstorff, “The Authorities are God’s Servants: Is a Theistic Account of Political Authority Still Viable or Have Humanist Accounts Won the Day?” in *Theology and Public Philosophy: Four Conversations*, ed. Kenneth Grasso and Cecilia Rodriguez Castillo (Lanham, MD: Lexington Books, 2012), 51-68.

⁸⁸ See Charles Mathewes, *A Theology of Public Life* (New York: Cambridge University Press, 2007), 153.

⁸⁹ Leo XIII, *Diuturnum*, § 12.

sedition.”⁹⁰ Rulers, not having recourse to any authority higher than their own, will tend to respond by supplying “themselves with the power of laws, and think to coerce, by the severity of their punishment, those who disturb their governments.”⁹¹ Again, though Leo does not spell this out in great detail, he appears to make a criticism of long standing: the assumption of a social contract undertaken in the state of nature will tend towards Hobbesian politics, for the mere clash of some human wills and passions against other human wills and passions is not rationally resolvable. If politics consists in the assertion of some wills and passions over against others, then it amounts to a war of all against all in which violence is inevitable. Rulers will tend to see the security of government as consisting in the monopoly of force, by which the war’s violence is kept to a minimum and public order is maintained. The basic anthropological assumptions made here echo those of the contemporary school of political agonism, who draw upon thinkers such as Friedrich Nietzsche and Carl Schmitt to argue that “the first truth of politics is that it is founded not on some set of just principles, but rather on endless struggle and power.”⁹² But critics of this school, such as Charles Mathewes, take issue with the “ontology of conflict” at its base, wherein human reality is depicted as nothing more than the clash of “alterities” that cannot peacefully come to know, love, and share goods in common.⁹³ And while modern-day proponents of this school such as Chantal Mouffe invoke such theses on behalf of democratic conflict over against liberalism’s delegitimization of it, it is difficult to see why in principle such theses could not lead just as easily to the far less democratic conclusions drawn by figures such as Nietzsche and Schmitt. Leo, then, in

⁹⁰ Ibid., § 23.

⁹¹ Ibid., § 24.

⁹² Mathewes, *A Theology of Public Life*, 266.

⁹³ Ibid., 267.

very compact form makes arguments that are similar to (if not identical with) important contemporary criticisms. Liberalism's social contract theory will tend to move in two problematic directions: either it will serve as a mask by which presumed consent to a liberal social order delegitimizes conflict that would unmask the "falsehood and fiction" of a supposedly voluntary social contract, or it will serve the assumption that politics is nothing more than the clash of wills and passions, a Hobbesian war of all against all, that will tend to legitimize the claims of strongman rulers to maintain public order by force rather than by the rule of reasonable and just law. Either way, the problematic assumption is made that human beings are fundamentally a "nomad race," bare individuals wandering from place to place, rather than communal and social by nature.

All of these problems, for Leo, can ultimately be traced back to the liberal social contract's failure to see that political order and justice requires a political authority whose nature and basis is divine. This does not, however, mean that Leo is a proponent of "theocracy," or of the sacral divine-right monarchies of the *ancien regime*. It may well appear, given Leo's conception of liberty and his thoroughgoing criticisms of modern liberalism, that the freest state would be one in which every inch of human activity is governed by a comprehensive law prescribing truth and banning falsehood, perhaps overseen by the Taliban's Ministry for the Promotion of Virtue and the Suppression of Vice. In other words, it may not be clear what separates Leo's non-liberal conception of liberty from a highly controlled integral Christendom, something like the non-democratic visions of his traditional Augustinian predecessors. No doubt, there is much in Leo's encyclicals to give contemporary democrats pause, such as his criticisms of modern liberal conceptions of the "liberty of worship," "liberty of speech and liberty of the

press,” and “liberty of teaching.”⁹⁴ It is here that it is important to view encyclicals like *Libertas* and *Diuturnum* as a whole and alongside his more well-known *Rerum Novarum*. The divine origin of political power for Leo is the fundamental issue, but this allows for a wide range of diverse interpretations and limitations in its exercise:

Indeed, very many men of more recent times, walking in the footsteps of those who in a former age assumed to themselves the name of philosophers, say that all power comes from the people; so that those who exercise it in the state do so not as their own, but as delegated to them by the people, and that, by this rule, it can be revoked by the will of the very people by whom it is delegated. But from these, Catholics dissent, who affirm that the right to rule is from God, as from a natural and necessary principle.⁹⁵

Political regimes may legitimately differ according to the forms that best suit the “disposition” of a people and their traditional “institutions and customs.”⁹⁶ And those who exercise political power may legitimately “be chosen by the will and decision of the multitude.”⁹⁷ These things are matters of political prudence, to be resolved differently according to different circumstances and within a legitimate range of opinion, “so long as justice be respected.”⁹⁸ Significantly, Leo cites not only the customary biblical texts about obedience to political authority and its divine origin, Romans 13:1 and 1 Peter 2:13-15, but also Acts 5:29: “We must obey God rather than men.”⁹⁹ As Russell Hittinger notes, this text makes its first appearance in Catholic encyclicals with Leo; Gregory XVI had cited only the previous texts.¹⁰⁰ In Leo, then, the divine basis of political authority does not merely serve to underwrite obedience to the powers that be, but rather serves as a double-edged sword that is in principle just as likely to cut back in

⁹⁴ Leo XIII, *Libertas*, § 19, 23-24.

⁹⁵ Leo XIII, *Diuturnum*, § 5, 8.

⁹⁶ *Ibid.*, § 7.

⁹⁷ *Ibid.*, § 6.

⁹⁸ *Ibid.*, § 7.

⁹⁹ *Ibid.*, § 14-15.

¹⁰⁰ Hittinger, “Leo XIII,” 54.

the other direction. Political authority without justice “is null,” and nothing may justly be demanded that is “repugnant to the natural or to the divine law.”¹⁰¹ And just laws are those that by definition serve the common good of the people rather than the private good of the ruler: “the Church has always detested a tyrant’s rule.”¹⁰² Just as a people’s choice of regimes is a matter of prudence, not a *diktat* of revealed law, so too is the manner in which justice is specified in human laws and practices. There are for Leo some human laws that “are concerned with what is good or bad by its very nature.”¹⁰³ While Leo does not give examples, numerous examples could be named, such as laws proscribing and punishing murder. In addition to these laws there are “other enactments of the civil authority, which do not follow directly, but somewhat remotely, from the natural law, and decide many points which the law of nature treats only in a general and indefinite way.”¹⁰⁴ Here, Leo gives the example of what ought to be contributed by each citizen to the maintenance of “public peace and prosperity,” such as the payment of tax. How much tax and from whom “must be determined by the wisdom of men and not by nature herself.” “The constitution of these particular rules of life” is a contingent matter for “reason and prudence, and put forth by competent authority.”¹⁰⁵ There is, then, quite wide scope in Leo’s thought for democratic deliberation on such civil matters as taxation, the provision of health care, transportation, education, and the like, alongside a wider deliberation on constitutional matters such as the merits of a pure parliamentary democracy over “mixed” regimes such as in Britain.

¹⁰¹ Leo XIII, *Diuturnum*, § 15.

¹⁰² *Ibid.*, § 16, 26.

¹⁰³ Leo XIII, *Libertas*, § 9ff.

¹⁰⁴ *Ibid.*, § 9.

¹⁰⁵ *Ibid.*, § 9.

Leo's criticisms of "modern liberties" such as worship, speech, the press, and teaching may well lead him in a direction past which his premises require him to go, and should today be viewed alongside the Second Vatican Council's affirmation of the freedom of conscience.¹⁰⁶ "Error has no rights"¹⁰⁷ that the state need respect is uncomfortably apt as a summary of some of Leo's formulations, such as that "lying opinions, than which no mental plague is greater, and vices which corrupt the heart and moral life should be diligently repressed by public authority, lest they insidiously ruin the work of the State."¹⁰⁸ Nevertheless Leo is aware that human conscience does not exist in a vacuum, but rather will inevitably be communally formed. Leo comments with respect to the liberties of speech and the press that "it is hardly necessary to say that there can be no such right as this, if it be not used in moderation, and if it pass beyond the bounds and end of all true liberty."¹⁰⁹ With respect to the liberty of teaching, he notes that "the authority of teachers has great weight with their hearers, who can rarely decide for themselves as to the truth or the falsehood of the instruction given to them."¹¹⁰ Even self-

¹⁰⁶ "Every man has the duty, and therefore the right, to seek the truth in matters religious in order that he may with prudence form for himself right and true judgments of conscience, under use of all suitable means." Second Vatican Council, *Dignitatis Humanae* (1965), § 3.

¹⁰⁷ While this phrase is nowhere directly stated in Catholic teaching, it was sometimes taken to sum up the church's traditional position, as in this passage by John Courtney Murray: "The theory of religious tolerance takes its start from the statement, considered to be axiomatic, that error has no rights, that only the truth has rights, and exclusive rights. From this axiom a juridical theory is deduced, which distinguishes between 'thesis' and 'hypothesis.' The thesis asserts that Catholicism, *per se* and in principle, should be established as the one 'religion of the state,' since it is the one true religion. Given the institution of establishment, it follows by logical and juridical consequence that no other religion, *per se* and in principle, can be allowed public existence or action within the state (which normally, in this theory, is considered to be identical and co-extensive with society). Error has no rights. Therefore error is to be suppressed whenever and wherever possible; intolerance is the rule. Error, however, may be tolerated when tolerance is necessary by reason of circumstances, that is, when tolerance is impossible; tolerance remains the exception. Tolerance therefore is 'hypothesis,' a concession to a factual situation, a lesser evil" (John Courtney Murray, "Religious Freedom" in *Freedom and Man*, ed. John Courtney Murray (New York: P. J. Kenedy, 1965), 131-140).

¹⁰⁸ Leo XIII, *Libertas*, § 23.

¹⁰⁹ *Ibid.*, § 23.

¹¹⁰ *Ibid.*, § 24.

professed “liberal” societies such as the United States restrict the promotion and sale of pornography, tobacco, and hard drugs, and do not permit history teachers in public schools to teach that the Holocaust did not take place; in Germany, to deny the Holocaust in public is punishable by law. Although liberalism characteristically has difficulty accounting for such restrictions, perhaps justifying them on “public health” grounds or as in keeping with the need to tolerate everything except intolerance, Leo’s non-liberal common good approach is suitable for democratic deliberation about such matters, rather than mandating theocratic imposition of revealed moral codes.

Leo’s position on the establishment of the church was complex. In *Immortale Dei*, Leo’s 1885 encyclical “on the Christian constitution of states,” he cites the traditional Gelasian doctrine of two powers: “The Almighty, therefore, has given the charge of the human race to two powers, the ecclesiastical and the civil, the one being set over divine, and the other over human things.”¹¹¹ Leo rejected both the fusion of the ecclesial and the civil powers, and a strict separation between the two. This did not mean restricting the jurisdiction of the church to the spiritual soul and giving the state jurisdiction over material bodies; such a division would be too neat, forgetting that the human person is an embodied soul rather than the two together but unmixed like oil and water. Rather, the two powers for Leo represent two distinct ways by which divine Providence orders and rules creation: “God, who foresees all things, and who is the author of these two powers, has marked out the course of each in right correlation to the other.”¹¹² A key implication of this thesis for Leo is that the church is in no way dependent upon the civil authority as the source of its own authority, and so should be

¹¹¹ Leo XIII, *Immortale Dei* (1885), § 13.

¹¹² *Ibid.*, § 13.

recognized as having its own divine charter rather than regarded as one among many voluntary associations within civil society.¹¹³ Another implication is that there is a real distinction to be made between the civil order, which has “for its proximate and chief object the well-being of this mortal life,” and the church, which has for its end “the salvation of souls,” “the worship of God,” and “the everlasting joys of heaven.”¹¹⁴ Leo’s understanding of the relative autonomy of the civil authority and the broad scope of political prudence in civil matters did not require the state to be guided at every point by ecclesial authorities. The church does not take sides in the wide array of matters (we might think of taxation and trade policies) that are rightly left to political prudence, even to democratic deliberation. Certain matters, such as marriage and education, will inevitably be of mixed jurisdiction; there is no clean and neat way to separate out human society into only two boxes, as if nature and grace could be separated in such a manner. As Leo writes, the “power and judgment of the Church” extends well beyond the sacristy to “whatever... in things human is of a sacred character,” either “of its own nature or by reason of the end to which it is referred.”¹¹⁵ And “the well-being of this mortal life” is for Leo not something that can be sought apart from God. Leo makes quite clear that the civil sphere is by no means a strictly secular sphere from which God is banished. The civil sphere remains duty-bound as a matter of reason and justice to express publicly its dependence upon and gratitude for its divine Creator; as such, “it is a public crime to act

¹¹³ “[The church] is distinguished and differs from civil society, and, what is of highest moment, it is a society chartered as of right divine, perfect in its nature and in its title, to possess in itself and by itself, through the will and loving kindness of its Founder, all needful provision for its maintenance and action. And just as the end at which the Church aims is by far the noblest of ends, so is its authority the most exalted of all authority, nor can it be looked upon as inferior to the civil power, or in any manner dependent upon it” (Ibid., § 10).

¹¹⁴ Ibid., § 14.

¹¹⁵ Ibid., § 14.

as if there is no God.”¹¹⁶ Drawing on Aquinas’s discussion in the *Summa* of the virtue of religion, by which human beings render God the honor that is his due by acts of worship, Leo writes that “no true virtue can exist without religion, for moral virtue is concerned with those things that lead to God as man’s supreme and ultimate good; and therefore religion... rules and tempers all virtues.”¹¹⁷ As divine Providence has provided “certain exterior notes” by which the true religion can be discerned, it does not suffice for the state to favor religion in general, but rather the true religion as expressed in the Catholic church. The divine origin of civil authority means that “civil authority must acknowledge God as its Founder and Parent,” such that “justice therefore forbids, and reason itself forbids, the State to be godless.”¹¹⁸ This for Leo is understood to include “a line of action which would end in godlessness—namely, to treat the various religions (as they call them) alike, and to bestow upon them promiscuously equal rights and privileges.”¹¹⁹ In his 1895 encyclical *Longinqua*, written to the bishops of the United States, Leo had much praise for the freedom of the American church but nevertheless wrote that the church “would bring about more abundant fruits if, in addition to liberty, she enjoyed the favor of the laws and the patronage of the public authority.”¹²⁰ It should not be supposed, Leo thought, that the ideal situation was an American-type separation in which “State and

¹¹⁶ Leo XIII, *Au Milieu des Sollicitudes* (1892), § 6; *Immortale Dei*, § 6.

¹¹⁷ Leo XIII, *Libertas*, § 20.

¹¹⁸ *Ibid.*, § 21.

¹¹⁹ *Ibid.*, § 21.

¹²⁰ Leo XIII, *Longinqua* (1895), § 6. It is worthwhile to point out that Leo at the same time held that religious freedom is at all times to be respected, and that there are great goods that can be secured by the inclusion of various religions in civic life: “The Church, indeed, deems it unlawful to place the various forms of divine worship on the same footing as the true religion, but does not, on that account, condemn those rulers who, for the sake of securing some great good or of hindering some great evil, allow patiently custom or usage to be a kind of sanction for each kind of religion having its place in the State. And, in fact, the Church is wont to take earnest heed that no one shall be forced to embrace the Catholic faith against his will, for, as St. Augustine wisely reminds us, ‘Man cannot believe otherwise than of his own will.’” (Leo XIII, *Immortale Dei*, § 36).

Church” are “dissevered and divorced.”¹²¹ If then by the “establishment” of the church is meant a state in which the Catholic church is given particular favor and patronage as a matter of the civil authority’s just duty to give honor to God, and in which state and church take counsel together in order to reach a practical understanding in the coordination of their powers, then Leo was in favor of an established church. While the civil authority for Leo was not competent to teach doctrine, as Russell Hittinger notes, that did not entail its incompetence “to learn.”¹²² And yet, antiseparationism for Leo did not entail the establishment of a “state church,” fused with a sanctified civil authority. Rather, since the one God has providentially ordered society to be ruled by two powers, civil and ecclesial, the goal was “a rather rich and proactive *concordia* in which each power recognizes the other’s theological title to rule” and seeks to coordinate with one another.¹²³ The *concordia* Leo sought between church and *civitas* is found in the coordination of the two powers toward the twofold end of humanity in nature and grace, a coordination that calls for a distinction but not a clean-cut separation.

Concerns about “theocracy,” if taken to mean whether Leo’s conception of the divine origin of civil authority requires totalitarian oversight by something like a Ministry for the Prevention of Vice and the Promotion of Virtue, should be viewed in light of the real distinction between the civil and ecclesial authorities that Leo’s Thomist construal of the twofold end of humanity in nature and grace requires. If “theocracy” is taken to mean

¹²¹ Leo XIII, *Longinqua*, § 6.

¹²² Hittinger, “Leo XIII,” 62. The civil government’s jurisdiction over affairs of “this mortal life” render it unfitting as a teacher of doctrine, and so the church has a superior even if not exclusive claim to matters such as marriage and education. In such matters, for Leo, church and *civitas* should consult together and reach a practical understanding, a *concordia*: this for instance reflects not the American assumption of “public” schools as secular, but rather something like the assumption (still prevailing in many nation-states) in which public funding is received by parochial schools.

¹²³ *Ibid.*, 63.

political rule by an ecclesial or otherwise sacrally authorized authority on the basis of revealed divine law (on the assumption that direct theocracy is not here in question), then Leo's understanding of the theological origin of political power is clearly not theocratic. Unlike certain previous voices within the Augustinian trajectory (such as de Maistre and Gregory XVI), Leo does not construe a theological account of political authority as an *alternative* to a philosophical and natural account, but together: civil society is under God by "nature, or rather God who is the Author of nature," and in accordance with Scripture and Christ.¹²⁴ And divinely authorized political rule is not construed as an *alternative* to political power being exercised by democratically elected representatives subject to substantive limitations. Political power is by *nature* divine in origin according to Leo, which is also to say that it is not *supernatural* in character. Leo thus should be understood as providing an alternative to Augustinian restorationist theological accounts of political authority that could with some justice be described as theocratic, and liberal Enlightenment accounts that could with some justice be described as practically atheist. The theological problem that Augustinians such as Gregory XVI saw in democracy was for Leo the Thomist better understood by supplying a needed distinction: the basic doctrinal point was to do with the divine basis of political power, and not with the form that such power took. The problem then should be seen as any kind of construal in which political power is of human rather than divine origin, rather than with democracy itself.

We see then in Leo a distinctive rejection, both theological and philosophical at the same time, of the two dominant political options of the divided France into which

Yves Simon was born: neither a theologically Augustinian restoration of the old throne-

¹²⁴ Leo XIII, *Diuturnum*, § 11.

altar alliances, nor a secularist republic guided by Enlightenment reason alone. In their place Leo put the *civitas*, which represented neither the eschatological fullness of the *ecclesia* nor a utilitarian or instrumental good like a public utility. Rather, it possessed an ontological status of its own, as the city in which citizens together share and pursue a temporal or civic common good in “this mortal life.”¹²⁵ Leo did not understand the *civitas* in any sort of totalizing manner. It was instead a community of communities, which neither commandeered nor was reducible to other social realities with ontological densities of their own: marriage, family, church, and various kinds of civic associations. This was the great contribution of *Rerum Novarum* (1891), still today the charter document for Catholic social teaching. Leo’s more explicit discussions of political authority and his criticisms of “modern liberties,” such as in *Diuturnum* and *Libertas*, should be seen within the larger social ontology that Leo sets forth paradigmatically in this encyclical. Authority in *Rerum Novarum* is not simply a political necessity, but an intrinsic aspect of various kinds of social life, each of which seek their own distinctive common goods and so require the direction of authority in order to realize their ends.¹²⁶ The *civitas* or state, for Leo, does not have the power either to create or to abolish these other authorities; their authority rather is intrinsic, flowing simply from the nature of the common goods they seek (e.g., the goods of matrimony, family, workers’ unions, a bowling league, or the church). These goods are not creatures of the state but are prior to the state, existing by nature (families and civic associations), by grace (the church), or in

¹²⁵ Leo XIII, *Immortale Dei*, § 14.

¹²⁶ Leo XIII: “The State should watch over these societies of citizens banded together in accordance with their rights, but it should not thrust itself into their peculiar concerns and their organization, for things live and move by the spirit inspiring them, and may be killed by the rough grasp of a hand from without” (*Rerum Novarum*, § 55). See here Hittinger’s discussion of “structured pluralism” in Leo XIII, “Leo XIII,” 55-66.

both (marriage). Leo's criticism of the liberal social contract is here extended to show that certain contracts between employers and workers are invalid and unjust, for they cannot create from whole cloth social relations the contours and limits of which exist prior to any purported contract, just as political society cannot create itself by the fiction of the social contract.¹²⁷ But while the pedagogical thrust of *Rerum Novarum* was directed against the encroachment of the state on communities (particularly workers' unions) that by nature exist apart from its sufferance and possess authority intrinsic to themselves, the encyclical is misread if its understanding of the state is viewed through the apparently instrumentalist lens of later documents such as *Gaudium et spes*, in which the common good is referred to as a simple "sum of conditions" that allow for the flourishing of other genuine communities.¹²⁸ Rather, for Leo the common good of the *civitas* is a distinctive and natural social good. In *Immortale Dei* (1885), the *civitas* is understood as a "society perfect in its own nature and its own right," which has "for its proximate and chief object the well-being of this mortal life."¹²⁹ "Civil society," Leo writes in *Rerum Novarum*, "exists for the common good, and hence is concerned with the interests of all in general... It is therefore called a public society, because by its agency, as St. Thomas of Aquinas says, 'Men establish relations in common with one another in

¹²⁷ See particularly *Rerum Novarum*, § 42-45. Leo here writes: "In all agreements between masters and workers there is always the condition expressed or understood that there should be allowed proper rest for soul and body. To agree in any other sense would be against what is right and just; for it can never be just or right to require on the one side, or to promise on the other, the giving up of those duties which a man owes to his God and to himself" (§ 42). And further: "Let the working man and the employer make free agreements, and in particular let them agree freely as to the wages; nevertheless, there underlies a dictate of natural justice more imperious and ancient than any bargain between man and man, namely, that wages ought to be sufficient to support a frugal and well-behaved wage-earner" (§ 45). Here, I am drawing on the account of Leo in Russell Hittinger, "Making Sense of the Civilization of Love," *The Legacy of Pope John Paul II*, ed. Geoffery Gneuchs (New York: Herder and Herder, 2000), 75-78.

¹²⁸ *Gaudium et spes* influentially defines the common good as "the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment" (Second Vatican Council, *Gaudium et spes*, § 26).

¹²⁹ Leo XIII, *Immortale Dei*, § 35, 14.

the setting up of a commonwealth.”¹³⁰ The “very principle” of the state’s “existence” is precisely “the natural tendency of man to dwell in society,” from which it follows in *Rerum Novarum* that the state cannot “forbid its citizens to form associations.”¹³¹ The *civitas* simply is an association of citizens bound together for the commonweal, and the public-minded citizen is one who is dedicated to the flourishing of the entire city of mortal human beings, in the bewildering variety of its associative common life: families, marriages, churches, guilds, unions, neighborhood associations, credit unions, baseball leagues, and everything else in which human goods are pursued in common.

Liberty within such a *civitas* is centered for Leo upon these distinctively free communities, free to flourish as the peculiar kinds of communal life that God has created, free to govern themselves with the authority intrinsic to the social goods they pursue in common. Unlike modern liberalism’s focus on a sovereign choosing individual or bare self, liberty in *Rerum Novarum* and elsewhere in Leo’s encyclicals is best understood as a social concept, as the autonomy of various forms of social life to direct themselves with the authority that they intrinsically possess. Rightly understood as such, liberty and authority are not opposites, but entail one another. The central trouble with “modern liberties,” as criticized in *Diuturnum* and *Libertas*, is when the liberty of the person is understood in abstraction from these communities and from God, and so as destructive of social life. And the central trouble with the antidemocratic Augustinian restorationists is that they fail to see the common life of the *civitas* in distinction from the graced life of the church, a distinction that is real and meaningful while remaining inseparable from the single purpose of divine Providence’s creation of humanity with a twofold end in nature

¹³⁰ Leo XIII, *Rerum Novarum*, § 51.

¹³¹ *Ibid.*, § 51.

and in grace. As a distinct social good, the *civitas* possesses a divinely-chartered authority of its own, intrinsic to the common good of the city that human persons pursue together. The form that this common good takes under God is a matter that leaves wide scope for prudence, and so for democratic deliberation. Rightly understood, this does not entail the practical atheism and individualism of liberalism’s social-contract “sovereignty of the people,” but instead is one of two ways that human beings participate together in the God-given authority that is intrinsic to social life, as civic and as ecclesial. Moreover, this did not mean for Leo that the *civitas* would flourish if left to itself, apart from Christ’s healing grace. In *Rerum Novarum*, Leo made clear that Christ’s incarnation and redeeming work is the one great hope for a just civil society in creation’s fallen state: “if human society is to be healed now, in no other way can it be healed save by a return to Christian life and Christian institutions.”¹³² The civic common good, the well-being of “this mortal life,” is distinct from the ecclesial common good and yet neither separate from it in God’s creative design nor capable of flourishing apart from the healing grace the church receives from Christ. Augustinian restorationists were right to criticize separationist and secularist liberalism, and to insist on fallen nature’s need for the healing grace of Christ, but did not see that the state’s public recognition and favor of the Catholic church as marked out by particular providence as the true religion did not

¹³² Leo XIII, *Rerum Novarum*, § 27. The preceding lines in the paragraph from which this citation is taken are worth further highlighting. Leo, writing about the great conversion of society required if justice is to be done for the workers, remarks: “Of these facts there cannot be any shadow of doubt: for instance, that civil society was renovated in every part by Christian institutions; that in the strength of that renewal the human race was lifted up to better things—nay, that it was brought back from death to life, and to so excellent a lift that nothing more perfect had been known before... Of this beneficent transformation Jesus Christ was at once the first cause and the final end; as from Him all came, so from Him was all to be brought back. For, when the human race, by the light of the Gospel message, came to know the grand mystery of the Incarnation of the Word and the redemption of man, at once the life of Jesus Christ, God and Man, pervaded every race and nation, and interpenetrated them with His faith, His precepts, and His laws” (ibid., § 27).

thereby entail the fusion of the two powers. To make a distinction between the *civitas* and the *ecclesia*, and to recognize the legitimate scope of political prudence and democratic deliberation in civic life, did not necessarily entail liberal indifferentism. Nor did they see that authority was more than a divine means for keeping a sinful humanity in check, but also and more fundamentally an intrinsic part of what it meant for God to have created human beings as social by nature. Liberty and authority appeared antinomic only so long as the nature of authority was misunderstood.

Many of Leo's arguments, as we have seen, were very compact and did not take the time to spell out all of their steps or respond to possible objections. But it was very significant for the development of later Catholic social thought that Leo's arguments were in large part philosophical and natural in form. Even if certain issues might need filling out or redirecting, Leo set forth an intellectual program that neo-Thomist philosophers in what is rightly called the Leonine revival, such as Etienne Gilson, Jacques Maritain, and Yves Simon, could and did spend their careers teaching at schools such as Princeton, Chicago, and Harvard.¹³³ What Russell Hittinger calls the "twofold pedagogy" of faith and reason in Leo's work enabled him to write encyclicals that refused to cede terms such as "philosophy," "reason," and "natural law" to Enlightenment secularism, instead viewing them as the human mind's endeavor to reason back from secondary causes and finally to God.¹³⁴ Philosophy as such leads to natural theology, and should remain open to receiving and considering further revealed theological truths that reason could not attain. By recovering this classical Thomist and scholastic conception

¹³³ Simon and Maritain taught at Chicago and Princeton respectively, while Gilson famously turned down a chair at Harvard in order to remain at the University of Toronto and build up their Institute for Medieval Studies.

¹³⁴ Hittinger, "Leo XIII," 45.

of the relationship between philosophy and theology, Leo was able to recover and re-ignite a mode of social and political thought that could engage philosophically with non-Catholic thinkers as well as incorporate (if perhaps not as much as some might like) the valid insights and aspirations of modern democratic politics. In doing so Leo was neither demoting theology nor insisting that it needed to rest upon a neutrally rational Enlightenment philosophical foundation. “We do not, indeed,” Leo wrote, “attribute such force and authority to philosophy as to esteem it equal to the task of combating and rooting out all errors; for, when the Christian religion was first constituted, it came upon earth to restore it to its primeval dignity by the admirable light of faith... we look above all things to the powerful help of Almighty God.”¹³⁵ Rather, he was affirming and distinguishing “the natural helps with which the grace of the divine Wisdom, strongly and sweetly disposing all things, has supplied the human race... chief among which is evidently the right use of philosophy.”¹³⁶ We have seen that in Leo’s hands, the right use of philosophy in social and political matters was by no means secular, but indeed relentlessly theocentric in nature, and synthesized with even while distinguished from insights drawn from revealed theology and particular providence. As such, Leo was able to write in a Thomist mode that did not simply set aside the Augustinian theological insights of his immediate forebears, but instead corrected certain of their tendencies to blur together the proper distinction between nature and grace in the name of resisting the practical atheism and secularism of Enlightenment liberalism. While Augustinian restorationists such as De Maistre and Gregory XVI focused on the remedial aspect of authority—its place within the economy of salvation to illumine the darkened minds and

¹³⁵ Leo XIII, *Aeterni Patris*, § 2.

¹³⁶ *Ibid.*, § 2. Here, Leo is citing Wisdom 8:1, one of Aquinas’s favorite biblical texts.

humble the proud wills of sinful human beings—Leo as a Thomist affirmed the created capacity of human reason to attain significant truths about God and created human nature, such as those that “were discovered by pagan sages with nothing but their natural reason to guide them,” even according to St. Paul “the invisible things of Him from the creation of the world” that are “clearly seen, being understood from the things that are made,” and “the work of the Law” written on the hearts of the Gentiles.¹³⁷ In principle then, authority in all of its modes did not have to be explicitly guided by Christian revelation and grace. It could also operate in its place within God’s wisely ordered creation, as a natural aspect of human social life in the *civitas*. While Leo did not expect it to operate well without Christ’s healing grace, it was no less related to Christ as ordered by divine Wisdom: as created, it was not deficient; it was deficient only as fallen. As such political authority could be treated philosophically and not only with recourse to revealed theology. Leo did not say everything about this topic that could be said. Russell Hittinger judges on the whole that Leo’s political writing “was not a finished product,” with “relatively little to say about either the theory or the practice of democratic government.”¹³⁸ Nevertheless, what Leo did say charted a course that Yves Simon was to take up with vigor.

Even after twenty-five years on the papal throne and 110 encyclicals and teaching letters, Leo did not leave behind an uncontested legacy after his death in 1903. As we have seen, his immediate successor, the more conservative Pius X (1903-1914), was capable of saying things that sounded much more Augustinian and restorationist in political substance and tone, such as that the church “does not have to free herself from

¹³⁷ Ibid., § 4, 18. Cited in Hittinger, “Leo XIII,” 77.

¹³⁸ Hittinger, “Introduction to Modern Catholicism,” 14.

the past” in its politics, but “all that is needed is to take up again... the organisms which the Revolution shattered, and to adapt them, in the same Christian spirit that inspired them, to the new environment arising from the material development of today’s society.”¹³⁹ Pius XI (1922-39) was if anything even more vigorously neo-Thomist than Leo XIII, setting himself the task of carrying forward what he called the “social doctrine” handed down from Leo in encyclicals such as *Quadragesimo Anno* (1931), his attempt to update the “true and exact mind of Leo” in *Rerum Novarum* for his own time.¹⁴⁰ Thus as Simon was taking his courses on Aquinas from Maritain and others at the Institut Catholique in Paris, writing his dissertation while teaching at the University of Lille, and beginning to contribute to the political life of French society as he and others began to wrestle with the rising tide of European fascism, he inherited an emerging body of Catholic social teaching and thought that was very much in the process of development and contestation. Particularly as represented by the royalist restorationists of *Action Francaise* and the many Dominicans and other Catholics that took their newspapers and supported their views, some of whom were Simon’s teachers or prominent members of Maritain’s Thomist intellectual circle (such as Fr. Reginald Garrigou-Lagrange), it was not clear how a body of thought that included both Gregory XVI and Leo XIII, both de Maistre and a young Maritain, would situate itself with respect to self-styled defenders of traditional Catholic order such as General Franco over against the continued violent and secularist anti-clericalist liberalism that was part of the legacy of the French Enlightenment and Revolution. If Leo had charted a course, guided by the light of

¹³⁹ Pius X, *Letter on the Sillon*.

¹⁴⁰ Pius XI, *Quadragesimo anno*, § 44. As Russell Hittinger notes, Pius XI cites Leo “more than one hundred times in his encyclicals” (Hittinger, “Leo XIII,” 66).

Thomas Aquinas's reasonable faith, that managed to avoid both the Scylla of practically atheist Enlightenment social-contract liberalism and the Charybdis of an Augustinian counter-revolutionary and anti-democratic restoration of the *ancien regime*, it was still not a course that had been followed by the most influential partisan positions in early 20th-century France.

Inevitably, Leo had not managed to conclusively resolve all of the many issues he discussed in his voluminous teaching output. Significantly, he had not succeeded in making clear how his philosophical and natural law approach was to be related to a more traditional theological approach centered on Scripture and Christ. Thus conservatives such as Pius X remained able to point to Augustinian tradition in support of the "Catholic City" of Christendom, an integrated socio-political order in which nature and grace were clearly joined. Even a committed Leonine neo-Thomist such as Pius XI could be seen as attempting to correct for a lack of focus on traditional themes such as the kingship of Christ in Leo's political teachings, with the 1925 encyclical *Quas Primas* establishing the feast of Christ the King. "The chief causes of the difficulties under which mankind was laboring" in the modern world, Pius XI asserted, were to do with the "the fact that the majority of men had thrust Jesus Christ and his holy law out of their lives; that these had no place either in private affairs or in politics."¹⁴¹ Pius lamented that "with God and Jesus Christ... excluded from political life, with authority derived not from God but from man, the very basis of that authority has been taken away... the result is that human society is tottering to its fall." "When once men recognize," Pius continued, "both in

¹⁴¹ Pius XI, *Quas Primas* (1925), § 1. This encyclical has not been well integrated in recent attempts to synthesize Catholic social teaching, in that it appears *prima facie* to sit in significant tension with *Dignitatis Humanae*.

private and in public life, that Christ is King, society will at last receive the great blessings of real liberty, well-ordered discipline, peace and harmony.”¹⁴² If Leo had insisted upon the divine origin of political authority, Pius went further to make clear that political authorities participate in “the authority of Christ God and Man,” true King not only in heaven but on earth.¹⁴³ Subsequent popes like John Paul II were to look back on the Second Vatican Council as having re-instated a newly Christocentric and biblical focus; John Paul himself made this focus a hallmark of his own numerous teaching encyclicals, such that some commentators point to his work as marking a “theological turn” in Catholic social teaching.¹⁴⁴ Yet John Paul, in notable contrast from both Leo and Pius, has emphasized neither the non-instrumental character of the civic common good nor the kingship of Christ in political life,¹⁴⁵ thereby giving credence to the arguments of both Augustinian civic liberals and Thomist liberals that such claims sit uneasily at best with democratic political freedoms. And while Leo did indeed teach that the *civitas* could not expect to flourish in a fallen world without Christ’s healing grace, his formulation of the “twofold pedagogy” of nature and grace left him open to charges that the latter had been simply layered on top of the former, without sufficient accounting for the transformation of the natural virtues by the theological. We have seen in *Rerum Novarum* Leo’s insistence that “only a return to Christian institutions” could bring about justice for workers in a newly industrialized economy, and specifically “Christian charity.” Nevertheless it is arguable that Leo did not spell out with sufficient clarity the

¹⁴² Ibid., § 18.

¹⁴³ Ibid., § 19.

¹⁴⁴ Martin Rhonheimer, *The Common Good of Constitutional Democracy: Essays in Political Philosophy and Catholic Social Teaching* (Washington, DC: Catholic Univ. of America Press, 2013), xxvii, 177.

¹⁴⁵ See here Victor Lee Austin, *A Christological Social Vision: The Uses of Christ in the Social Encyclicals of John Paul II* (Ph.D. diss., Fordham University, 2002).

way in which the distinct good of the *civitas* comes along with its own distinct table of true moral virtues, rather than mere semblances and “splendid vices” as an Augustinian might suspect, even though they are not sufficient to sustain their own flourishing in a fallen world. Hence Pius X could still write, in his *Letter on the Sillon*, that the Sillonist democrats relied upon a vague table of merely “civic virtues” that reflected liberal indifferentism and were not integrated with the Christian virtues of the Catholic City. In these respects then, Leo’s Thomist political teaching remained unfinished in its integration with a traditional Augustinian focus on Scripture and Christ. Differently put, there remained work to be done at a doctrinal level to show how nature and grace—the gratuitous gifts of creation, salvation (grace’s healing work in Christ’s atonement), and eschatological consummation (the gracious gift of elevation to eternal friendship with God)—were distinct and yet joined together in the single purpose of divine Providence.

Further issues remained to be resolved with respect to Leo’s political teaching. It could be wondered, as Simon himself did, whether or not Leo’s Thomist account of political authority and liberty was sufficient to resist authoritarian political regimes that promised to maintain Catholic order and ward off the public atheism and indifferentism of liberal democracy. If it were not, it would lend credence to the argument that Catholic social teaching should move on from the substantive common good of Leo’s *civitas* and Pius XI’s public kingship of Christ, and further embrace the Enlightenment political liberalism that seemed to have a better track record at supporting democratic liberties and resisting authoritarian regimes. In the United States and elsewhere, John Courtney Murray and those following after him were to make much of this kind of claim, and even in some significant respects those following in the wake of Jacques Maritain, Simon’s

revered teacher. As such, it would need to be shown that the kind of account that Leo gave could be developed to argue with sufficient reason that social-contract liberalism was indeed the “path to tyranny” that Leo argued it was rather than a firm support for democratic liberties, as well as that a Leonine Thomist account is capable of protecting political liberties by distinguishing genuine political authority from authoritarian political tyranny. Here, a significant line of later development was to focus on the question of whether or not political authority is best understood as the governing personnel “designated” by God, or as residing first within the people as a whole as created by God to share a common civic good, and then “transmitted” to governing personnel by some deliberative or traditional process.¹⁴⁶ Both positions had traction within the Catholic tradition, and Leo could be read as favoring the former but not ruling definitively.¹⁴⁷ If the former were true, it would give *prima facie* weight to the claims of authoritarian rulers that they need not be responsive to the democratic will of the people, as they were the rulers designated by God to ensure not merely the popular will but the true political and legal order that right reason and the Catholic church commended. If the latter, then democracy would appear as the most natural, primordial political regime, such that the authority vested in monarchs or other sorts of nondemocratic rulers would only possess such authority as it had been transmitted to them by the people.

¹⁴⁶ Hittinger, “Introduction to Modern Catholicism,” 19; “Leo XIII,” 65.

¹⁴⁷ Hittinger notes that in *Au Milieu des Sollicitudes*, Leo says that “all the novelty is limited to the political form of civil power or to its mode of transmission; it in no way affects the power considered in itself” (§18). Hittinger writes that “this remark can be interpreted either way” (“Leo XIII,” 75 n. 139).

Conclusion

Simon had to address himself to some of these lingering problems in the tradition he had inherited, and he did so not without a genuine struggle as to whether or not they could be resolved by the Thomas to whom he had apprenticed himself and the Thomist tradition within which he worked. His struggle arose from the social and ecclesial reality of the still very much unresolved political debates into which Leo's social encyclicals had intervened: as we have begun to see, France in the early 20th century was far from a place where Leo's Thomist approach was received as settled doctrine, either by the social-contract secularist Enlightenment liberals on the Left or by the restorationist Augustinian Catholics on the Right. As intellectually convincing as the nonliberal case for democratic political liberties in Leo's Thomist social teaching appeared to Simon and others in the small Catholic circle led by Maritain, their position was held in the face of sharp contestation and criticism, in which many held that it was either contrary to Catholic doctrine (conservative *Action Francaise* partisans) or antidemocratic and authoritarian (secularist Enlightenment liberals). Simon suffered the loss of friendships with respected Catholic teachers and colleagues for his views, and endured what in his letters appears to have been a dark night of the soul with respect to the fascist uses to which even his own Thomist writings were being put. And yet in the face of this Simon began in the 1930's and 1940's to put forward a creative philosophical agenda and social critique that built on and extended Leo's critique of social contract liberalism and his Thomist social and political philosophy. In doing so, Simon as a Catholic philosopher began to show the fruitfulness of Leo's Thomist revival in the socio-political sphere, criticizing both restorationist Catholic conservatives and Enlightenment liberal secularists for

contributing in their own ways to the rise of fascism in Europe, as respectively the parties of authoritarian Authority and individualist Liberty on the other. Neither party to what Peguy had called the “great division” of France, the Catholic partisans of the *ancien regime* and the liberal secularist partisans of the Enlightenment and the Revolution, understood what Leo’s Thomist teaching had: that the political common good of “this mortal life” in the *civitas* was a creature of the God who made human beings social by nature and called this very good, neither a creation of individual human beings contracting together for mutual benefit nor the mere struggle to maintain some semblance of peace and order by ecclesial authority’s gracious sacral restraint of the inevitable power struggles of prideful and deluded human wills in a fallen world. Both sides of this “great division” had become practically atheist enemies of the political common good of France, with Catholic conservatives mocking the “divine names” of liberty, justice, and truth in the *res publica* and liberals having given themselves over to an exhausted nihilism and skepticism in politics. It was, Simon thought, a deeply tragic false choice, in which people thought they had no better options than to choose between a liberalism that ricocheted between economically unjust laissez-faire politics and voraciously secularist statism on the one hand, and an authoritarian politics of partisan loyalty and traditional order that tended toward totalitarianism and demagogic tyranny on the other.

Although contemporary construals of Catholic social teaching¹⁴⁸ do not always highlight the early and consistent view that Enlightenment liberalism’s practical atheism

¹⁴⁸ Charles Curran’s presentation in his popular textbook *Catholic Social Teaching, 1891-Present* serves as a good example (Washington, DC: Georgetown University Press, 2002). Like many such presentations, Curran begins with *Rerum Novarum* and moves forward, discussing no pope prior to this and citing other Leonine encyclicals only to give some indication of what he thinks *Rerum Novarum* started to recognize, namely a newfound defense of the “basic dignity and rights of the individual” (Curran, 71). Previous Leonine encyclicals, and by extension other prior encyclicals, “did not advocate freedom, equality, and

in public life is near the root of many modern social and political problems, we have just seen this view to be at the heart of both the Augustinian and Thomist schools' response to what Leo called the "principles of this new order" in the emerging tradition of modern Catholic social thought in the 19th and early 20th centuries.¹⁴⁹ But Yves Simon in *The Road to Vichy* and other early political writings gave a diagnosis of the political crises of his time in just such terms. In the next chapter, we will see in Simon's early political writings an emerging analysis of the rise of fascism as one in which both secular liberal Republicans and *Action Francaise* Catholics were practical atheists in the civic sphere. With one side holding to liberal individualism tending toward nihilism, and the other side scoffing at the notion that justice, truth, and liberty were relevant in any but a supernatural and ecclesial sense, France had very few defenders remaining who believed in a genuine *res publica*, a public common good that was shared among all of her citizens. But Simon, as an insightful interpreter of the neo-Thomist social encyclical tradition beginning with Leo XIII and continuing through Pius XI, found himself able to defend both Catholic France *and* the French Republic: rightly understood, and with the errors purified from both partisan camps, Peguy was right to see the movement away from the Catholic church and the democratic republic as tied together, even though the "great divide" between the two options as they were viewed in France made this

participation," and evinced "a very hierarchical view of society" and an "authoritarian and paternalistic view of the state" in which "society is constructed from the top down" (ibid., 68-9). Curran primarily suggests that we draw from Leo XIII the germ of the direction that Catholic social teaching was subsequently to take, in its dual opposition to "liberalism," with "its deification of the reason, freedom, and conscience of the individual," and to "socialism, which gives too great a role to the state and fails to recognize the true duty and rights of the individual" (ibid., 71). Curran writes that *Rerum Novarum* bequeathed to Catholic social teaching "a relational anthropology that avoided the opposite extremes of individualism and collectivism," which was of continued use going forward in formulating a "Catholic response to the economic and political questions of the day brought to the fore by the Industrial Revolution" (ibid., 6, 9).

¹⁴⁹ Leo XIII, *Aeterni Patris*, § 29.

impossible for most Frenchmen to see. Indeed, for Simon, it was the division between the two that had in large part served to corrupt both. But the authoritative order of the *ancien regime* was not nearly as *ancien* as nineteenth-century French writers thought, and the French Enlightenment and Revolution were not the inventors and sole possessors of democratic liberty. In the coming years, as we will see through a closer examination of his early political writings and his nearly lifelong correspondence with Jacques Maritain, Simon was to embark on a quest to disentangle the threads of error that had become woven into both the Catholic and the liberal traditions as he had received them in early 20th-century France, guided by Leo's Thomist social teaching to re-position liberty and authority in service of a common good, a democratic *res publica* under God.

Chapter Two

Yves Simon's Early Political Work: Authority and Liberty in Context

Introduction

In 1941, as the Second World War raged on and the defeat of Hitler was still very much in doubt, Simon at Maritain's prompting had set himself the task of writing a paper on "Thomism and Democracy" for a conference at Columbia University. Some readers of Simon have seen this period in his work as indicating a fundamental break with Thomism,¹ and while this judgment goes too far it nevertheless highlights a real struggle he underwent at this time with respect to his Thomist and Catholic heritage. In 1941, writing to Maritain to ask for his advice on a draft he had written of the conference paper, Simon expressed his deep frustration with the ease with which many Catholics had used Thomas to support fascist politics, as well as with the lack of practical wisdom for the support of democratic freedoms with which his extensive Thomist studies had equipped him. The authentic practical wisdom that fragile democratic institutions needed, Simon thought, were much more likely to be found in modern struggles for democratic freedoms: "You say we have to be practical, for we are at war," he wrote to Maritain.

"Well, what's practical today is the English, American, and French Revolutions. One will not save a single Jew in the concentration camps by citing Thomas's letter to the Duchess of Brabant.² Liberty, Fraternity, and Equality; Live Free or Die—that's

¹ The historian John Hellman writes in a review of Simon's correspondence with Maritain that "by summer 1941, after completing the text of *La Grande Crise de la Republique Francaise...* Simon decided he had come to a turning, 'even cutting off' point in his relationship to the Thomistic philosophical revival." John Hellman, "Yves R. Simon, Maritain, and the Vichy Catholics." Introduction to Simon, *The Road to Vichy* (Lanham, MD: University Press of America, 1988), xx.

² This letter, dealing with what might be called the "Jewish question" as Thomas understood it, suggested that it was justifiable to require Jews to wear identifiable garments in public, reasoned that Jews deserved to be given over into perpetual slavery due to their sins, characterized Jews as wicked usurers, and justified confiscating Jewish assets on the grounds that whatever they have was gained by usury. (Thomas Aquinas,

practical! [Waldemar] Gurian likes to say that if Thomas were alive today, he would be for Franco, Tizo, and Petain. St. Thomas, he is Garrigou. To be practical in 1941 with Thomas, in politics, is a pleasantry. And this is why, when I have on my desk my statement to finish, I find myself taking a break to read *The History of the French Revolution*, searching to understand the practical things that my knowledge of Thomism does not explain to me.

Don't misunderstand me; I'm not leaving Thomas. Every morning I enthusiastically give my course on Thomistic metaphysics of knowledge; every evening I comb through the *Commentary on the Politics*. I hope to find a center of harmony and a political spirit that is not made to please Franco, Tizo, Petain and Garrigou. That which you have done for the theory of knowledge, I hope to do one day for politics.³

Simon in the space of a few lines thus expressed both his determination to make a contribution to Thomist political philosophy on the level of Maritain's monumental *Degrees of Knowledge*, and his sharp awareness that Thomas himself was in many ways ill-equipped to serve as a source of practical support for democratic freedoms, even arguably an enemy of them. While not abandoning Thomas for this political project, Simon at the same time was keenly aware that the struggle for a genuinely liberating and just politics in the crisis of his time would require attention to the tradition of modern democratic aspirations, and not only careful reading of Thomas. Indeed, Simon had to confront the obvious fact that many Thomists and Catholics of his day were allied with authoritarian fascism. Was there a useable, practical politics to be found for the struggle against fascism in his theological master, and more broadly, the Catholic theological tradition? Given what Simon saw as deep Catholic complicity in fascist politics, a positive answer to this question was by no means obvious, as his anguished letters to his mentor Jacques Maritain during this period show. Yet even in the face of serious

"On the Government of Jews," reprinted in *Political Writings*, ed. R.W. Dyson [Cambridge, UK: Cambridge University Press, 2002], 233-238).

³ Simon to Maritain, July 16, 1941 (author's translation, save for portions cited and translated in John Hellman, "Yves R. Simon, Maritain, and the Vichy Catholics." Introduction to Simon, *The Road to Vichy*. Lanham, MD: University Press of America, 1988). The original French version may be found in *Jacques Maritain – Yves Simon Correspondance: Tome 2, Les années américaines (1941-1961)*, ed. Florian Michel (Tours, France: CLD Editions, 2011), 64-66.

opposition and self-doubt, Simon during this time began to forge the Thomist political philosophy that in 1941 he told Maritain he aspired to create, one “not made to please Franco, Tizo, Petain, and Garrigou” in its genuine appreciation for modern democratic struggles for liberation, while at the same time authentically Thomist and Leonine in its rejection of political liberalism and its emphasis on the need for authority in civic life to form people in civic virtue and a rightly ordered love for the civic common good, the *res publica*, under God.

Reading Simon with this backdrop in mind helps us better understand his project, for his mature political philosophy makes almost no reference to the crucible out of which it came. His 1942 “Thomism and Democracy” essay can be read as something of a template for the later political and social philosophy for which he is well-known, the 1953 *Philosophy of Democratic Government* and the 1960 *General Theory of Authority*. None of Simon’s hesitancy about aspects of Thomas’s politics and the authoritarian uses to which they were being put in the 1930’s and 40’s is evident in these later political writings, and so they are not often highlighted in studies of his work. Present-day thinkers who hope to find in the Catholic tradition a practical basis for our own struggles for liberation and justice may therefore not think to look to Simon, whose well-known concern for authority may at first glance sound authoritarian, and whose reliance on antiliberal aspects of pre-Vatican II Catholic social teaching may seem better-off forgotten in favor of more fruitful alliances with political liberalism or liberation movements.

For a more contextual picture of Simon’s accomplishment, we need therefore to read his mature philosophical work through the lens of his early political work and his

letters, in which his convictions and political judgments come through with clarity and passion: *The Ethiopian Campaign and French Political Thought* (from 1935, written in response to Mussolini's invasion of Ethiopia, a member of the League of Nations), *The Road to Vichy* (1941), *The March to Liberation* (1942), *Community of the Free* (1947), and a number of key essays, most notably 1942's "Thomism and Democracy" and "Beyond the Crisis of Liberalism". When this material is viewed together with his mature political and social philosophy and in the context of Catholic social thought and the political struggles of his time, Simon can be seen as a committed democrat who read Thomas in light of practical wisdom drawn from democratic struggles for liberation and the disastrous experience he had lived through of widespread Catholic support for authoritarian politics. Simon emerged from this struggle not as a democratic liberal, but instead as a convinced Leonine Thomist democrat who put forward a two-pronged criticism of both Enlightenment liberals and restorationist conservative Catholics. Both parties, Simon thought, bore a significant share of the blame for "the road to Vichy" that had led to the demise of the democratic French *res publica* and to collaboration with Hitler.

In this chapter, we will follow the threads of Simon's emerging political philosophy as he struggled to purify and synthesize two traditions that were literally at war, both of which he understood to need purification from serious error: the tradition of Catholic social thought, and of Enlightenment liberal democracy. While Simon as a Leonine Thomist held that "authority and liberty are complementary principles," he wrote in 1942 that "in a past that is still recent it would have seemed unreasonable to imagine that men completely devoted to the cause of liberty could at the same time be men

devoted whole-heartedly, frankly, and unreservedly to the cause of authority.”⁴ The best that could be hoped for, Simon continued, was thought by many to be a “very precarious balance” between “the man of authority (the conservative, the traditionalist, the man of the right) and the man of liberty (the liberal, the revolutionary, the man of the left).”⁵ In his work of purification and synthesis, Simon worked against this influential political assumption toward a “new movement in favor of liberty” without the “defiance of authority which haunted the old liberalism.”⁶

The encounter between the Catholic and democratic traditions in Simon’s early work displayed a genuine interplay, in which there were lessons to be learned and errors to be corrected on both sides. In the Catholic tradition, Simon found a criticism of Enlightenment political liberalism that stemmed from a keen sense of the need for political authority under God in a fallen world, the need for communal formation in the core moral truths and virtues upon which a just political order is founded, the defense of communal common goods that cannot be reduced to the aggregate of individual goods, the political and economic injustices of laissez-faire liberalism, and the need for the healing power of Christ’s grace in the Catholic church. All of this Simon assumed, and from this basis found much to criticize in the Enlightenment political liberalism that many took to be democracy’s best theoretical underpinning. None of this Catholic wisdom about the human condition, Simon thought, was present in liberalism’s individualist anthropology, its naively optimistic rejection of authority’s essential role in directing a people toward a common good and forming them in civic virtue, its *laissez-*

⁴ Simon, *The Road to Vichy*, 89.

⁵ *Ibid.*, 89.

⁶ Yves Simon, *The March to Liberation* (Milwaukee, WI: Tower Press, 1942), 88.

faire free market economics, and its implicit public atheism tending towards the skeptical despair of nihilism. Liberalism failed to understand the motivating and binding power of collective beliefs and communal identities—what Georges Sorel called the power of *myth*—and so created a nihilist vacuum that all kinds of dangerous racist and nationalist fables rushed to fill. Writing in the Europe of the 1940’s, this diagnosis for Simon helped explain the collective madness and hatred to which so many had fallen prey.

Yet these thoroughgoing criticisms of liberalism, true as they might be, had also contributed to too many Catholics scorning and undermining the freedoms of the democratic French *res publica*, the dire implications of which Simon wrote about to Maritain in 1940:

Everything that’s been taken away from the French Revolution has gone not to Thomas but to Hitler. I’ve had my bit of responsibility in this game, and I intend to stop. I recently had a glowing review of my book on authority, from a magazine in Detroit. They said it spoke of corporate order. What was this magazine? Catholic and pro-Nazi.⁷

Catholics, Simon thought, had too often allowed themselves to look askance on natural civic virtues and goods such as justice, liberty, and truth insofar as they presented themselves in the secular and liberal democratic French republic. Since such virtues and goods were not integrated within the charity of the “Christian City” and ruled by a sacral authoritative monarchy, they were viewed by many Catholics as mere splendid vices, not worth defending. Without a strong sense of these virtues and goods as integral to Christianity itself and not merely as secular or worldly—as Peguy had said, that the de-republicanization of France, the *civitas*, was of a piece with her de-Christianization, not

⁷ Simon to Maritain, Dec. 20, 1940. *Jacques Maritain – Yves Simon Correspondance: Tome 2, Les années américaines (1941-1961)*, ed. Florian Michel (Tours, France: CLD Editions, 2011), 448-50. The review was of Simon’s 1940 Aquinas Lectures at Marquette, published as *The Nature and Functions of Authority*. Of course, Simon’s intention to “stop” this game did not prevent him from writing extensively on political authority for the remainder of his career.

separate from it or opposite to it⁸—Catholics had failed to form themselves in the virtues that they needed to guard against the strong temptation to act as ideological partisans, ready to condemn Sgt. Dreyfus whether or not he was guilty because he was a Jew and a liberal, among other injustices to which Catholics of the time were prone. And far too many Catholics were seduced by the brutally nationalistic “realism” of the *Action Francaise* movement, in their willingness to believe that civic virtues and goods were not internal to the practice of Christianity, but rather operated according to their own autonomous natural logic. Against these errors, Simon as a Thomist came to emphasize the importance of what he following Maritain called “moral philosophy adequately taken”⁹ in service of the distinctive place that natural and civic virtues and goods continue to hold even within the state of existence described by Christian revelation: as authentic created goods that can be reasoned about, even if fallen in sin and redeemed and elevated by grace. Justice, liberty, and truth were not destroyed or surpassed by Christian faith and revelation, but redeemed. While the liberals of the French Enlightenment and the partisans of the Revolution had worshiped them as idols, they were divine names nonetheless.¹⁰ Thus the heritage of the French Revolution should not be rejected wholesale, but carefully purified of liberalism’s errors and integrated with the fullness of Catholic truth. As such, Simon in this period became a passionate defender of the created goods and liberties of the *civitas* as he found it articulated in Leonine Thomist social teaching, and of the “democracy of the common man”¹¹ that defended them,

⁸ Simon, *The Road to Vichy*, 29-30.

⁹ Yves Simon, *Practical Knowledge* (New York: Fordham University Press, 1991), 98.

¹⁰ Simon, *The Road to Vichy*, 15

¹¹ See his 1945 essay “Socialism and the Democracy of the Common Man” for this formulation (Yves Simon, *Community of the Free*, [New York: Henry Holt, 1947], 138ff.), as well as a similarly rousing

criticizing both the Catholics who had betrayed the *civitas* for the sake of authoritative hierarchical sacral order and the Enlightenment liberals who had exchanged it for individualism and optimistic naturalism. Characteristically, this work for Simon was not simply a reprinting of either Thomas or Leo, but what he and Maritain called a “living Thomism” that worked to extend the thought of the master for the present day: in this case, building extensively upon the practical political wisdom that Simon found more often present in modern democratic struggles than in Thomas himself.

In the first two sections of this chapter, we will examine the story that Simon tells of what had gone wrong in the Europe of the early 20th century, particularly in France and Catholic Europe. In Simon’s 1941 book *The Road to Vichy*, he shows how France had become divided in large part between liberal, often statist and anti-clerical supporters of the justice of the Revolution, belief in which an individualistic, skeptical liberalism was ultimately unable to sustain; and conservative Catholic supporters of the hierarchical order and paternal authority of the *ancien regime* who had come to spurn civic justice and democratic liberty in favor of the supernatural grace of the church. The story Simon tells, in short, is one in which neither the liberal “party of liberty” nor the Catholic “party of authority” genuinely believed in civic common goods and were committed to forming people in the moral virtues necessary to sustain them. In this chapter’s first two sections, we will examine this two-pronged criticism in detail and as set within its historical context, focusing first on Simon’s criticism of his fellow Catholics as complicit in the rise of authoritarian politics in France before the Second World War, and second on his

defense of democracy’s aspirations to freedom, justice, and equality for all as distinguished from the individualism, skepticism, and economic inequalities of liberalism in 1942’s *The March to Liberation*.

criticism of Enlightenment liberal politics, which he saw as likewise complicit by making authoritarianism politics attractive and by weakening societal defenses against it. By examining this story, in which the road to Vichy was paved from both sides of the street—that is, by conservative restorationist Catholics and secular Enlightenment liberals—we will begin to see how Simon’s later political project arose out of what he saw as the mutually implicated guilt of Catholics and liberals in the destruction of the civic *res publica* of France.

In the third and final section of this chapter, we will sketch out the better way forward that Simon began to construct during the crisis of the 1940’s: a “democracy of the common man” in which both authority and liberty were given their due within a complex social order, and thereby both preserved. In doing so, we will emphasize his early struggle to find a practical democratic politics in the Thomist Catholic tradition he inherited, which becomes apparent in the correspondence between Simon and Maritain written during this period, even if Simon does not display this struggle in his published writing. In particular, we will examine his determination to draw the practical political wisdom that the crisis of his time needed not only from Thomas and Leonine Catholic social teaching but also from the modern democratic tradition’s struggle for liberation from a too-often authoritarian Catholic restorationist politics. Given the frequency with which his colleagues cited Thomas and Catholic teaching on behalf of authoritarian fascist politics, Simon had to ask whether or not Catholic authority was in fact the enemy of modern democratic aspirations to liberation, as so many of his co-religionists assumed. His answer to this question was no, but in *The March to Liberation* (1942) and other political essays he displayed a reading of Thomas that had learned from his reading of

key democratic figures and movements, and as such gave passionate support to the struggle for liberation, democracy, and equal justice that was not found in the many Catholic fascist sympathizers of his time. We will as such be well-prepared to move to a closer consideration of his mature postwar political writing in the subsequent chapter, seeing it in its proper light as an attempt to secure and promote the genuine common goods and the corresponding moral virtues of the civic *res publica* that both the Enlightenment liberal and Catholic traditions had lost sight of.

2.1. The Catholic Road to Vichy

To understand well the solution that Simon sought to provide with his mature political philosophy, it is necessary first to understand his view of the political problems that needed solving, which led to the disasters of the 1940s. Simon's impassioned 1941 book *The Road to Vichy* set out to tell the story of what went wrong, tracing the path that had on the one hand led many of his Catholic countrymen to support the collaborationist Vichy regime, and had on the other hand led many liberals to lose faith in the civic common goods and ideals of the French republic. A careful reading of this book as set within its historical context, along with other key texts by Simon of the period, will serve to make clear Simon's view that both Catholics and liberals had on the whole lost faith in the French *res publica*—the French title of *The Road to Vichy* was *La Grande Crise de la Republique Francaise*—and so also had failed to form people in the virtues necessary to sustain the common goods of civic life. Simon here positions himself, in what would have appeared as an impossible paradox to most of his countrymen, as a Catholic patriot of the French Republic. Rightly understood, Catholicism did not need to oppose the

democratic and civic aspirations of modern free France, as with good reason the Church was often charged with doing; nor did modern democratic aspirations for liberty need to come packaged together with an individualizing liberalism and disdain for authority in all its forms, as many Catholics assumed. As we shall see, Simon tells a story of what went wrong that neither focuses simply on a deficit of liberty nor a deficit of authority, the solution to which would then lie in either the liberalization and/or rejection of Catholicism, or the imposition of authoritarian order upon civic life. Such conventional diagnoses and remedies were commonly proffered, but this was not Simon's view. Instead, Simon tells a story in which authority and liberty had come to be viewed as opposing rather than complementary principles, leading to what amounted to the destruction of any genuine politics. The road past the disaster of Vichy to a securely free postwar political order would require attaining a balance between authority and liberty that would ensure the good operation of both.

The first prong of Simon's story of what went wrong was the complicity of his fellow Catholics in the long road that had led to the pro-Nazi collaborationist regime led by Marshall Petain, a Catholic conservative and celebrated military hero. This facet of the story is well told in Simon's *The Road to Vichy*, more emphasized in this book than his criticism of liberalism, understandably so given the recent triumph of authoritarianism with widespread Catholic support. Understanding Simon's diagnosis of why this happened requires not only telling some of the book's story, but also its backstory insofar as the widespread support for Petain was the culmination of a long tradition of Catholic support for authoritarian politics that found its justification in restorationist strands of modern Catholic social thought.

At the time, in 1941, even to assert as Simon did that the Vichy regime amounted to collaborationist betrayal—“France Under the Swastika,” as the book’s first chapter title and a shorter essay in *Commonweal* claimed—was a controversial claim.¹² It is difficult to overemphasize the extent to which Vichy and allied political movements found support among Catholics of the time, both in France and abroad. Simon had taken to the pages of *Commonweal* to criticize an essay published there that spoke favorably of Vichy as the new government of France, and many Catholics in France and elsewhere welcomed an apparently conservative new order whose “watchwords were no longer ‘liberty, equality and fraternity’ but ‘work, family and country.’”¹³ The archbishop of Quebec among others issued strong statements in support of the new government, viewing with favor the fall of a laicist Third Republic that had often been guilty of harsh anti-clerical measures.¹⁴ Cardinal Gerlier of Lyons in 1940 said of the government’s new slogan: “These are our words... Petain is France, and France, today, is Petain.”¹⁵ Simon himself was aware of the need to tread carefully in his statements about Franco and his criticisms of fascism, for fear of endangering his position at Notre Dame with the decidedly pro-Franco university authorities.¹⁶ Many Catholics saw Vichy on similar

¹² Simon, *The Road to Vichy*, 1; initially published as “France Under the Swastika,” *Commonweal* v. 23 no. 24 (Apr. 4, 1941), 590-2.

¹³ Michael Burleigh, *Sacred Causes* (New York: Harper Collins, 2007), 239.

¹⁴ *Ibid.*, 239.

¹⁵ *Ibid.*, 240.

¹⁶ In a letter of July 22, 1939, Simon encourages Maritain to come to Notre Dame for a symposium, telling him that even though “there will be some resistances and difficulties, for reasons that you know well,” he can work to get around them. Simon was likely referring to Maritain’s well-known opposition to Franco, which would not have been universally welcomed at Notre Dame (*Correspondance*, v. 1, 379). Even more interesting are letters from late 1943 referring to the firing of a Notre Dame philosophy professor, Francis McMahon. McMahon in a public address had referred to the Franco-led government of Spain as fascist, and for it (though this was not specified at the time) lost his post at Notre Dame. It only later became known that this was due to a directive from Rome, to whom the Franco government had complained (though Simon got wind of this, as his letters reveal). Simon told Maritain that it incensed him and brought out his Dreyfusard spirit; both men were involved in finding McMahon another job. It was during the

lines, as a welcome move to restore an ‘organic’ traditional and communal authoritative order, in which natural hierarchies and the place of the Church would be respected.¹⁷ The Catholic writer Paul Claudel (also pro-Franco) was not alone in seeing the defeat of France as a victory for the conservative Catholic cause: “France has been delivered after sixty years from the yoke of the anti-Catholic Radical party (teachers, lawyers, Jews, Freemasons). The new government invokes God... There is hope of being delivered from universal suffrage and parliamentarianism.”¹⁸ Simon cited another such writer in his book, Charles Maurras, the religiously agnostic but pro-Catholic leader of the *Action Francaise*, who wrote in 1941: “Once the disaster and the rout are confirmed, our ideas would be extremely close to being adopted by the public power.”¹⁹

Unlike many of his fellow Catholics, Simon took a different view. “All of France is held hostage” by the Nazis, he wrote, and the Nazis were able to win over French Catholics since they so detested the secular and anti-clerical government of the Third Republic that they would rather be governed by Hitler’s puppet, so long as the puppet regime was on *their* side.²⁰ “They needed a conservative,” Simon wrote; “they needed a Catholic,” and so they found Petain.²¹ Simon wrote his book not only in order to expose this as cunning propaganda, but also and more deeply to re-trace how it had come to pass that so many of his Catholic countrymen had come to “betray” their country, and why

course of writing about this to Maritain that Simon expressed his reluctance to deliver a paper at an upcoming Catholic Action conference, and wrote: “May God have pity on his church! The more I think about it, the more it seems to me that Catholic responsibility for this war is second only to the Nazis” (Nov. 23, 1943, *Correspondance*, v. 2, 139). For background on the McMahon incident, see Philip Gleason, “A Question of Academic Freedom,” *Notre Dame Magazine* (Spring 2013) <<https://magazine.nd.edu/stories/a-question-of-academic-freedom/>> (Accessed May 7, 2019).

¹⁷ Burleigh, *Sacred Causes*, 240.

¹⁸ *Ibid.*, 239-40.

¹⁹ Simon, *The Road to Vichy*, 44.

²⁰ *Ibid.*, 2.

²¹ *Ibid.*, 7.

there had been so little resistance to toppling a liberal democratic Republic that had few ardent defenders even among liberal democrats.²² “Before being conquered on the battlefields,” Simon asserted, “France was conquered from within.”²³

French Catholics in the early 20th century were not without justifiable reasons to be less than pleased with the Third Republic, Simon writes, whose “temporal life was dominated by legislation opposed in many respects to the rights of God and the Church,” among which he cites the laic laws that culminated in the Law of Separation in 1905.²⁴ These laws unilaterally revoked the concordat that the church and France under Napoleon had struck decades earlier, suppressing religious orders such as the Jesuits and forbidding them to teach in schools, seizing “a great deal of Church property” such as church buildings, schools, and hospitals and placing them under the control of lay associations, and so on.²⁵ These harshly anticlerical moves prompted a shift in tone in Catholic social teaching from the Thomist Leo XIII to the more restorationist Pius X, which in turn gave many Catholics reason to think that there was nothing left worthy of their support in an anti-Christian liberal French Republic.

The laic laws were opposed by Pius X in his 1906 encyclical *Vehementer nos*, which protested “that the state must be separated from the Church is a thesis absolutely

²² Simon wrote: “Among Frenchmen, there is only one division that matters today: that into those who serve their country and those who betray it” (ibid., 8).

²³ Ibid., 177. John Hellman in his introduction to the book notes that Simon’s critical analysis of the path to Vichy, in which internal sympathy for Nazism from the French right and in particular from Catholics played a large role in France’s defeat, is “a vivid contrast to the more comfortable, ‘official,’ French descriptions of the road to Vichy which appeared after the war.” It is, Hellman writes, a more cutting and critical story than many postwar French writers wanted to tell about themselves, as writers such as Mark Bloch or Robert Aron “had reasons to downplay prewar French complicity with Nazism.” In producing a postwar De Gaulle-era mythos of French resistance and nationalism, sharp criticisms of widespread French complicity with German invaders were less than useful. (John Hellman, “Yves R. Simon, Maritain, and the Vichy Catholics.” Introduction to Simon, *The Road to Vichy* [Lanham, MD: University Press of America, 1988]), xxxiii-xxxiv).

²⁴ Ibid., 54.

²⁵ Ibid., 54ff.

false, a most pernicious error,” above all else “guilty of a great injustice to God; for the Creator of man is also the Founder of human societies... we owe Him, therefore, not only a private cult, but a public and social worship to honor Him.”²⁶ Pius’s tone in 1906 marked a significant shift from Leo’s previous policy of *ralliement* to the republican government in his 1892 encyclical letter to the French people, *Au Milieu des Sollicitudes*. While Leo and Pius were agreed that the separation of church and state was an error, before the laic laws it was possible for Leo to criticize various French anti-clerical measures while at the same time encouraging French Catholics to participate in the democratic process so as to halt their advance. Even if the laws passed by the Third Republic were hostile to religion, Leo argued, this did not mean that the democratic republic that passed them was itself illegitimate; the remedy was not rejection of the Republic altogether but that “upright men should unite as one to combat, by all lawful and honest means, these progressive abuses of legislation.”²⁷ Pius X did not take pains to make this kind of fine distinction, nor to urge continued political participation. Instead, the thrust of *Vehementer nos* and his policy could be summed up as “the defense of religion,” which could be and was judged by many French Catholics to indicate that restoration of the monarchy was to be preferred to continued support for an anticlerical liberal democratic regime.²⁸

Pius’s 1907 encyclical against theological “Modernism,” *Pascendi*, had made no direct reference to social and political questions, but nonetheless in the last years of

²⁶ Pius X, *Vehementer nos* (1906), § 3.

²⁷ Leo XIII, *Au Milieu des Sollicitudes* (1892), § 24.

²⁸ Pius X, *Vehementer nos*, § 17. Peter Bernardi writes: “When the Law of Separation threw French Catholicism into disarray, Pope Pius X (1903-1914) took an uncompromising stand of ‘religious defense.’” Peter Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise* (Washington, DC: Catholic University of America Press, 2008), 15.

Pius's rule there was a shift against suspected modernism in social and political life as well.²⁹ Attempting to build on Leo's affirmative stance toward "Christian democracy" in the 1901 encyclical *Graves de communi* and elsewhere along with *Rerum Novarum*, the *Semaines sociales* movement among French Catholics had sought beginning in 1904 to "bring the demands of justice implied in the affirmations of our faith into the details of social relations" within the democratic Third Republic, opposing both liberal laissez-faire capitalism and Marx-inspired revolutionary socialism.³⁰ But this movement and others, such as the *Sillon*, came under fire for a suspected "social modernism."³¹ A 1909 commentary on *Pascendi*, written by the French Jesuit Julien Fontaine, asserted that Modernism's new goal was "to ruin the social order by attacking the principles of natural law that sustain it."³² This attack on natural law principles was taken by Fontaine to connote:

an egalitarianism that is incompatible with any hierarchy and any idea of authority and subordination. It extols the autonomy of the human person, the equal worth of human agents, the equalization of rights... equalization that necessarily involves equality in the possession and enjoyment of the goods of this world. Private property, diverse and unequal like the sources that produce it, should henceforth disappear.³³

The traditional social order that "natural law principles" underwrote, for Fontaine and other critics of the *Semaines sociales* attempt to make common cause with democratic politics, was one of "hierarchical structures in which the lines of authority descended

²⁹ Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 66. Notably, this can be seen in Pius's 1910 encyclical against the Sillon.

³⁰ Ibid., 10. Here, Bernardi is citing a speech by the first *Semaines sociales* president Henri Lorin at their 1905 assembly. *Semaines sociales*, literally "social weeks," would bring together "for a week in a different city each summer a varied group of professionals, workers, clergy, and students" to study Catholic social teaching and reflect on how best to put it into practice (ibid., 9).

³¹ Ibid., 17, 67.

³² Cited in Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 17. Fontaine at the time hid his membership in the Jesuit order, serving in France as a regular diocesan priest in order to avoid expulsion along with his order.

³³ Cited in Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 19.

from top to bottom, that is, a benevolent paternalism,” and in which proper social order required the unequal distribution of private property.³⁴ Democratic and economic equality thus threatened the hierarchical social order within which alone obedience to divinely constituted authorities made sense. Moreover, the movement’s concern for justice was according to Fontaine an improper mixing of justice and charity, and represented an undue emphasis on social justice instead of “the primacy of charity for meeting social needs.”³⁵ Only acts of charity, Fontaine argued, here echoing a theme that was not unique to him but shared by Pius X himself, “have salvific significance because they are voluntary,” and so “an excessive concern for justice risks supplanting the necessary role of charity in the Christian life.”³⁶ Though the *Semaines sociales* movement did not disappear under the weight of such criticisms, it remained only a small movement within the currents of early 20th-century France; its conservative critics could rightly claim to represent the mainstream of Catholic opinion.

The condemnation of the *Sillon* in 1910 represented a further blow to a Catholic movement that had attempted to work within the democratic Third Republic. Simon explains the group’s aims: “The action of the *Sillon* was at once religious, political, and social. Its ideal was Christian democracy,” and its goal was to respond to “the teaching of atheistic anarchists and socialists” with its own account of justice and equality for

³⁴ Ibid., 42.

³⁵ Ibid., 25.

³⁶ Ibid., 25. Bernardi cites a similar sentiment from the pen of Cardinal Sarto, prior to his enthronement as Pope Pius X: “The substitution of the official dole for private charity is the complete destruction of Christianity and a terrible attack against the principle of property... When assistance is given by a law, almsgiving is no longer free, it no longer proceeds from a movement of the heart, it loses its merit before God; it is no longer a channel of grace and an assured means of salvation... the bond of love that alone can unite the poor person to the wealthy is broken” (Ibid., 25).

workers drawn from Catholic social teaching.³⁷ When it was condemned by Pius's encyclical, many of its members continued on under the banner of the *Jeune République* led by Marc Sangnier, in which Simon himself was briefly involved as a young man. Simon writes that its understanding of democracy opposed socialism with "industrial democracy," and opposed nationalism with "international democracy organized in a League of Nations."³⁸ Imbued with good intentions and peopled with fervent Catholics, nevertheless its "political results were slight or nonexistent," and its attempts to build fraternal and reconciling relationships with German Catholics in the name of a lasting postwar peace were incapable of turning the tide of French resentment and suspicion of Germany that was eventually to prevail.³⁹ Such movements, Simon writes, were hopeful but in large part small and ineffectual, plagued by the continued "weakness of doctrine" and "modernistic errors" that had led Pius to condemn the *Sillon*, in particular a naïve romanticism that was too willing to place its trust in the ability of people of goodwill to work together in democratic processes for peace, and thus tended to see appeasement of Hitler as a step toward peace.⁴⁰ Simon left the movement out of concern for its pacifism, while he instead defended the traditional Catholic doctrine of just war.⁴¹ Such Catholic democratic movements, in Simon's judgment, did not succeed in representing more than a small slice of Catholic opinion in France, nor in doctrinally integrating themselves with the Catholic tradition. To many, they appeared to be against the grain of Catholic teaching as interpreted by Pius X, as forms of "social modernism" that had compromised with democratic liberalism and made common cause with anti-clerical atheists and

³⁷ Simon, *The Road to Vichy*, 45-6.

³⁸ *Ibid.*, 47.

³⁹ *Ibid.*, 47-8.

⁴⁰ *Ibid.*, 46-52.

⁴¹ *Ibid.*, 49-50.

egalitarian socialists set to abolish the traditional social order within which Catholic authority had purchase and made sense. Thus among Catholics the era was dominated, Simon writes, not by such movements, but instead the royalist, restorationist *Action Francaise* led by Maurras.

Simon writes that “the political horizon of the French intellectuals was entirely dominated by the lightning success of the *Action Francaise* group,” whose role “in the political life of contemporary France can hardly be overrated.”⁴² Their solution to the troubles that ailed French politics and society was a simple one: “the restoration of the hereditary monarchy, and the complete liquidation of the institutions and ideas born of the French Revolution.”⁴³ The distinctiveness of the movement lay primarily in the fact that its leaders, such as the agnostic Charles Maurras (himself a disciple of the agnostic positivist philosopher Auguste Comte) were not Catholics who sought a restoration of Christian monarchy for traditional theological reasons (such as Joseph de Maistre), but instead non-believers who saw restoration of the monarchy as “the organ of integral nationalism” that an assertive French nation-state required, a leader rooted in French culture and tradition capable of protecting French interests in the international arena and restoring France as a great power.⁴⁴ It was, in short, an ideological cousin of other forms of nationalistic fascism in early 20th century Europe, and led by a non-Christian conservative nationalist, rather than a direct outgrowth of Catholic theology and social doctrine. Nevertheless Maurras succeeded in gaining the support or sympathy of most Catholic intellectuals and laypeople to his movement, and presented the re-establishment

⁴² Ibid., 38.

⁴³ Ibid., 38.

⁴⁴ Ibid., 39.

of the Catholic church at the heart of the French nation-state as central to achieving his goals. As we have examined it, the acrimonious and oppositional atmosphere created in large part by the anti-clerical measures of the Third Republic and the “defense of religion” reaction of Pius X and many conservative Catholics was fertile soil for Maurras’s movement. In 1906, at the height of Catholic anger at the harsh anti-clerical laic laws, Maurras published *The Dilemma of Marc Sangier*, in which he presented his readers with a stark choice: “either the monarchical positivism of *Action Francaise* or the social Christianity of *Sillon*.”⁴⁵ Maurras’s view of the Catholic church’s faith placed more emphasis on the *Roman* element than on the *Catholic* or the *Christian*, dedicating the book to “the glory of the Roman Church, to the Church of order.”⁴⁶ By presenting the Catholic church as the first enemy of an enervating, atomizing liberal individualism, and as the soul of the French nation and the bulwark of social and political order, Maurras was able to convince many Catholics that the democratic project of the *Sillon*, Marc Sangier, the *Jeune Republique*, and the *Semaines sociales* represented a compromise with the anti-clerical liberalism that had evidently become hostile to their church. In this atmosphere, Simon writes, “the number of persons who believed that the rechristianization of France could only be brought about by a political victory of the *Action Francaise* had constantly increased.”⁴⁷

The *Action Francaise* was a very strong influence among Simon’s own intellectual colleagues and personal circle. Simon’s teacher Jacques Maritain as a young academic was involved in a public way, having been advised to join by his spiritual

⁴⁵ Cited in Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 96.

⁴⁶ Cited in *ibid.*, 97, 104.

⁴⁷ *Ibid.*, 62.

director Fr. Humbert Clerissac, who like many clergy of the time “saw in democracy and the republican form of government a diabolical incarnation of the errors condemned in the Syllabus of Errors.”⁴⁸ As we have noted already, Simon recalled this period later on in a letter to Maritain, describing himself as “the only *sans-culotte* who from 1922 was attached to you and to your philosophy, despite your attachment to the *Action Francaise* and the appalling people who would come to shake your hand at the Institute and to take your courses.”⁴⁹ Simon’s judgment that the movement’s politics were “appalling” was as he makes clear a minority view among his Catholic colleagues and teachers. Many “professors and authors of renown” supported the cause, Simon recalls, and “famous theologians were not afraid to use their sacred science to build up its rather dubious doctrine.”⁵⁰ While Simon does not mention him by name here, in his letters he above all referred to the theologian Fr. Reginald Garrigou-Lagrange, a key figure in the neo-Thomist revival and a spiritual leader of the Thomist *salon* that Simon often attended at Maritain’s home in Meudon, a Parisian suburb.⁵¹ Simon’s teacher and confessor at the Catholic Institute, Fr. Daniel Lallement, reacted strongly against an essay Simon wrote in 1934 that touched lightly on political themes through the lens of the contemporary debate

⁴⁸ Bernard Doering, *Jacques Maritain and the French Catholic Intellectuals* (Notre Dame, IN: University of Notre Dame Press, 1983), 10.

⁴⁹ Simon to Maritain, Sep. 3, 1941. *Correspondance*, v. 2, 69-71.

⁵⁰ Simon, *The Road to Vichy*, 40.

⁵¹ Maritain wrote to Simon in 1941 of his frustration at Garrigou-Lagrange “valiantly fighting for Vichy” in the Catholic press, and criticizing Maritain and his associates for their “pernicious activities” in the political realm. Maritain recalled later to Simon that Garrigou had stated to support De Gaulle was a mortal sin (Cited in John Hellman, “Yves R. Simon, Maritain, and the Vichy Catholics,” xxi). Simon was outraged at this, as he was more generally at Catholic complicity in the Vichy regime, writing to Maritain: “How disgusting, this Garrigou! If I didn’t have the respect I do for his priesthood, I’d write him myself to say that I hold him responsible for everything that happens to my Jewish friends. I am more tempted to hate Mussolini than Hitler, Laval than Mussolini, Darlan than Laval, Petain than Darlan, and Garrigou than Petain. Say a little prayer for me, that I do not hate these images of God!” (Simon to Maritain, Sep. 3, 1941. *Correspondance*, v. 2, 69-71).

about Christian philosophy.⁵² Simon had made the case that the infused prudence of St. Louis in political matters could not be evaluated the same way as acquired political prudence, so that even though Louis was a military failure in the Crusades his temporal political losses as king of France could well be viewed as gains from a Christian and eternal perspective.⁵³ Lallement vehemently criticized Simon, telling him that “it is gravely contrary to apostolic prudence” to make such interventions into the political realm, and that he ought to stop writing on politics and society altogether.⁵⁴

While Lallement did not apparently give Simon much more explanation than this for his sharp disapproval, it is intelligible within the larger position of *Action Francaise* and conservative Catholic criticism of Catholic democratic movements such as the *Semaines sociales*. As we have noted, the Jesuit theologian Fontaine criticized the *Semaines sociales* for violating the “natural law” principles that underwrote a hierarchical social order; from this position, he like many others was drawn into alliance with the *Action Francaise*.⁵⁵ One of the slogans of Charles Maurras and his movement was “*politiques d’abord*,” or “politics first,”⁵⁶ and another was “*Par tous les moyens!*”—“By any means!”⁵⁷ By the former slogan, Maurras meant that he first appealed to what he understood in Comtean fashion as empirical “facts” in his political philosophy, rather

⁵² On this debate, see especially the collection *Reason Fulfilled by Revelation: The 1930s Christian Philosophy Debates in France*, ed. Gregory Sadler (Washington, D.C.: CUA Press, 2011). Maritain’s own contribution was the book *An Essay in Christian Philosophy* (New York: Philosophical Library, 1955), comprising the text of a conference series delivered at the University of Louvain in 1931.

⁵³ Yves Simon, “Philosophie chretienne—Notes complementaires.” *Etudes Carmelitaines* [Paris], Tome XIX, v. 1 (April 1934): 107-119.

⁵⁴ Simon to Maritain, July 2, 1934. *Correspondance*, v. 1, 184-7.

⁵⁵ Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 28.

⁵⁶ Doering, *Jacques Maritain and the French Catholic Intellectuals*, 27.

⁵⁷ Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 98.

than to an independently conceived ethics, metaphysics, or religion.⁵⁸ The first “fact” in Maurras’s system was the French nation and its general interest. By the latter slogan, Maurras indicated that the great “fact” of the self-interest of France was not to be limited by any independently conceived normative framework.⁵⁹ Politics was taken to operate by its own independent principles, which must be distinguished from ethics and religion.⁶⁰ While it is this point on which the *Action Francaise* was eventually to be censured by the Catholic church in 1926—namely, its subordination of religion and morals to politics⁶¹—Catholics such as the Jesuit theologian Pedro Descoqs defended it as a legitimate way of understanding the proper autonomy of the natural order and of philosophical reason, which was intelligible without recourse to supernatural revelation.⁶² Descoqs noted that Maurras made a distinction between what he called “political facts” and “moral and religious facts,” and that religion should not influence politics since it operates in its own natural order: “Politics is one thing, religion another, and the distinction between the two orders is to be rigorously maintained.”⁶³ For many conservative Catholics such as Lallement, this formula held great appeal, and allowed for the maintenance of a politics of French national interest over against a hated and potentially aggressive Germany, and

⁵⁸ Ibid., 101. The most thorough study in English of Maurras’s views is Michael Sutton’s *Nationalism, Positivism and Catholicism: The Politics of Charles Maurras and French Catholics, 1890-1914* (Cambridge, UK: Cambridge University Press, 1982). Also thorough is Eugen Weber, *Action Francaise: Royalism and Reaction in Twentieth-Century France* (Stanford, CA: Stanford University Press, 1962).

⁵⁹ Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 101-2.

⁶⁰ Maritain had been uneasy about this element of *Action Francaise* before its condemnation in 1926, and criticized it in his 1926 booklet *Opinion sur Charles Maurras*. Maritain sent the book to Maurras, who wrote in reply: “How I would like to find the leisure some day to chat with you about political science, of that element—let us call it mechanical—which this science seems to me to contain; of how it is distinguished from morals, whose application begins, it seems to me, only at that point where there is an act of the will, that is to say *political action*—all of which puts aside certain grave questions of political structure” (Doering, *Jacques Maritain and the French Catholic Intellectuals*, 26-7).

⁶¹ Ibid., 26-9. The new Pope Pius XI forbade Catholics to participate in *Action Francaise*, and placed its house newspaper and seven of Maurras’s books on the Index.

⁶² Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 106-7.

⁶³ Ibid., 106-7.

a reassertion of traditional French institutions and the Catholic church in particular over against a hostile and anti-clerical liberalism. Against such dire and hated enemies, an over-emphasis on moral and religious scruples could be viewed as political weakness in the face of a hardened enemy. To suggest, as Simon did, that St. Louis's infused political prudence might result in military losses could easily be seen as having dangerous implications in 1934. For Simon, this separation of politics from ethics and religion represented a deep corruption of Catholic conscience and the "dechristianization" of France. Rather than representing a proper respect for the autonomy of the natural order, it amounted to casting aside the natural goods and virtues that were intrinsic to and not separate from the Christian faith.

In Simon's view, the *Action Francaise* and its sympathizers had been corrupted by the siren song of the pursuit of French national interest above all else by any means, *politiques d'abord and par tous les moyens*. In *The Road to Vichy*, Simon recounted the "astonishing success" of the movement's newspaper, *L'Action Francaise*, filled with witty and intellectual commentary and literary reviews, a reader of which could be "assured an hour of bliss every morning," "provided he was not too particular about truth and justice."⁶⁴ "No paper," Simon wrote, "indulged in calumny, lying, consistent fiction, and insult with more imperturbable regularity than *L'Action Francaise*."⁶⁵ Its writers were at times "violent" and "coldly ruthless" in the pursuit of national and partisan interests and attacks on their political enemies.⁶⁶ For Simon, this evidence of a rather loose relationship to truth and justice was of a piece with the movement's separation of

⁶⁴ Simon, *The Road to Vichy*, 40.

⁶⁵ *Ibid.*, 41-2.

⁶⁶ *Ibid.*, 40-1.

politics from ethics and religion. So long as Germany and various liberal enemies—“Jews, Freemasons, socialists, and Christian democrats”—were the targets, the means were not carefully examined.⁶⁷ “Above all,” the movement aimed to “destroy, by no matter what means, the Republic and restore the king.”⁶⁸ Simon saw this as an extension of the despair, hatred, and cynicism that coursed through much of French life after the Great War, the “systematic extinction of every spark of idealism” in the name of national interest in a hard world:

The expression ‘really French’ feeling, in the language of the cynics, was a feeling worthy of a sucker. Respect for the conquered? a really French feeling. Sympathy for the weak? a really French feeling. Forgiveness? a really French feeling... Finally, the idea that a law of justice ought to outweigh the possibilities of force, in international life as well as in other human relations? All these were really French feelings in place of which it was imperative that the harshness of the ‘sacro egismo’ be substituted.⁶⁹

Rather than allow the French to be taken in by high ideals of international cooperation, justice, truth, or generosity, it was imperative above all else “not to be fooled,” not to be “suckers.”⁷⁰ Simon was under no illusion that “the France of the Revolution” was without fault, yet “everyone knows what a difference there is between a sinner who keeps the sense of virtue alive within himself, and the dead soul into which the light of virtue can no longer penetrate.”⁷¹ What was called by its proponents a “nationalistic policy” of pursuing French political interests, a “realistic” view of politics that operates by its own autonomous logic in which power checks power, was for Simon an “isolationism” that amounted to “egoism,” the exchange of “justice” for a doctrine of “mind [your] own

⁶⁷ Ibid., 42.

⁶⁸ Ibid., 43. Note here Simon’s allusion to the *Action Francaise* slogan, “by any means.”

⁶⁹ Ibid., 29-30.

⁷⁰ Ibid., 29.

⁷¹ Ibid., 29.

business.”⁷² It was a corruption of moral virtue in the civic realm, at the end of which Simon saw “the *realistic little cads* of whom Bernanos speaks—readers of *Le Jour*, of *Candide*, of *Gringoire*, of *Je Suis Partout*, insulters of the oppressed and lovers of force.”⁷³ These Catholics were “scoundrels... truly atheists, even though they went to Mass. Whoever mocks these divine names, liberty, justice, mercy, cannot remain a worshipper of the true God.”⁷⁴ The separation of politics from ethics and religion amounted to severing the natural goods and virtues from the Christian faith, and this meant practical atheism with respect to the *civitas*. As such, like Peguy wrote, the “dechristianization and derepublicanization” of France were of one piece.⁷⁵

While in retrospect Simon doubted whether he had been as politically engaged as he should have been in the 1930s,⁷⁶ the story he tells in *The Road to Vichy* highlights the efforts led by Maritain’s circle to which he had contributed. Beginning with the *Pour le commun bien* (For the Common Good) manifesto of 1934, Simon was part of a small group of Maritain’s associates who drafted a number of manifestos that aimed to resist what they diagnosed as a rising level of Catholic support for fascist regimes and tactics. These manifestos criticized the *Action Francaise* separation of politics from ethics and religion, charging Catholics who supported their tactics and goals with sins against truth, justice, liberty, and charity. At the same time, they attempted to articulate a social vision drawn from Catholic social teaching—now armed with citations from the very Leonine and neo-Thomist Pius XI, rather than the restorationist Augustinian conservative Pius

⁷² Ibid., 31.

⁷³ Ibid., 15. Elsewhere, Simon identifies these newspapers as successors to *L’Action Francaise* that sprung up after Rome placed that paper on the Index, which carried many of the same writers and were read by many of the same conservative Catholic subscribers.

⁷⁴ Ibid., 15.

⁷⁵ Ibid., 29.

⁷⁶ Simon to Maritain, July 16, 1941. *Correspondance*, v. 2, 64-66.

X—that offered a better way forward than the political divisions in France that offered a false choice between liberty and authority. While not mentioning that he and Maritain were drafters of these manifestos, Simon pointed to the papal condemnation of *Action Francaise* in 1926 as a key turning point for some who had “with the naivete of novices” accepted the movement too uncritically.⁷⁷ While many Catholics practiced adherence only to the letter of the law, and indeed during this time helped *Action Francaise* make “enormous progress,” nevertheless others “submitted completely” and “received the grace of a marvelous interior purification” that permitted them to move beyond the partisan hatreds that had prompted many French Catholics to place their political interests above “justice and truth,” as had infamously happened in the Dreyfus affair.⁷⁸ The Dreyfus affair was according to Simon a genuine “religious crisis,” insofar as “nearly all French Catholics” had sat lightly to questions of justice and truth in order to vilify an innocent man, Sgt. Dreyfus, who happened to be a Jew whose cause was taken up by French liberals.⁷⁹ The manifestos drafted by Maritain and Simon were by contrast an attempt to ensure that Catholics would no longer be marshaled as a party without regard for truth, justice, and the common good on behalf of dubious authoritarian political causes.

For the Common Good was drafted by Maritain, Simon, and three other associates⁸⁰ in the wake of the Paris riots of Feb. 6th, 1934, in which several rightist

⁷⁷ Simon, *The Road to Vichy*, 65-6. It is probably not a stretch to surmise that Simon had Maritain in mind here. As Bernard Doering recounts, it was precisely as a spiritual novice apprenticed to Fr. Clerissac that Maritain had begun his involvement with *Action Francaise*, at Clerissac’s prompting.

⁷⁸ *Ibid.*, 65-7.

⁷⁹ *Ibid.*, 69.

⁸⁰ Etienne Borne, Olivier Lacombe, and Maurice de Gandhillac, all regulars at the *Cercle thomiste* that Maritain hosted at his home in Meudon (Maritain et. al., “For the Common Good: The Christian’s

groups including *Action Francaise* had led what appeared to be an attempted *coup d'etat* favoring a fascist takeover.⁸¹ Alarmed at what appeared to be the very real possibility of a successful coup, and aware that “it was very probably true that the majority of French Catholics favored an authoritarian regime,” the manifesto sought to “break down the wall which was being built up between the spiritual and temporal orders.”⁸² As Simon wrote of it in *Vichy*, its authors sought “to make known that Christian France would not permit her cause to be identified with Fascism.”⁸³ “The political and social domain,” they wrote,

is an area that is not only technical but primarily and essentially human, that is to say, moral. Political and social virtues have an essentially moral character. We act too often as if social activities were in themselves amoral activities, as if social facts were simple individual physical facts, which it suffices to treat according to purely technical laws as long as our private conduct is subject to the rules of personal morality. This is the source of the absurd and sorrowful spectacle of personally upright and even heroic men (for they are not all corrupt) putting themselves, in the social and political order, at the service of ends and means completely foreign to any authentic moral order... The fabric of social life must by its very nature be woven according to the same laws of integrity, of justice and of love of neighbor that determine the moral structure of our individual personalities.⁸⁴

Political and social virtues cannot be separated out or sharply distinguished from the moral virtues, but instead are an extension of them. It is not difficult to see an *Action Francaise* sympathizer like Fr. Daniel Lallement, Simon’s teacher and confessor, in the portrait they sketch here of “personally upright” Catholics who had allowed their faith to be placed in service of “ends and means” foreign to an “authentic moral order”—as Simon was to write soon afterward, Lallement told him that he found this manifesto “odious,” and in the year of its publication told Simon to stop writing on politics

Responsibilities in the Present Crisis,” trans. with introduction by Bernard Doering, *Notes et Documents*, July-Aug. 1980 v. 20: 1-20.)

⁸¹ Maritain et. al., “For the Common Good,” 2-3; Doering, *Jacques Maritain and the French Catholic Intellectuals*, 70-1.

⁸² Doering, *Jacques Maritain and the French Catholic Intellectuals*, 70.

⁸³ Simon, *The Road to Vichy*, 71.

⁸⁴ Maritain et. al., “For the Common Good,” 12.

altogether.⁸⁵ In contrast to this sort of separation, Catholics “are and remain committed to the good of this world... we are obliged to work for justice and peace here below, and to seek to collaborate to every possible degree with all men of good will.”⁸⁶ As such, there can no more be a separation between politics and religion than between politics and ethics. “Politics belongs to an intrinsically moral order; the temporal and the spiritual are intimately related. We have done with the separations and the exclusionism of the preceding age. Religion and politics, while remaining distinct, must be vitally united.”⁸⁷ “Christian prudence” does not exclude politics, but instead “religious and spiritual life” can “enlighten our intelligence and expand our prudence” for an active and watchful “vigilance in the temporal order.”⁸⁸ The writers cite papal teaching on numerous political subjects (prominently featuring recent encyclicals by Pius XI such as *Quadregesimo Anno*), among which they mention papal teaching on “patriotism and peace,” that “love of one’s country is like love of one’s family, a natural virtue which Christianity sanctions and raises to a supernatural dignity by ordering it and vivifying it through the love of God,” which “virtue cannot co-exist with any injustice toward a foreign nation.”⁸⁹ Christian prudence in politics must be based not on “the myth of Class, of Race, of the Nation or of the State,” but rather upon “the dignity of the human person and his spiritual vocation, and that of the common good of the City, founded on justice and charity, which would be the dynamic principle of social life and the common enterprise.”⁹⁰ Such a politics envisions along with Leo XIII and Pius XI “a pluralist State, which brings

⁸⁵ Simon to Maritain, July 2, 1934. *Correspondance*, v. 1, 184-7.

⁸⁶ Maritain et. al., “For the Common Good,” 12.

⁸⁷ *Ibid.*, 18.

⁸⁸ *Ibid.*, 13.

⁸⁹ *Ibid.*, 13.

⁹⁰ *Ibid.*, 15-16.

together in its organic unity a diversity of associations and social structures which incarnate positive liberties.”⁹¹ On the whole, the manifesto serves as an extended denunciation of the *Action Francaise* separation between politics on the one hand and religion and morality on the other, and its use by Catholic conservatives to justify sins against truth, justice, liberty, charity, and the common good in the name of a ‘realistic’ and ‘nationalistic’ politics that promised to restore the traditional place of the Catholic church and defend France against foreign aggressors, by any means necessary up to and including deadly violence and rioting against the liberal democratic French government.⁹²

Simon writes in *Vichy* not only of *For the Common Good*, but also of a number of subsequent manifestoes for which the first of the series served as a kind of foundational statement of principles in a political atmosphere that became increasingly heated and perilous. The following year in 1935, the same small group of collaborators issued *For Justice and Peace* in protest of Mussolini’s “manifestly unjust war” against Ethiopia, a member of the League of Nations, and in response to Catholic newspapers and journals that “with few exceptions rallied to the side of force.”⁹³ “The question which then confronted the Christian conscience was this,” Simon wrote: “would the teaching of the Church on the war be taken seriously, or would it be assumed that this teaching was a merely theoretical and academic matter,” obscured by the “dishonest” consciences of

⁹¹ Ibid., 16.

⁹² The manifesto was recognized and criticized for this by Henri Massis, a former friend and associate of Maritain who had become deeply involved with *Action Francaise*. Massis wrote a public response to the manifesto, in which he criticized its authors for presuming to intervene in political matters as Catholics: “Although the Catholics who signed this manifesto speak only in their own names, their error runs the danger of troubling consciences even more, for this is exactly what happens when Catholics intervene as Catholics in an area that is specifically political. . . For what is the precise question here? It is the need to reform the State, i.e. the necessity of a political reorganization capable of furnishing a remedy to the evils from which our country is suffering. . . It is not as Catholics that they have opinions to formulate and responsibilities to undertake, but as Frenchmen” (Cited in Doering, *Jacques Maritain and the French Catholic Intellectuals*, 72).

⁹³ Simon, *The Road to Vichy*, 105, 72.

those who seek to “elude the most sacred truths” of the moral life and “render them powerless without taking the trouble to openly reject them.”⁹⁴ While Simon wrote these words retrospectively in 1941, among the dishonest eluders of whom he was thinking were likely the prominent Catholic signatories of the 1935 manifesto *For the Defense of the West*, published by Henri Massis in defense of the Italian invasion.⁹⁵ Massis was a Catholic writer active in *Action Francaise*, and had been a friend and associate of Maritain, who introduced him to the movement personally in the 1920’s. Charles Maurras was a signatory as well, along with leading Catholics such as Cardinal Alfred Baudrillart (the rector of the Catholic Institute of Paris where Simon and Maritain both taught), the philosopher Gabriel Marcel, and Henri Gheon, who was a regular at Maritain’s Thomist gatherings.⁹⁶

Simon had good reason to accuse these prominent Catholic colleagues of eluding the political demands of their faith. Massis’s “defense of the West” manifesto had denounced those who strove to “turn the people of Europe against Rome... under the pretext of protecting in Africa the independence of an amalgam of uncivilized tribes.”⁹⁷ The “civilizing spirit” of the West itself and “even the very notion of man” were under attack by those who sought to restrain Italy’s legitimate colonial interests, for colonial expansion was one of the “most fruitful expressions” of the “vitality” of “great peoples.” Against this civilizing spirit of the great Western peoples, critics sought to impose a “false juridical universalism, which places on the same basis of equality the superior and

⁹⁴ Ibid., 105-6.

⁹⁵ Doering, *Jacques Maritain and the French Catholic Intellectuals*, 73.

⁹⁶ Ibid., 73; and reprinted with signatories in Yves Simon, *The Ethiopian Campaign and French Political Thought* (Notre Dame, IN: University of Notre Dame Press, 2009), 93-97.

⁹⁷ Reprinted in Simon, *Ethiopian Campaign*, 93-97; originally published in *Le Sept*, 4 October 1935. The final list of signatories numbered over one thousand, including “nearly half of the members” of the French Academy (ibid., ed. note, 93).

the inferior, the civilized and the barbarian,” and thereby stand in the way of “a civilizing conquest of one of the most backward countries of the world.” France could hardly condemn such an invasion without hypocrisy, for to do so would be to condemn her own vast colonial enterprises.

In response to this, *For Justice and Peace* asserted that moral conscience cannot allow the “darkening” of “justice and eternal values.”⁹⁸ No purported civilizing task, Simon and his colleagues argued, “has ever given one the right to seize someone else’s territories and bring death to them,” thus highlighting the just war considerations that the other manifesto eluded by changing the subject to the progress of Western civilization. They too asserted that Western civilization was threatened, but not by the restraint of colonialism. Rather, the threat was the betrayal of the moral standards of justice, freedom, and equality that are among that civilization’s “highest reason[s] for being.” Neither Western civilization nor Christianity could countenance “the implicit assertion of an essential inequality which would delegate certain races or nations to be at the service of others, and which would change the laws of the just and the unjust in regard to them.” The Christian faith “makes us understand and realize this truth of the natural order, that justice is owed to men without partiality, neither of race or of nation, and that the soul and life of a black is as sacred as that of a white person.” They concluded by noting that the juridical equality and potential for peace found in the League of Nations would only be realized “if peoples and governments sincerely want justice and peace,” and so that “it is this will for justice and peace... that matters more than ever to assert today.”

⁹⁸ Reprinted in Simon, *Ethiopian Campaign*, 101-5.

As with *For the Common Good*, the manifesto asserts that natural goods and virtues such as justice, truth, and peace cannot be set aside in a purportedly distinct political realm, such as the “civilizing conquest” of Ethiopia by an Italian state with legitimate national interests in colonial expansion. Equal justice for people of all races and nations within a peaceful and fair international order is not a “false juridical universalism,” but instead is premised upon a “truth of the natural order” that is intrinsic to Christianity, the equal dignity of all human beings. This was a moral and religious truth that was also a political truth; politics belongs to an intrinsically moral order, and religion and politics must remain united even as distinct. The goods of Western civilization were not to be understood in terms of the progress of “great peoples” over against barbarous tribes, but instead as in service of universal moral norms. Yet these moral norms could not be guaranteed by juridical and organizational efforts alone, as it was becoming clear that the League of Nations would not succeed if it did not rest on a genuine will to justice and peace on the part of its members. Implicitly, Simon and his colleagues concluded the manifesto by reminding their readers that justice was a moral virtue, which at the time seemed to be in perilously short supply, not least among the Catholic signers of *For the Defense of the West* who were glad to set aside church teaching on just war in the name of Western civilization’s advance. Again, at a clear point where Catholic social teaching had a direct implication for French political interests, many leading French Catholics found the *Action Francaise* theses of Maurras and Massis to be very convenient: if politics is separate from religion and ethics, neither Catholic social teaching nor natural moral goods and virtues such as justice and peace need to stand in the way of French national interests.

Simon expanded upon this line of critique in his first political book, *The Ethiopian Campaign and French Political Thought*, written and published in early 1936. The short book can be seen as a more restrained prelude to *The Road to Vichy*, focused on the same questions: What had led so many French people, particularly her Catholics, to support manifestly unjust political causes? What had undermined French commitment to basic civic goods and virtues, such as justice and truth? In *Ethiopian Campaign*, Simon focuses his diagnosis upon the “philosophical meaning” of the “basic choices, involving the values without which life is not worth living” that are “implied in the positions taken by French political thought” in the Italo-Ethiopian conflict.⁹⁹ Simon begins the book by recalling the Dreyfus affair, noting the similarity with the present divisions in France over Mussolini’s invasion of Ethiopia. Both then and now, he writes, “we are witnesses to a conflict of two *spirits*, of two conceptions of justice, political life, and the future of humanity,” neither of which are “sufficiently resistant to and free from error.”¹⁰⁰ One spirit emphasized most of all “a certain conception of justice,” while the other spirit emphasized “a certain conception of the necessities of political life,” with both spirits becoming excessively partisan and swept up in the “will to live of groups.”¹⁰¹ While Simon does not indeed present the Dreyfusard and anti-fascist spirit as “sufficiently resistant to and free from error,” the path forward he recommends clearly builds upon and seeks to purify the “conception of justice” at its core. At the same time, he rejects the “conception of the necessities of political life” at the core of the opposing spirit, which he identifies with a kind of political realism that views religion and ethics as having no real

⁹⁹ Ibid., 3.

¹⁰⁰ Ibid., 2-3.

¹⁰¹ Ibid., 2.

purchase on political affairs, operating as they do according to an autonomous logic of nations and peoples locked in a struggle for power, as represented all too well by the *Defense of the West* manifesto.

With respect to the conservative nationalists, Simon allows that there is an ethically legitimate form of “patriotism of fullness” that arises out of a love for one’s country, and is capable of appreciating the similar love for country that one encounters in patriots of other nations.¹⁰² Such a patriotism can in fact “promote friendship” among nations, for patriots can recognize that they share different forms of the same goods of “political independence and national dignity.” Love of country, then, when rightly ordered co-exists with an appreciation and respect for, even friendship with others who love their countries also. Patriotism turns sour once it becomes a “patriotism of covetousness and revenge,” and seeks to further the interests of one’s own country at the expense of another.¹⁰³ While a patriotism of fullness brings people together, this kind of patriotism only divides. And the type of patriotism shown in Italy’s unprovoked conquest of Ethiopia and among the Frenchmen who support it has clearly tipped over into patriotism of covetousness, for it fails to recognize that the Ethiopians are people of dignity who love their country also.

To this critique, Simon adds the manifest injustice of the Ethiopian campaign, which met neither *ius ad bello* nor *ius in bello* just war criteria, making use of mustard gas for what arguably amounted to nothing more than Mussolini’s political needs and Italian national interests in gaining the last available colonial foothold in Africa. The essence of the “great moral question” posed by the Ethiopian campaign was not to do

¹⁰² Ibid., 14-15.

¹⁰³ Ibid., 15.

with the progress of Western civilization, but rather with the simple question: “Is this war just? This is what, before all else, must be recognized.”¹⁰⁴ It was not just, for manifold reasons that Simon spells out in some detail. Simon considers the charge that the *For Justice and Peace* manifesto’s authors had naively pressed for an abstract and idealistic justice, an “absolute morality that is deemed incompatible with the necessities of political action.”¹⁰⁵ In such a view, Simon writes, since it is held that “temporal life has some demands that do not accord with those of absolute morality,” therefore “the universe of human action” is a sort of Manichean world in which “what might be gained through absolute morality would be lost by trying to make temporal bodies live by it.”¹⁰⁶ This view, however, unhelpfully defines “realism” as the opposite of “idealism,” wherein the ethical is an intellectual construct of “an entirely transparent universe” free of contingency, a “pure emanation from practical reason—pure, that is to say, independent of being.” Such a conception of ethics will necessarily “oppose the demands of life to the prescriptions of morality,” since it has by definition presented a morality “detached from life.” Genuine ethical realism, however, recognizes that human action takes place in a world of contingency, and seeks to discover “the essential tendencies of human nature” as they operate “relative to contingent circumstances... for the living reality that needs to be guided to its perfection is a compound of necessity and contingency, of essence and history, of nature and adventure.” Realistic moral judgments “oriented toward the absolute of the final end” must at the same time be “relative to the highly variable complex” of the actions they are meant to regulate. In the Ethiopian situation at hand,

¹⁰⁴ Ibid., 21.

¹⁰⁵ Ibid., 25.

¹⁰⁶ Ibid., 25.

this means that it is indeed possible to judge that a nation could be morally justified in breaking the kinds of treaties that Italy broke, but only if this had been done in an attempt to respect the higher law of natural justice that a positive law like a treaty seeks to specify in a contingent state of affairs. Realist ethics acknowledges the possibility of such conflicts, while at the same time maintaining the presumption that just positive laws and treaties ought to be upheld. The so-called “realism” of the *Defense of the West* supporters is only worthy of the name if one takes the “Manichean” view that temporal political life is not bound by moral laws, and “defines the legal system as mere scraps of paper” that can be discarded for the sake of national interests.¹⁰⁷

Though Simon does not explicitly tie this line of critique to the *Action Francaise* theses (politics above all, and by any means), he singles out its leader Charles Maurras as “the most logical and in every way the greatest representative of a whole set of groups that think like him about the moral basis of political problems.”¹⁰⁸ In particular, Simon points to Maurras’ “savage campaign for the use of poison gas” in French Morocco, in violation of treaties and natural justice.¹⁰⁹ Though this campaign did not succeed and the gas was never used, Simon writes that “it has produced innumerable victims among French souls” who support Italy’s use of mustard gas against the Ethiopians, again in violation of treaties and natural justice. If one does not accept such a harsh view and its “savage” implications, a more satisfactory definition of moral realism should make it apparent that the commonly-cited opposition between national “interest” and “ideals” is a

¹⁰⁷ Ibid., 24-7.

¹⁰⁸ Ibid., 48.

¹⁰⁹ Ibid., 47.

misleading and false dichotomy.¹¹⁰ Political prudence recognizes that societies “must tolerate evil when they are incapable of repressing it without causing still greater evils,” but this “does not dispense us from the primary duty to avoid evil.”¹¹¹ Consequentialist reasoning that “a good result justifies in itself the act from which it proceeds” forgets that “the Lord of contingency knows how to bend evil to the service of good,” and so forgets that rather than commit evils ourselves for the sake of supposed goods we ought instead to trust in the Lord’s “divine governance” of a world of contingency.¹¹² Politics is not simply war carried on by other means, and war is not simply hell, but rather both are moral endeavors in which justice is sought amid contingent circumstances, overseen by God’s providential governance of human affairs by which even evils can be bent in the direction of God’s good purposes.

We see in the above discussion Simon making a number of significant points, all directed against a self-professed political “realism” that countenances manifest injustices, untruths, and violence. As *For the Common Good* asserted, politics is an intrinsically moral affair, and a realistic view of its contingent difficulties does not leave it to operate in an amoral national interest-seeking or at best consequentialist vacuum. Justice, peace, and truth are meaningful goods and virtues of civic life that make real demands on political action, not merely ideals that can be pursued in private life or hoped for in the next life. The pursuit of national “interests,” misleadingly put as such, should be re-described as what follows from a legitimate “patriotism of fullness” that finds peaceable kinship with patriots of other nations, rather than tipping over into an illegitimate

¹¹⁰ Ibid., 55-6.

¹¹¹ Ibid., 64.

¹¹² Ibid., 66-7.

“patriotism of covetousness” that seeks the good of one’s own nation at the expense of others.¹¹³ This latter kind of patriotism, in Simon’s view, bound up with the “desire for conquest,” underlies the immoral kind of wars that comprise imperial and most colonial expansions, among the instances of which he does not fail to cite Napoleon’s invasions of Europe and most of France’s colonial acquisitions.¹¹⁴ France had come to a disturbing extent under the sway of a spirit that conceived of political life as a realm of amoral “necessities” and national interests, separate from ethics and religion, and joined together with a poisonous swirl of partisan and national hatreds. This spirit did not stop short of recommending murder and savagery against perceived enemies and those deemed racially inferior. Civic virtues and goods such as justice, truth, and peace were not loved by those under this spirit’s sway, just as they had not sufficiently been in the Dreyfus affair of a few decades prior. And so Simon raised another troubling question: As in the case of the Dreyfus affair, what moral corruption had set in that blinded so many Frenchmen, and Catholics in particular, to patent injustices, lies, and murderous violence?

This short book gives only a nod toward a fulsome answer, but it is significant for understanding Simon’s diagnosis of what had gone wrong among Catholics on their road to Vichy. France, Simon writes in the closing chapter, had let herself fall prey to “passions” not governed by moral virtues that allowed for clear moral perception and judgment, almost entirely blinded by “party spirit,” “nationalist passion,” “anti-Fascist passion,” and “hatred.”¹¹⁵ “All political agility will be powerless,” he wrote, “if it is not

¹¹³ Ibid., 15.

¹¹⁴ Ibid., 38.

¹¹⁵ Ibid., 82.

ruled by a clear seeing and honest interior attitude,” and only consciences in love with “truth, justice, and peace” are capable of just and prudent political judgment.¹¹⁶ France, and Catholic France in particular, had failed to form consciences that are in love with truth, justice, and peace, in what would in a short timespan show itself to be a catastrophic failure of moral formation. In a previous chapter, he sets in opposition to each other “open spiritual societies whose readiness to accept anything condemns them to dissolution,” and “closed spiritual societies who assure their survival by making a desert around them.”¹¹⁷ While liberalism’s radical openness and inattention to moral formation can neither articulate the civic ideals of France nor defend them against fascist assaults, conservative restorationists refuse to acknowledge and engage with the genuine civic goods achieved by a democratic French republic. Better than either path, Simon writes, are “open spiritual societies that have conquered in welcoming,” whose central principles and purposes endure and make progress “by incorporating ideas conceived in another’s heart.”¹¹⁸ Simon draws an analogy with the contrasting directions taken by medieval Islam and Catholicism when confronted with Aristotle’s philosophy. While Islam saw its faith as threatened and so forestalled its burgeoning philosophical reception of Aristotle, making “Averroes the last of the great Islamic philosophers,” Catholicism instead “desired further discussion,” and so brought forth “St. Albertus Magnus and St. Thomas Aquinas.” The “Christian world,” Simon writes, “without minds sufficiently rooted in the truth,” sometimes resembles a “conservative citadel” that walls itself off from discussion of objections and new paradigms, or on the other hand sometimes “exposes

¹¹⁶ Ibid., 82.

¹¹⁷ Ibid., 73.

¹¹⁸ Ibid., 73ff.

itself to liberal dissolution (modernism).” While Simon does not yet use the “party of liberty” and “party of authority” formulation that he comes upon in later work, we see him here diagnosing the French scene as one that is in large part divided between a radically liberal openness whose “readiness to accept anything” condemns it to “dissolution,” and a “conservative citadel” bent on assuring its survival by closing itself off to the engagement with present-day political questions and situations that a living tradition of Catholic social thought demands.

While Simon’s first political book was a short treatise bound up with detailed discussion of a now nearly forgotten war, within it we see the beginnings of the lines of critique he was to carry on in subsequent early political writings as well as his mature political work’s attempt to present the civic truths and goods that he found missing in both secular and democratic Enlightenment liberalism and conservative and restorationist Augustinian Catholicism. Simon began here to articulate these civic goods from within the Thomist Catholic tradition, showing how what he here calls a genuinely “realist” conception of political ethics (as opposed to a mistaken view that goes by that name) is capable of articulating politics and even war as moral enterprises the conduct of which is answerable to Catholic teaching. As in *The Road to Vichy*, Simon highlights the insufficiency of both political liberalism and conservative restorationist Catholicism to articulate basic civic goods and form people in civic virtues. What is called for is not the abandonment of the best ideals of the democratic French republic—above all, her commitment to equal justice—but rather its purification from the errors of political liberalism.

Five years later, writing in *The Road to Vichy* after the disasters he feared had come to pass, Simon confronted a situation in which the political efforts he and Maritain helped to lead had obviously failed. With respect to the Italo-Ethiopian conflict, conventional political considerations “could neither justify nor explain the enthusiasm with which this obviously unjust and cruel war was cheered by the Rightist parties and their sympathizers,” such as *Action Francaise*.¹¹⁹ “Their zeal,” Simon judged, “was above all a tribute to triumphant force, consistently accompanied by a diabolical irony in which were combined a contempt for the pledged word, a hate of juridical forms, and an exaltation of violent passions at the expense of justice and mercy.” To the French Right, “justice seemed... an abstract and suspicious idea.”¹²⁰ Simon cited two more manifestos he and Maritain had signed, one in protest of the vicious slandering of the military honor of a socialist politician that had driven the man to suicide (*In Defense of Honor*), and another protesting the 1937 bombing of the civilians of Guernica by the Nazis at Franco’s permission (*For the Basque People*) as a sort of trial run for the “tactics of mass slaughter” they would employ in the Second World War.¹²¹ This final manifesto, Simon writes, was meant as a “humble expression of truth and love dedicated to the body-littered remnants of the destroyed city” of Basque Catholics who had aligned themselves against Franco. While none of these manifestos turned the tide of “violent passions” that had overtaken much of Catholic France, nevertheless “this spirit of truth, justice, and honor” presented in those dark years a genuine witness of “the holy freedom of the children of God,” inspired not by the rightist Catholic press but rather by “the living

¹¹⁹ Simon, *The Road to Vichy*, 112.

¹²⁰ *Ibid.*, 114.

¹²¹ *Ibid.*, 72-5. The manifesto *For the Basque People* is discussed in Doering, *Jacques Maritain and the French Catholic Intellectuals*, 97-99.

sources of the supernatural life: the teaching of the Church, Catholic discipline, the sacraments, the liturgy, prayer.”¹²² It was precisely this renewal of supernatural “faith and charity” that manifested itself in the temporal life of France as a spirit that fearlessly defended the civic truths and goods of truth, justice, and honor.¹²³

Maritain had illustrated this spirit well in 1937, a year after his publication of his major political work *Integral Humanism*, in an article on the Spanish civil war titled “*Exister avec le peuple*” (“To Exist with the People”):

If we love that living and human thing which we call the people... we will wish first and foremost to exist with them, to suffer and to remain in communion with them. Before ‘doing good’ to them, and working for their benefit, before practicing the politics of one group or another... we must first choose to exist with them and to suffer with them, to make their pain and their destiny our own.

...The strength of the socialists and the communists comes less from their ideology than from the fact that they exist with the people. They believe whole-heartedly that to exist with the people, they must bind themselves to them. But whoever wants to replace in real life the errors of their ideology with a true vision of things must first exist with the people. To apply effectively the social doctrine of the encyclicals, there is one prerequisite condition: to exist with the people.¹²⁴

In a subsequent article denouncing the crusading mentality among many anti-Franco Catholics, “*De la guerre sainte*,” (“On the Holy War”), Maritain wrote:

A man who does not believe in God might think: after all, this is the price of a return to order and one crime deserves another. A man who believes in God knows there is no worse disaster. It is as if the bones of Christ, which the executioners could not touch, were broken on the Cross by Christians.¹²⁵

Truth, justice, and honor were not separate from Catholic faith and charity, but part of an integral Christian humanism that manifested itself in Christian political prudence. Sins by Catholics against these civic goods and virtues, such as in Ethiopia and Guernica, were for Maritain analogous to breaking the bones of Christ on the cross by Christians.

¹²² Ibid., 76-7.

¹²³ Ibid., 78.

¹²⁴ Cited in Doering, *Jacques Maritain and the French Catholic Intellectuals*, 101-2.

¹²⁵ Cited in Doering, *Jacques Maritain and the French Catholic Intellectuals*, 105.

Simon evinces the same refusal to sever the civic from the Christian, or the natural from the supernatural, in *The Road to Vichy*'s insistence that the "spirit of truth, justice, and honor" cannot separate itself from any spirit worthy of the Christian name.

The road to Vichy France, then, was for Simon one that had been made possible in large part by France's Catholics. Drawing on restorationist strands in Catholic social thought (particularly Pius X's condemnation of modernism and democratic movements such as the *Sillon*), too many French Catholics understood their church's condemnation of political liberalism as calling for the restoration of sacral, hierarchical forms of political authority, the "Christian City" ruled by a Catholic monarch; or, failing that, by Marshal Petain. So long as this was accomplished and authoritative order restored, the means to this glorious supernatural end mattered little: concern for liberty, truth, justice, and honor in the merely civic, natural order was belittled as a merely secular matter. Authority on this view was entirely remedial in nature, the necessary means in a fallen world to hold a sinful mass in check and provide a semblance of order, rather than a gift of creation that served the common good. Politics operated according to its own "natural laws," which included such realistic matters of statecraft and political economy as the inviolable rights of private property (however unequally distributed) and the use of mustard gas on civilians in pursuit of national interests. Catholics had failed to form themselves in the civic virtues, and instead had filled their minds and hearts with the calumnies, hatreds, and unruly passions found in the supposedly pro-Catholic publications of *Action Francaise* and its assorted allies. Simon encountered a number of Catholic intellectuals who either wrote in strong support of Charles Maurras's movement, such as Maritain's former ally Henri Massis, or others such as his superiors at the

Catholic Institute or the University of Notre Dame, like Fr. Daniel Lallement or Fr. Reginald Garrigou-Lagrange, who were like many leading Catholics of the day sympathetic to the cause. But in their attempt to demote or even scorn the civic, natural virtues of the French *res publica* in favor of the supernatural virtues of the church, French Catholics influenced by this movement had in fact become neither republican nor Christian.

As a Leonine Thomist, Yves Simon drew different lessons from Catholic support for fascism than *ressourcement* Catholic figures such as Maurice Blondel and Henri de Lubac, who diagnosed the central doctrinal problem with *Action Francaise* Catholics as to do with an “extrinsicist” conception of nature and grace. According to their diagnosis, this error left politics to operate in its own sphere free from the interference of Christian grace so long as it maintained an authoritative political order that supported the Church in carrying out its supernatural mission of saving souls.¹²⁶ While Simon did not enter into dialogue with this kind of position, his diagnosis was significantly different. The trouble with *Action Francaise* Catholics for Simon was not that they had set up a self-sustaining natural realm of politics into which grace did not penetrate, but rather that they had lost their sense of nature as created good by God, superseding and neglecting the natural acquired virtues and goods of the *civitas* in their exaltation of the supernatural Christian virtues and goods. Civic virtues and goods were reduced by them to the mere maintenance of “order” and “authority,” which were simply seen as imposed on a sinful populace (by force if necessary) rather than viewed as intrinsic to the free and social

¹²⁶ Bernardi, *Maurice Blondel, Social Catholicism, and Action Francaise*, 3, 56, 166-68, 263-4.

creatures that God had created human persons in community to be. These Catholics, as such, were just as practically atheist as Enlightenment liberals with respect to civic life.

2.2. *The Crisis of Liberalism*

In a 1940 essay discussing the nature of liberty in the context of what Simon calls the “authoritarian” crisis then engulfing the world, Simon clearly states that he considers “liberalism to be a dreadful error, and that we are not inclined to make any concession to what constitutes the heart of the liberal philosophy, i.e. the illusion that a boundless competition of atomic forces is likely to promote all kinds of perfections, both in the individual and in the society.”¹²⁷ In his *Road to Vichy*, Simon remarks: “I hate as much as any man the numerous and monstrous errors of the French revolutionary tradition. I am not one of those Catholics whom the *Syllabus* of Pius X embarrasses.”¹²⁸ The last three errors condemned by Pius X in his provocative 1864 *Syllabus of Errors* were to do with modern liberalism, opening with the infamous condemnation of the suggestion that “the Roman Pontiff can, and ought to, reconcile himself, and come to terms with progress, liberalism and modern civilization” (§80). While Simon does not take upon himself the task of exegeting the *Syllabus*, it is important to understand that he everywhere takes for granted that the Catholic Church has condemned modern political liberalism, and so that it is simply off the table as a Catholic theory of civic life. Moreover, Simon views this condemnation as having significant explanatory power for the political crisis of the early 20th century.

¹²⁷ Yves Simon, “Liberty and Authority,” in *Freedom and Community* (New York: Fordham University Press, 2001), 60. Orig. pub. in *Proceedings of the American Catholic Philosophical Association* v. 16 (1940): 86-114.

¹²⁸ Simon, *The Road to Vichy*, 13.

Simon's sharp and thoroughgoing criticism of the role his fellow Catholics had played in paving the road to Vichy was therefore balanced by his equally foundational criticism of Enlightenment liberalism, which in his view (to continue the metaphor) had paved the same road to Vichy from the other side of the street. As mentioned earlier, the focus of his ire in *Road to Vichy* is most often his fellow Catholics, given their direct complicity in the Vichy regime during which he wrote, but the book is no less clear that blame is shared with liberalism. In *Road to Vichy* and the subsequent political book *The March to Liberation*, along with the 1942 essay "Beyond the Crisis of Liberalism" and the 1940 essay "Liberty and Authority," Simon sets forth a criticism of political liberalism that would have been familiar to anyone well-acquainted with 19th- and early 20th-century Catholic social teaching. Liberalism, Simon argued, was premised on a confused theory of liberty that privileged the unbounded freedom of the mind over its calling to perceive and know the truth about God and the world. Liberalism was plagued by an unduly optimistic anthropology that failed to take into account our need to be formed in virtue, instructed in truth, and protected from vice and error. Liberalism was possessed of no compelling collective "myth," or account of existence capable of giving meaning to life's struggle, and so tended to form characters tempted by one or another form of nihilism. Finally, liberalism was in large part a bourgeois doctrine masquerading as a universal truth, tending in its laissez-faire approach to economic life toward an unfettered accumulation of property and capital by the middle and upper classes and immiseration of the working class. Viewed as a whole, liberalism failed to form and instruct a people in the virtues, truths, and compelling collective beliefs necessary to sustain a free *res publica*, imparting instead no more than an individualist nihilism that

amounted to “practical atheism” with respect to civic life. In economic life, liberalism tended to leave working people behind, and so was a significant source of their growing distrust in democratic institutions and the rule of law. Liberalism then had its own very real share in the road that led to Vichy France, as too many were susceptible to calumnies and lies, collective hatreds and compelling fascist-nationalist myths, and resentment towards a political and economic system that seemed to be opposed to the interests of the working classes.

However, Simon engages in this thoroughgoing critique with a clear awareness that in the 1940’s it needed to be packaged along with admission of the complicity of non-liberal Catholics in undermining modern democratic politics, and forthright affirmation and defense of the positive goods of liberty that such democratic politics strove for. In the same 1940 essay in which Simon condemned liberalism as a “dreadful error,” he at the same time acknowledged that thus far “the main results of the crusade against liberalism have been a scornful disregard for justice, blacklists, indiscriminate proscriptions, and mass slaughters.”¹²⁹ When we read his letters to Maritain, full of dismay that his careful arguments about the nature of political authority and the flawed nature of political liberalism were admired and promulgated by pro-Nazi and pro-*Action Francaise* Catholic publications, we should see in this his redoubled determination to be extremely careful in the manner in which he carried out his liberalism critique. Simon coupled his critique with a clear admission of Catholic complicity and a non-liberal redescription and defense of the genuine political goods that modern democratic aspirations for liberty strove to achieve. Rather than rejecting wholesale “the spirit of

¹²⁹ Simon, “Liberty and Authority,” 61.

freedom of the English, American, and French Revolutions,” Simon in 1940 sought instead a “great ideological purification,” whereby the spirit of freedom so loved by the Enlightenment tradition would be joined in proper balance to the gift of authority maintained by the Catholic tradition: “the undivided cause of liberty and authority.”¹³⁰ This careful balance, rare in Simon’s time, was a tightrope he sought to walk not only as an academic but as an engaged French-American intellectual, writing in Catholic magazines such as *Commonweal* and in no fewer than three popularly-pitched political books. His letters to Maritain reveal further the passion and commitment with which he wrote, seeking to be engaged as his age and physical condition allowed¹³¹ in the struggle against fascism and in laying the intellectual groundwork for a free and lasting postwar political order, purified of the fatal errors of both restorationist Catholicism and Enlightenment liberalism.

In this section, we will examine Simon’s multifaceted critique of political liberalism more closely, highlighting the way in which he sought to present this critique alongside affirmation of the political goods that the tradition of Enlightenment liberalism strove for in ways that his own Catholic tradition had not always done—equal justice for all, liberation from political oppression, and the dignity of ordinary persons recognized in democratic politics. In this early period of his work, Simon began working toward a theory of how a non-liberal politics rooted in the Thomist Catholic tradition could be a better defender of the most valuable goods to which modern democratic politics in the Enlightenment tradition aspired, even though in his letters he at times displayed real

¹³⁰ Ibid., 62.

¹³¹ Simon suffered from lifelong health problems that made it impossible to serve as active duty military. See here Simon, “Autobiography.” In *The Book of Catholic Authors (Third Series)*, ed. Walter Romig (Grosse Pointe, MI: Walter Romig and Co., 1945).

doubts as to the usefulness of his Thomist tradition in answering the problems that the Enlightenment and the American and French Revolutions were trying to address. This early period, then, can be seen as a foreshadowing of the extended, mature political work Simon was to do in the postwar period on democracy, authority, and Catholicism, as he attempted to lay the groundwork to replace the political order that had collapsed around him in the 1930's and 40's. Simon did not and could not take the path of Catholic reconciliation with liberalism that John Courtney Murray and many others in his wake were to take after the Second Vatican Council, as Simon took for granted and articulated at length the critique of liberalism that he found in the Leonine tradition of Catholic social teaching and used as a major strand of his reading of the road to Vichy France and fascism. However, he could and did join that critique of liberalism to an appreciation of Enlightenment politics and democratic institutions that was shared by few Catholic intellectuals of his time. In what follows, we will see more clearly why his profound critique of liberalism could not allow him to seek a *détente* with political liberalism itself, but rather with the democratic tradition's aspiration to liberation from oppression, equal justice for all, and the fraternal pursuit of the common goods of civic life.

2.2.1. Liberalism's confused theory of liberty

In his wartime essay "Beyond the Crisis of Liberalism," Simon characterizes liberalism as troubled by what he calls an "optimistic naturalism."¹³² The first component of this optimism is liberalism's characteristic "theory of the liberty of the mind." "In the emancipation of the intellect," Simon writes, "in the freedom of thinking,

¹³² Yves Simon, "Beyond the Crisis of Liberalism" in *Essays in Thomism*, ed. Robert Brennan (New York: Sheed and Ward, 1942), 265.

a number of theorists saw the very heart of liberalism.” Simon judges that there are a number of defensible and indeed important ways of construing freedom of thought. He mentions three in particular: freedom from passions and prejudices, such that one’s mind is not enslaved by them; freedom from enslavement to intellectual authorities, such that one’s mental assent to a truth is not mere assent to an authority but instead a matter of inner conviction and comprehension; and freedom from temporal pressures, meaning this or that demand or prejudice of the social environment in which one lives.¹³³ Liberalism, however, has in Simon’s judgment tended to go beyond these important and necessary components of intellectual freedom, instead sheltering a “more radical” view that asserts that “the mind is free from all necessitating subjection to its subject”—here, Simon mentions in particular the work of the French philosopher Charles Renouvier.¹³⁴ But this, Simon argues, is a confused theory of the liberty of the mind. “It is not true,” he writes, “that the mind enjoys any freedom in its assenting to self-evident principles,” nor in “assenting to any evident truth, whether it be immediately evident or demonstrated.”¹³⁵ To the contrary, it is the strength and glory of the intellect “as a power of knowing the truth” that it “naturally and indefectibly” is determined to give its assent to evident truths. The inability to give such assent is not a marker of freedom, but rather of a darkened and deficient intellect, led astray by passions, prejudices, erroneous authorities, or some other weakness of constitution. As such, then, to the extent that liberalism has tended to ally itself with a theory of intellectual liberty that denies the constitution of the intellect to assent to evident objective truths (even though Simon carefully admits that such a theory

¹³³ Ibid., 266.

¹³⁴ Ibid., 266.

¹³⁵ Ibid., 266.

is not necessarily bound up with liberalism's basic essence), it has harbored a confusion near its heart that has worked against the need to teach and form its citizens in the truths and virtues upon which political freedom depends.

Simon expands upon this in his 1940 essay "Liberty and Authority," a careful discussion of the freedom of the will that was later to be built upon for his 1951 book *Freedom of Choice*.¹³⁶ Simon begins by noting that liberty according to St. Thomas is an absolute perfection that can in a formal sense be attributed to God.¹³⁷ Yet the human realization of this absolute perfection, as with science or art, is capable of evil use by human beings.¹³⁸ For Simon, the first step toward clearly diagnosing and therefore avoiding such evil use is a careful refutation of the idea, "frequent among scientists and philosophers" as well as in influential literary works, that liberty "results from a lack of determination" of the will to a particular object. Such a construal amounts to the notion that freedom consists in "trying everything without letting ourselves be steadily determined in any way."¹³⁹ This however is better described as "passive indifference" and "irresolution" than as freedom; and better conceptualized as an "indifference which amounts from ontological poverty: anything is good to one who has nothing." It is, as it were, the freedom enjoyed by someone who cannot make up his mind what he wants to have for lunch, and so stands with the refrigerator door open, stomach growling and food spoiling. Such a freedom is not worthy of the name. The confusion at the heart of such accounts of freedom—which, we should recall, Simon views as particularly apt to accompany political liberalism even though not necessarily of its essence—stems from

¹³⁶ *Freedom of Choice* is the title of the 1969 English translation (New York: Fordham University Press, 1969); originally published as *Traite du libre arbitre* (Liege, Belgium: Imprimerie Georges Thone, 1951).

¹³⁷ Simon, "Liberty and Authority," 33.

¹³⁸ *Ibid.*, 35.

¹³⁹ *Ibid.*, 36.

the real yet “thin analogy” that can be drawn between two different types of indifference.¹⁴⁰ It can be said rightly of a subject that he is indifferent insofar as he exists in a state of potency, not determined to one course of action or another but open to all of them. Indifference can also rightly be ascribed to a subject when she is said to be capable of several realized possibilities, possessing the power to achieve a good in various dimensions. Here, Simon describes not the person standing in front of the refrigerator with his jaw agape, but rather the accomplished pianist at her instrument capable of interpreting a piece of music in different ways, each good in its own fashion. This kind of liberty implies “not only the sheer capacity of eliciting actions qualitatively diverse, but also a domination over the attractive aspect of any possible action.”¹⁴¹ Such a person is free either to act or refrain from acting, and to achieve a good in a multiplicity of ways. While there is indeed a kind of “indifference” present in both aspects of the human will, the fullest realization of human liberty is to be found in the latter kind of “dominating indifference,” the power to achieve a good in a variety of ways, rather than in the ontological poverty of the will that has not yet achieved anything at all and cannot decide what if anything to do.

Simon brings this discussion of the human will back around to political liberalism by remarking that if this is indeed the case, then it is clear that “any form of social life which increases the lonesomeness of the individual, puts him in a state of doubt, makes it more difficult for him to come to decisions, is highly suspect of materializing an illusory

¹⁴⁰ Ibid., 37. Here, Simon draws upon St. Thomas on the “twofold indifference of the will,” citing *Summa Contra Gentiles* 1.82 and *Summa Theologica* I q. 19 a. 4-5.

¹⁴¹ Ibid., 39.

conception of liberty.”¹⁴² Conversely, a form of social life that “gives the individual more firmness, more coolheadedness, more self-control, more clear-sightedness, a more lucid insight into his own aspirations and the end he has to pursue” will in fact better serve the cause of fostering the liberty of the individual. As such, modern liberalism’s claim to serve “freedom of thought” will fail in its stated purpose insofar as it allies itself with a conception of the liberty of the mind that confuses the indifference of passive potentiality with the dominating indifference of the power to achieve the good. The latter kind of liberty requires more than mere openness to theoretical options that one lacks anyhow the power to achieve, but rather the hard work of education and formation that is necessary to empower us to act well. One must be possessed of a genuine zeal for the truth in order to undertake such a difficult and lengthy process, but as Simon notes in a 1947 essay, “liberalism has made us insensitive” to the complementary relationship between the “spirit of truth and the spirit of freedom,” indeed encouraging by its confused theory of the freedom of the mind the belief that “freedom has no meaning if there is such a thing as absolute truth,” and suggesting that “some amount of indifferentism is an indispensable condition for the preservation of freedom.”¹⁴³ Of course, if an indifference to truth, and especially moral truth, is regarded as an indispensable friend of liberty, then the tasks of moral education and formation will not only be hindered but positively opposed by the institutions of a liberal society. Thus Simon’s critique of the confused theory of the liberty of the mind that tends to accompany liberalism builds to a criticism of liberalism’s neglect of the task of formation.

¹⁴² Ibid., 41.

¹⁴³ Yves Simon, *Community of the Free* (New York: Henry Holt, 1947), 4.

2.2.2. *Liberalism's unduly optimistic account of formation*

Whether or not such a radical theory of the liberty of the mind is popularly held in a particular liberal society or school, Simon argues that political liberalism does of its essence hold to either an agnostic or optimistic account of the place of “transcendental questions” in society and their formative, authoritative role therein.¹⁴⁴ By transcendental questions, Simon means broadly speaking “religious dogmas, metaphysical doctrines, and also the supreme principles of ethics.” While liberal agnosticism does not by his definition necessarily deny the human capacity to speculate and come to reasonable conclusions about such transcendental questions (although, he notes, it “favors such a negation”), it does hold that “transcendental speculations should be left to the individual mind and conscience.”¹⁴⁵ This follows from the common observation, found paradigmatically in Kant’s *Critique of Pure Reason*, that such truths (if truths they be) lack a “general consensus” among those who investigate them, and certainly lack consensus within the wider society.¹⁴⁶ Consequently, while a handful of philosophically intrepid individuals may well come to definite (if varied) speculative conclusions regarding such truths, it is best for society as a whole to remain agnostic about them. Only truths of logic and experimental science are capable of gaining general assent, but transcendental truths by their nature must remain in the realm of personal speculation, and will take widely variant forms. No generally acceptable certainty can be reached about them, and so any definite position taken by society can only be an imposition. This Simon says is the “traditional position of liberalism”—namely, that “society should

¹⁴⁴ Simon, “Beyond the Crisis,” 268.

¹⁴⁵ *Ibid.*, 267.

¹⁴⁶ *Ibid.*, 268.

abstract from any problem of truth which... fails to obtain the general agreement of people normally fit for social life.”¹⁴⁷

The same result can be reached, Simon writes, by “liberal optimism.” While liberal agnosticism asserts that society should take no position on transcendental truths that are not generally accepted (indeed, and cannot be according to their theory), liberal optimists hold that society should take no position on such truths precisely because this creates the best condition for their discovery and assent. Liberal social orders therefore are the best breeding grounds for people who assent to truth and are formed in virtue, precisely because society imposes such truths upon no one, which makes them more likely to be adopted. Here, the paradigmatic form of argument is found in J.S. Mill’s *On Liberty*, in which it is contended with skill and force that “truth has all the strength needed for its actual triumph.”¹⁴⁸ This type of liberalism, then, can logically be held by someone who is not in any way an agnostic with respect to ethics or religion, as it requires only the optimistic view that truth will win out if given the chance.

For Simon, both agnostic and optimistic forms of liberalism are inadequate views of the human condition. Here, Simon points especially to those transcendental truths to be found in the realm of ethics, viewing the Second World War as a particularly clear instance in which liberal formation has failed to pass along moral principles and virtues essential to the maintenance of a decent social order. Liberals, he writes, had supposed that “whether you justify the prohibition of murder by appealing to hedonistic principles, or on the ground of the dignity of man, or on the ground of the divine law, matters little... the only thing that does matter is that we are all agreed that murder should be

¹⁴⁷ Ibid., 269.

¹⁴⁸ Ibid., 271.

prohibited.”¹⁴⁹ While he wrote those words in the 1940s, however, it was clear that “societies were confronted by mass-movements favoring openly such forms of murder as abortion, mercy-killing, the extermination of political foes.”¹⁵⁰ For a time, a “centuries-old set of traditions” had managed to secure agreement on certain basic moral principles such as the prohibition of murder, but liberals had failed to understand that “the vitality of traditional mores sprang from the principles with which these mores had been connected in the past.” Once cut off from these traditional taproots, “these mores were doomed to wither away in the space of a few generations.” Modern liberalism, as such, was dependent upon moral sources passed along by communal traditions that it could not itself provide, insofar as it remained agnostic about the transcendental truths that undergirded the moral practices and judgments of a just social order.

Liberal optimism was similarly unwarranted. Simon affirms the insight of Aristotle and Thomas that habituation in moral virtue is a difficult and lengthy affair requiring intensive formation, and that the path of least resistance has at its terminus a high degree of vice. And this is true not only of moral character, but “also in the intellect of man,” in which “the light of truth has a hard time fighting its way amidst the crowd of illusions that haunt even the best trained minds.”¹⁵¹ Simon notes that the recent popularization of Freud’s psychology was quite at odds with the sunny anthropological assumptions of many liberals, for it made clear the “precarious situation of truth in the mind of man.”¹⁵² Also at odds with liberal optimism, Simon contends, is the “period of universal disasters” that the world was experiencing in the 1940’s, which ought to compel

¹⁴⁹ Ibid., 269.

¹⁵⁰ Ibid., 270.

¹⁵¹ Ibid., 271.

¹⁵² Ibid., 272.

us “to open our eyes to the lamentable weakness of the adherence of the human mind to truth.” Not only had it become clear that “ordinary people” are quite “ready to swallow any lie, however gross and stupid it may be, which is presented to them on printed paper,” but educated people as well were apparently just as susceptible to calumny and falsehood. From the swirl of vicious falsehoods and hatreds in which Western societies were at the time immersed, Simon drew the inference that political liberalism was implicated in a failure of formation that had grown to immense proportions. “When ethical principles are given up by society as such,” Simon asserted, “considered as a private affair, and left to the individual conscience, they tend to become inoperative even for those who still recognize them.”

To underscore the importance of formation, Simon makes reference to the Thomist moral tradition’s distinction between the states of moral virtue, continence, incontinence, and vice.¹⁵³ It is not likely to suppose, Simon thinks, that most people will fall securely into the first category; rather, most will be somewhere in-between firm virtue and decided vice, and in need of positive reinforcement from society as they struggle to discern what is true and do what is good. “Unless the principles of morality are embodied in the collective life of the group,” he writes—“unless individual conscience is constantly comforted, stimulated, controlled, by the reactions of the group, protected by the power of collective conscience” against its own weaknesses and propensity to comfortable blindness, “the worst possibility will materialize often.” This, he thinks, will be reasonably obvious to anyone who is accustomed to observe trends in

¹⁵³ *Ibid.*, 273.

social mores. “The exact knowledge of the psychological conditions of sound conscience,” Simon concludes, “affords the most obvious refutation of liberalism.”¹⁵⁴

In *The Road to Vichy*, Simon makes a number of observations consonant with these claims. High on the list of moral failures that contributed to the Nazi pacification of France, for Simon, were the many newspapers affiliated with *Action Francaise* and other sympathetic groups, which provided for the French people a “feast of hatred” with “the reading of each day’s papers,” a “quarter of an hour of delightful hating” over breakfast that is looked forward to by readers of such newspapers with relish.¹⁵⁵ The formative power of regular hatred taken daily with the news built up over time a “community of hates” centered around those groups that Hitler hated: the Jews, the Freemasons, the Communists, and the liberals.¹⁵⁶ As we have already seen, Simon pointed also to the “campaigns of moral corruption” that were undertaken by those in support of the expansion of French colonial interests in Africa, whatever the injustices and slaughters of the innocent that it may take.¹⁵⁷ By the 1930s and 40s, this moral corruption had gone too far to allow for the few voices who bore witness to truth and justice (as we have seen, Simon here has in mind the manifestos written by Maritain and his circle) to make much of a difference against the onrushing train of Nazism. After the First World War, Simon writes, the process of “dechristianization and derepublicanization” that Peguy decried had accelerated, such that the republican virtues and ideals of the French Revolution (flawed as they had been) were replaced by little

¹⁵⁴ Ibid., 274.

¹⁵⁵ Simon, *The Road to Vichy*, 149, 152.

¹⁵⁶ Ibid., 149ff.

¹⁵⁷ Ibid., 105ff., 162.

more than cynicism and egoism.¹⁵⁸ French liberals, as Simon portrays them during the interwar period, were little more than a band of exhausted old men, decent enough as individuals but incapable of projecting any ideal strong enough to withstand the onslaught of moral corruption that was to overwhelm them.¹⁵⁹ In his 1940 essay “Liberty and Authority,” Simon remarks: “Woe to a society that permits the collective beliefs upon which its ethos rests to be called arbitrarily into question!”¹⁶⁰ In *Road to Vichy*, Simon paints a picture of a France that had ceased to believe in the civic republican ideals that had once animated it, with its liberals incapable of mustering even the anti-clericalism that had once given them purpose. Into this civic vacuum rushed corrupt newspapers and parties such as Charles Maurras’s *Action Francaise*, all too willing to foster communities of hatred and sit loosely to complex and difficult public matters of truth and justice. The denial of the need for moral formation, and of protection from error and vice, in the name of liberal freedom did not manage to repeal the human condition, in which error and vice rather than truth and virtue will come to dominate the public square if left unchecked. This will lead to the formation of communities gathered around hatred of common enemies and susceptible to the siren song of dishonest, hate-filled tyrants such as Hitler, rather than communities gathered around common goods and capable of resisting the ever-present temptation to civic vice and falsehood.

In his 1942 book *The March to Liberation*, Simon explicitly ties liberalism’s “defiance of authority” to its failure to form people in the virtues and truths necessary to sustain a just civic order, in a section that presages his later extensive work on the nature

¹⁵⁸ Ibid., 29-30.

¹⁵⁹ Ibid., 37, 87.

¹⁶⁰ Simon, “Liberty and Authority,” 59.

of authority.¹⁶¹ Liberalism, he writes, had characteristically been thought to be opposed by its very nature to authority: “In a past which is still recent,” Simon observes, “it would have been considered fantastic to expect the same men to love and to will liberty as a very good and desirable thing, and to love authority and wish it to be as effective as possible.”¹⁶² At best, liberals might recognize certain authorities as necessary by way of concession. Yet the experience of wartime has made clear that authority is in fact necessary for the maintenance of a just social order: “We will never forget the nightmare of the last years of the Third Republic,” Simon writes, “when the exhaustion of authority permitted the growth of all the forces of disorder, and in particular of the forces of exploitation, of despotism, and of tyranny which were soon to seize power.”¹⁶³ “The alternative,” he argues, “is absolute:”

Either authority has all the power necessary for safeguarding and promoting all the advantages of social life, and above all that liberty which is at once the principle of social life and its chief glory, or, for want of a power necessary for safeguarding and promoting them, all the advantages of social life and above all liberty will be exterminated by the nihilism of tyranny.¹⁶⁴

Liberalism, contrary to its self-understanding as the best protector of liberty, is ironically a sure path to political tyranny, precisely in its false opposition between liberty and authority. Liberalism’s antipathy to communal authority ensures that citizens will not be formed in the civic truths and virtues necessary for the maintenance of the liberties of a free republic.

¹⁶¹ Simon, *The March to Liberation*, 88. We will examine this text more closely in this chapter’s final section.

¹⁶² *Ibid.*, 89.

¹⁶³ *Ibid.*, 91.

¹⁶⁴ *Ibid.*, 92.

2.2.3. Liberal nihilism and the importance of collective belief

Moral formation for Simon was not simply a matter of positive moral reinforcement and protection from error and vice. Rather, Simon viewed the formation of moral virtues and vices to be bound up with the overall ends and ideals to which they are directed. Therefore to diagnose what went wrong in France's road to Vichy, Simon finds it necessary to speak not just of virtue and vice, but also of the collective beliefs that give rise to the animating spirit of a community.

Compared with his earlier *Ethiopian Campaign*, Simon's *Road to Vichy* displays a closer attention to the way in which such a "spirit" grows or withers in strength within a community, and its connection with the moral virtues of its members. Otherwise put, Simon was concerned not just to "isolate the philosophical meaning"¹⁶⁵ of the great moral questions of French politics and purify them from error, but also to show how collective beliefs shape communities in virtuous or vicious ways, and how the lack of good, true, and compelling collective beliefs creates a vacuum into which morally dubious and false beliefs can take root, such as those promulgated by *Action Française*. From this vantage point, he criticizes the lack of defenses that political liberalism provides against just such morally dangerous collective beliefs. From Georges Sorel's analysis of the development of proletarian movements in *Reflections on Violence*, Simon makes use of the concept of "myth," defined by Sorel as strong collective beliefs that shape the future of societies by giving adherents hope that their actions will be tangibly impactful.¹⁶⁶ A myth is a collective, holistic vision that "sums up a set of aspirations, and expresses in an organic

¹⁶⁵ Simon, *Ethiopian Campaign*, 3.

¹⁶⁶ Simon, *Road to Vichy*, 197-8. Simon cites Sorel's definition at length: "inclinations which recur to the mind with the insistence of instincts in all the circumstances of life; and which give an aspect of complete reality to the hopes of immediate action by which, more easily than by any other method, men can reform their desires, passions, and mental activity."

unity an indefinite number of emotions and volitions.”¹⁶⁷ An efficacious myth, Simon explains, “does not depend upon the intelligible elaboration of its content, but upon its emotional appeal, upon its capacity to sum up in a compelling way a host of aspirations.”¹⁶⁸ As we have seen, Simon takes care to point out that *Action Francaise* comprised for its many adherents just such a compelling set of beliefs, albeit one that cared little for civic goods and virtues such as truth and justice, and gained much of its emotional power from hatred of enemy groups such as liberals, Jews, Freemasons, and Germans. When joined with restorationist Catholic piety, these collective beliefs possessed strong motivating power, yet with respect to the civic goods of France they were “practically atheist” and non-Christian. Very unfortunately, France from 1918 to 1941 was a place in which, Simon writes, “the only groups capable of producing powerful myths were those engaged in the most nefarious undertakings.”¹⁶⁹ In the state of exhaustion and disillusionment following the Great War, France had lost “the spirit of the French Revolution,” and was incapable of producing collective beliefs sufficient to motivate dedication to the democratic French republic against its increasingly motivated and violent foes: “the power of generating, maintaining, and exalting the collective beliefs which assure simultaneously the strength, the efficiency and the discipline of collective action.”¹⁷⁰ “Against the inroads of destructive passions and ideologies,” Simon writes, “they lacked the protection of an unquestioned system of beliefs, visions and aspirations—in short they lacked the protection of a *myth*.”

¹⁶⁷ Simon, “Beyond the Crisis,” 281.

¹⁶⁸ Simon, *Road to Vichy*, 200.

¹⁶⁹ *Ibid.*, 199.

¹⁷⁰ *Ibid.*, 196.

And for Simon, it is a weighty indictment against political liberalism that it was incapable of creating such protection, and this not simply by virtue of the understandable exhaustion that followed upon the vast suffering of the Great War, but by virtue of its character. Precisely by virtue of its indiscriminately tolerant and open nature, its core rejection of the notion that societies need collective beliefs that they must defend and pass along to new generations, liberalism finds itself perilously undefended against groups animated by genuine myths. Simon describes France in the 1930's as characterized by a "twilight of the myths," in which "the Liberal party... had become simply a gathering of old gentlemen," "so devoid of faith" that they did not even have the strength to be anti-clerical anymore.¹⁷¹ Few people believed in either democratic socialism or communism, and thus "owing to the lack of creative imagination, visions of destruction haunted without restraint the mind of the public; no positive belief arose to hold them in check."¹⁷² Democracy and international institutions like the League of Nations were given only tepid support by liberal and socialist intellectuals, "well-intentioned people" whose work "lacked vigor, doctrinal strength, freshness and determination."¹⁷³ "Because they had no driving enthusiasm," they remained small in number and wrote serious academic work but "never succeeded in launching a myth." So important is this point to Simon that he concludes his *Road to Vichy* with this indictment of liberal tolerance:

May the readers of this book consider earnestly the universal bearing of the painful experiences of the French nation. France let herself be corrupted and betrayed, she abandoned herself to corrupters and traitors because the French had no collective beliefs, had no positive ideas, had no inspiring myth. Uncertainty among the French gave the

¹⁷¹ Ibid., 87.

¹⁷² Ibid., 88.

¹⁷³ Ibid., 37.

corrupts the benefit of the doubt, the benefit of a tolerant and liberal treatment in the shadow of which was built the pyramid of treachery we have described.

Liberalism was, in short, a version of skeptical nihilism that was powerless to give its adherents a sense of meaning and purpose, lacking an emotionally compelling holistic vision able to drive forward action in the face of strong resistance and difficulty.

Simon expands upon this point in another wartime book, *The March to Liberation* (1942), a short non-scholarly text aimed at the general (French-speaking) public as part of the same effort undertaken in *The Road to Vichy*: namely, to give a diagnosis of the failures that had led the Nazi takeover of France and to inspire the great wartime liberation effort along lines that he considered more conducive to a stable and free postwar world order. Chief among the failures of the interwar period, he writes, was “the lack of positive ideas, of creative imagination, of faith and hope, in short, skepticism.”¹⁷⁴ “In the desert of extinct imaginations,” Simon writes, “the Revolution of Nihilism took on, with little effort, the glamor of a triumphal march.”¹⁷⁵ He repeats: “The inertia of the democratic nations in the face of the terrific onrush of Nazism has been caused by skepticism, or more precisely, by their incapacity to project on the future a creative vision.”¹⁷⁶ With no ability to envision a positive future, crippled by “doubt,” good men and women were paralyzed and overcome by despair and anxiety.¹⁷⁷ This sorry state he says is “observable only within groups which have lost their faith; it is a disposition completely unknown in societies animated by a *heroic faith*.”¹⁷⁸ The Nazis gained power

¹⁷⁴ Simon, *The March to Liberation*, p. 5.

¹⁷⁵ *Ibid.*, 5.

¹⁷⁶ *Ibid.*, 14.

¹⁷⁷ *Ibid.*, 14-15.

¹⁷⁸ *Ibid.*, 15. Later on in the same chapter, Simon explains that he is here relying on Sorel’s theory of myth, which he has re-named “heroic faith” so as not to give the impression that its ideals have the air of unreality (*ibid.*, 22-23).

in large part because the Nazis were possessed of an animating myth, while “their adversaries had none”; and “the privilege of making history belongs to societies animated by powerful myths.”¹⁷⁹ The Nazi party grew in power, Simon writes, “each time a skeptic regained a taste for life when listening to the words of the Fuhrer.”¹⁸⁰

While Simon does not explicitly connect this criticism with a Thomistic account of human action, it is plausible to connect it with the type of Thomistic account that he later draws upon in his treatise *Freedom of Choice*. Free human action is not a matter of bare choosing, but instead follows upon clear perception of an objective good by the intellect and the assent, or movement, toward this good with the will; neither of which operate in isolation from the other but instead move forward with the affections in a kind of twinned perception of the true, good, and beautiful: “love’s knowledge,” as one recent interpreter of Thomas put it.¹⁸¹ And this perceptive action is not viewed as limited to disparate and incommensurate goods, but rather as drawn together teleologically by a vision of the whole good that a person seeks in the course of his or her entire life, seeking finally to greater or lesser effect the vision of God toward which we are drawn. For such an account, Sorel’s account of myth is attractive, drawing together the need not only for compelling ideas and ideals perceived by the intellect, but also the attractive aspect toward which the will and the affections are drawn. For Simon to draw upon Sorel in his indictment of liberalism was to say that liberalism did not offer an ideal sufficient to compel the intellect, will, and affections to free action, which then contributed to a

¹⁷⁹ Ibid., 22.

¹⁸⁰ Ibid., 26.

¹⁸¹ See here *By Knowledge and By Love*, by Michael Sherwin, O.P. (Washington, DC: Catholic University of America Press, 2011); and *Renewing Moral Theology*, by Daniel Westberg (op. cit., 30-57). The Thomistic priority of the intellect, maintained by both Sherwin and Westberg, is of course a matter highly contested by other action theorists, but for my purposes here it suffices to note that Sorel’s theory of *myth* joined together intellect and heart in its account of human action.

crushing skepticism and indecisive passivity that both made nihilistic fascism attractive and severely weakened political resistance to it.

2.2.4. Liberalism's opposition to the economic common good

To his critique of liberalism's confused theory of liberty and its failure to attend to the need for moral formation and compelling positive ideals, Simon joins also a thoroughgoing critique of liberal economics. Several wartime writings by Simon make the case that economic liberalism was culpable in the turn to totalitarianism, in its failure to address the lasting economic inequalities and injustices to which absolutist programs of state socialism promised a remedy. Simon's "Beyond the Crisis of Liberalism" (1942), *The Road to Vichy* (1942), *The March to Liberation* (1942), and "Economic Organization in a Democracy" (1945) all address themselves either briefly or at length to this critique of liberalism, the latter essay being a more extensive and careful work that already looks ahead to more fulsome postwar discussions in *The Philosophy of Democratic Government* (1953) and *Work, Society, and Culture* (1971).

Like liberalism as a whole, Simon contends that liberal economics tends toward either an undue optimism about the propensity of individuals to make wise and just economic choices, or toward a fatalistic skepticism that resigns itself to the free play of economic forces in the absence of any better possible alternative. In its classical optimistic form, hearkening back to Adam Smith, the benevolent operation of economically free individuals is overseen by the invisible hand of "Nature or

Providence,” as a “principle of order which, strangely enough, dwells within chance.”¹⁸² Yet Simon regards this sunny optimism as clearly unwarranted, pointing out that “the golden age of liberalism coincided with the most extreme forms of exploitation and industrial wretchedness.”¹⁸³ Such a view, he thinks, can only be maintained by those “for whom the history of mankind is restricted to the history of the small minority of the privileged, and who pay no attention to those great masses of history, the working classes.”¹⁸⁴ Yet the disillusioned optimism that results in the pessimistic view that nothing better than economic liberalism can be found is just as problematic, indeed part of the problem with liberalism. In the wake of the bloody experiments in totalitarianism that claimed to speak on behalf of the people, the resigned belief that there can be anything better than the economic liberalism that “had as its successor totalitarianism” is a false choice that reflects the “skepticism and despair” at the heart of liberalism, which itself contributed to the attraction of totalitarian solutions.¹⁸⁵ The simple re-adoption of unfettered economic liberalism, then, as if nothing had been learned by the deep dissatisfactions to which it had contributed, would only set the West on the road back to the absolutist temptations to which it had in the 1940’s succumbed. Yet the critique of economic liberalism could not allow itself to fall into the trap of supporting the absolutist regimes that claimed to solve its problems. Again, Simon had to tread carefully, falling into neither one side nor the other of the two-laned road to Vichy: neither liberalism, nor

¹⁸² Yves Simon, “Socialism and the Democracy of the Common Man,” *Community of the Free* (originally published in 1945 as “Economic Organization in a Democracy”), 138. As we have seen earlier, Simon regards this as an obvious contradiction in terms, and a core confusion at the heart of liberalism.

¹⁸³ Simon, Yves. *The March to Liberation*, 93.

¹⁸⁴ *Ibid.*, 94.

¹⁸⁵ *Ibid.*, 93-95. With respect to the choice that many in 1942 assumed had to be made between “a liberal economy or totalitarianism,” Simon writes: “The reader will recognize that want of imagination which we described at the beginning of this study as a prime cause of our inertia and of the catastrophes which it has made possible” (93).

authoritarianism, here in their economic aspects of *laissez-faire* economic liberalism or absolutist state socialism.

Since economic liberalism is either unwarrantedly optimistic in its view that a benevolent Invisible Hand will direct the free play of economic forces for the greatest good, or despairingly resigned to the prospect that even though there is no such benevolent economic Providence nothing better can be arranged, it will fail to address the grave threat that the inequitable accumulation of property and capital under economic liberalism poses to political liberty. It is no accident, Simon thinks, that the emergence of liberalism was “historically connected with the imperialistic development of the middle class,” as it supported the rise of the bourgeois over against the propertied members of the aristocracy and the Church.¹⁸⁶ Liberalism in its classic form was only sustainable until the awakening of the working classes and their determination to seek redress, by force if necessary, as became apparent in the early twentieth century.¹⁸⁷ In his 1945 essay “Economic Organization in a Democracy,” later republished under the title “Socialism and the Democracy of the Common Man,”¹⁸⁸ Simon gives a careful accounting of the ways in which economic liberalism fails to address significant injustices that absolutist programs of state socialism at least identified and attempted to solve, albeit by deeply problematic and ineffective methods.

First, Simon writes, economic liberalism fails to recognize and address the threats to independent and representative government posed by the powerful interests that tend to accumulate wealth and property under an unfettered liberal economic system. Simon

¹⁸⁶ Simon, “Beyond the Crisis of Liberalism,” 263.

¹⁸⁷ *Ibid.*, 276.

¹⁸⁸ In the 1947 collection *Community of the Free*, 137-172.

spends little time discussing this concern, but points out that “the establishment of big financial, commercial, and industrial concerns, with strong monopolistic tendencies, puts into private hands a power able not only to challenge the authority of the state, but also to lay hold of it and to exert a decisive influence” on weighty matters of public concern.¹⁸⁹ Economic liberalism, as such, poses a danger to democratic institutions, insofar as the influence of money allows wealthy persons, families, and privately-held or corporate business interests to influence public policy for their benefit, at the possible expense and exclusion of great majority of the public. While the seizure and/or possession of such interests by the socialist state poses its own problems, Simon reckons that this should be recognized as a genuine attempt to address a significant issue.

Second, Simon addresses “the set of problems which stem from the fact that the willingness of the masses to endure destitution has come to an end.”¹⁹⁰ Simon here distinguishes destitution, or the lack of basic human needs, from simple poverty, a state where basic needs are met but nothing more. While destitution thus defined has been suffered by many throughout history, technological innovation has in the modern era made widespread abundance either a real possibility or an established fact. In such circumstances, the “revolt of the masses” against “man-made destitution in a physical environment which admits of, and makes for, abundance of basic necessities” is only to be expected, and reflects a just demand on the part of those suffering needlessly from a lack of basic necessities.¹⁹¹ Moreover, the “progressive character of our technological environment” demands a constant re-assessment of what counts as a basic necessity, as it

¹⁸⁹ Simon, “Socialism and the Democracy of the Common Man,” *Community of the Free*, 154-5.

¹⁹⁰ *Ibid.*, 155.

¹⁹¹ *Ibid.*, 157.

becomes possible to meet more and more human needs.¹⁹² At the top of this list Simon places medical care sufficient “to save nearly all children from death and nearly all adults from premature death,” even though such care requires “a lot of money.” This too is a just “claim of the common man,” and when it is clearly not met—that is, when a society is advanced and wealthy enough to save nearly all children from death, but fails to do so, spending wealth instead on entertainments or luxuries—it rightly provokes outrage.¹⁹³ The underlying claim is that a political community within which basic human needs can be distributed to all, but are not so distributed, is thereby unjust. Simon assumes here that a political community exists such that persons have the right to make claims upon it, and not simply collections of individuals. Claims of justice are not limited to just exchanges between persons, or commutative justice, but also extend to distributive justice, as basic goods are distributed from the community to its individual members. There is, in short, a common good shared among members of a community to which moral claims of economic justice can be made, and not simply individuals that freely exchange goods with one another in the market. State socialism recognizes this moral reality in a way that free-market economic liberalism does not, and so it appeals to the common person’s moral sense.

While needless destitution presents the issue in the clearest light, Simon also views “poverty in the midst of plenty” as an economic injustice as well, and one in which an economically liberal social order is implicated.¹⁹⁴ In a modern liberal industrialized economy, “the distribution of basic goods takes place by means of exchange,” but the

¹⁹² Ibid., 158.

¹⁹³ Ibid., 159.

¹⁹⁴ Ibid., 159.

“common man has nothing to sell except his labor.”¹⁹⁵ And as technological innovation will continually render the labor of some workers obsolete and unnecessary, such an economy will perpetually have large numbers of persons who struggle to find useful employment sufficient to raise them above the poverty level, in addition to being subject to destitution. Socialism recognizes that the distribution of basic needs, if left up to the chance interplay of market forces, will at best be precarious and give rise to “a maddening feeling of insecurity,” and at worst will leave people in peril of grave unmet human needs. Again, while Simon does not unqualifiedly endorse socialistic solutions, he recognizes that socialism has identified here a genuine unaddressed problem of economic liberalism.

Finally, Simon identifies “the problem of the interpretation of commutative justice,” which he regards as “more profound and broader in scope” than any of the previous on his list.¹⁹⁶ Here, Simon challenges the prevailing assumption that the just price of a good is equal to its market price: that is, that whatever price one can get for a good in a genuinely free and uncorrupted marketplace is thereby just. Simon takes it as axiomatic that “for an exchange to be just the exchanged values must be equal.”¹⁹⁷ Yet if this is true, he contends, then many purely commercial exchanges cannot be regarded as just, insofar as they are one-way transfers of wealth rather than two-way exchanges of goods of equal value. Simon takes as his example a merchant who purchases a property at a low price and sells it years later at a high price, without doing anything to improve its value. Such a merchant needn’t have been dishonest in his dealings, but nevertheless

¹⁹⁵ Ibid., 159-160.

¹⁹⁶ Ibid., 160.

¹⁹⁷ Ibid., 160.

“has received a large amount of wealth without contributing any increase in wealth,” such that on the whole it can be said that “wealth has leaked out of society.”¹⁹⁸ Should this be true, it then follows that much commercial activity in an economically liberal society would amount to one-way transfers in which wealth leaks out of society, offenses against commutative justice in which wealth accumulates in the hands of a few instead of being exchanged for goods of equal value. Simon therefore proposes that a “higher interpretation of commutative justice” is that “the just price is equal to the cost price” rather than the market price, where cost includes such things as “the salary of the manager, percentages for the expansion of the enterprise, and so on.”¹⁹⁹ Socialism, Simon says, at its best has intuited this higher expression of commutative justice in economics, and has striven to “guarantee the full reality of the processes of exchange and keep all wealth within society.”²⁰⁰ Although “socialistic errors” have tended to discredit this aspiration, Simon judges it to be “basically sound,” indeed a “splendid advance of the moral conscience” over economic liberalism.

Viewed as a whole, Simon’s criticisms of economic liberalism are thoroughgoing and cut deep, not simply tinkering around the edges of liberalism so as to provide a safety net for those who need it but instead proposing a paradigm shift away from liberalism itself. Liberalism in its economic aspect does not as a whole serve the common good of society, instead allowing wealth and power to accumulate in the hands of a few while allowing destitution and poverty to exist in the midst of plenty. It is therefore no wonder that “the common man,” Simon writes, “remains haunted by the nightmare of the great

¹⁹⁸ Ibid., 163.

¹⁹⁹ Ibid., 164.

²⁰⁰ Ibid., 165.

ordeals which revealed the deceitful character of the liberal philosophy of liberty,” seeing in economic liberalism “Darwinian pictures of uncontrolled competition in which natural and fortuitous inequalities reach such fantastic proportions that liberty comes to mean, for the fittest, the right to crush, and for the many, hopelessness.”²⁰¹ Yet this sharp, deep critique does not lead him to propose an economically centralized system of state ownership and planning as an alternative. Such solutions, Simon thinks, “are unimaginative and bear the suspicious sign of rationalistic clarity; they are utopian in character.”²⁰² Any utopian scheme, if it is to be realized, requires “drastic simplifications” of the mystery of human life, “a huge destruction of natural and historical energies,” and therefore “totalitarian power.” Even so, in the absence of better alternatives, many suppose in despair that one simply must choose between liberty and equality as “mutually exclusive.”²⁰³ Liberalism, we see again, in its economic aspect acted as a massive spur that prodded many to seek totalitarian solutions to deep problems of injustice that state socialism at least identified and sought to address. Yet Simon cannot accept on this account a turn toward the totalitarian solutions that by 1945 had proven themselves so deeply destructive. Simon sought instead to provide a better foundation than either liberalism or authoritarianism for a just political and economic order, without which as he saw it the very survival of democracy was at stake.

Rather than liberal individualism or state socialist absolutism, Simon instead proposes that “the survival of democracy depends upon a *pluralistic* concept of social life, in which irreducible diversities, enduring antimonies, and difficult processes of

²⁰¹ Ibid., 168.

²⁰² Ibid., 165.

²⁰³ Ibid., 169.

adjustment or restoration play considerable roles.”²⁰⁴ In economic terms, this presses away from either individualist or collectivist solutions to the problems of economic justice and towards one in which many and varied common goods are sought by communities of different sorts whose conceptions and pursuits of economic justice may overlap and harmonize only with difficulty. Simon commends the pursuit of economic justice in institutions and practices such as “collective bargaining; minimum wages; arbitration of labor disputes; co-operatives and credit unions; certain kinds of insurance; control of prices in emergency situations; subsidies to agriculture; income tax; inheritance taxes; organized relief; free distribution of such services as medical assistance and educational facilities.”²⁰⁵ While some of these institutions and practices require state initiative, others do not, and insofar as initiative is left to autonomous communities in every instance where this is possible in a pluralistic society (e.g., co-ops and credit unions, labor unions, Church schools and charities), then Simon holds that “democracy is safe.”

For Simon, the equality and freedom that democracy rightly seeks is best expressed not in the liberal pursuit of individual autonomy from communal order, but instead in the pursuit of freedom from servitude to exploitative masters. Simon places this view of freedom as non-domination at the core of what he calls the “democracy of the common man,” as opposed to either state socialism or liberal individualism. Although “many moralists” have assumed that liberty and equality are “antinomic” terms, this assumes the “liberal-Darwinian concept of liberty” as individualism and so is an

²⁰⁴ Ibid., 166.

²⁰⁵ Ibid., 171.

improper statement of the problem.²⁰⁶ Rather, the Aristotelian and Thomist conception of freedom from servitude is a more promising way of articulating the aspirations of democracy without falling prey to the problems created by liberalism. In this conception, “a free man is one who labors only for his own good and for the common good of the society of which he is a member, whereas a slave is a man who labors also for the private good of a master.”²⁰⁷ Such a conception of democratic freedom is in no way contradictory to “subjection to authority, inequality in rank, and hierarchy of functions,” insofar as these are necessary for the pursuit of the common good of a community. Rather than setting itself in opposition to authority and community, it instead opposes the “inequality that obtains between exploiter and exploited, between him for whose benefit human effort is alienated and him who bears the cost of that alienation.”²⁰⁸ And since in its economic aspect “servitude exists whenever an exchange fails to comply with the rule of equality,” what Simon calls the “democracy of the common man” is “bound to promote that rigorous interpretation of commutative justice” which holds that the just price is the cost price, rather than the market price.²⁰⁹ This promotion will necessarily take communal form, in the kinds of ways that Simon commended—social insurance, labor unions, free distribution of medical care and education, inheritance and income tax, and so on, some undertaken at the initiative of state authority but most at the initiative of other authoritative communities, such as churches and labor unions. In this way, the democracy of the common person, in its opposition to economic and political servitude rather than to authority and community, will according to Simon prove a far stronger

²⁰⁶ Ibid., 169.

²⁰⁷ Ibid., 169.

²⁰⁸ Ibid., 169.

²⁰⁹ Ibid., 169-170.

basis for democracy than its prior liberal bourgeois foundation had ever been. Instead of economic liberalism's tendency to promote destitution and poverty in the midst of plenty, the concentration of wealth and power in the hands of a few instead of fair exchanges that promote the common good, and the servitude of countless common people whose labor is alienated for the benefit of their economic masters, the democracy of the common person will promote a pluralistic social order wherein communal authorities are empowered to work toward equality in exchange and economic justice—that is, both commutative and distributive justice—for all of their members, in many and varied ways in which “irreducible diversities” and “enduring antimonies” of approach, and the never-ending processes of “adjustment or restoration” that must accompany this, will play an enduring role.

2.3. The Democracy of the Common Man: Authority and Liberty for the Common Good

In the first two sections of this chapter, we have seen in some detail how the story that Simon tells about the road that led to the Vichy regime was in fact a thoroughgoing critique of both restorationist Catholic social thought and Enlightenment political liberalism. While the two schools might have seemed on the surface to be diametrically opposed, they in fact converged insofar as neither succeeded in articulating the common goods of the civic *res publica* and forming people in the virtues and beliefs necessary to sustain a free republic in the face of the inevitable challenges it will face. Restorationist Catholicism sought to preserve sacral hierarchical authority over society, at the expense of genuine civic common goods and liberties. Enlightenment political liberalism struggled for freedom from the hierarchical *ancien regime* that many Catholics defended,

but it valorized the freedom of the individual over against the common good of civic society. Both in their own way had contributed to the hollowing-out of civic political life and rendered it vulnerable to authoritarian temptations.

We have already begun to see how Simon during this period began to sketch out a better way forward, rooted both in the Thomist and Leonine tradition of Catholic social thought he inherited and in the practical political wisdom he found in the modern democratic tradition. At the heart of this path forward, as we have already seen, lay Simon's insight that authority and liberty were not antinomic principles, but rather complementary when rightly understood. The two warring factions Simon criticized had taken up the defense of one or the other side of a false dichotomy. Simon's efforts to bring philosophical clarity to the nature of authority, which would occupy much of the rest of his academic career and comprise the legacy for which he remains best known today, were not undertaken as an abstract intellectual exercise but instead as an attempt to clear away what he saw as the confusions and errors that had bedeviled broad swaths of political thought and action in early 20th-century Europe. What remains to be done in this chapter is to outline the better path forward that he sought to provide, and show how it emerged directly out of his passionate commitment to laying the groundwork for enduring civic freedom in the postwar political order, not as a rejection of either the Catholic or the democratic traditions but instead as a creative synthesis and purification of both.

To do so, we will examine in turn what Simon retrieved from the Thomist and the modern democratic traditions, in his attempt to move past the unfortunate and unnecessary oppositions that had contributed to the political disasters of his time. First,

we shall summarize Simon's initial sketch of a Thomist interpretation of democracy, which in this period chiefly dwelt on his attempt to do away with the "unwarranted assumption" that "the Thomistic notion of authority leaves no room for the aspiration toward liberty which unquestionably lies at the core of the democratic movement."²¹⁰ Second, we will show how this initial sketch was accompanied by serious misgivings on Simon's part that they were deeply inadequate in the face of the practical political challenges of his time, and subject to misinterpretation. In the face of this, Simon did not take leave of his Thomism (as some interpreters mistakenly assert), but instead sought to supplement it with practical political wisdom gleaned from the modern democratic tradition as it took its bearings from the American, English, and French revolutions. This manifested itself in a number of ways: the adoption of stirring rhetoric in support of the war effort for liberation from authoritarian regimes, drawn from modern democratic struggles for freedom; an emphasis on securing equal justice for people of all economic, racial, and religious backgrounds, along with an appreciation of democratic means to secure this end and increasing skepticism of aristocracies; and support for religious freedom.

Finally, we shall conclude by looking ahead to the unresolved issues that Simon would need to clarify in his mature political philosophy. While Simon's focus in his wartime writings was the nature of authority and its compatibility with liberty, he identified but did not resolve further issues that would need addressing, most notably to do with the nature of democracy as a form of civic authority and the potential doctrinal

²¹⁰ Yves Simon, "Thomism and Democracy," in *Science, Philosophy, and Religion: Second Symposium* (New York: Conference on Science, Philosophy, and Religion in Their Relation to the Democratic Way of Life, Inc., 1942), 261.

issues at stake between the Catholic Church and democratic governments. These issues Simon would address at length in his postwar work.

2.3.1. *The Thomist interpretation of democracy*

As a relatively new professor at Notre Dame, Simon was invited to deliver a paper on Thomism and democracy at a 1941 conference on the “democratic way of life” at Columbia University. In a letter to Maritain from this time, Simon expresses deep dissatisfaction with the paper he has written, not so much with its substance but rather with the lack of practical wisdom that he finds Thomism gives him in support of the wartime struggle for liberation:

I’m not sure what to do with this paper... It lifts up the value of certain aspects of Thomism that can be integrated into a democratic philosophy. But I have said nothing about our modern slavery, which is as Thomist as the doctrine of the celestial bodies. It is a spirit that infiltrates everywhere. I’m like the fellow who cited the Vatican paper at the least censure of the Nazis, but cited nothing from the paper when he was cheering the massacre of Vienna. And this dishonest game disgusts me. You say that we have to be practical, for we are at war. Well, what’s practical today is the English, American, and French Revolutions. One will not save a single Jew in the concentration camps by citing Thomas’s letter to the Duchess of Brabant. Liberty, Fraternity, and Equality; Live Free or Die—that’s practical! Gurian likes to say that if Thomas were alive today, he would be for Franco, Tizo, and Petain. St. Thomas, it is Garrigou. To be practical in 1941 with Thomas in politics is a pleasantry. And this is why, when I have on my desk my paper to finish, I find myself taking a break to read *The History of the French Revolution*, searching to understand the practical things that my knowledge of Thomism does not explain to me.

Don’t misunderstand me; I’m not leaving Thomas. Every morning I enthusiastically give my course on Thomistic metaphysics of knowledge; every evening I comb through the *Commentary on the Politics*. I hope to find a center of harmony and a political spirit that is not made to please Franco, Tizo, Petain, and Garrigou. That which you have done for the theory of knowledge, I hope to do one day for politics.²¹¹

Simon goes on to describe his first foray into practical politics, his 1935 *The Ethiopian Campaign*, as “my idiotic but so Thomist book on the Ethiopian war, where I treated with

²¹¹ Simon to Maritain, July 16, 1941. *Correspondance*, v. 2, 64-66.

a virtuous severity those who wanted to make this the occasion of an anti-fascist crusade.”²¹² Now, more minded to support such a crusade and to be guided in doing so by the modern democratic tradition rather than Thomism, Simon tells Maritain that “I have broken with my past.”²¹³

In their discussion of this episode, Jeanne Heffernan Schindler²¹⁴ and John Hellman²¹⁵ interpret this letter as indicating a fundamental break with Thomism with respect to political philosophy. Yet such an interpretation goes too far, as Simon himself indicates in the above letter by telling Maritain that he is not leaving Thomas and remains engaged in careful study of Thomas’s political writings. After writing this letter, Simon goes on to deliver and publish his conference paper on Thomism and democracy, the basic themes and formulations of which are carried forth into his mature political writings, particularly the 1953 *Philosophy of Democratic Government*. In his 1941

²¹² Ibid.

²¹³ Ibid.

²¹⁴ In her Notre Dame Ph.D. dissertation on Yves Simon and Reinhold Niebuhr, Heffernan Schindler writes: “For a time Yves Simon considered Thomism incompatible with republicanism. Initially persuaded by the claim that Thomistic metaphysics and religious doctrine entailed a conception of authority that when applied to politics favored authoritarianism over democracy, Simon concluded that a good Thomist would side with fascism. Most did. Thus, during the war years, he attempted to defend democracy on non-Thomistic, even secular terms” (*Christianity and Modern Democracy: The Theological Anthropology and Political Vision of Reinhold Niebuhr and Yves R. Simon*, Jeanne Heffernan. Ph.D. diss., Notre Dame, 2000), 130. “Evidence of Simon’s wartime break with Thomas,” Heffernan Schindler writes, “emerges in these writings by way of absence... his later return to Thomism as a political resource will be explored” in one of her subsequent chapters (ibid., 123). This judgment is simply incorrect, and it is difficult to see how it could be justified given such essays as “Thomism and Democracy,” and Simon’s reliance on Thomistic conceptions of liberty and the common good.

²¹⁵ Commenting on the same letters between Maritain and Simon, Hellman judges: “Simon had concluded that the Thomism to which he and Maritain had dedicated their lives had not been ‘up to the circumstances’ when faced with the wave of authoritarian and antidemocratic regimes of the 1930’s... this book demonstrates the extent to which circumstance had pushed Simon to a dramatic rupture with his heritage” (Hellman, John. “Yves R. Simon, Maritain, and the Vichy Catholics.” Introduction to Simon, *The Road to Vichy* [Lanham, MD: University Press of America, 1988]), xxi, xxiii. Hellman’s judgment is capable of a more nuanced interpretation than Heffernan Schindler’s, for as we will see, it was indeed true that some of the Thomism that Simon had inherited was not up to the political circumstances of the time, at least to his mind. But this should not be read as a fundamental break from Thomism as such. Indeed, the “living Thomism” that Simon learned from Maritain would remain his philosophical touchstone; but not without putting it into productive conversation with the democratic tradition.

Columbia paper, Simon avers at its close that “political philosophy is by far the least developed part of the philosophy of St. Thomas.”²¹⁶ Simon judges that the texts that appear to have the most direct relevance to political thought in fact “do not prove so fecund as certain expositions whose relevance seems only indirect or even remote.” In measured tones, Simon is here directing his readers away from the directly political writings of Thomas to look instead at his wider corpus as it discusses the nature of the common good and liberty, as one would expect given his letter’s agreement with Waldemar Gurian (his new Notre Dame colleague, and the editor of *The Review of Politics*) that as a practical matter, it is reasonable to think that Thomas would in the present context have supported the rise of authoritarian regimes, as the eminent Thomist Reginald Garrigou-Lagrange in fact did.²¹⁷ While clearly struggling with the extent to which Thomas and the tradition to which he has apprenticed himself is complicit in the rise of authoritarian politics, Simon’s “break” is better understood as a determination to work from within the Thomist tradition in a way that exhibits genuine openness to learn from the modern democratic tradition, and in so doing to be guided in determinative ways by the practical political wisdom to be found there. If such were not the case, it would make little sense for Simon to continue to till the soil of the Thomist interpretation of democracy that he begins in the early 1940’s and carries through for the rest of his career. The tone set in his 1941 paper remains for the rest of his work: Simon does not pretend to “disentangle, from many texts scattered in the works of St. Thomas, what he actually thought about the democratic regime such as he knew it.” To Simon’s mind, this would

²¹⁶ Simon, “Thomism and Democracy,” 271.

²¹⁷ As Hellman notes, Garrigou-Lagrange went so far as to declare that support for De Gaulle was a mortal sin, about which Maritain in one letter reminds Simon (Hellman, “Yves R. Simon, Maritain, and the Vichy Catholics,” xxi). As previously noted, Simon confessed to Maritain of a temptation to hate Garrigou-Lagrange for his support for Vichy more than Petain, Mussolini, or Hitler.

be of dubious value for the practical needs of the time, as shown by the fruits of that approach in other Thomists who supported Vichy. Rather, Simon sets out to give a “Thomistic treatment of the problem of democracy such as it appears to us,” drawn not necessarily from the texts that directly pertain to practical political judgments, but instead from a wider examination of what Thomas taught about the common good, authority, and liberty.

In the Columbia paper, Simon begins by noting non-controversially that “the idea of common good dominates the whole political philosophy of St. Thomas.”²¹⁸ Simon explains this view succinctly as a “realistic conception of the social body” in which “society enjoys a reality of its own, a reality that cannot be reduced to a sum of individual realities.”²¹⁹ As “the object of political activity,” the common good is “the perfect cooperation of men in their corporate life and in their collective action.” Simon does not here spend time further clarifying or making the case for this position, but rather assumes it as he moves forward to articulate its implications. As we have seen in chapter one, Simon’s position here is an uncontroversial one for preconciliar Catholic social thought, in which Leo XIII and other popes since criticized social-contractarian political liberalism as lacking a conception of the common good, insofar as it depicts society as composed of individuals who contract together to form voluntary associations, reducible to the sum of individual realities that together choose to form them. “The essence of democracy,” Simon writes, ought to be understood as “a government for the people, for the whole of the people, for the common good of the people.”²²⁰ On the surface of it, this

²¹⁸ Simon, “Thomism and Democracy,” 258.

²¹⁹ *Ibid.*, 259.

²²⁰ *Ibid.*, 260.

does not appear to present a conflict between Thomism and the democratic tradition. But when examined more closely, it does present a potential conflict insofar as it is understood that the common good requires the exercise of communal authority. And “many people,” Simon writes, “hold it to be self-evident that the political philosophy of St. Thomas is wholly incompatible with the democratic spirit,” because of “the emphasis that the Thomist school lays on authority.”²²¹ With this, Simon identifies the key point of conflict upon which most of his essay will focus.

Simon isolates two “unwarranted assumptions” that tend to be made when it is supposed that Thomism and democracy are incompatible: first, that “the principle of authority conflicts essentially with the doctrine of democracy”; and second, “that the Thomistic notion of authority leaves no room for the aspiration toward liberty which unquestionably lies at the heart of the democratic movement.”²²² Simon at this stage gives little attention to the first assumption, which he will not treat in any detail until his postwar period, during which he pays considerable attention to rival theories of state sovereignty, the meaning of the “consent of the governed,” and whether or not these notions rightly understood within democratic tradition are in basic conflict with Catholic doctrine about the nature of authority. Rather, his focus here and elsewhere during this period is on the second assumption, which leads him to examine the nature of authority itself and whether or not it conflicts with democratic aspirations toward political liberty.

Simon divides his inquiry into the functions, forms, and instruments of authority. The central question Simon identifies is whether or not authority in its essential function conflicts with the exercise of liberty, such that the two would be antinomic principles. It

²²¹ Ibid., 261.

²²² Ibid., 261.

does not, Simon contends, since this conflict only is to be found when authority is exercised in its “substitutional” function, wherein some authoritative person exercises formative care and governance over a person or persons who have not attained the ability to govern themselves, by reason of some developmental deficiency that is either temporary or permanent (e.g., children or mentally disabled persons). This function of authority, Simon writes, “cannot in any way be considered as essential” to its nature, since it “does not result from the essence of man or from the essence of society” but rather from a deficiency.²²³ Rather, “the essential function of authority is to direct the multitude toward its common good.” This is so because the nature of the common good is such that it “has to be pursued through common action,” and this action must be “assured by some steady principle.”²²⁴ The argument requires a further point, which is that such common action cannot simply be arrived at by unanimous consent, since the action is practical in nature and as such has no obviously apparent pathway, even under conditions of “perfect enlightenment and perfect virtue.” Therefore, while it is indeed the case that an antinomic relationship exists between liberty and authority in its substitutional form, this does not hold for authority in its essential function of directing “the social whole toward its common good.”²²⁵ Substitutional authority, when rightly constituted, has a “pedagogical function” that aims at making itself disappear as soon as possible, such that its subjects are enabled to become self-governing citizens.²²⁶ Yet this will never be the case with authority in its essential form. The question, therefore, of the incompatibility of liberty and authority will remain “exceedingly confused and really

²²³ Ibid., 261.

²²⁴ Ibid., 262.

²²⁵ Ibid., 262-3.

²²⁶ Ibid., 263.

unanswerable” so long as its substitutional and essential functions are not distinguished and analyzed separately.²²⁷ When understood well, authority in its essential function is in fact in the service of liberty’s expansion, insofar as “the more effectively society is unified in its common action and directed toward its common good, the better individuals and society itself are protected against the wants, the doubts, the hesitations, the failures and the disorders which constitute the main obstacles to liberty.”²²⁸

In this essay, the argument is highly compact and does not spell out all of its steps in detail. For instance, it can be asked whether it is indeed the case that virtuous and enlightened persons will not readily agree on practical actions to be taken for the common good, and so require an authoritative decision to be made. While this conference paper is short by necessity, Simon had room to expand upon this argument in his 1940 Aquinas Lecture at Marquette, published as *Nature and Functions of Authority*. The key point upon which Simon expands is that practical action by nature has to do with “contingent circumstances” that can be “solved only by the virtue of prudence,” rather than by a necessary demonstration, and as such in practical affairs there may well be multiple good courses of action between which it is not possible to decide by reference to truths knowable to all enlightened people of good will.²²⁹ “It is evident,” Simon writes, that “the core of the theory” he defends “consists in the statement that some disagreement is always possible concerning the course to be taken in the common action.”²³⁰

²²⁷ Ibid., 262-3.

²²⁸ Ibid., 263.

²²⁹ Simon, *Nature and Functions of Authority*, 5.

²³⁰ Ibid., 18.

In order to defend this statement, Simon sets forth the “basic theses of the theory of prudence” in the Thomist tradition.²³¹ “Fundamentally considered,” Simon writes, “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, as science does?”²³² The answer Simon gives is complex, and turns upon the fact that in matters of practical action “we are unable to overcome the mysteries of contingency.”²³³ Simon gives the homely example of deciding whether to go on a family vacation to the seaside: if a tragic accident occurred while traveling to their destination, it would obviously have been better if the family had not taken a vacation at all, but this does not mean that the decision to go was not a practically wise judgment under the circumstances. The prudential judgment to go on vacation was indeed wise and good, assuming that it was guided by a good will, but even though it was a blameless judgment considered as a “rule of direction,” it nevertheless relied upon a judgment concerning contingent events that cannot be predicted with complete accuracy.²³⁴ And since this will always be the case in practical matters, as they concern contingent events by definition, “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.”²³⁵ Since even enlightened persons of good will can always object to one another that “a better course of action could be conceived” under the circumstances, it follows that “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

²³¹ Ibid., 21.

²³² Ibid., 22.

²³³ Ibid., 24.

²³⁴ Ibid., 25.

²³⁵ Ibid., 28.

agree to follow one prudential decision and only one—which is to submit themselves to some authority.”²³⁶

The distinction between the substitutional and essential functions of authority does a great deal of the work in Simon’s overall argument, placed alongside his definition of the common good. Put together, this allows Simon to conclude that while “the progress of liberty implies the decay of authority insofar as authority assumes substitutional functions,” the same does not hold for the progress of liberty when authority is considered in its essential function.²³⁷ The antinomic aspect of their relationship applies only to situations of deficiency, but when considered “in the purity of their metaphysical goodness, authority and liberty fully agree with one another.”²³⁸ Indeed, “the more effectively a society be united in its common action” by authority in its essential function, “the more perfect, happy, and free this society will be.”²³⁹

It is notable that in Simon’s 1940 essay “Liberty and Authority,” he mentions another function of authority that is not discussed in either “Thomism and Democracy” or *Nature and Functions of Authority*: namely, what he calls the “perfective” function of authority.²⁴⁰ Assuming, Simon writes, that “a community is made up of people fully capable of self-government” and that “their unity of action in the pursuit of their common good is assured by proper authority,” it is still “expedient that those who are less gifted—less intelligent, less experienced, less strong-willed, less virtuous—be guided by those who possess a more eminent degree of reason, willpower and virtue.” While this is not, Simon writes, of the essence of authority it remains beneficial to those for whom it is

²³⁶ Ibid., 29.

²³⁷ Ibid., 45.

²³⁸ Ibid., 46.

²³⁹ Ibid., 46.

²⁴⁰ Simon, “Liberty and Authority,” 51.

exercised well, since under such authoritative guidance “everyone becomes better.” Perhaps because of the clear value this point has for those arguing for non-democratic forms of government, Simon does not mention it in any of his other writings of this period. As we shall shortly see, this supposition makes sense given his horror at coming across reviews of *Nature and Function of Authority* that assume its arguments are another example of Catholic support for authoritarian pro-Nazi regimes.

While Simon’s central argument has already been made with the distinction between the substitutional and essential functions of authority, more clearly remains to be said to guard against inferences that would seem to be quite contrary to political liberty, such as that a strong centralized authority should have sway over vast reaches of civil society in the name of uniting it in common action. Simon next turns to discussion of the forms of authority, which makes progress toward this end. Here, Simon draws upon two distinctions made by Thomas: that between the “dominion of freedom” and the “dominion of servitude,” and that between “despotic and political regimes.”²⁴¹ According to the former distinction, a “free man is not subject to government, except for his own welfare and for the common welfare,” whereas a slave is governed for the sake of the “private welfare of the master.” Political servitude, then, “is defined as the alienation of human effort for the profit of those who exercise power.”²⁴² Simon regards it as clear that a genuinely “political” government according to Thomas will always be a dominion of freedom defined as such, rather than a dominion of servitude: its end is the public good of the citizen and the commonwealth, rather than the private good of a master. The second distinction, that between despotic and political regimes, has to do not

²⁴¹ Simon, “Thomism and Democracy,” 264.

²⁴² *Ibid.*, 265.

with the end for which government is exercised in a community, but rather with the way in which governing power is exercised. “A regime is political,” Simon writes, “when the subject is granted some power of resisting the orders he receives,” and “despotic when he is denied such a power of resistance.” It is fitting, Simon argues, for government in human communities to be political rather than despotic in nature, since God has created human beings as agents with genuine initiative and power, rather than as mere puppets, such that the relationship between divine and human agency is non-competitive in nature. “According to St. Thomas,” Simon writes, “the Divine Power—and this is the best evidence of its perfection—rules indefectibly a universe full of reality, full of causality, full of life, full of liberty.”²⁴³ Therefore, the best ruler “rules society in the same way that God rules the world: *suaviter et fortiter*.” This basic metaphysical position undergirds the necessity that the “principle of authority,” according to which a social whole needs to be directed toward its common good, needs to be supplemented by the “principle of autonomy.” This Simon defines in keeping with Catholic social teaching on subsidiarity, drawn from Leo XIII and subsequent popes: “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.”²⁴⁴

Placed together, then, the distinctions between despotic and political regimes and between the dominions of freedom and servitude have a great deal to say about the form in which political authority should be exercised. The nature of political hierarchy when rightly constituted is not one that subordinates labor for masters, but rather one in which

²⁴³ Ibid., 264.

²⁴⁴ Ibid., 264. Simon expands upon this point in his Marquette lecture, *Nature and Functions of Authority*, 46-48.

authority serves the common good of the civic community. Political authority does not seek to replace all forms of authoritative social life with itself, but rather respects and serves their flourishing. At the close of *Nature and Functions of Authority*, Simon contrasts the totalitarian state with the rightly ordered civic community, to which he attaches respectively the political theories of Rousseau and Jefferson. The totalitarian state, he writes, materializes the “dream of Rousseau” by indefatigably pursuing “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.”²⁴⁵ By contrast, Jefferson paints an “image of social happiness, made up of authority, autonomy, and hierarchy,” in his civic republican vision of distributed political authority and small freeholders.²⁴⁶

Finally, Simon turns to discussion of the instruments of political authority. Here, Simon focuses on what he calls the common misidentification of authority with coercion.²⁴⁷ “It is entirely plain,” Simon writes, “that the progress of liberty requires the use of persuasion rather than of coercion whenever coercive procedures can be safely abandoned.”²⁴⁸ Yet while persuasion seeks to elicit a free response, and is in a political regime that governs free citizens the proper and normal form that authority takes, coercion must sometimes be substituted. Yet even here, Thomas’s views on coercion should lead us to understand it as ordered not simply to compelling a certain result against someone’s will, but rather as pedagogical and rehabilitative in nature, “generating

²⁴⁵ Simon, *Nature and Functions of Authority*, 47.

²⁴⁶ *Ibid.*, 48.

²⁴⁷ Simon, “Thomism and Democracy,” 265.

²⁴⁸ Simon, “Liberty and Authority,” 60.

sound habits and removing many obstacles to the practice of virtue.”²⁴⁹ Propaganda, by these lights, is ruled out as a type of coercion, since it destroys the freedom of the person rather than removing obstacles to its virtuous exercise.²⁵⁰

Viewed as a whole, Simon’s discussion of Thomism and democracy at this early phase of development should be understood in the context of the two-pronged critique of liberalism and authoritarianism he advanced in his account of the road that led to Vichy France and allied totalitarian regimes. His account of democracy begins not with free individuals contracting together to form voluntary associations, but rather with the civic common good. He makes a philosophical case that political authority when rightly constituted does not conflict with the aspiration for liberty at the heart of the democratic tradition, but instead in its essence is simply that which is necessary to enjoy common civic goods by undertaking common civic activities. At no point in his argument does he see the need to claim that sacral authority is necessary to serve as a check against vice in the great mass of humanity, although he also does not claim that the virtuous exercise of civic authority will be common without the saving assistance of God’s grace. As a Thomist philosopher in the Leonine tradition, Simon understands authority as good in its essence, part of what it means for human beings to be created as social by nature. Authoritarianism, such as tempted great swaths of Catholic Europe in the early 20th century, fails to respect the reality of the common civic good. Such a program destroyed the common good from above, as it were, while an individualist liberalism destroyed it from below: one by denying subsidiary forms of local authority and the autonomy of persons as free agents, and the other by denying the social nature of human beings.

²⁴⁹ Simon, “Thomism and Democracy,” 266.

²⁵⁰ *Ibid.*, 266.

At this point, however, Simon has not yet done much to respond to the first of the two “unwarranted assumptions” he named: namely, that “the principle of authority conflicts essentially with the doctrine of democracy.”²⁵¹ Simon has done a great deal to indicate that the aspiration for liberty does not conflict as such with the Thomist insistence upon authority, but it may still be the case that democracy is liberal and individualist in nature, rather than simply one form among several possibilities of political authority. This treatment will await his mature examination in *Philosophy of Democratic Government*.

Simon has also not yet incorporated a great deal of practical wisdom from the democratic tradition into his discussion of democracy, instead focusing his efforts on drawing upon elements of the Thomist tradition “which can contribute to the improvement of our ideas on the problem of democracy,” as he puts it.²⁵² This will come next, as Simon confronts the way in which his initial forays into Thomist political philosophy are susceptible to misuse by supporters of anti-democratic and authoritarian political regimes. As we shall see, Simon comes to see that it was insufficient to simply draw upon Thomas, but that it was also necessary to creatively synthesize the Thomist and democratic traditions to address the objections that modern Enlightenment politics put to a Catholic tradition that seemed all too clearly in Simon’s day to support the rising tide of authoritarian fascism. To this we now turn.

²⁵¹ Simon, “Thomism and Democracy,” 261.

²⁵² *Ibid.*, 258.

2.3.2. *Learning from the democratic tradition*

As Alasdair MacIntyre notes, Simon was raised in a sharply divided country whose “divisions were inherited from the conflicts of the French revolution, between on the one hand those for whom France was a country of conservative Catholic tradition, whose hierarchical order had been under republican and revolutionary threat for over a hundred years,” and on the other hand “those for whom France was a country of a still incomplete revolution, secular, anti-clerical, republican and democratic, birthplace of Liberte, Egalite, Fraternite, whose great symbolic figures were Danton and/or Robespierre.”²⁵³ Simon’s comment to Maritain in 1941, that while working on Aquinas he finds himself “taking a break to read *The History of the French Revolution*, searching to understand the practical things that my knowledge of Thomism does not explain to me,” is a striking declaration of independence from the common assumption that the Catholic and democratic traditions had nothing to learn from one another. During the critical period of the early 1940s, Simon read Thomas with one hand and the history and thought of revolutionary democrats with the other.

As we have begun to see, while Simon’s determination to do this afresh during the war was not new for him, it was nevertheless a project he approached with renewed vigor and determination, to the extent that he told Maritain in 1941 he had undergone a decisive “break” with his past. Unlike the judgments of Jeanne Heffernan Schindler and John Hellman, this break should not be viewed as a rejection of Thomism (however momentary). Nor should it be viewed as a brand-new discovery of the value of a tradition he had heretofore ignored. As MacIntyre notes, Simon had as a young man

²⁵³ MacIntyre, “Yves Simon: Thomist and Sans-Culotte Philosopher,” 3.

dedicated himself to extensive study of the atheist and socialist thinker Pierre Joseph Proudhon, and jokingly referred to himself in a letter to Maritain as the “only *sans-culotte* who, since 1922, has tied myself to you and your philosophy.”²⁵⁴ Yet Simon’s determination in the early 1940’s to learn “practical things” from the democratic tradition that Thomism did not explain to him can be seen to have made a meaningful difference in his writing of the period, both in content and in tone.

What were those “practical things”? They can be grouped under two headings: appreciation of a people’s revolutionary movement for liberation from oppression, wherein freedom is understood principally as non-domination; and an enhanced appreciation for equal civic justice for all within the context of solidarity in pursuit of common social goods. In other words, Simon drew upon the democratic and civic republican tradition’s call for liberty, equality, and fraternity on behalf of the Free French struggle against Nazism, putting this to practical use in popular writings during wartime. We will examine these in turn, first putting them in context by discussing the factors that went into what Simon called the “break” with his past that he wrote about in 1941. Simon’s resolve to learn “practical things” from the very secular, indeed (in France) anti-clerical democratic revolutionary tradition was prefaced by a deep disillusionment with so-called Catholic democracy and its reliance on leadership by the Roman Catholic ecclesial hierarchy.

As previously noted, Simon was aghast to learn in 1941 that his Marquette lectures on authority were positively reviewed by a Catholic pro-Nazi publication:

²⁵⁴ MacIntyre, 2. As we have seen, “sans-culotte” was a title that had come to be assumed by extreme defenders of the French Republic. In Simon’s student days, as he wrote in *The Road to Vichy*, the *Action Francaise* movement was highly influential in Catholic circles, including those that gathered around Maritain.

Everything that's been taken away from the French Revolution has gone not to Thomas but to Hitler. I've had my bit of responsibility in this game, and I intend to stop. I recently had a glowing review of my book on authority, from a magazine in Detroit. They said it spoke of corporate order. What was this magazine? Catholic and pro-Nazi.²⁵⁵

Simon's actual views on the nature and function of authority did not change after this. But Simon found himself sharply re-thinking the tone and focus of the political writings he had undertaken up until that point. He was no longer satisfied with delivering academic lectures on the nature of authority and critiquing liberalism, though he left neither behind (as can be witnessed, for example, by "Beyond the Crisis of Liberalism" and *The Road to Vichy*, both written after the "break" letter of 1941). Instead, Simon sought to join his work to the cause of liberation from Nazism, particularly in 1942's *The March to Liberation*, a popularly-pitched short book that in stirring prose brought to bear both the Catholic and democratic traditions in service of the political struggle for freedom.

A significant component of the "break" with his past that Simon referred to in 1941 was his increasing impatience with and anger towards the Catholic ecclesial hierarchy and the political movements allied with them, as can be seen from letters Simon wrote to Maritain in the late 1930s and early 1940s. In 1937, Simon told Maritain of his skepticism with Catholic Action, the emerging theological movement initiated by Pius X and carried forward with vigor by Pius XI in which lay Catholics were encouraged to carry forth the mission of the Church under the direction of their bishops.²⁵⁶ Catholic Action, as defined by Pius XI in 1928, meant the "participation of

²⁵⁵ Simon to Maritain, Dec. 20, 1940. (*Correspondance*, v. 1, 448-50). The review was of Simon's 1940 Aquinas Lectures at Marquette, published as *The Nature and Functions of Authority*.

²⁵⁶ See in particular: Pius X, *Il Fermo Proposito* (1905); Pius XI, *Non Abbiamo Bisogno* (1931); Pius XI, *Divini Redemptoris* (1937). For a reliable brief overview, see "The Laity and Catholic Action,"

the Catholic laity in the hierarchical apostolate, for the defense of religious and moral principles, for the development of a sound and charitable social action under the direction of the ecclesial hierarchy.”²⁵⁷ Yet it was precisely the direction of the ecclesial hierarchy that Simon grew wary of, as he confessed to Maritain:

Recent conversations, and my time away to think, have filled me with painful problems. How to present Catholic Action when faced with an unworthy episcopate? ...I’m turning over several events in my mind: the German bishops in the Great War, the Italians during the war with Ethiopia, the French in Action Francaise... More and more, I’m inclined to renounce completely public Catholic action, since it supposes that we can have confidence in the human content of the hierarchy.²⁵⁸

As the war grew fiercer, Simon’s initial misgivings only grew in their intensity. In 1938, he expressed his disgust at bishops such as Cardinal Goma of Budapest, who had recently reaffirmed his support for the government of Franco; and Cardinal Innizer of Vienna, who had applauded the *Anschluss* of Austria by the Nazis. “The time for rose water and cocoa is over,” Simon wrote: “the situation calls for vitriol.”²⁵⁹ In 1940, writing from his new post at Notre Dame with evident anguish after the fall of Paris to the Nazis, Simon lamented: “Every country has been betrayed by its Catholics. What does this madness mean?”²⁶⁰ He heaped scorn upon his previous political writing: “Oh, how I repent of my prudence and my cowardice, writing my *Ethiopian Campaign* and other elegant exercises in legal philosophy, in abstract terms acceptable” to the Catholic hierarchy.²⁶¹

Christopher D. Denny (*Vatican II: Forty Years Later*, ed. William Madges: Wipf and Stock, Eugene, OR, 2011). See also Gerd-Ranier Horn’s *Western European Liberation Theology, 1924-1959* (New York: Oxford University Press, 2009), chapter 1.

²⁵⁷ From “La Relation,” a 1928 letter to the president of the International Union of Catholic Women’s Associations. Cited in Denny, “The Laity and Catholic Action,” 64.

²⁵⁸ Simon to Maritain, Oct. 10, 1937. *Correspondance* v. 1, 296-7.

²⁵⁹ Simon to Maritain, June 2, 1938. *Correspondance* v. 1, 326-7.

²⁶⁰ Simon to Maritain, June 12, 1940. *Correspondance* v. 1, 412.

²⁶¹ *Ibid.*, 413.

Simon's deep exasperation with the support that significant Catholic cardinals and archbishops gave to Vichy and other Nazi-allied regimes became a settled skepticism of the Catholic Action paradigm of the early 20th century, precisely because of its reliance upon the guidance of hierarchs whom Simon viewed as disastrously culpable in political matters of grave importance. In 1942, not long after finishing his essay "Beyond the Crisis of Liberalism" and while making plans to write *The March to Liberation*, Simon told Maritain his reason for rejecting involvement in a group affiliated with Catholic democracy politics:

I think it's established by history that Catholic democracy is doomed to produce only turnips. Better to work with democracy straight. Here at least you have some dynamic and normative facts: the French Revolution, the American revolution, Italian independence, etc. They are generally of doubtful Catholicism, but that is the problem we are called to overcome.²⁶²

Just previous to this letter, Simon had urged Maritain to "understand that we are in full Catholic crisis. The thought of one of my sons becoming a priest," and being subject to corrupters like "Alfred Baudrillart, Gillet, Gemelli, Tizo, O'Brien, etc., sends shivers down my spine. I'd rather put my daughter in a brothel!"²⁶³ We are seeing, he wrote, "the corruption of the Catholic world from within, and that which the patriarch of Lisbon

²⁶² Simon to Maritain, Dec. 26, 1941. *Correspondance* v. 2, 83. Simon had been invited to join a group founded by Fr. Luigi Sturzo, a prominent leader in Catholic democracy circles who had co-founded an Italian political party.

²⁶³ Simon to Maritain, Nov. 6, 1941. *Correspondance* v. 2, 81. Simon is referring to Joseph Tizo, the Catholic priest and politician who was at the time president of the Slovak Republic, a client state of Nazi Germany like Vichy France. Tizo was executed after the war for crimes against humanity; he collaborated with Hitler in the extermination of the Jews. Simon is likely also referring to William O'Brien, at the time auxiliary bishop of Chicago, who had sympathies for Mussolini and was given the "Commander of the Order of the Crown" by Mussolini in 1940 (D'Augustino, Peter. *Rome in America: Transnational Catholic Ideology from the Risorgimento to Fascism*. Chapel Hill, NC: University of North Carolina Press, 2004), 244. Bishop John Noll, at the time bishop of Fort Wayne with jurisdiction over Notre Dame, Simon's new home, had in 1936 written to Mussolini "to congratulate Your Excellency on the stand which you have taken against Communism," explaining that "since the Catholic Church is unalterably opposed to all forces of disorder which attack orderly governments, as well as religion, it seems to me that the cooperation of Christianity generally and of the Catholic Church in particular would bring success to your aims" (Cited by D'Augustino, 245). Fr. Alfred Baudrillart was rector of the Catholic Institute in Paris, and had signed Henri Massis's "Manifesto for the Defense of the West."

has called the de-Christianization of the church itself.”²⁶⁴ Rather than rely on a model of “Catholic democracy” that relied on guidance from a politically complicit ecclesial hierarchy, Simon chose instead to “work with democracy straight,” and learn from the American and French revolutions in practical matters while working also to overcome their “doubtful Catholicism.”

During this period, Simon also professed what he described in 1940 as his increasing “preference for the point of view of the temporal,” in distinction from Maritain’s attempt to rightly distinguish the temporal and the spiritual in works such as *Integral Humanism*.²⁶⁵ A key letter from 1943 shows Simon expressing his sense that too many Catholics had scorned civic and natural virtues like justice in favor of the supernatural virtues:

I am struck by the lack of a sense of justice among Catholics... Garrigou, Lallement, Cardinal Schuster, Cardinal Baudrillart. ...They strain a gnat and swallow a camel. ...You’ve hit the nail on the head with your “moral philosophy adequately taken.” The acquired moral virtues, proper instrument of the supernatural virtues, are natural, social, secular things, as Thomas clearly implies when he places their achievement in civic life. Considering that in order to play the violin before the altar, it takes divine inspiration, these people neglect to tune their violins in order, no doubt, to give all the glory to God. Thus we have, in the house of God, a cacophony that would not be tolerated in a dancing bar. ...Lallement once told me that he had cheerfully plundered the natural virtues. Break the violin. It is perfectly coherent. They lift up a charity devoted to hypocrisy, which returns some small satisfactions of self-love, while justice returns nothing... Since the 19th century, we have confounded religion and morals, either by placing in the latter the end of the former (which is monstrous), or reabsorbing the latter into the former. Who will tell the truth about this?²⁶⁶

While working on the text that would be published as *The March to Liberation*, Simon writes (in the same letter that decries the favorable view of his Marquette lectures by a pro-Nazi magazine): “I am in the process of making, or suffering, within my mind and

²⁶⁴ Ibid., 81.

²⁶⁵ Simon to Maritain, July 7, 1940. *Correspondance* v. 1, 422.

²⁶⁶ Simon to Maritain, Nov. 9, 1943. *Correspondance* v. 2, 130.

heart, a work of political adjustment, a great revision, and I do not yet know the results. I am more and more persuaded that even the best theoretical work, by accident, and thanks to the exploitation of scoundrels... [can] contribute to disasters with respect to what is urgently practical. ...When the house is burning and the inhabitants are locked inside, what matters most is urgently practical.”²⁶⁷ In *The March to Liberation*, Simon was to display just such an attempt to give practical aid to the war effort against the Nazi-allied powers, drawing on the “practical things” he learned from the democratic tradition, despite that tradition’s “doubtful Catholicism.” In so doing, Simon showed his conviction that such doubtful Catholic credentials could be overcome, and indeed that by learning from the democratic tradition about the “natural, social, secular” civic virtues that too many Catholics had neglected, the Catholic tradition could be rendered practically useful for the “full Catholic crisis” of his time.

In *The March to Liberation*, Simon takes as his central theme what in “Beyond the Crisis of Liberalism” he calls the “world-wide movement whose driving force is a liberation-myth,” aiming at nothing less than “the deliverance of the world” from oppression.²⁶⁸ Liberalism, Simon here argues, has been culpable in the face of the onrush of Nazism insofar as it has contributed to “skepticism,” the “incapacity to project on the future a creative vision.”²⁶⁹ Yet this is neither the whole nor the core of the democratic revolutionary tradition that the French Republic inherited. Rather, those who “made the American and the French Revolutions... the German patriots who chased Napoleon from their land... the Italian revolutionaries who realized... the vision of an Italy united and

²⁶⁷ Simon to Maritain, Dec. 20, 1940. *Correspondance* v. 1, 449.

²⁶⁸ Simon, “Beyond the Crisis,” 285.

²⁶⁹ Simon, *March to Liberation*, 14.

independent” were possessed of powerful creative visions that drove forward common action in the face of oppression.²⁷⁰ Although Simon does not put it in the terms that have become current in contemporary political theory, he describes the freedom for which they fought principally as non-domination from oppression, as in civic republicanism, rather than as negative liberty, as in political liberalism.²⁷¹ The French who “sang the *Marseillaise* before the firing squad,” Simon writes, were not possessed by “images of wealth nor images of power nor images of glory, but the vision of liberty. The liberation of the fatherland: that is all that counts for them.”²⁷² Those who have had “concentration camps, hostage camps, curfew at nine o’clock, spies everywhere, informers to be feared in every nook and corner, an iron law hanging over suspect groups,” and so on, will no longer be skeptical about the worth and true meaning of liberty as freedom from oppression.²⁷³ And this contemporary experience, Simon writes, is entirely in keeping with the democratic revolutionary tradition that animated the *Marsellaise*: “the ancient wars of liberation were above all else wars of national liberation,” such as the French and American revolutions, the wars against Napoleon, the struggles of the Balkan peoples, and so on.²⁷⁴ Although Simon admits that some of these wars “had a very marked ideological character,” nonetheless he asserts that national liberation from oppression was the chief taproot of their animating visions. Now during the Second World War, Simon asserts that this revolutionary tradition is not simply limited to the liberation of particular

²⁷⁰ Ibid., 15. Simon’s reference here to Italian revolutionaries is significant, as their goal could not have been realized without the diminution of the Papal States.

²⁷¹ As we will discuss more fully in our conclusion, D. Stephen Long refers to these political theory distinctions in his recent *Augustinian and Ecclesial Ethics: On Loving Enemies* (Lanham, MD: Fortress Academic, 2018).

²⁷² Simon, *March to Liberation*, 31-2.

²⁷³ Ibid., 34.

²⁷⁴ Ibid., 35.

peoples, but has instead taken on a universal character: “the liberation of the world” has become a “heroic faith which is awakening in the hearts of all peoples,” joining in a common resistance to the “New Order” that seeks “to impose on the entire globe unity in slavery.”²⁷⁵ Freedom as non-domination is for Simon a very practical rallying cry, rooted in the noblest aspirations and historic struggles of the democratic tradition, and capable of uniting people from many nations in a common heroic effort for liberation from slavery and tyranny.

Simon also displays his commitment to democratic freedom as non-domination in his defense of universal suffrage. Simon contends that universal suffrage is the best means available “to give the most numerous and needy classes a regular means of assuring the protection of their rights.”²⁷⁶ The practical wisdom of the democratic tradition has shown that if this is not available to the masses, their lack of financial resources, higher education, social connections, and “a hundred other means of influence” will most likely render them voiceless in the political arena.²⁷⁷ “They have nothing on their side but the power of numbers,” Simon writes, and the vote is practically the only way to give the common people political voice. Simon expresses skepticism at aristocratic and authoritarian arguments against universal suffrage that had purchase in early 20th-century European politics, since practice had shown that upper-class and educated people were apparently just as ready “to swallow any kind of lie” and fall prey to “the most sanguinary political passions” than any so-called “revolutionary mob.”²⁷⁸ So too, the argument that strong and centralized non-democratic governments are the

²⁷⁵ Ibid., 54.

²⁷⁶ Ibid., 84.

²⁷⁷ Ibid., 85.

²⁷⁸ Ibid., 82. Simon writes that “men of my generation were fed with derisive criticism” of universal suffrage.

only means to secure decisive and competent governance has proven false in practice. “We have seen at close hand,” Simon writes, “the political idiocy of a big business man, of a superior officer, of a famous scholar.”²⁷⁹ Simon rejects what he calls the “romantic exaltation of universal suffrage” as the infallible wisdom of the people, instead taking up the more chastened view within the democratic tradition of a “healthy pessimism which extends to all classes of society.”²⁸⁰ Rather, elections are valuable insofar as they help to secure freedom for the poor and the workers from domination by the upper classes. So too, they help ensure that the “common man” retains his or her civic rights; that they are not exploited by the strong or unjustly treated by legal and civic institutions. Without universal suffrage, one in essence renounces “the principle of equal justice for all.”²⁸¹ Any paternalistic, authoritarian civic government will finally become “a system of exploitation more or less tempered with philanthropy.”²⁸² Democratic elections, for Simon, are preferable insofar as the wisdom of political practice has shown them to be the surest means of securing equal freedom and justice for all, especially to the great masses of the poor and working classes.

Simon moves on from here to sketch the positive content that this call for liberty has, demonstrating that he has learned from “democracy straight” its emphasis on equal justice for all and communal solidarity as the chief civic virtues within a free republic. Support for a view of freedom as non-domination, in other words, does not necessarily imply that freedom as such is simply the negative liberty for individuals to do what they

²⁷⁹ Ibid., 83.

²⁸⁰ Ibid., 83.

²⁸¹ Ibid., 86.

²⁸² Ibid., 87.

will, but can also be conceived as freedom from injustice and oppression in order to pursue the common goods of social life.

Simon first displays this with his critique of liberal economics, as we have seen previously. Simon stands against what “many persons hold” to be an “evident truth”: namely, that “economic liberty” must be “understood in the sense of traditional liberalism.”²⁸³ The simple expansion of negative liberty in the economic sphere, wherein all actors of whatever financial resources are “freed” to compete in a laissez-faire marketplace, was for Simon shown in practice to be a diminution of freedom as non-domination, and not at all the “golden age of liberty.”²⁸⁴ “One recalls,” Simon writes, “that the golden age of liberalism coincided with the most extreme forms of exploitation and of industrial wretchedness.” “From the point of view of the great mass of the workers,” he contends, “one can do better, when it comes to liberty, than did the liberalism of the 1830’s.”²⁸⁵ Implicitly, Simon here indicates that the democratic socialist tradition, as embodied by figures such as his favored Pierre-Joseph Proudhon, proves more promising than the economic liberalism of a figure such as J.S. Mill or Adam Smith as an ally of democratic liberty.²⁸⁶ The mere negative liberty of those in possession of capital to do what they will to expand it amounts to a kind of “fatalism,” wherein it is simply admitted that economic laws operate as they do and nothing can be done about the creative destruction and inequality that will ensue. Simon draws on Proudhon to argue that even while economic liberalism tends toward the “all-absorbing dynamism of

²⁸³ Ibid., 92.

²⁸⁴ Ibid., 93.

²⁸⁵ Ibid., 94.

²⁸⁶ See in particular his 1945 essay “Socialism and the Democracy of the Common Man,” previously discussed in this chapter. Simon read through all of Proudhon’s work as a young man, and frequently cited him.

property,” such that the propertied classes are able to exploit the labor of those who lack it; nevertheless it is also true that property’s fundamental role is to “serve as the support of liberty” in both “individual and collective” forms, by guarding against the “encroaching and totalitarian tendencies which are the permanent temptation of every State.”²⁸⁷ Economic freedom conceived of as non-domination, rather than simple negative liberty, will seek to ensure equitable distribution of property and free participation in economic life by individual persons and all manner of “collective” bodies, while also guarding against the fascist and totalitarian expropriation of property in the name of the people. The democracy of the common man has learned in practice to be wary of exploitation by bosses, but does not on that account have no room for the pursuit of genuine economic and other common goods. Simon sees continuity between “the end of the liberal era” and the “totalitarian Revolution” that followed it: not the rejection of one set of principles for another, but instead as a continuation of a form of economic and political life in which genuinely common goods had been exchanged for a mass of individuals and the modern state. “The task of the Republic,” Simon concluded, “will be to travel the way of the dictators in reverse... with the design of pushing the victory of real liberty incomparably farther than liberalism ever did.”²⁸⁸

Near the end of *The March to Liberation*, Simon in short compass sets forth his vision for “the Fourth Republic” as a civic democratic republic in which equal justice for all is secured and persons in community are free to pursue genuine common goods. In the span of seventeen pages, Simon discusses in turn the questions of democratic elections, the relationship between liberty and authority, and the problems posed by both

²⁸⁷ Ibid., 96-7.

²⁸⁸ Ibid., 96.

liberal and collectivist economic systems. As we have seen, Simon mounts a critique of paternalist arguments against universal suffrage, as well as a critique of liberal *laissez-faire* economics, on similar grounds: both have shown themselves in practice to be poor guardians of equal justice for all, particularly for the poor. In *The Road to Vichy*, written in 1942, Simon writes stirringly in the final chapter of “the kind of order which shall be brought about by the forces of Freedom”:

The only certain thing (and is it not the all-essential thing?) is that the very nature of these forces will compel them to evolve a world where the principle of equal justice for all will prevail, a world where Jews will have the same rights to justice as Aryans, Negroes the same as Whites, the poor the same as the rich; a world where religion will neither be persecuted, nor corrupted, but free; a world where the word of truth will be free to resound. This is all we have to know and we need know no more than this in order to give our lives.²⁸⁹

In the fourth republic, as envisioned by Simon, equal justice for all will be safeguarded by the practices of universal suffrage, democratic elections, and widespread distribution of economic resources (such that neither the state nor a small minority of wealthy persons and groups exercise dominance over the common people). Freedom as non-domination, moreover, is envisioned as in service of a multiplicity of persons and groups: Jews in particular are singled out as possessing the same rights to justice as non-Jews, and in this context the free exercise of religion is highlighted as that which justice requires. In his discussion of the relationship between liberty and authority in his hoped-for fourth republic, Simon argues that justice and freedom for all are best understood not in competition with communal authority, but rather as the necessary presuppositions for its free exercise. In the worldwide “march to liberation” towards “the deliverance of the world” from oppression, Simon discerns that those who “have resolved to give their lives in order to rid their fatherland and the world of governments called authoritarian, are not

²⁸⁹ Simon, *The Road to Vichy*, 204.

enemies of the principle of authority.”²⁹⁰ Instead, “all of them want the France of tomorrow to have a strong government... capable of assuring that unity of action without which there is no true social life, capable of impressing on all an effective direction towards the public good.”²⁹¹ “The alternative,” Simon writes, “is absolute: either authority has all the power necessary for safeguarding and promoting all the advantages of social life, and above all that liberty which is at once the principle of social life and its chief glory,” or instead “all the advantages of social life and above all liberty will be exterminated by the nihilism of tyranny.”²⁹² Notably, Simon does not shy away from stating that the entity that will possess this authority is the civic authority of the government of France. Nor does he stipulate that this authority must be sanctified and guided by the hierarchy of the Catholic Church, and the supernatural graces given to it.

Simon has clearly learned “practical things” from his reading of the democratic tradition: he saw that the natural goods and virtues of civic life had in certain significant ways been better practiced in the democratic republican tradition, in the movements that were heir to the French and American revolutions, than they had in the “Catholic democracy” or “Catholic Action” political movements that depended specifically on the guidance of the Catholic hierarchy. As a devoted Catholic and Thomist, writing from his post as a professor at Notre Dame during wartime, Simon judged it to be a useful and necessary corrective to write practically-oriented political books that were sharply critical of notable Catholics who had supported the *Action Francaise* movement and fascism, while constructively arguing for the importance of democratic elections, economic justice

²⁹⁰ Simon, *The March to Liberation*, 90.

²⁹¹ *Ibid.*, 91.

²⁹² *Ibid.*, 91-92.

and private property, and freedom of religion—or, in other words, on behalf of justice for all and freedom from oppression, which Simon said in *The Road to Vichy* was “the all-essential thing.” This, Simon thought, was not best understood as an overturning of essential Catholic principles, but instead as a better appreciation of what the Catholic tradition had learned from St. Thomas about the natural goods of civic life as not destroyed by or subsumed into the supernatural goods of the Church. Simon’s letters to Maritain during this period help us see the depth of the criticism he leveled at the prevailing Catholic Action paradigm, along with the *ancien regime* that preceded it, and so help us to understand the significance of his decision during this time to begin formulating a *philosophical* defense of political freedom and authority that sought to learn constructively from secular democratic movements and theorists, rather than one that explicitly relied on the sacred authority of the Catholic hierarchy. Yet the learning went more than one way: also as a devoted Catholic and Thomist, Simon accepted the basic criticisms of modern political liberalism as he found them in Leo XIII and subsequent Catholic social teaching, and so found much blame to lay at the feet of liberal individualism and nihilism for the “road to Vichy” that his native France and much of Europe had traveled. Liberalism as an economic doctrine had contributed to massive inequalities and social disruption, and as a political philosophy it had undermined the pursuit of genuine common goods and the exercise of authority that any form of social life requires. In the place of both restorationist Catholicism and secular liberalism, Simon began to formulate a political philosophy that sought to learn from both the Catholic and the democratic traditions, in support of the “democracy of the common

man” that he hoped would emerge as the basis for a secure postwar political order, within which liberty and authority found their balance in service of common civic goods.

Conclusion

At this point in Simon’s career, it cannot be said that he has succeeded in formulating a thoroughgoing political philosophy. Several issues remain to be dealt with, and the issues he has dealt with remain in need of development and clarification. From the side of the Catholic tradition, it remains unclear whether there is a lasting doctrinal dispute between Catholicism and democracy: Is democracy necessarily a form of individualism or liberalism, opposed to the common good and to communal authority, such that Catholicism must set itself against it? Catholic social teaching could not accede to the notion that authority simply devolves to the individual, such that there are no civic authorities that ordinary persons are morally obliged to obey. It also remains unclear whether the *ancien regime*’s assumption that God designated specific rulers as authorities, such as the monarchs of France, was necessary to Catholic teaching about the necessary place of communal authority, or whether or not other ways within the Catholic tradition of conceiving how authority is transmitted from the people to specific governing personnel might better make room for democratic forms of authority.

From the democratic tradition’s side, there remain concerns that a non-liberal form of democratic government will necessarily become *illiberal*, such that individual rights and liberties are curtailed, and a thickly-conceived civic common good will crowd out the wide variety of communal and individual visions that a liberal social order is designed to promote. In his early criticisms of liberalism, Simon at times claims that the

kind of liberalism that tolerates everything, and even allows the basic principles of its social order to come into question, is one in which the task of communal formation in civic virtue becomes impossible. Is however this non-tolerant of certain errors, and this program of civic moral formation, one that tends to suppress the freedoms of persons and communities whose vision of the common good (or of their own personal goods) does not fit well within the prevailing communal order?

In this chapter, we have attempted to show that Simon's criticism of liberalism and his defense of authority was not allied with the support of authoritarian politics, whether in *ancien regime* or 20th-century fascist form, that such positions are sometimes taken to require or imply via guilt-by-association. To the contrary, Simon's critique of liberalism was not marshalled against democratic freedoms, but instead formed a significant part of his diagnosis of what had contributed to those freedoms' demise in his contemporary Europe. Likewise, his defense of authority was not associated with the rising tides of authoritarian politics, but instead was sharply distinguished from them as that which is necessary to safeguard and pass along the liberties and goods of common social and political life. Simon was a fierce defender of political freedom and an equally fierce critic of those who he took to be their enemies, even when those enemies included elements within his own Catholic church. By placing both the Catholic and democratic traditions into conversation with one another, Simon set himself a course that assumed political philosophy had much to learn from their purification and creative synthesis. Extended treatments of this period of Simon's life are not yet to be found, and placing his mature political concerns in the context of his early writing, the political ferment in

which they were written, and the sources and interlocutors with which they were engaged, is intended to shed rare light on the measure of his mature accomplishment.

Simon did not leave his work at the level of brief essays and practically-oriented booklets, but after the Allied victory set himself the task of setting forth at length and in detail the philosophy of democratic government and civic authority that he hoped would serve the stability and freedom of the postwar order. *The Philosophy of Democratic Government* (1953) is his most sustained discussion of these issues, and along with his *A General Theory of Authority* (1961) and “The Doctrinal Issue Between Catholicism and Democracy” (1962) represents his mature view. In the chapter to follow, we will examine Simon’s mature work, showing how he filled out areas of inquiry that remained cursory in his early period. In the conversation among scholars of Christian theological ethics with which we are primarily concerned, we will suggest that Simon proves helpful in moving us past what D. Stephen Long describes as the longstanding debate between the “Augustinian” civic liberal and the “ecclesial” (sometimes described as “radical Augustinian”) schools, precisely as an exponent of the “old traditional” Thomism that begins with the nature and source of political authority, and the ontologically realist account of the common good that is correlative with it. As we have already begun to see, Simon helps us to respond to the concerns of Jeffrey Stout, in his unfortunate opposition between the orthodox Christian tradition’s supposed propensity to encourage excessive deference to authority and hierarchy, and a self-reliant democratic piety that looks askance at authorities of every kind. For Simon, authority and liberty, democracy and hierarchy, and Catholicism and democracy are not opposites but friends; and Simon was anything but deferent in civic matters to a Catholic hierarchy that he found implicated in

political disaster. While the relationship between Catholicism and democracy is one that Simon has not at this point sufficiently elaborated upon, Simon has already given someone like Stout reason to doubt that authority and liberty are antimonic, locked in a zero-sum relationship. Moreover, the kind of extended examination of Simon's concrete political engagements we have undertaken should be sufficient to indicate that the conventional assumption that Catholic authority and modern democratic liberty are at odds is at the least challenged by the witness of a fiercely anti-authoritarian, pro-democratic Catholic and theorist of authority like Simon.

Simon is not without latter-day Thomist thinkers who are carrying on the kind of work he did, and we will in our conclusion present Jennifer Herdt, John Bowlin, and Thomas Bushlack among them. We will present Simon's mature political philosophy as a workable political model for present-day Catholic social teaching, and one that is particularly helpful to present-day concerns precisely insofar as it draws upon the critique of liberalism that Leonine and pre-Vatican II Catholic social teaching took for granted, and took seriously its concerns for the role of authority in civic life. Such "old traditional" Thomist lines of thought, we hope to show, are more relevant than those who followed John Courtney Murray in seeking a *détente* with political liberalism often imagined, and help us follow out D. Stephen Long's suggestion that we pursue the ecclesial and civic national projects at the same time.

Simon's academic reserve and philosophical precision led him to rarely if ever connect the dots between his mature political work and the concrete political struggles in which he was engaged in his wartime writing, and so today such connections are rarely if

ever drawn. This chapter has sought to draw them, in service of better understanding the nature and relevance of his mature political philosophy. To this work we now turn.

Chapter Three

Yves Simon's Mature Political Work: The Philosophy of Democratic Authority

Introduction

Alasdair MacIntyre notes that in order to understand Yves Simon's contribution to political philosophy, we must first understand the "complex political and moral history" from which he emerged.¹ In the previous two chapters, we have labored to do just that. As MacIntyre suggests, Simon was a distinctive figure for his time just insofar as he was at once a committed Catholic who took for granted his church's teaching on the nature and basis of political authority and its strong criticism of modern political liberalism, and also a highly articulate and passionate defender of the democratic aspirations for political liberation that stemmed from the French and American revolutions.² As such, Simon is uniquely placed to synthesize what we have called the "old tradition" of pre-Vatican II Catholic social teaching with the Enlightenment democratic tradition. By examining closely the traditions and conflicts out of which his mature thought came, we are now in a better position to understand well his principal contributions to political philosophy in order to suggest how it can contribute to the conversation of contemporary theological ethics.

In the first chapter, we saw that Simon took his political bearings as a Catholic from Leo XIII's Thomist and non-liberal account of civic political authority as a created natural good with a divine basis and origin, a positive aspect of our social nature, rather than the Augustinian tradition's assumption that political authority is a gracious God-

¹ Alasdair MacIntyre, "Yves R. Simon: Thomist and *Sans-culotte* Philosopher," 2.

² *Ibid.*, 1-3.

given solution for the deficiencies of human sin and weakness that render it necessary. Simon followed Leo both in his turning away from Catholic restorationist attempts to reunite the *ancien regime*'s fusion of throne and altar, and in his thoroughgoing criticism of liberalism's characteristic account of the nature and basis of political authority, the social contract made by free and autonomous individuals. Democracy, as Leo thought, needn't be construed in liberal fashion as supplanting God's authority with that of autonomous individuals, but instead as one among many types of political regimes that provide authoritative government in service of the civic common good. Simon, like Leo, carried this neo-Thomist line of thinking forward against both Enlightenment liberalism and restorationist Catholicism.

In the second chapter, we sought to draw out the rootedness of Simon's political thought in the crises of the early twentieth century, showing how his critique of liberalism went along with firm support for democratic aspirations for liberation, and how his developing theory of authority went hand in hand with opposition to authoritarian regimes. Simon underwent a real struggle during this time with respect to the Catholic tradition of political thought and the support that some found in it for authoritarian politics, but emerged not as a radical revisionist but instead as a committed Leonine neo-Thomist who sought to place the best elements of the Thomist tradition in productive conversation with the democratic tradition stemming from the French and American revolutions. We saw here that the learning went both ways, and that Simon set himself the project of producing a political theory that would reject the unfortunate options that many saw as their only choices: political liberalism, and restorationist Catholicism. Both options, Simon thought, bore significant blame for the "road to

Vichy” that France and other European nations had traveled. Simon found in the Thomist and democratic traditions ample resources to support a politics in which authority and liberty were not warring opposites, but rather two sides of the same coin in service of common civic goods within which the liberty, equality, and fraternity of persons-in-community were valued and secured.

In this chapter, we will examine more closely the mature fruits of Simon’s labors, chiefly *Philosophy of Democratic Government* (1951), *A General Theory of Authority* (1962), and “The Doctrinal Issue Between the Church and Democracy” (1954), and begin to show how Simon’s work can contribute to discussions in contemporary theological ethics. As we began this dissertation by noting, Simon’s “old traditional” approach to political philosophy assumed that the conversation rightly begins with the nature and basis of political authority: as Philip Turner writes, by what right political authority may “place us under an obligation to abide by its judgments.”³ This question, as Turner shows, is in contemporary theological ethics often now bypassed in favor of “normative political concepts like liberty, equality, justice, and welfare.” The work of Eric Gregory and Charles Mathewes may be taken as representative in this regard, as their influential neo-Augustinian work focuses on questions such as how Christians ought best love their neighbors, seek justice, and respect the equal rights of all persons within liberal democratic political orders. Such civic liberal thinkers tend, in Gregory’s words, to “recognize the limited authority of the state and the instrumental quality of political goods for individuals in their multiple communities and various loyalties.”⁴ Yet this is precisely what an “old traditionalist” Catholic political thinker like Simon cannot accept,

³ Philip Turner, *Christian Ethics and the Church*, 221.

⁴ Eric Gregory, *Politics and the Order of Love*, 9.

for as we have seen in the encyclicals of Leo XIII, it means accepting the merely instrumental quality of politics for *individuals* first and foremost, by assuming the social contract between individuals to be the source and basis of political authority. This is a form of “practical atheism” that denies that human beings are created for communion with God and neighbor, and require authority in order to enjoy goods in common. Simon would question whether Gregory’s “limited authority” is worthy of the name, or whether it is shorthand for a conceptuality within which government is simply an instrument wielded by individuals as they see fit.⁵ As Turner writes, this coheres all too easily with “an account of moral agency that focuses on autonomous *persons* who are individual *selves* in pursuit of happiness,” and seems to imply that the source of political authority is “human wit and will” rather than God.⁶ Simon and Leo XIII took for granted that how one answers this question has significant theological implications, and that the Enlightenment liberal answer—the social contract—amounts to creating a practically atheistic and individualistic social order.

Simon simply assumed, given the clear thrust of the pre-Vatican II encyclical tradition, that he needed before anything else to address this topic as *the* “doctrinal issue between the Church and democracy.” Doing so, in Simon’s hands, was no merely theoretical theological exercise, for the problems posed by practical atheism with respect to the civic *res publica* had significant practical implications. Getting this foundational

⁵ Senator Ben Sasse gives a representative articulation of this view in a recent book: “The two indispensable insights of the American experiment are inextricably linked: each and every individual is created with dignity—and therefore government, because it is not the source of our rights, is just a tool... Government exists to do the work of securing our pre-existing rights. Government—that is, power—cannot be absolute; it is only an instrument we use to secure the freedom necessary for the most important pursuits” (Ben Sasse, *Them: Why We Hate Each Other—And How to Heal*. New York, NY: St. Martin’s Press, 2018), 138-9. While Sen. Sasse is known as a conservative Republican, the basic conceptuality of the instrumentality of government is basic to liberal political theory, as articulated above by Gregory.

⁶ *Ibid.*, 222, 224.

question right was of primary importance, for it helped clear away the confusions and needless oppositions that had paved the road to Vichy. Moreover, for Simon, this question was not addressed well if it remained as a merely intra-Catholic exercise, but was most productive if in good Thomist fashion it proceeded in open dialogue with the best objections to the Catholic tradition put forward by modern democratic practice and theory, and the “practical things” to be learned from it.

By beginning to do just this during the critical years before and after the Second World War, Simon stands as a prime example of the generativity and political usefulness of the “old tradition” of theological reflection on politics, within which modern Enlightenment liberalism is not taken for granted as an unexamined starting point. Simon shows that this tradition needn’t be bound up with the restorationist Catholicism that found itself too often in support of authoritarian political regimes and too often unsympathetic to the aspirations to political liberation found in the modern democratic tradition. Nor must this tradition be cast aside in favor of the new foundation laid by modern liberalism’s social contract. Rather, the Christian political tradition as interpreted authoritatively by Leo, taking its bearings from Thomas Aquinas and the tradition that followed after him, could serve as the basis for a democratic postwar political order with better foundations than either liberalism or restorationist Catholicism were able to give.

In what follows, we will examine Simon’s mature political philosophy under four headings. First, and foundational for Simon’s project, is his remarkably precise treatment of the concept of the common good, as opposed to mere associational partnerships. Following Leo, and Aristotle and Thomas before him, Simon assumes that humankind is social by nature, not merely adventitiously so. From this follows the inference that

authority is essential to social life, and not merely rendered necessary by human deficiency and sin. Simon's "general theory of authority" gives an account of the essential role that authority plays in human affairs, and should be seen as his thorough and foundational response to liberalism's rival theory of the nature and basis of political authority—the social contract. At the same time, as a philosophical account drawn from Leo XIII and the Thomist tradition, his expanded discussion of authority and government during this period represents his thorough response to Augustinian-inspired restorationist Catholic theories of political authority.

Second, we will turn from his foundational work on the nature and basis of political authority to his discussion of democratic authority, which can be read in a word as his attempt to show that democratic authority is not a contradiction in terms. Simon draws on Aquinas, Cajetan, Bellarmine, Suarez, and Leo XIII to present a Thomist account of democracy that charts an alternative course to Enlightenment liberalism and restorationist Augustinian Catholicism, viewing the nature and basis of authority as the doctrinal issue at stake between the democratic and Catholic traditions, complementary rather than in conflict when rightly understood. Simon critiques on the one hand what he calls the liberal and individualist "cab-driver theory" of democratic authority, in which civic authority is explained away and denied, and on the other hand critiques divine-right theories of authority that make civic democracy impossible. In the Thomist tradition, he finds ample support for the thesis that political authority "follows from the nature of community life" and so is given by God to the community as a whole to serve its common good, rather than to any specific persons designated by supernatural warrant to rule. Insofar as the "cab-driver theory"—Simon's colorful term for social-contract

liberalism—amounts to the rejection of authority and an ungentle transmission of authority to governing personnel, Simon thinks that it institutes a form of rebellion and instability that, far from acting as a lasting support for democratic institutions, in fact undermines them.

Third, we will turn to Simon's discussion of democratic freedom and equality, which together can be read as his response to the ready objection that political liberalism alone gives the best support for the aspirations of modern democratic revolutionary movements, or similarly to the objection that Catholic commitment to political authority cannot but be an enemy of modern democratic aspirations. Democracy, Simon thinks, is a form of political government "by the people" in which civic freedom is conceived of as both freedom *from* domination and the freedom *for* active participation in civic life, analogous in part to Benjamin Constant's "liberty of the ancients" compared against the "liberty of the moderns."⁷ Democracy, for Simon, empowers free persons and institutions to participate in governance for the common good of the *civitas* rather than the private good of the rulers, and to resist abuses of power by the governing authorities. Rightly ordered, it respects the relationships of subsidiarity that ought to pertain between a wide variety of communities that pursue common goods, rather than assuming that the so-called "democratic transformation of the state" renders the freedom of non-state institutions unnecessary. Here, the democratic tradition has much to teach the Catholic tradition, particularly insofar as it came to see the importance of free elections, freedom

⁷ Benjamin Constant, *The Liberty of the Ancients Compared with that of Moderns* (reprinted in *Political Writings*, ed. Biancamaria Fontana [Cambridge, UK: Cambridge University Press, 1988]; orig. pub. 1819). It must be mentioned that Constant compared the two kinds of liberty in order to extol that of the moderns over that of the ancients, charging among other things that ancient liberty was for the few only and depended upon widespread slavery. As we shall see, Simon's reformulation can be seen as a kind of ancient liberty for all, democratic in nature, and opposed to any kind of master/slave relationship.

of expression, and the freedom of religious institutions from bureaucratic control. Yet at the same time, the Catholic tradition provides the democratic tradition (ironically enough) with a better way of understanding itself than the modern Enlightenment liberalism with which it is often allied, for democracy ought to understand itself as a form of civic authority rather than by way of a liberal theory of government that cannot make sense of governing except as a necessary evil: the “deficiency theory of government.”

For Simon, democratic equality should be understood as a “second revolution”—largely socialist in inspiration—to rival the first, democratic revolutions of the liberal Enlightenment period. Here again, we see Simon’s creative synthesis of concepts drawn from the Leonine Thomist tradition with concepts and practical lessons drawn from the Enlightenment democratic tradition. Simon draws upon Aquinas to affirm the political equality of persons and its compatibility with structural hierarchy, rightly understood, as that element of society that attends to the common good and so allows particular persons to attend to particular goods. He affirms the democratic egalitarian aspiration for equality of opportunity, but in balance with the common goods pursued by communities of various kinds. Most consequentially, Simon draws upon both Thomist Catholic social teaching and on democratic socialism to affirm a highly exacting definition of justice in economic exchange, a necessity in any commonwealth worthy of the name. On the whole, Simon’s discussion of democratic equality and his reliance on democratic socialism amounts to a sharp criticism of political liberalism in its economic aspect, insofar as its emphasis on individual freedom tends to contribute to unjust economic inequalities and to diminish communities that seek goods in common that cannot be reduced to individual goods.

Finally, we will turn to Simon's discussion of technology and formation. Like many of the American founders, Simon's conception of a democratic *res publica* placed a high emphasis on the need to form virtuous citizens to serve the common civic good. Simon was concerned that increased urbanization and advances in the power of technology were not keeping pace with the need to form people in basic civic virtues, which he in Jeffersonian and Tocquevillian fashion thought had been achieved for previous generations largely by the common crafts and communal density of a primarily agricultural and rural economy. Moreover, Simon was more skeptical than John Courtney Murray and others who followed Murray about the ability of natural law to provide a sufficient basis for political prudence and other civic virtues. Simon's commendation of the rural life can be read not only as providing a better site for formation in civic virtue than many elements of modern technological society, but also as indicating the nature of his political project as an exercise in "moral philosophy adequately taken," receptive to and directed towards theology's revealed knowledge of humanity's existential state in both sin and grace. As such, Simon's project can be viewed as suggestive both for those (Christian or not) who seek possibilities for communal formation in service of common civic goods, and for Christian theologians who seek to do so within a larger schematic within which it is assumed that humanity was not created merely for the pursuit and enjoyment of common civic goods, that our fall into sin has subjected nature to grievous wounds, and that God's grace offers us an destiny beyond the temporal earthly city.

Viewed as a whole, we will see in Simon's mature work a project that indicates how what we have called the Thomist "old tradition" of political reflection constitutes a

position that is of continuing usefulness for contemporary theological discussion. Simon begins, as we will see, with an ontologically realist account of the civic common good that makes clear that it is not reducible to a collection of individual goods that are to be justly distributed, as many present-day accounts of the common good assume. Civic authority, he then goes on to show, is a correlative concept, as that which is necessary for a genuine community to pursue and enjoy goods in common. Simon moves from here to a criticism of accounts of authority associated with Enlightenment liberalism and restorationist Augustinianism that fail to recognize this, and so end up failing to account for a genuine civic common good: both are versions of what he elsewhere called “practical atheism” with respect to civic life. Democratic freedom and equality, Simon next argues, are not antithetical to civic authority rightly understood in the Thomist tradition, but are in fact better accounted for and served by its firm commitment to the *common* good than by its Enlightenment and restorationist rivals. Moreover, an account that begins with authority and common goods naturally flows into discussion about the formation of citizens in the civic virtues necessary for self-government, and Simon’s Thomist account does so in a way that manages both to be open to dialogue with non-Christian neighbors and open to integration with an extended theological treatment.

Having accomplished this overview, we will provide a bridge to this dissertation’s conclusion, in which we will suggest more directly how Simon’s work can contribute to the discussion in contemporary theological ethics, using D. Stephen Long’s recent *Augustinian and Ecclesial Christian Ethics* as principal roadmap and guide. Simon, we will suggest, in his mature political philosophy provides what can be read as an extended response to someone like Jeffrey Stout, with his concern that the orthodox Christian

tradition's commitment to authority is opposed to the democratic tradition's self-reliant piety and its skepticism of authority and hierarchy. Such a view, as we will see by way of Simon's careful discussion of authority, depends upon an unnecessary conflation of concerns about authoritarian abuses of power with civic authority rightly understood. Moreover, Simon's creative synthesis of the Thomist "old tradition" with the Enlightenment democratic tradition can be seen to help chart a helpful alternative course to Augustinian civic liberalism, on the one hand; and Augustinian ecclesial ethicists on the other. By beginning with the question of the source and basis of political authority, rather than with what goods should be pursued and rights secured by the instrument of government for individuals in a liberal social order, we are able to avoid the theological and political implications pointed to by Leo XIII and many ecclesial ethicists: a fundamentally individualist and practically atheist anthropology, which tends to undercut practices and common goods that cannot be accounted for well within it, such as worshiping and obeying Christ as Lord, and being formed in virtue by authoritative communities, without which it is difficult to maintain just democratic governance in a *res publica* rather than demagoguery, tyranny, and the false semblance of unity provided by collective idols and hatred of despised persons and groups. So too, with respect to the concerns of Jennifer Herdt, Jeffery Stout, and Augustinian civic liberals such as Gregory and Mathewes, a proper account of civic political authority and the central aspirations of the modern democratic tradition—liberty, equality, and fraternity—ought to aid ecclesial ethicists in giving further attention to civic national and local projects without needing to forego central claims about Christology, ecclesiology, or eschatology. Simon, by his detailed attention to democratic liberty, equality, and fraternity, set within his overarching

account of political authority under God, ought to serve such a project well. Simon, we hope to suggest, as an “old traditional” Thomist provides a way forward for theological ethicists to pursue both the “ecclesial” and the civic “national” projects at the same time, as D. Stephen Long suggests we do. This course will be examined in this dissertation’s conclusion, though no more than suggestively so, providing avenues to explore in future work.

3.1. The Common Good and the General Theory of Authority

3.1.1 Partnerships and communities: On the civic common good

Simon’s case against what he calls the “deficiency theory of government” rests first on what can be called his ontologically realist conception of social common goods: for Simon, following Aristotle, Thomas, and Leo before him, the human is by nature a social animal that pursues goods in common, and the pursuit of these goods requires authority by nature rather than simply as the result of human deficiency or vice. Simon makes a critical distinction between society conceived of as a *community* that pursues a genuine common good, and as a mere *partnership* within which only individual goods exist, joined together by human artifice for mutual benefit to form voluntary associations.⁸ In the first chapter to *Philosophy of Democratic Government*, after surveying the principal functions of authority, Simon sums up the basis of his “answer to the question of the state of affairs that lies at the origin of civil government”:

Our central purpose has been to determine whether government is produced by our wickedness (more generally, by our deficiencies) or by our wants (more generally, by the tendencies of our nature). It has been established that authority, considered in its

⁸ Yves Simon, *Philosophy of Democratic Government* (Notre Dame, IN: University of Notre Dame Press, 1993; orig. pub. University of Chicago Press, 1951), 64.

essential functions, is as natural as the association of men for a common good. Thus civil government is as natural as civil society if, and only if, a common good is the object of civil association. The only way to escape the conclusion that civil government is produced “by our wants”—in other words, by the nature of things—would be to show that civil society has no common good for its object. The question boils down to this: Is it possible to conceive civil society after the fashion of a mere partnership, involving no common existence, no common life, no common love, and no common action?⁹

Simon takes the position that it is not in fact possible to conceive of civil society as a mere partnership rather than as a genuine community. Simon immediately characterizes “liberal individualism” as defined by its opposite view on the origin of civil society, insofar as it tends to “substitute a sum of particular goods for the common good of civil society.”¹⁰ In this alternative liberal view, government and authority will tend to be viewed as necessary evils at best. Civil society in political liberalism will not be understood as “a society relative to a common good,” even if it is acknowledged by liberals that common goods exist within communities that do not comprise the whole of civil society.¹¹ This latter point is crucial to grasp, for Simon is not committed to the view that political liberalism holds that human society is comprised of *nothing but* mere partnerships—e.g., that even families, churches, and close-knit communities are reducible to partnerships of individuals pursuing their own separate goods—but rather specifically that this is how civil society as such, the *polis*, ought to be understood. Simon therefore

⁹ Ibid., 61-3. In the footnotes to this section, Simon cites in agreement Aquinas’s *On the Governance of Rulers*, Leo XIII’s *Immortale Dei*, and Aristotle’s *History of Animals*. In our chapter one, we have previously cited a portion of the following passage from *Immortale Dei* that Simon here reproduces: “Man’s natural instinct,” Leo writes, “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 some one be over all, directing all to strive earnestly for the common good; every civil 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.”

¹⁰ Ibid., 63.

¹¹ Ibid., 63.

sets himself the task of addressing the foundational question of whether civil society ought to be viewed as a genuine community or as a mere partnership.

To do so, Simon first gives careful attention to further defining his distinction between community and mere partnership, on the basis of which he proposes to assess whether civil society is better described as one or the other. Simon begins with a series of examples, naming football teams, teams of workers, armies, and orchestras as instances of communities, and handicraftsman and moneylender's associations as examples of mere partnerships.¹² A comparison of the two types, Simon argues, reveals three characteristic differences: "collective causality, communion in immanent action, and communion-causing communications."¹³ First, in a football team or an orchestra, it can be seen that certain actions can only be said to be caused by the team or the orchestra as such: the Blue Devils as a whole drove the ball down the field to score a touchdown, and the New York Philharmonic played the Beethoven symphony, rather than any particular individuals contained within them. In a mere partnership, by contrast, "each action is traceable to some partner." While it is the funds held by the building and loan association that are loaned to me when buying a house and not the funds of the loan officer, nevertheless the action of making the loan can be traced to the separate actions of the loan officer, the persons who set the criteria that the officer follows in making the loan, and so on. Second, the common actions of a community are "prepared and intrinsically conditioned by immanent actions of knowledge and desire in which members commune."¹⁴ The football team or the orchestra, Simon means to say, not only

¹² Ibid., 64.

¹³ Ibid., 66.

¹⁴ Ibid., 64.

act as one but also “always know very well why they are gathered together and always desire very ardently the attainment of the common objective.” The sweetness of human communion is found in such common action, in which all of the members of the acting community “know that the others know and desire the same object and want it to be effected by the action of our community.”¹⁵ This, Simon says, is “the most profound part of social reality,” in which individuals are freed from the anxiety of solitude. Finally, communion-causing communications can be seen when a football team or army are constantly exchanging signs “whose purpose it is to cause in souls certain cognitions and certain emotions and awareness that the objects of these cognitions and emotions of mine are also objects for the cognitions and emotions of my companions, superiors, and subordinates.”¹⁶ Simon points here to examples such as national funerals or the raising of the U.S. flag in a schoolyard.

Viewed as a whole, it is difficult to deny that Simon has made a compelling case for the distinction between a “genuine community” and a “mere partnership,” and one that illumines the nature of what is meant by the term “common goods.” A member of an orchestra cannot take her clarinet and go home, and thereby take along her portion of the common good of the orchestra. By abandoning the communion of the orchestra, she no longer enjoys any of the common good that it together achieves. The same might be said of a marriage or a football team: if a marriage is dissolved, one does not then possess one-half a marriage, but no marriage; if a football player quits the team and goes home, he is not one-thirtieth of a team, but not part of a team at all. Russell Hittinger, who has acknowledged his debt to Yves Simon on this subject, makes a similar argument for an

¹⁵ Ibid., 65.

¹⁶ Ibid., 65-66.

ontologically realist conception of the common good, and traces out its Thomist roots in Catholic social teaching.¹⁷ Leo XIII and his colleagues, Hittinger writes, drew on Thomas to define a society relative to a common good as that which possesses a *unitas ordinis*, a unity of order: as they saw it, a prudent middle course between a conception of society as akin to a “super-individual having a single mind or a single body,” and one in which society is a “purely accidental unity ensuing upon the choices and actions of individuals who follow their own preferences,” much like Margaret Thatcher’s famous assertion that there is no such thing as society, only individuals and families.¹⁸ Society did not possess a unity of substance, like an individual human person, but was also more than the mere aggregate of individuals. A “true society” exists, for Leo, “wherever there are plural rational agents, aiming at common ends, through united action, *and where the unity is one of the intrinsic goods aimed at.*”¹⁹ Common goods in Simon’s Leonine neo-Thomist conception simply are those goods in which action, knowledge, desire, and communication are shared in common by an acting community, rather than divisible amongst the members of a mere partnership, the members of which may well take their marbles and go home, as it were.²⁰ Common goods are achieved by free persons acting

¹⁷ Hittinger, Russell. “The Coherence of the Four Basic Principles of Catholic Social Doctrine: An Interpretation” in *Pursuing the Common Good: How Solidarity and Subsidiarity Can Work Together*. (Vatican City: Pontifical Academy of Social Sciences, 2008), 75-123 (see p. 90 for Hittinger’s acknowledgement of Simon).

¹⁸ Hittinger cites Thomas, making the argument upon which Leo XIII and Simon draw: “It must be known that the whole which the political group or the family constitutes has only a unity of order [habet solam ordinis unitatem], for it is not something absolutely one. A part of this whole, therefore, can have an operation that is not the operation of the whole, as a soldier in an army has activity that does not belong to the whole army. However, this whole does have an operation that is not proper to its parts but to the whole...” (Aquinas, *Ethics* I.5. Cited in Hittinger, 81.)

¹⁹ Hittinger, “Coherence,” 83.

²⁰ Hittinger agrees, explaining Leo: “But any society has this much in common. It possesses an intrinsic common good, which cannot be distributed or cashed-out. The common good never exists as a private good, and therefore when someone exits a marriage or a polity he cannot take away his private share. Even in our confused legal cultures, courts understand perfectly well that they can divide and distribute the

together, enjoying communion in knowledge, love, and communication as they act. Central to Simon's case is that a mere partnership may be understood without remainder by reference to a contract, real or implied: a merchant convinces a moneylender to invest capital in his business, and profits are shared according to the terms agreed upon.²¹ They share "common interest," but no "common good" and therefore no genuine "community," for there is between them no more than "a sum of private interests that happen to be interdependent."²² If we agree with Simon that he has identified a meaningful difference between a mere partnership and a genuine community, then we have gone with him a significant way toward the conclusion of his argument. Simply to note this difference and to appreciate its significance is to concede that the "common good" cannot be understood as reducible to the sum of individual goods, but rather identifies aspects of social reality that we regularly seek and enjoy, such as participation in orchestras and sports teams. When we recognize a social entity such as the New York Philharmonic or the Duke Blue Devils basketball team as "distinct in dignity, possessing rights and responsibilities," as collectively responsible for actions such as playing symphonies or winning championships, and with members who are neither reducible to the collective nor simply responsible as individuals for the society's actions, we have just so agreed to an ontologically realist conception of common goods.²³ Yet we have not gone all the way to Simon's conclusion, for we have still not yet conceded his further point that the *civil* community ought to be understood as (at least in aspiration) a society

external properties, but not the marriage itself. The matrimonial society, therefore, is not redistributed so much as dissolved or annulled" (ibid., 84).

²¹ Simon, Yves. *A General Theory of Authority* (Notre Dame, IN: University of Notre Dame Press, 1962), 31.

²² Ibid., 29-30.

²³ Hittinger, "Coherence," 84-85.

relative to a common good rather than the mere partnership of liberalism's common interest and social contract. And we have also not yet seen why the achievement of a common good requires authority for its good operation, and not just by reason of human deficiency and sin.

While Simon makes an argument for both points, he spends proportionally much more time on the latter point than on the former. However, since they are both crucial for his overall case, the former cannot be ignored. As we indicated, Simon's argument that civil society should be understood as a genuine community rather than a mere partnership is critical since if it were to fail, his criticism of political liberalism would be much diminished. Victor Austin²⁴ and Martin Rhonheimer²⁵ both point to the way in which the kingship of Christ as a *political* theme largely drops out of Catholic social teaching after the Second Vatican Council, such that it is possible for a number of Catholic political thinkers (George Weigel, Michael Novak, and Richard Neuhaus are often mentioned) to make the case that John Paul II in *Centesimus Annus* and elsewhere makes room for political liberalism's affirmation of civic government as no more than a merely instrumental good, while maintaining the distinct communal realities of the Church, the family, and other local forms of community. Augustinian civic liberalism in general affirms this move, seeking to move past the question of the nature and basis of political authority by way of the assumption that the *civitas* is simply not the kind of community in which this question pertains, at least not in the diverse modern world. What answer does Simon give?

²⁴ Victor Austin, *A Christological Social Vision: The Uses of Christ in the Social Encyclicals of John Paul II*. Fordham Ph.D. diss., 2002.

²⁵ Martin Rhonheimer, *The Common Good of Constitutional Democracy: Essays in Political Philosophy and Catholic Social Teaching* (Washington, DC: Catholic University of America Press, 2013).

Simon first appears to think the answer is rather obvious. Citing “collective causality, communion in immanent actions, and communion-causing communications” as the chief criteria of a community as distinct from a mere partnership, Simon asks: “Who can fail to recognize these criteria in anything that deserves in any degree the name of civil society?”²⁶ Simply “directing our attention to a few obvious facts,” Simon writes, “should suffice to bring our inquiry to a firm conclusion.” He mentions several examples under each of his three headings. Common causality, Simon suggests, can be seen in foreign policy, defense, and the police function, as well as the “over-all status of ownership, of education, of temporal life in relation to the spiritual.” Under the second heading, communion, Simon mentions “any aspect of the feelings known as patriotism, loyalty, or allegiance to one’s country,” especially in such ceremonies as inaugurations, national funerals, military parades, and the daily raising of the flag in public schools. Third, Simon points to the latter examples as also instances of communion-causing communications, and mentions “the teaching of civics at school and such risky procedures as government-inspired propaganda.”²⁷

Such instances are arguably not as conclusive as Simon assumes. Simon’s argument depends upon the position that government is necessary not because of any human deficiency, but instead because of the need for communities to seek genuinely common goods. Yet several of his examples are doubtful insofar as they appear to rest upon common action undertaken to combat evil (e.g., national defense and the police function) or seek goods that have only the illusion of being in common (e.g., as Alasdair MacIntyre and William Cavanaugh have argued, the modern liberal state may be more

²⁶ Simon, *Philosophy of Democratic Government*, 66.

²⁷ *Ibid.*, 67.

akin to the “telephone company” than to a genuine civic community; if so, saluting the flag at a public school would not suffice as an example of civic communion).²⁸ Citing “government-inspired propaganda” and military parades as examples of communion-causing communication would not inspire confidence in an Augustinian thinker minded of the risk of being taken captive by allegiance to the city of man, with the *libido dominandi* at its heart. If this were all with which Simon supplied us, there would be Augustinian reasons to doubt whether his Thomist contribution has succeeded in its aims.

Simon gives a standard answer in his definition of civil society: it is, he writes, defined by “sufficiency with regard to temporal needs,” and in his view admits of a “great variety of forms and dimensions,” ranging from “the city-state of ancient Greece” to “sharply defined and highly defined nation-states, such as modern France or modern Italy,” and although he does not say so explicitly, one assumes also the modern United States given his American audience.²⁹ Yet it is unclear at best whether or not civil community can rightly be spoken of in the same breath as pertaining to ancient city-states and vast modern-day states. Put another way, while Simon’s case for the distinct social realities represented by orchestras and football teams is helpful and clarifying, he is simply less convincing when seeking to apply those same arguments to the social entities governed by modern state apparatuses. More needs to be said with respect to whether or not the communion achieved at the national, civic level can be understood as genuine goods of created human sociality rather than as semblances oriented toward domination. To say that communion is found in the pursuit of common action, knowledge, love, and

²⁸ MacIntyre is cited in William Cavanaugh, “Killing for the Telephone Company” in *In Search of the Common Good*, ed. Dennis P. McCann and Patrick D. Miller (New York: T&T Clark, 2005), 301-332.

²⁹ Simon, *Philosophy of Democratic Government*, 67. However, as we shall see, he leaves open whether this applies to the United States as such, or to the fifty states severally.

communication is not yet to say enough about the ends of such action, their relative depth or triviality, and so whether or not the kinds of common goods pursued are worthy of the name *civitas*, civic community.

Yet Simon has not left us bereft of arguments to pursue on behalf of his position. While he acknowledges that the list of examples he cites above contains a number of items that are required only given the need to combat evil, nevertheless he argues that “most would make sense and would assume a more intense significance in a society made up of ideally perfect people (e.g., over-all status of temporal life in its relation to the spiritual, civic friendship, ceremonies).”³⁰ In *A General Theory of Authority*, Simon defines the state as “the most complete temporal society” whose good is “not that of a particular subject—individual, family, township, etc.—but, unqualifiedly, the common good of men assembled for the sake of noble life,” and then briefly considers whether or not in the United States and Canada “the philosophic essence of the state” is found in the separate states and provinces, or in the federal union of them all.³¹ Simon adverts that the answer to such questions “may not be unanimous,” and should be decided not simply with reference to constitutional law but rather by “history,” and that the answer to it may change without “any change occurring in the letter of the constitutions.” Simon shows here an awareness that the reality of a civil community cannot simply be assumed with reference to the existence of a federal or national government, but rather has to do with the particularities of local history. Moreover, Simon further on in the same book makes a distinction between the kinds of collective actions that do not bring about communion—he cites the example of a team of men pulling a boat from the bank of a river—and

³⁰ *Ibid.*, 67.

³¹ Simon, *A General Theory of Authority*, 61.

genuine communion-causing communications. Again, he cites the example of “the raising of a flag every morning in the schoolyards of the nation.”³² Simon writes that common goods of a sort can be said to be attained by collective actions such as pulling a boat from a riverbank, or by any instance of communion-causing communication. Yet “most of all,” he writes, “the common good exists in act when we all know and feel that we are one in adhering to a certain truth and dedicating our lives to what we hold to be right and good.”³³ Here, “social life exists more certainly and more deeply.” The laws of a civil community cannot simply restrict themselves to what may be called the “positive system,” Simon writes, namely “propositions of empiriological science and technique... and rules of action carefully kept apart from the principles which might give them a meaning and a soul.”³⁴ Rather, the “soul of our temporal common good” consists in that which is “deepest, most essential, and most vital in its common action,” such as what may be called its “transcendent propositions, relative to the rights of men, relative to the purposes of civil society, and relative to God.”³⁵

We therefore see that Simon is not content to indicate examples such as flag-raising and national defense, or the mere existence of a civil government and national borders, and assume that this is indicative of the existence of a civil *community* worthy of the name, instead of a mere partnership. Rather, he assumes that such a community would share a more thoroughgoing communion in the goods and purposes of temporal life, not confined in liberal or technocratic fashion to neutral procedures³⁶ that suffice to

³² Ibid., 125.

³³ Ibid., 126.

³⁴ Ibid., 126-7.

³⁵ Ibid., 127.

³⁶ E.g., as in communitarian critiques of liberalism, such as Michael Sandel’s classic 1984 essay “The Procedural Republic and the Unencumbered Self” (*Political Theory* v. 12 no. 1, 1984: 81-96).

allow individuals to follow their own private goods, but instead including moral and transcendent propositions concerning the good life and the relation of temporal life to God. Moreover, Simon does not speak simply of adherence to such principles in the abstract, but assumes that they must take shape over the history of a civil community, such that it *may* or *may not* be the case that the United States, or the state of Indiana where Simon made his home, could rightly be described as such a community. In *The Tradition of Natural Law*, Simon contends that the goods of nature can be realized in a number of ways, such that historic communities may make differing prudential decisions (within limits) about how to apply the precepts of the natural law.³⁷ We may then follow Simon by asking questions such as: What *kind* of common action; directed toward what end, and achieving what common goods? What is such-and-such a communion-causing communication *about*? Simon the neo-Thomist does not spend a great deal of time in his mature political philosophy attending to such Augustinian questions, but in his early political writing we saw him diagnose the way in which a false and evil *mythos* (in Georges Sorel's sense) carried away many in his time to join communities formed around collective hatreds, which he saw as a particular temptation within liberal social orders that sought to do away with common civic loves, truths, and moral principles. Taking up this Augustinian aspect of his early work will mean supplementing the neo-Thomist questions of his mature political philosophy with neo-Augustinian ones, some of which Simon asked himself. Yet there is also more that can be done to fill out his account of the *civic* common good, articulating the economic and local conditions necessary for the formation of a genuine community in Simon's sense by attending to the historically

³⁷ Yves Simon, *The Tradition of Natural Law* (New York: Fordham University Press, 1992), 154-158.

traditioned goods of local communities and nations (as Charles Pinches has worked towards in *A Gathering of Memories: Family, Nation, and Church in a Forgetful World*).³⁸ We will turn to these matters in our dissertation’s conclusion, albeit only suggestively so. Simon’s careful distinction between a mere partnership and a genuine community, coupled with his neo-Thomist assumption that the pursuit of “civic friendship” and civic common goods is worthy of the name “community”—not simply as a semblance but as genuinely so—can help us in assessing whether or not this or that purported civic “authority” in fact gives authoritative guidance for the common life of a civic community, in a way that is morally obliging. Insofar as such a thickly-constituted, moral, civic community does not in fact exist, it would give reason to doubt that its civic government’s pronouncements are in fact morally binding as authoritative on its members. For as we shall next see, Simon justifies authority as in service of genuine communities relative to the pursuit of common goods, and not in mere partnerships. There may be Augustinian reasons to obey authorities within social orders that are better characterized as mere partnerships—e.g., to restrain evil and allow for some measure of peace—but those reasons are not Simon’s, even though he does not deny them.

Simon’s detailed argument for the necessity of authority to achieve common goods even in a society made up of perfect persons requires our attention next, as a necessary piece of his case against the “deficiency theory of government.” Simon has given us a case, but only a partial one that needs filling out, for his contention that the *civic* society can be understood as a genuine community rather than a mere partnership, in opposition to the characteristic position of political liberalism that it ought not be so

³⁸ Charles Pinches, *A Gathering of Memories* (Grand Rapids, MI: Brazos, 2006).

understood. He now needs to show why such a community requires the operation of authority for the achievement of the common goods it pursues, not just insofar as it is deficient or fallen but as a matter of its perfection. Simon spends more space on this question than any other in his political philosophy; to it we now turn.

3.1.2. *The Necessity of Authority*

Why should the achievement of common goods require the operation of authority? In the previous chapter, we saw that Simon's case rests upon drawing a clear distinction between what he calls the "substitutional" and "essential" functions of authority. While the substitutional function of authority refers to the paternalistic or parental need of some to exercise authority over others who are incapable of mature self-governance, Simon argued in *Nature and Function of Authority* and other early essays that authority in its essential form flows from the need that communities will always have to choose one good course of action out of multiple good possibilities. If an orchestra is to achieve an excellent performance of a Beethoven symphony, or a football team to execute a game-winning drive in the fourth quarter, then *some* interpretation of the score will have to be chosen, and *certain* plays will have to be called, even though there will be no rational necessity to choose them in particular over other possible options. Common goods can be achieved no other way. This stage of the argument therefore depends not only on the prior distinction between mere partnerships and genuine communities, but also now on a distinction between deductive and practical rationality. While deductive rationality deals with necessary truths of reason, practical reason deals with contingent truths of action. The achievement of common goods requires common action, and those

actions will be contingent in nature. Some actions must be chosen over other actions, and authority must decide, whether vested in a particular leader such as a football coach or in the community as a whole operating democratically. Authority is required by the essence of what it means to achieve goods in common, and not simply for paternalistic reasons.

Simon spells out this argument at length and in detail in his last work, *The General Theory of Authority*, as well as in *Philosophy of Democratic Government*. Yet here, in his mature treatment of the question, Simon adds a dimension that he had not previously discussed: in addition to what he previously called the “essential” function of authority to ensure united action toward a common end in a world of contingency, he now sees another essential function, which he labels the “most essential”: that of the “volition and intention of the common good explicitly considered as an end.”³⁹ This function is “most essential,” for Simon, since “the problem of how to unify action... arises only on the ground of an already determinate volition and intention of the common good.”⁴⁰ This too, according to Simon, requires the operation of authority, not because people must be ordered to will and intend the common good but rather to ensure that particular goods and persons are not swallowed up into a common whole. Authority, Simon thinks, is necessary precisely to serve the good of the autonomy of particular persons and goods, both individual and social. Simon therefore adds to his prior contention that authority and liberty are complementary, by showing also that the same is true for authority and autonomy.

³⁹ Simon, *A General Theory of Authority*, 50.

⁴⁰ *Ibid.*, 57.

First, Simon reiterates and expands on his previously made case for the essential function of authority.⁴¹ Taking as assumed the prior case for the nature of community as pursuing a common good with common actions, Simon asks how the requisite unity of action will be ensured: shall it be by unanimous assent, or by authority? “No third possibility is conceivable,” Simon writes.⁴² Citing Aristotle and Aquinas on practical rationality, Simon explains that “human practice takes place in the universe of the things that can be otherwise than they are.”⁴³ There is therefore no social or political “science” that can resolve political questions by way of the issuance of expert reports and studies, despite the “rationalistic enthusiasm for the possibilities of social science” that dreams that scientific expertise will one day render authority unnecessary.⁴⁴ This dream, Simon contends, depends upon a faulty assumption that social science can identify the single best course of action in every circumstance, but while it may in some circumstances be able to do so it cannot in all. Simon makes reference to a favorite example: shall a family spend its holiday at the beach, or in the mountains?⁴⁵ If the family is not unanimous, but is determined to make its decision unanimously, then it will by default spend its vacation at home. Both options are good; a decision must be made. And it is, Simon suggests, not a matter of deficiency that the family will have multiple options, but by reason of plenitude and strength: if one of its members required going to the mountains for reasons of poor health, or if they could not afford to travel due to poverty, then a unanimous

⁴¹ As we previously saw with respect to the community/partnership distinction and the social contract, Simon situates his position over against political liberalism by remarking that the thesis that authority “has no essential function at all is a proposition current among liberal writers.” (Simon, *Philosophy of Democratic Government*, 19.)

⁴² *Ibid.*, 19.

⁴³ *Ibid.*, 21.

⁴⁴ Simon, *Philosophy of Democratic Government*, 31.

⁴⁵ *Ibid.*, 31-33.

decision would be reached easily. The enlightenment afforded by social science, Simon writes, will indeed be of assistance in ruling out illusory choices and casting light on good ones, but it will not be able to do away with the multiple good choices that a strong, educated, well-resourced community will inevitably face, on a much grander scale than a family deciding where to go on vacation. Social science and other forms of education will therefore serve a community well by removing deficiencies, but this will not do away with the need for authority. Precisely the opposite, Simon contends, will be the case, by way of increasing the options known to be available.⁴⁶

If social science cannot rid us of the need for authority by way of ensuring unanimity, then what of the thesis that politics can remain at the level of moral principles like justice and equality, such that a theory of justice could provide us with sufficient principles for a liberal political order? Authority then would also be unnecessary, for all reasonable persons ought to agree on what political justice requires.⁴⁷ Yet while Simon thinks that a theory of justice can do real work, the nature of practical rationality is such that “nobody can demonstrate what the rule of justice consists in under historically-conditioned, absolutely concrete, individual, and possibly unprecedented and unrenowable circumstances.”⁴⁸ Simon cites here “the problem of ownership of extreme necessity,” as discussed by Aquinas. While Aquinas is no doubt correct, he thinks, to hold that a starving person has a right to eat food that he cannot pay for in order to save his life, there is no argument that will “ever establish a logical connection between the theory of property and the answer that *I* am looking for when, already weakened by

⁴⁶ Simon, *A General Theory of Authority*, 43-45.

⁴⁷ Simon wrote well before John Rawls’s *A Theory of Justice*, but his brief argument here has clear implications for Rawls’s thesis.

⁴⁸ Simon, *A General Theory of Authority*, 36ff.

hunger, I wonder whether my case is really one of extreme necessity.” Such an answer can only be had by way of the moral vision of a person of virtue, who is “so just as to feel how far the right of his neighbor and his own right go, so temperate as not to mistake an accidental urge for a real need, and so strong as to fear neither the sufferings of hunger nor the resentment of his illiberal neighbors.” This applies by extension to problems of justice faced by any polity: should social benefits such as subsidized health care or education be extended to persons of *this* income level, or *that* one? Agreement that certain goods should be provided to all persons without the ability to pay does not obviate the need to specify which goods, and under what conditions. Such are practical decisions that no calculation or theory will be able to make for us, and “no one can demonstrate what the rule of justice consists in” under the specific circumstances in which we find ourselves. As Aristotle and Thomas would have it, the right operation of practical reason requires the possession of the cardinal virtues. No theory of justice can substitute for it.

Would then a community composed of perfectly virtuous persons not require authority, since they would unanimously know by way of inclination what justice requires in any particular situation, even if they could not know it by way of deductive reason? In *Philosophy of Democratic Government*, Simon acknowledges what he regards as a error in his previous discussion in *Nature and Functions of Authority*, insofar as he had not recognized that it will sometimes be possible to reach a stable unanimity in practical matters.⁴⁹ There will at times be circumstances in which the means necessary to act for the common good are uniquely determined, such that virtuous and enlightened people will unanimously agree on what must be done. Yet Simon’s answer remains that

⁴⁹ Simon, *Philosophy of Democratic Government*, 25. Simon cites here an exchange he had with Jacques Maritain, who convinced him of his error on this count.

authority will be required in most circumstances, for the same basic reason as given above: human persons and communities act in a world of contingency, and there will often be multiple good paths to achieve common goods between which even perfectly virtuous and enlightened persons will not be able to reach unanimous assent. It is a common mistake of “many social thinkers,” Simon argues, to assume that a plurality of available options is the result of some deficiency to be remedied by more precise knowledge, but a better understanding of freedom indicates rather that “plurality of genuine means can be caused by excellence of knowledge and power.”⁵⁰ Simon lists a number of examples: whether to drive on the right side or the left; how to gather the money needed for public purposes; how to decide between multiple interpretations of the fourth Brandenburg Concerto.⁵¹ Moral virtue and enlightenment does rule out bad options, such as arguments for tax cuts that are rooted in a deficient will to contribute what justice requires for the common good, or interpretations of Bach that obscure rather than highlight the artistic qualities of his concerto. But people of good will can and do disagree about what combination of sales tax, income tax, or other revenue streams are ideal, as well as to what extent the public welfare is best served by public or private initiative (one thinks here, for instance, of debates about charter schools and how best to fund the education of young persons). A community composed of perfectly virtuous persons would be capable of having productive debate about such issues—as is so often not the case, of course, in real-world polities—but they would not have thereby escaped the need for authoritative judgment so that a common course of action can be pursued.

⁵⁰ Simon, *Philosophy of Democratic Government*, 35.

⁵¹ *Ibid.*, 40-41.

Indeed, Simon argues, they will need it all the more, for they will have available a wide variety of means.

If we have followed Simon thus far, we have thereby concluded with him that politics is in significant part a matter of practical rationality, not reducible to matters that can be decided by deductive reason or social science, nor to neutral and universal principles of justice on which rational persons should agree. Deliberation about particular means and courses of action will be inevitable, and to do this well requires moral virtue, for which there is no substitute.⁵² Contrary to the notion that authority is only required due to some deficiency, Simon has shown that the stronger and more knowledgeable a community is, the more authority will be required, for there will be a greater plurality of good options to choose between. Authority will be necessary in such a community, for unanimity will fail to secure common action as a general rule, and there is no third option available. Yet Simon contends that beyond this “essential” function of authority to secure unity in the means to common action, there remains a “most essential” function of authority to secure unity in the intention and volition of the common end.⁵³

Why so?

Simon acknowledges from the start that it would initially appear that such a function would be merely substitutional in nature, since good and enlightened people would of course not need authority to intend to act in such a way that serves the common good of the community.⁵⁴ It is, he writes, “an entirely unquestionable proposition” that “virtuous people, as a proper effect of their very virtue, love the common good and

⁵² Yves Simon, *The Definition of Moral Virtue* (New York: Fordham University Press, 1986), 1-16.

⁵³ Simon, *A General Theory of Authority*, 50.

⁵⁴ Simon, *Philosophy of Democratic Government*, 37.

subordinate their choices to its requirements.”⁵⁵ But the question needs to be parsed further: it must be determined “whether the virtue of the private person regards the whole of the common good or merely some fundamental aspect of it.” Only if the latter is true, Simon writes, will authority have an essential role to play in the intention of the common good. Simon argues that this is so, making a crucial distinction between the *form* and the *matter* of the common good. While all virtuous persons by definition will the common good as such, Simon thinks it does not follow that this obliges them to will the specific material requirements of the common good. In fact, drawing on Aquinas, he thinks that willing the form of the common good may well be compatible with opposing some particular action that is in fact required for the common good materially considered. This is due to the special responsibility that particular persons and groups have for particular goods. “God,” Simon writes, “who takes care of the common good of the universe, holds me responsible for some particular goods and wants me to discharge my responsibility.”⁵⁶ Simon gives an example: “God may want my father to die tomorrow, but he certainly wants me to do all I can to prolong the life of my father,” because of the specific responsibility that children have to care for their parents. It is good for children to have particular care for their ill parents, rather than to subsume this particular responsibility into that of willing the material requirements of health care policy as a whole. Simon gives another example: that of a particularly zealous Latin teacher, passionate about his subject and well-known at school for trying to convert every student to his same love and knowledge of Latin. Such a character is well-known, and if he had his way the overall curriculum would likely be rather unbalanced in favor of Latin. Yet such single-

⁵⁵ Ibid., 39.

⁵⁶ Ibid., 42.

mindedly zealous teachers serve an important purpose, and arguably serve the school better than a teacher who gives more consideration to the common good of the school materially considered. Indeed, a school or any other community “would be harmed if everyone intended the common good not only formally but also materially,” for then particular goods would not be properly loved and attended to.⁵⁷ “No part of the land will be thoroughly tilled,” Simon writes, “unless each laborer has a distinct field to plow” and is dedicated to it. The common good is served better if particular persons are passionate about and dedicated to their particular aspects of it, rather than to the common good materially considered, so long as they do in principle will the good of the whole. Yet so that health care resources are adequately apportioned, and Latin appropriately balanced with other courses of study, “then it is necessary that there be, above me, a person or a group of persons properly concerned, not only formally but also materially, with the whole of the common good.”⁵⁸ Authority, then, is necessary not merely in a substitutional sense, such that selfish persons are compelled to serve the good of the community, but from the essential need that communities will have to ensure both the flourishing of particular subsidiary common goods within it (such as a family or a school) and the common good of the whole.

Simon recognizes that his thesis appears counterintuitive, insofar as it may be objected that assuredly it would be better if everyone intends the common good “both in formal and in material fashion.”⁵⁹ To say otherwise, he writes, “seems to put a restriction on love for the common good, as if too much of it might harm.” Yet Simon does not

⁵⁷ Ibid., 48. Simon’s argument is not unlike a famous quip by Oscar Wilde: “The trouble with socialism is that it takes up too many evenings.”

⁵⁸ Ibid., 47.

⁵⁹ Ibid., 51.

back down from his position, for he contends that it is indeed “harmful to ignore the laws of the one and the many.” A community without particular persons and groups dedicated to particular goods would be flattened and unduly uniform, doing violence to the “qualitative diversity” that a lively community rightly serves.⁶⁰ The *Republic* of Plato was designed to “keep down to a minimum all interest in particular goods,” but Simon thinks that Aristotle was right to criticize Plato on this score.⁶¹ Such a community, in which “permanent grounds for the love of the particular are destroyed,” has become “like a dead world” in which “the common good has become a mere appearance.”⁶² A genuine common good is by definition the good of a multitude, but this will not exist unless “particular goods are intended by particular appetites and taken care of by particular agents.” Simon clarifies his position by making a distinction between “two ways in which a good can be particular”: first, “particular, as opposed to common, qualifies the good whose subject is but a part of society; and second, “particular, as opposed to ‘overall’ or ‘whole’ or ‘general,’” qualifying “the good which is but a part of an aspect of the common good, although its subject is not a part but the whole of society.”⁶³ Simon here is making a distinction between what he terms the “homestead” and the “function”: while the former denotes a particular good such as a farm, taken care of by a farmer, the latter denotes a particular aspect of the common good, such as vehicular transportation, taken care of by a Department of Motor Vehicles.⁶⁴ Plato, Simon thinks, makes the mistake of opposing the particular good of the homestead, and subsuming everything into functional aspects of the common good; the same mistake is made by the kind of modern

⁶⁰ Ibid., 53.

⁶¹ Ibid., 52, 55.

⁶² Ibid., 54-55.

⁶³ Ibid., 55.

⁶⁴ Ibid., 56.

“rationalism that exalts the clarity of the function and crushes the particularity of the subject,” or homestead.⁶⁵ Rightly understood, the common good will not be opposed to the achievement of particular goods in both senses of the term, but will instead enable their flourishing. Authority serves this end by enabling particular persons and groups to love and attend to their own particular goods (e.g., the homestead of the family farmer), and for particular aspects of the common good to be served (e.g., the function, such as a Parks and Recreation Department in city hall), while at the same time ensuring that the common good materially considered is served.

What is often called the distinction between “public and private,” as in liberal political theory, Simon thus argues is better understood as the distinction between “common and particular.”⁶⁶ Instead of understanding the term “public” as referring to a value-neutral civic meeting space for all individuals, the public is better understood as that capacity which is “defined by a relation to the common good considered not only in its form but also in its matter or content.”⁶⁷ In contrast, the “private” is not that realm of personal value and choice which is beyond the reach of the public, but instead that which “involves a relation to the form of the common good but not to its matter.”⁶⁸ In other words, the common capacity is charged with actively intending and working toward not only (let us say) the formal common weal of Massachusetts, as are all citizens of Massachusetts, but also the matter of the budget, public policy goals, and administration of the Commonwealth of Massachusetts: e.g., that which is carried out by elected

⁶⁵ Simon, *Philosophy of Democratic Government*, 52-55; *A General Theory of Authority*, 65.

⁶⁶ Simon, *A General Theory of Authority*, 57.

⁶⁷ *Ibid.*, 57.

⁶⁸ *Ibid.*, 58.

government officials and staff.⁶⁹ Those who by contrast are charged only with particular capacities, while indeed obliged to will the common weal of Massachusetts, are freed from the burden of spending the preponderance of their lives crafting budgetary goals and public policy initiatives, so that they are enabled to will the particular goods of the homesteads and functions that are in their particular care.⁷⁰ We are then enabled to see that authority rightly understood is at the service of the flourishing of the particular as well as the common, insofar as communal authority is tasked with serving the common good materially considered in such a way that frees up particular persons, groups, and functions to serve particular goods. Simon is sympathetic to much of what goes by the name of “personalism,” insofar as it evinces a zeal for ensuring that the particularity of the human person as a subject—a homesteader, a parent, a person of lively initiative—is not crushed under the weight of a supposed concern for the communal whole.⁷¹ But insofar as this view tilts toward “individualist,” insofar as it holds that “whatever is called common good is merely useful, that things common are but means, and that the character of end belongs exclusively to the individual,” Simon thinks it mistaken.⁷² Such a view exalts the good of the particular at the expense of the common good, failing to see that the common good rightly understood is not defined at the expense of particular goods but rather expresses the *bonum honestum* of community itself, which cannot be a genuine

⁶⁹ I note here that I do not mean by this example to assume that the state of Massachusetts is presently a clear case of the kind of “genuine community” that Simon thinks is correlative with genuine authority, or that any other U.S. state is. Rather, I take it that language of “commonwealth” and “commonweal” taken from early periods in colonial and U.S. history is arguably a reflection of a time in which such political entities may well have been so, and that the terminology that dates from this period, still in use, is an interesting and indicative holdover from such a time.

⁷⁰ In a democracy, they will rightly have some real concern for and involvement in such matters, but it need not fill up the preponderance of their working life.

⁷¹ *Ibid.*, 67.

⁷² *Ibid.*, 68.

community if it fails to preserve the particular goods that comprise it as precisely the good of a *multitude*. “It is,” Simon concludes, “the excellence of autonomy which vindicates the particularity of the subject and whatever forms of authority are needed for the preservation of this particularity.”⁷³

Although Simon is subtle at this point, he has provided here a careful argument that hierarchy, when rightly understood, is not in opposition to autonomy. Those in authority who are charged with care for the common good in both its formal and material aspects—say, the governor of the Commonwealth of Massachusetts, the dean of a divinity school, or the coach of a basketball team—are not meant to serve their own private goods, such that citizens, faculty members, students, or team members are viewed as subordinates who are subject to their masters. Rather, the concern that governors, deans, and coaches have for the material aspect of the common good (e.g., administration, fundraising, game plans, and the like) ought to free up citizens, faculty members, students, and team members to pursue their own particular goods as part of the common good with which all are engaged. Hierarchy, viewed with the theoretical equipment that Simon has here given us, is in fact understood to serve autonomy and particularity as a matter of course by participants in numerous everyday activities.

Simon has therefore made a twofold case for the essential function of communal authority: it is required both to specify which out of many available good options will be taken by a community in its common action, and to ensure that the common good materially considered will be attended to in such a way that serves the autonomy of particular goods, persons, and groups. It is helpful at this stage to note that Simon has all

⁷³ Ibid., 79.

along been making a philosophical case for the good of authority, grounded in the nature of human sociality and the good of community. If we grant that communities pursue goods in common that are not reducible to the sum of separable individual goods, that politics is in large part a matter of practical rationality, and that particular goods need to be directed to the common good in such a way that does not do violence to their particularity, then we have agreed with Simon that authority is essential to human community life, neither a mere remedy for sin nor the enemy of liberty and autonomy. Both the restorationist conservative Augustinian and the Enlightenment liberal theories of politics and authority have been undercut, from one side and another. On the one side, Simon has made a *philosophical* argument for the good of *civic* authority, one clearly rooted in the Leonine Thomist tradition but not requiring recourse at any stage to the need for supernatural grace and ecclesial hierarchy to provide a remedy for sin with authoritative governance. On the other side, Simon has criticized the liberal social contract for its individualism, and has begun to show that some of the goods aspired to by modern democratic movements—chiefly the liberty and autonomy of persons and groups from oppressive governments—are not the exclusive creatures of political liberalism, but in fact are well secured by a properly framed theory of civic authority. Simon has not made it obvious that this is what he is doing, but he has done so all the same, citing in footnotes various texts from Aquinas, the Thomist tradition, and Leo XIII, not as religious authorities that settle the argument but rather as illuminative of the philosophical points he is making, and as indicative of the tradition within which he is working. A student of political theory at Simon’s University of Chicago might presumably be convinced by the argument he is making, without being particularly

interested in its Thomist Catholic sources, while another student at Simon's previous employer, Notre Dame, might be quite interested to see that Simon is presenting a Leonine Thomist political theory of democracy and authority that is distinct both from the restorationist Catholicism that was not without its supporters at Notre Dame and from the Enlightenment liberalism that one would expect to encounter at a secular American university.

What we have not yet seen is Simon's engagement with democratic political theory, as he seeks to apply his fundamental arguments there. He has refined and extended the early arguments we saw him make about authority and liberty, and by placing them as we did within the context of the parties with whom he was engaged in argument we have been able to see them more clearly as an attempt to lay the groundwork for a more secure postwar political order than he thought either restorationist Augustinianism or Enlightenment liberalism could provide. But what of the objection that democracy as such simply *is* a form of individualism, a way of doing away with authority as much as possible so as to disperse it equally to all persons? Does democracy necessarily inculcate a "self-reliant piety," in Jeffrey Stout's phrase, such that democratic individuals look askance at authority in all its forms, instead relying on their own judgment? If this is what democracy amounts to, then it would be true that the terms "liberal" and "democracy" go hand in hand, and that there is an ineliminable conflict between Catholicism and democratic politics. Simon therefore has to address this issue, and he did so extensively in his *Philosophy of Democratic Government* (1951) and his essay "The Doctrinal Issue Between the Church and Democracy" (1954).

3.2. Authority in Democracy: The Doctrinal Issue Between the Church and Democracy

Arguably, the central chapter in Simon's *Philosophy of Democratic Government*, and by extension the central argument in his mature political philosophy, is the book's third chapter, "Authority in Democracy."⁷⁴ Simon here gives his most focused criticism of the liberal foundational story of the social contract, in the form of his criticism of what he calls the "coach-driver" or "cab-driver theory"⁷⁵ in which communal authority is done away with altogether. At the same time, he critiques divine-right theories of sovereignty in which government authority is viewed as separate from and superior to a community and the achievement of its common goods, possessing a sacral right to rule all its own. Simon here draws on Aquinas, Bellarmine, and Suarez to articulate a Thomist view of democratic authority, clearly resourced from within the Catholic tradition, that provides an alternative to the "cab-driver theory" and the "divine-right theory," matching what we have previously seen to be his two-pronged critique of Enlightenment liberalism and conservative restorationist Catholicism.

Simon begins his discussion by explicitly raising the question of the nature and basis of political authority: "On what ground," Simon asks, "do some men claim a right to be obeyed? ... Things take place in civil society, not exceptionally but regularly, as if some men had the power of binding the consciences of other men."⁷⁶ Simon first sets himself the task of arguing against standard liberal social-contract theories, which to his mind explain this inescapable aspect of civil society only by explaining it away. "Some

⁷⁴ Simon, *Philosophy of Democratic Government*, 144.

⁷⁵ Ibid., 146ff. Simon is drawing here on an essay by the Frenchman Paul-Louis Courier (1773-1825), who understandably for a man of his times referred to a horse-driven coach. This is the term Simon uses in *Philosophy of Democratic Government*; in his later essay "The Doctrinal Issue Between the Church and Democracy," he updates it to "cab-driver" (Simon, "Doctrinal Issue," 137).

⁷⁶ Ibid., 145.

theorists,” Simon writes, contend that “fear and self-interest alone motivate obedience,” but this he thinks is a theory that cannot claim to “characterize civil society,” but only “the end of it.” In such a view, there are only individuals out for themselves at bottom, and nothing deserving the name of society. Simon does not here mention the names of Hobbes or Locke, but we may readily detect their social-contract theories behind Simon’s critique of accounts that have fear or self-interest at their root. His basic critique of this view can be seen as his case for an ontologically realist conception of common goods, the distinction between genuine community and mere partnership, for civil society as (in aspiration, at least) as a form of genuine community, and in his case that the realization of these common goods requires communal authority. Simon must however argue against the common misconception, as he sees it, that democracy is the form of government that by its essence does away with political authority, insofar as the people themselves as individuals are in charge, as the term “popular sovereignty” would seem to denote. Simon explicitly names Rousseau as an influential champion of the theory that “citizens are their own masters and obey but themselves,” although he presents it simply as an “aspect” of Rousseau’s political philosophy rather than the whole of it. Simon colorfully labels this the “coach-driver” or “cab-driver” view: political authorities in a democracy, for this theory, are no more than cab drivers, and we the people simply get into the back seat of the cab and tell them where we want to go. “Authority belongs not to the leaders,” Simon sums up, “but to the led,” and insofar as political leaders are necessary, theirs is a “leadership without authority.”⁷⁷

⁷⁷ Ibid., 146.

Should this liberal theory be adequate, then political authority would be shown to be an illusion. For a bleaker, Hobbesian view, a Leviathan requires a great deal of power to check evil, and in a sunnier Rousseauian cab-driver view, a minimalist state need only deliver the goods and services that we the people deem expedient; but in either case, while government may be said to possess power, it does not possess the kind of moral *authority* that obliges persons to obey, that “binds consciences.” Concomitantly, for such a view, hierarchically structured social bodies and governments can only be viewed with suspicion at best, as necessary evils. If it is the case that civic government is nothing but a cab-driver taking orders from the people, then it would seem to follow that any move toward decentralization and dispersal is to be preferred. The best form of government would be direct democracy, where everything is decided communally and no distinct governing personnel exists. Yet should we resort to indirect democracy and elect distinct governing personnel, it is on the understanding that they “work for us,” and that we the people tell them where we want them to go via referenda, elections, and pressure groups. All of this, Simon writes, is in keeping with many commonly-held assumptions, behind which is the basic position that while we the people “may appoint managers” for our civic affairs, “they are not really men in authority; they are merely instruments, and authority remains entirely in the hands of the people.”⁷⁸ For the basket of liberal theories influenced by Hobbes, Locke, or Rousseau, governments simply perform the tasks that we the people require of them, and cannot truly be said to possess authority of their own.

While in *Philosophy of Democratic Government*, written as it was for a general audience, Simon does not point out that his position is crafted to address the apparent

⁷⁸ Ibid., 150.

historic doctrinal conflict that the Catholic tradition had with modern democracy, he makes this clear in his later essay on “The Doctrinal Issue Between the Church and Democracy.” Here, Simon articulates the chief doctrinal issue as to do with “the origin and the meaning of temporal authority,” under such common headings as “government by the consent of the governed” and “sovereignty of the people versus divine right.”⁷⁹ If it is the case that the “specific essence of democracy” implies a political theory in which civic authority is denied—call it the “theory of government as mere instrument of the governed, or by abbreviation, the instrumental theory of government”—then democracy as such would conflict with “the very definite teaching of the Church on the meaning of political authority.”⁸⁰ Simon here draws upon texts we discussed in the first chapter, such as Pius X’s *Letter on the Sillon* (directed, in Simon’s words, in large part “against the progress of a purely instrumental theory of government”), and Leo XIII’s *Immortale Dei* and *Diuturnum*. The chief substance of that teaching, as Simon understands it, is not the duty of subjects to obey whatever powers that be as ordained by God and sanctified by the Church, but instead the insistence that humankind is social by nature as created by God, and so requires civic authority in order to pursue goods in common. Simon cites the following passage from Leo XIII’s *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 some one 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.⁸¹

⁷⁹ Simon, “The Doctrinal Issue Between the Church and Democracy,” 133, 135.

⁸⁰ *Ibid.*, 133, 137, 144.

⁸¹ Simon, “Doctrinal Issue,” 147.

Catholic teaching, then, cannot countenance the notion that civil authority can be done away with by democratic forms of government, if that means that government amounts to a cab that we the people order about as we wish, an instrument in the hands of the people with no intrinsic authority to bind consciences to obedience, as some construals of popular sovereignty would have it. This would be to deny the social nature of humanity, which requires a “ruling authority” of some kind to direct “all to strive earnestly for the common good.” Such authority is not simply natural or secular, but finally has “God for its author,” for it is God who has created humankind as a social animal. Catholic teaching therefore cannot deny the ontological reality of the common good, without denying the social nature of humanity and the authority of God over creation. To deny this would be a form of what Simon elsewhere called “practical atheism.”

Simon had therefore to address himself to the question of whether democratic government as such conflicts with the “very definite teaching of the Church on the meaning of political authority,” and he did so in two principal ways. First, Simon gave an account of democracy as a form of communally-binding civic authority, rather than as bound up necessarily with the liberal social contractarian theories that Catholic teaching condemned. Second, Simon showed that what some Catholics took to be *the* Catholic view of political authority in opposition to secular liberalism was in fact dependent upon an early modern “divine-right” account of civic authority wherein God designates particular rulers to be obeyed, rather than a more traditional account within which God creates peoples, nations, and communities that bear an intrinsic civic authority, which then may transmit this authority to a specific governing personnel.

Simon offers what he calls a “test of the coach-driver theory of sovereignty” by examining the case of a “small community practicing direct, nonrepresentative government.”⁸² While such a case may at first glance appear to vindicate the cab-driver theory of authority, insofar as it does away with any authorities other than the people themselves, Simon contends that it remains the case that the people gathered in assembly *are* a form of civic authority that members are obliged to obey, even if as individuals they did not vote in favor of a chosen course of action. In the cab-driver view, direct democracy vindicates the independence of every person in his or her “natural solitude,” and those who issue laws in assembly “do not obey anybody but themselves.”⁸³ But of course, it will almost always be the case that democratic assemblies have sharp disagreements over matters of policy, and will not usually be able to operate by way of unanimity. What then if a member of such a democracy were only to obey laws that she agreed with and voted for, and rebelled against all of the others? Such a person cannot be regarded as a “law-abiding citizen,” but rather as a “rebel.”⁸⁴ “A citizen is considered law-abiding if, and only if,” Simon writes, “he considers his obligation independent from his personal opinion,” but “in the coach-driver theory, on the contrary, my personal consent to the law is essential.”⁸⁵ No theory of tacit consent to a social contract will do, for Simon: only genuine personal consent is able to satisfy a construal within which communally binding authority is to be replaced by the unconstrained freedom of individuals. But that kind of consent is never actually on offer in real existing democracies, within which people dissent from all kinds of laws, and whose

⁸² Simon, *Philosophy of Democratic Government*, 151.

⁸³ *Ibid.*, 151.

⁸⁴ *Ibid.*, 152.

⁸⁵ *Ibid.*, 153.

constitutional principles have not genuinely been consented to in any kind of inclusive deliberative process.⁸⁶ “What generally happens” in democratic polities within which cab-driver theory is popular, is that dissenters obey laws of which they disapprove “in a purely utilitarian fashion,” merely in order to spare themselves “the inconveniences following upon the breaking of the law.”⁸⁷ This however is not genuinely a polity characterized by the rule of law and the conscientious obedience of law-abiding citizens, but rather the mere avoidance of “outward anarchy and the violent disruption of society.” Such a polity will tend to be characterized by the “law of utility and force,” which will weaken “dangerously the unity of society and corrupts the character of political life,” turning it into a mere contest for power within which laws are obeyed only as a matter of expedience and self-interest, and not as morally obliging insofar as they serve the common civic good. Cab-driver theory, then, cannot account even for the practice of direct democracy, which would at first appear to be its vindication.

By choosing the case of direct democracy as his example, Simon has distinguished the question of authority from that of the question of a distinct governing personnel.⁸⁸ Even if there is no such distinct governing personnel, it remains the case that civic authority exists: they are simply the people gathered in assembly, who when scattered and about their daily lives are morally obliged to obey whatever just laws and actions they agreed to undertake while assembled in service of the common good, the commonweal. Simon has already made the case that no government will be able to

⁸⁶ For a cogent statement of this view, see Nicholas Wolterstorff, “The Authorities are God’s Servants: Is a Theistic Account of Political Authority Still Viable or Have Humanist Accounts Won the Day?” in *Theology and Public Philosophy: Four Conversations*, ed. Kenneth Grasso and Cecilia Rodriguez Castillo (Lanham, MD: Lexington Books, 2012).

⁸⁷ Simon, *Philosophy of Democratic Government*, 153.

⁸⁸ Simon, “Doctrinal Issue,” 149.

operate by way of unanimity as a general rule, and that authority will be required to make decisions even in a community composed entirely of virtuous and enlightened persons. Democracy is not a method of government that somehow does away with this by means of putting questions up to a vote; and what Simon calls cab-driver theory is at bottom “an artifice calculated to do away with obedience” that “threatens directly the principle of authority in its most essential functions,” as he has already explicated.⁸⁹ Democracy, then, ought to be understood as one form of civic authority among others, rather than a substitute for authority within which we the people obey no one but ourselves, whether by means of direct democratic action or by means of electing politicians to serve us like cab-drivers by taking us wherever we as individuals want to go. In short compass, Simon has articulated a view of democracy that decouples it from liberal social-contract theories, and so has gone a significant part of the way toward showing that democracy as such does not conflict with the “very definite teaching of the Church on the meaning of political authority.”

But Simon has more work to do, for he still needs to confront the notion, popular among those Catholics who resisted various forms of Enlightenment liberalism, that to hold that God is the source of civic authority is to say that specific governing personnel are granted a “divine right” to rule and be obeyed, as articulated in the “so-called divine-right theory.”⁹⁰ This requires Simon to spend significant time parsing out two views of the manner in which God as the source of civic authority bestows this authority upon human rulers: *designation* theory, which generally corresponds with divine-right theory, and *transmission* theory, which Simon holds to be the more traditional Catholic view,

⁸⁹ Ibid., 154.

⁹⁰ Simon, “Doctrinal Issue,” 154.

within which “the God-given power to claim obedience for the sake of the civil common good resides primarily in the community as a whole,” which authority may then be transmitted to specific governing personnel.⁹¹ If designation theory were indeed part of the “very definite teaching of the Church” on political authority, democracy would be in ineliminable and direct conflict with Catholic teaching. But Simon holds that it is not in fact part of this “very definite teaching.”

According to Simon, “the question that the so-called divine right theory claims to answer does not concern the ultimate origin of civil power but the way in which power comes to reside in a distinct governing personnel,” and the answer it gives is that this “power is directly handed by God to the ruler.”⁹² In its more moderate forms, it is in the hands of human beings to designate this ruler; in its more extreme forms, such as that of Robert Filmer, designation is “effected without the cooperation of men,” and instead depends only on hereditary transmission. Simon contends that the term “divine-right” theory most properly should be used to refer to the more extreme form of this theory, within which “God himself designates the person of the temporal ruler,” and “designation theory” to refer to the more moderate form within which “in temporal power the only thing traceable, *in any sense*, to human power is the designation of the ruling person.”⁹³ Simon acknowledges—mindful as he is of the antidemocratic Catholic political movements that he diagnosed as forms of authoritarianism that helped pave the road to Vichy—that this historic position was “taken over, in the nineteenth century, by some Catholic theologians” whom he does not at this point name (although a figure such as

⁹¹ Simon, “Doctrinal Issue,” 156.

⁹² *Ibid.*, 154-5.

⁹³ Simon, *Philosophy of Democratic Government*, 157.

Joseph De Maistre, and the many later supporters of *Action Francaise*, are likely candidates for who he had in mind), as part of their campaign “against the theory of government as mere instrument of the governed.”⁹⁴ He acknowledges too that “it has been said that Leo XIII and Pius X rejected the transmission theory, in spite of a well-established theological tradition, and gave the sanction of their authority to the theory of mere designation,” on the strength of citations such as the following lines he provides from *Diuturnum*:

It is of importance, however, to remark in this place that those who may be placed over the State may in certain cases be chosen by the will and decision of the multitude, without opposition to or impugning of the Catholic doctrine. And by this choice, in truth, the ruler is designated, but the rights of ruling are not thereby conferred. Nor is the authority delegated to him, but the person by whom it is to be exercised is determined upon.⁹⁵

Elsewhere, he cites the following passage that would seem to tell against his case from Pius X’s *Letter on the Sillon*:

The Sillon places public authority primarily in the people, from whom it then flows into the government in such a manner, however, that it continues to reside in the people. But Leo XIII absolutely condemned this doctrine in his encyclical “*Diuturnum Illud*”... Admittedly, the Sillon holds that authority – which it first places in the people – descends from God, but in such a way “as to return from below upwards”... But besides its being abnormal for the delegation of power to ascend, since it is in its nature to descend, Leo XIII refuted in advance this attempt to reconcile Catholic doctrine with the error of philosophism... For the rest, if the people remain the holders of power, what becomes of authority? A shadow, a myth; there is no more law properly so-called, no more obedience.⁹⁶

If it were the case that Leo XIII and Pius X are here rejecting democratic practice in favor of the designation theory of authority, Simon’s argument that the doctrinal issue between the Church and democracy refers to the Church’s rejection of the “cab-driver theory” of

⁹⁴ Simon, “Doctrinal Issue,” 155.

⁹⁵ *Ibid.*, 163 n. 25.

⁹⁶ *Ibid.*, 162 n. 10.

social contract liberalism, rather than to a rejection of democratic government as such, would be shown to be false. As such, he must confront it.

Simon does not spend a great deal of time making his case from a close reading of papal encyclicals and other magisterial teaching documents. As we have seen in our first chapter, there do exist papal writings that exhibit a traditionally Augustinian conception of civic authority, such as Pius X's *Letter on the Sillon* and its encomium to the supernatural virtues and graces of the "Christian City" in contrast to a merely civic idealism, in addition to earlier encyclicals such as Gregory XVI's *Mirari Vos*, which demanded the "trust and submission due to princes" that have been granted legitimate authority to rule by the Church, sounding familiar Augustinian notes about the need to submit to authority in order to check prideful human wills and illumine minds darkened by sin. Simon chooses not to engage with these texts at length, but he does provide an interpretation of the kinds of texts he cited above that may be taken to contradict his view. Such texts, Simon argues, should not be read as taking a position on whether or not designation theory best describes the role of human agency in identifying who is to rule, but instead as directed against the "cab-driver theory" of authority, in which government is the "mere instrument of the governed": this alone, Simon thinks, "is what the Church opposes" in modern Enlightenment theories of government, not democracy as such.⁹⁷ As the *Diuturnum* text indicates, Leo XIII does provide an affirmation of "election by the people as a method of designation" of rulers. He does this, Simon thinks, while also guarding against the notion that "designation by popular vote should seem to imply that the people has the power to bind the conscience of men" *qua* people, as a *mere* act of

⁹⁷ *Ibid.*, 163 n. 25.

human will, “or that the rulers are mere instruments of the ruled.” Simon thinks that this suffices to explain Pius X’s concerns as cited above as well.⁹⁸ Simon acknowledges that “there is, indeed, a resemblance between the instrumental theory of government and the transmission theory,” such that “a criticism of the former may have seemed to be aimed at the latter.” The crucial difference, in brief, is that in the latter account authority *is actually transmitted* to civic rulers in some fashion, whether more or less democratic in nature, whether to the people gathered in assembly or to specific governing personnel. Simon has already made an argument that this transmission can be entirely democratic in nature and still be a genuine transmission of authority, such that just laws and decisions are morally obliging. Simon’s larger argument will fail unless he succeeds at distinguishing transmission theory from its modern Enlightenment simulacrum, and showing its Thomist and Catholic pedigree. As he acknowledges, there are papal texts that at first glance may seem to bundle together the two theories, and many Catholic thinkers who have taken designation theory to be the only viable Catholic option available. Therefore distinguishing the two is a task that Simon sets himself to accomplish in some detail.

The transmission theory, Simon writes, “holds that the first bearer of civil authority is not the king or any governor but the people as a whole, the civil multitude.”⁹⁹ The emphasis thus shifts from specific rulers to the people as a whole, who then in some form or another may transmit the power to rule to specific persons. Simon is quick to point out that “transmitting does not mean the same as giving,” which is a privilege

⁹⁸ Ibid., 164 n. 25.

⁹⁹ Simon, *Philosophy of Democratic Government*, 158.

possessed only by God.¹⁰⁰ Authority is genuinely transmitted, such that “the duty of civil obedience is not explained away.”¹⁰¹ Simon finds precedent for transmission theory in Aquinas, in his so-called “treatise on law” in the *Summa*. Law, Aquinas teaches, is a “premise of practical argumentation” that is “relative to the common good,” and therefore since the end or *telos* of law is the common good, its efficient cause ought to be either the multitude who share goods in common or a person acting on their behalf.¹⁰² Even custom, Aquinas argues, “can obtain the force of law” as it “grows by the acts of private individuals: “if they are free,” he writes, “the consent of the whole people expressed by a custom counts far more in favor of a particular observance than does the authority of the sovereign, who has not the power to frame laws, except as representing the people.”¹⁰³ For Simon, this is sufficient to show without “any doubt” that “the transmission theory of political authority is in full agreement with the notion of political authority expressed here by Aquinas.” Law here is represented as that which serves the common good of a people, and the “consent of the whole people” matters far more than “the authority of the sovereign,” who has lawmaking power only as representing, standing in for, the people’s common good.

Simon does not claim that Aquinas teaches transmission theory as such, since nowhere did he take it up in explicit contrast to designation theory as an alternative. Nevertheless, he goes on to show that transmission theory was developed over time by the Thomist tradition in conversation with the beginning that Aquinas made. Simon names Cajetan first in this line, who he writes supports “transmission theory in

¹⁰⁰ Ibid., 158.

¹⁰¹ Simon, “Doctrinal Issue,” 156.

¹⁰² Simon, *Philosophy of Democratic Government*, 158.

¹⁰³ Ibid., 159; citing ST I-II 97.3 ad. 3.

unmistakable terms.”¹⁰⁴ Cajetan can be said to do this since he took up controversies about whether or not heretical popes can be deposed, and in the course of his argument came to a clear and precise view of papal authority that can be defined as “designation theory”: while human beings do elect the pope, he was concerned to say that this was not to say that councils are superior in authority to popes, but rather only that they had designated who the pope should be, not in any sense transmitting authority that they intrinsically possessed.¹⁰⁵ This theory, however, Cajetan restricts to the Church alone, as a “supernatural society.”¹⁰⁶ While the pope is the vicar of Christ in an immediate sense, the king “represents and exercises the power of the people, and he is said to be the viceregent of the people, not immediately that of God.”¹⁰⁷ “The royal power,” Cajetan writes, “by natural law, resides primarily in the people, and from the people is transferred to the king; but the papal power is above nature, and by divine law resides in one person; it does not reside, first, in a community.”

Simon adds to this the witness of Robert Bellarmine and Suarez. Like Cajetan, Bellarmine drew a sharp distinction between “ecclesiastical power,” which “resides immediately in one man,” and “political” power, which “proceeds from God indeed but through the intermediary of human deliberation and choice... for the law of nations is, as it were, a conclusion deduced from natural law by human discourse,” given by God to the “multitude” and then “transferred from the multitude to one or several.”¹⁰⁸ This, Bellarmine thinks, can be done in a number of distinct forms according to the “law of nations,” such that the multitude may establish kingdoms, aristocracies, or democracies,

¹⁰⁴ Ibid., 160.

¹⁰⁵ Ibid., 163.

¹⁰⁶ Ibid., 164.

¹⁰⁷ Ibid., 165.

¹⁰⁸ Ibid., 167.

and modify them in time with just cause. Suarez provided the “most systematic discussion of the question,” according to Simon, in his attempt to vindicate Bellarmine over against what he views as the recent, Protestant view of Robert Filmer and King James.¹⁰⁹ Against King James, Suarez held that God does not grant temporal power to kings immediately, since temporal power by nature is given by God immediately “to men assembled into a city or perfect political community... not placed in one person or in any peculiar group but in the whole complete people, or in the body of the community.”¹¹⁰ This is so “by the nature of things,” because political power is “necessary to the preservation” of the community, and so it is given to the community as a whole rather than to “any particular part of it.”¹¹¹ Suarez goes a step further than his Thomist predecessors in explicitly affirming democratic forms of government. This, Suarez thinks, is a clear implication of the position that “political power resides not primarily in any particular person or group of persons but in the community as a whole.”¹¹² Monarchy and aristocracy require an extra ordering step, but “democracy can exist without any positive disposition... for the natural reason states that a supreme political power follows upon [the gathering of men into] a perfect community and that, by virtue of this same reason, it belongs to the whole community unless it is transferred by a new disposition.”¹¹³

While the transmission theory provides support for democratic forms of politics, insofar as it holds that political authority resides primarily in the civic community as a whole rather than in specific rulers as designated by God, Simon by no means holds that

¹⁰⁹ Ibid., 169.

¹¹⁰ Ibid., 171.

¹¹¹ Ibid., 172.

¹¹² Ibid., 173.

¹¹³ Ibid., 173.

it is necessarily democratic. It is, rather, “distinctly *political*, no more,” in Aristotle’s sense that as a political form of government it provides for the resistance of and engagement with its citizens, rather than despotic forms of government that do not.¹¹⁴ The needle that must be threaded, however, remains what Simon acknowledges to be the similarities between transmission and cab-driver theory. If it is the case that it is possible to resist and even to depose a ruler, as Aristotle’s definition of the political forms of government implies, then Simon knows that we need to ask: “Are we back to the coach-driver theory? The temptation is great to say that the transmission of power is ungentle and merely apparent.”¹¹⁵ Simon’s answer is that in a genuine transmission of power, “it suffices that the superior power of the people should be suspended by the act of transmission and should remain suspended until circumstances of extreme seriousness give back to the people the right to exercise it.” In a representative democracy, political power is never entirely transmitted to specific governing personnel, but rather is subjected at regular intervals to such practices as elections, referenda, and the power of public opinion. Every democracy thus remains “in varying degree a direct democracy.”¹¹⁶ Yet this does not imply that authority is not genuine, even in cases such as direct democracy in which it is not transmitted to any distinct governing personnel. Simon reiterates that “all the essential features of government are found in a direct democracy.”¹¹⁷ Representative democracies will always retain certain elements of direct democracy, by various ways in which the people as such are consulted as a “deliberating assembly,” whether via constitutional or informal methods. Difficulties however arise

¹¹⁴ Ibid., 177.

¹¹⁵ Ibid., 182.

¹¹⁶ Ibid., 184.

¹¹⁷ Ibid., 186.

when this consultation is taken to mean that the people assembled have no authority as such, or when political power is transmitted to governing personnel only on paper, as it were, begrudgingly, with the understanding that they “work for us” and are to do what we tell them. This, Simon thinks, amounts to “rebellion... established at the core of political life.”¹¹⁸ Democracy need not amount to this, but Simon does think that “masked anarchy” and “the spirit of rebellion” are the most characteristic temptations that democracies will face.¹¹⁹

Suarez and Bellarmine, like Cajetan, follow Aquinas’s comments on civic law by viewing political power not as something distinct from or set above the civic community, designed primarily to hold sin, pride, and violence in check and designated to particular rulers by way of supernatural consecration, but instead as an intrinsic part of what is required for human beings as social in nature to seek goods in common. As such, political authority inheres in the community itself as given it by God, and can be transmitted to particular governing personnel to better achieve the common goods that are sought, but transmission to governing personnel is not required. Suarez draws from this the inference that democracy is the most basic form of civic governance, but Simon argues that Bellarmine and Cajetan are doing no more than follow out the implications of the comments of Aquinas on the matter, such that it can be said that “the same theory of natural democracy is implicitly held” by Aquinas as well. These Thomist theorists of political authority were working in direct conversation with what Simon calls the designation theory; all three reject it, drawing a sharp distinction between the mode of governance appropriate to the Church as a supernatural society and to civic society.

¹¹⁸ Ibid., 187.

¹¹⁹ Simon, “Doctrinal Issue,” 160.

Their theory of government, while either implicitly or explicitly (in the case of Suarez) supportive of civic democracy, was not formulated in support for democratic forms of government, but rather in opposition to the kind of rising monarchical absolutism that a King James and Robert Filmer represented. Yet in so doing they gave support to the kinds of democratic movements that were not to come to fruition for over a century after their lifetimes, and did so from a position that was internal to the Catholic and Thomist tradition rather than dependent upon later Enlightenment liberalism. Simon here shows that there exists a Thomist road not traveled in the modern era, either by Enlightenment liberal secularism or by restorationist Augustinian Catholics. In retrieving it in this chapter, as set over against liberal “cab-driver theory” and restorationist “designation theory,” he can be read as attempting to chart a better course for postwar democracy than the early 20th century had taken.

Simon is able to conclude his chapter on authority in democracy by appreciatively discussing what is meant by the phrase “government by the consent of the governed,” which he calls “a historic and glorious expression.”¹²⁰ Such a phrase can mean a number of salutary things to which Catholics can give full assent: that “political association is an act of the reason and of the will” rather than irrational or mechanistic forces; that governing personnel are designated by the people, who transmit political power to them, rather than designated immediately by God; that the assembly of the people be consulted at regular intervals in political life; and that persuasion is a “better instrument of government than coercion.”¹²¹ All of this, rightly understood, should be seen as common ground between the Catholic Thomist tradition and the aspirations to political liberty in

¹²⁰Simon, *Philosophy of Democratic Government*, 190.

¹²¹ *Ibid.*, 194.

modern democratic movements. Holding this ground in common does require a rejection of the designation theory of authority, but Simon has shown that the Catholic pedigree of the transmission theory is at least as valid if not more so. None of it, however, requires holding that government by consent of the governed means that “the governed are never bound except by their own consent... that they are never obligated to obey.” This, Simon thinks, is the cab-driver theory that “expresses neither a political nor a democratic necessity but mere revolt against the laws of all community.”¹²²

3.3. Freedom and Equality in Democracy

Simon is well aware of popular construals of democracy for which authority is viewed as antithetical to the democratic goals of freedom and equality for all. Such construals, often stemming from the historical experience of the French Revolution (with its motto of liberty, equality, and fraternity) and its opposition to the Catholic monarchy, tend to hold that “a progressive society is a society in which authority is declining,” in which “democracy is a device for the elimination of authority,” “liberty itself embodied in institutions proper to its genius.”¹²³ By the same stroke, democracy is often viewed as doing away with irrational and authoritarian hierarchies, indeed with hierarchy altogether so much as is possible,¹²⁴ and placing every person on an equal footing—at least before the law, if not also with respect to the distribution of opportunity and wealth. An

¹²² Ibid., 194.

¹²³ Ibid., 140.

¹²⁴ “Hierarchy disappears, or is at a minimum, in a state that has gotten rid of subordinate organizations and lords it over a sheer multitude of individuals. Such a state is clearly outlined in Rousseau and Jacobinism. Showing that it is the most dreadful enemy of liberty is an ever-recurring concern in the work of Acton. As recalled at the beginning of this book, authority has a bad name. The name of hierarchy is worse, if possible.” (Simon, *General Theory of Authority*, 138-9; see also *Philosophy of Democratic Government*, 208, 212).

approach to democratic government that begins with the question of authority would therefore seem to be an inauspicious place to start, if the achievement of freedom and equality is our goal. Yet Simon also knows that democracy has not always been viewed as serving the interests of the poor, the so-called “common man,” just insofar as the pursuit of freedom has at times been at the expense of equality.¹²⁵ Simon views the “social history of modern times” as “dominated by two great revolutions”: the first being the “democratic” revolution that began in the late 18th century, and the second the “socialistic” revolution that began in earnest in the early 20th century.¹²⁶ The latter revolution at times viewed the former revolution with some suspicion, on the assumption that the liberal freedoms championed by democratic partisans, particularly economic freedoms and the rights of the owners of property and capital, were universal values only in name but in fact tended to serve the interests of the bourgeois classes at the expense of the proletariat, the working class. Authority, then, or at least the centralization of political and economic power, was seen by some partisans of the second revolution as much more desirable than by partisans of the first revolution. Political authority may well from this vantage point be viewed as desirable, but insofar as it is clearly understood that the pursuit of equality will come at freedom and democracy’s expense.

To this nest of problems, Simon applies his theory of authority and democratic government. While from the standpoint of partisans of the first, democratic revolution, an approach that begins with the question of authority will likely be suspect, Simon attempts to show that the goal of freedom is better achieved by emphasizing not the liberal freedom of the individual but instead the freedom of participation in political life

¹²⁵ Simon, *Philosophy of Democratic Government*, 233.

¹²⁶ *Ibid.*, 233.

and the autonomy of communal institutions other than the state. This, Simon thinks, will better serve what he calls the “democracy of the common man,” and serve as a check on the state’s imperial ambitions. With respect to the second, socialistic revolution, Simon exhibits a high degree of sympathy with what can and should be learned from socialist aims and Marxist social critiques, particularly insofar as the economic aspect of political liberalism gave insufficient attention to economic justice for all, especially for the poor and working classes. An approach that begins with authority and the common good can do a great deal to articulate what economic justice for all requires, and Simon thinks that it can do more than economic liberalism. Yet although Simon accepts to a degree that the goals of freedom and equality will be at odds with one another, he does not think they are entirely so. Freedom demands that master-slave relations be done away with, and so an analysis that takes the reality of economic alienation seriously will serve the goals of equality and freedom at once. Significant progress toward meeting the aspirations of the second, socialistic revolution can be made without undoing the advances of the first, democratic revolution.

On the whole, Simon is able to show that his approach does meaningful work in supporting the goals of the first and second modern revolutions. By placing the question of authority and the common good first, he shows that democratic freedom is not at odds with but is indeed complementary with them, when rightly understood. Simon will have more readily sympathetic readers for his contention that civic authority can better serve the common good than liberalism, particularly in economic matters, but he shows here that there is a real wealth of analysis in the Thomist tradition that can help achieve the goals of equality without undoing the gains made for the causes of freedom and

autonomy in the democratic movement. Placing the democratic and Thomist traditions in conversation with one another can do productive work for civic affairs. As we have seen him do before, Simon is at work affirming the noblest ideals of modern democratic revolutions and learning from their practical wisdom, while also showing the deficiencies of Enlightenment social-contract liberalism and of restorationist Augustinian Catholicism. The latter note is more muted in this section, for understandable reasons—Joseph de Maistre and other Catholic opponents of democracy did not claim to do a great deal for liberty and equality—but can be seen insofar as Simon’s theory of authority is shown to be no mere check on sin and violence, but instead has real purchase in the pursuit of civic goals and democratic ideals. In this sense, a theory of authority that moves beyond any “deficiency theory” model will be enabled to view civic government as a positive good, as that which enables communities to achieve goods in common that they could not achieve as individuals. The pursuit of freedom and equality, Simon helps us see, is no exception to this rule.

3.3.1. Democratic freedom

Simon dedicates a chapter of *Philosophy of Democratic Government* to the subject of democratic freedom, but he does not begin with the freedom of the individual in the state of nature, as in liberal social contract theories. Rather, he begins with the sturdy, central element of representative democratic practice: the election of governing personnel. This, Simon writes, is democracy’s most common method for “procuring the political condition,” as Aristotle defines it—that is, ensuring a system of government “which gives the governed a legal power of resistance,” as opposed to despotic forms of

government that do not.¹²⁷ Other political regimes, in this specific sense, can and do provide for this same power of resistance without being democratic in nature: Simon names the examples of aristocratic resistance to monarchs, and even of the government of the Roman Catholic church, in which “the autonomy of the inferior” and the prohibition of arbitrary uses of power are specified by canon law.¹²⁸ Democracy however goes further than this, by also granting the people’s “freedom to govern itself,” not only its freedom from power’s abuse. Simon carries on his discussion by way of examining three aspects of how democracy in practice attempts to ensure both the people’s “freedom from” abuses of power and their “freedom to” participate in the work of government: universal suffrage and elections; the relationship of majorities and minorities; and political parties.

As a whole, Simon can be read here as providing a construal of democracy that emphasizes what Benjamin Constant called the “freedom of the ancients”—that is, the freedom for participation in government, for deliberation about the common things of public life, the *res publica*—rather than the “freedom of the moderns,” which emphasizes the freedom of the individual. Yet Simon does not neglect the latter, for he exhibits a clear interest in the promise of democratic practice to ward off the abuses of power that all too frequently place government in the hands of the wealthy and connected at the expense of the “common man.” Democracy, for Simon, is a regime that holds great promise toward achieving the goal of *political* government, in Aristotle’s sense, for all persons, and the “common man” in particular; the wisdom of democratic praxis is hard-won, and he does not hesitate to dig down into the weeds of democratic history to learn

¹²⁷ Ibid., 74-6.

¹²⁸ Ibid., 75.

its lessons. By beginning in this way, Simon has eased his readers into an account of democracy that places what he sees as the first questions first, rather than starting with the unbounded freedom of the liberal individual. He is not inconsiderate of those freedoms, but articulates a view in which other questions are asked first. How can political freedoms be secured for all persons, not just some? How can the imperial ambitions of the state be checked? How can the freedom not just of individuals, but of genuinely autonomous institutions other than the state, be maintained? These kinds of questions, Simon thinks, are better places to start, and an approach that begins with authority and common goods can answer them satisfactorily. In doing so we can see that these questions and answers are better than political liberalism in achieving the democratic goal of freedom for all.

As we saw in the previous chapter, Simon thinks that the strongest point in favor of democratic elections is that they are the best means to give meaningful political power to ordinary persons. “The common man,” Simon writes, “has neither the distinction of property nor that of expertness nor any of the distinctions on the ground of which a person belongs to the upper class; he will be crushed unless the constitution of society attaches some power to the only distinction that he certainly possesses, viz., that of having numbers on his side.”¹²⁹ Simon considers several arguments in favor of elections that he considers to be aspects of “democratic optimism,” but he finds such optimism largely unwarranted. It is not the case, Simon thinks, that democracy is a safe mode of government because people as a whole are generally good and wise; writing after the Second World War, he is readier to suppose that “we have no experience of a world in

¹²⁹ Simon, *Philosophy of Democratic Government*, 97.

which the ethically good outnumber the ethically bad.”¹³⁰ Nor is it the case that society as a whole can be regarded as an infallible judge of what is good and true, such that the judgment of history is identified with the “self-revelation of the Absolute Spirit.”¹³¹ Nor is it the case that “the more primitive part of society... possesses, by virtue of its very primitiveness, some sort of superior wisdom.”¹³² All of these arguments have been used from time to time in support of what is called “democratic faith,” and antidemocratic partisans have had an easy enough time deflating them. Yet they contain kernels of truth, when stripped of their romantic excesses, and are better cast as arguments from pessimism, rather than optimism: as ways to provide checks against the interests of the powerful, and to guard against criminals gaining access to power.¹³³ Simon is aware of the obvious “danger of oppression by the majority” in democracies, and recommends proportional representation as a “preventive measure,” with the caveat that too much concession to the principle may result in stalemate.¹³⁴ Elections have in practice shown themselves to be the best means to preserve decent government that serves the common good of all; not an infallible means, but the best available. This, Simon thinks, is the practical wisdom borne by political experience, and carries significant weight.

Simon thinks that the party system is an important example of how democracy can benefit from the introduction of certain non-democratic principles.¹³⁵ Ineliminably, political parties do not act as organs of pure democracy, but rather as filters by which certain candidates are put forward for election by party leaders. Yet this is not

¹³⁰ Ibid., 81.

¹³¹ Ibid., 85.

¹³² Ibid., 89.

¹³³ Ibid., 98.

¹³⁴ Ibid., 101-3.

¹³⁵ Ibid., 105.

necessarily a point against the party system, for if functioning well it succeeds at putting forward candidates who have been vetted and vouched for by people of expertise and practical wisdom. Simon refers us here to the classic argument in favor of the “mixed regime,” as formulated by Aristotle and Aquinas, which holds that the “entirety of the common good” is “in most cases served better by a balanced combination of forms than by the exclusive reign of one form.”¹³⁶

Only after this consideration of elections, proportional representation, and the party system, in the light of the practical wisdom borne out by political experience, does Simon then turn to theses near the heart of political liberalism. Simon thinks it clear that persuasion is preferred to coercion in any democracy worthy of the name, although he does not think that coercion is ruled out with respect to criminal elements of society.¹³⁷ Democratic practice demands free and open discussion of political issues, such that the people as a whole are genuinely persuaded to take what courses seem best in their judgment. This then “demands freedom of expression,” and Simon holds that “this is the proper angle from which to consider the relation between liberalism and democracy.”¹³⁸ Simon is clear that “democracy uncompromisingly demands whatever amount of free expression is needed for the process of electoral persuasion to be genuine,” but he does not think that it follows from this that the very “principles of political life be delivered to controversy.”¹³⁹ By this, Simon means two sorts of propositions: some that are relative “to the universal nature of society,” such as guaranties against arbitrary arrest, and some “relative to the constant features and aspirations of a particular people or nation,” such as

¹³⁶ Ibid., 107.

¹³⁷ Ibid., 116-7.

¹³⁸ Ibid., 119.

¹³⁹ Ibid., 122.

the indivisibility of the union of the United States.¹⁴⁰ Democracy requires open deliberation about the issue of means, Simon thinks, but does not require opening the question of such kinds of basic ends as are foundational for the political life of a nation. This represents a clear difference from liberalism, which “implies that principles themselves are thrown into the universal competition of opinions.”¹⁴¹ Simon admits that it will often be uncertain whether a particular point of discussion “has the character of an end (and should remain above discussion) and that which has the character of means to be deliberated on,” and that whenever this is uncertain, “the benefit of the doubt goes to freedom.”¹⁴² Freedom of expression is vital to democratic freedom, and its protection is of high value. Yet freedom of expression is not unlimited, even if it is indeed the case (as it ought to be) that the establishment and maintenance of the fundamental principles of political life is undertaken with a great degree of tolerance. The alternative, in which “the principles of a society, its very soul,” are delivered up to the “hazards of controversy” poses a “fateful threat to any regime, democratic or not.”¹⁴³

In *A General Theory of Authority*, Simon delves more deeply into this question, under the heading of the relationship between authority and truth. The clear objection to the foregoing position, distinguishing between democratic freedom of expression and thoroughgoing liberal freedom, is that authority has no rightful role to play in the search for truth, and that any restriction on freedom of expression is antithetical both to the search for truth and to the dignity of the searchers.¹⁴⁴ This objection, Simon thinks, touches the “essence of liberalism”: “whoever holds that society must refrain from any

¹⁴⁰ Ibid., 122-3.

¹⁴¹ Ibid., 124.

¹⁴² Ibid., 124.

¹⁴³ Ibid., 123.

¹⁴⁴ Simon, *A General Theory of Authority*, 14-18.

act relative to transcendent truth, and that the search for such truth must be neither directed nor helped in any way by society, is a liberal.”¹⁴⁵ Against this liberal thesis, Simon contends that it is not possible (at least, not desirable) for any society to refrain from making moral judgments that involve transcendent truths, and that these judgments will prove controversial in nature. “Experience shows,” Simon writes,

...that even in small and closely-knit groups disagreement can be sharp... Some call sheer murder what others consider altogether beneficial surgery; some call suicide what others praise as heroic sacrifice; some call exploitation and robbery what others understand to be the fully normal operation of the market, and some call violations of human rights what others interpret as the consequences of facts obviously designed by providence. Civil society cannot allow indifference to opinions on such subjects as murder, suicide, honesty in economic life, and justice and brotherhood in the relations between groups distinguished by color or language.¹⁴⁶

And if this is true, then it follows that “if society wants to protect innocent life effectively, it must be concerned not only with external behavior, but also with the thoughts of men on various levels, the deepest ones not excluded.”¹⁴⁷ Simon does not shy away from the implication that a democratic society should, so long as it is prudent to do so, seek to promote and maintain certain propositions “relative to the rights of men, relative to the purposes of civil society, and relative to God, which make up the soul of our temporal common good.”¹⁴⁸ Indeed, Simon thinks that “promoting the order of truth in the social life of the transcendent intellect is the highest function of the civil community.”¹⁴⁹

Simon is careful to note that he is not recommending a repressive, intolerant regime in which the rights of conscience are not respected. Crucially, he begins the

¹⁴⁵ Ibid., 107-8.

¹⁴⁶ Ibid., 123-4.

¹⁴⁷ Ibid., 124.

¹⁴⁸ Ibid., 127.

¹⁴⁹ Ibid., 129.

chapter discussing this question by stating that when questions of truth rather than practical action are at stake, “the person in authority has the character of a witness,” not of a “leader.”¹⁵⁰ As such, the authority of a witness “does not involve, in any sense or degree, the power to give orders and to demand obedience.” It is a kind of authority that is “entirely substitutional” in nature, insofar as the witness testifies to a truth that *de jure* could be perceived and understood but *de facto* is not, and bears witness in such a way that seeks to help others see and understand it for themselves.¹⁵¹ In matters to do with the perception of truth, authority cannot by definition command that someone perceive such-and-such a truth, such as understand a mathematical theorem or appreciate the excellence of a Shakespeare sonnet: rather, authority can do no more than articulate them so as to open the vision of others to their reality as well. For Simon to speak then of the promotion and maintenance of truth is not to speak of its enforcement by way of coercive action: it could not be, by definition.¹⁵² Simon acknowledges the reasonable fears that the notion of the state’s promotion of transcendent truth will lead to any manner of “repulsive” practices, such as “censorship,” “propaganda,” programs of teaching that “leave out the really embarrassing questions,” “social pressure” as a substitute for “certainty and probability,” and the defilement of academic freedom by “fraud and deceit.”¹⁵³ All of these fears are well-grounded in history, Simon thinks, not just phantasms of the liberal imagination. But Simon does not conclude thereby that the task

¹⁵⁰ Ibid., 84.

¹⁵¹ Ibid., 95.

¹⁵² It must be admitted that this section of Simon’s work, while arguably profound and insightful, is brief and suggestive rather than comprehensive. Simon does not treat this subject more than briefly, although it deserves further discussion. As it comes in a book he wrote in the knowledge that he was soon to die of cancer (the book was completed during his lifetime but published posthumously), we can speculate that he gave us an outline of what could have been a fuller argument in a longer work, had he time to complete it.

¹⁵³ Ibid., 127.

is impossible, even though it is “immensely difficult.”¹⁵⁴ “Prudence” must decide what is possible in a given historical circumstance. That which is possible will not, for Simon, take to itself more authority than that which is appropriate to a witness. Simon suggests that the promotion of transcendent truths does not admit of “bureaucratic methods,” but instead allows for the “spontaneity, the autonomy, and the mutability that are characteristic of life.” Simon makes a distinction between the state and civil society, and recommends that the state not directly involve itself with the “maintenance and promotion of transcendent truth,” but instead act only as an indirect sponsor.¹⁵⁵ Here, Simon addresses (albeit obliquely) the issue of the establishment of the church, averring that a country “whose citizens commune in dedication to a religious faith,” with a “public life marked by features expressing the relation of moral and temporal life to the things of eternity,” is one in which “the respect due to all forms of divine life” is evident.¹⁵⁶ He does not address how to accommodate the rights of religious dissenters in such a country, except for admitting that the problem of how to do so “may be acute, and admit of no perfectly harmonious solution.” However it is that transcendent truth is maintained and promoted, in a democracy the basic principles of political life cannot be a matter for “bureaucratic procedure” and control, but instead must be “embodied in the living essence of community life,” “vital” and “heartfelt.”¹⁵⁷ Viewed as a whole, it would seem that Simon is recommending the kind of tolerant church establishment that makes ample space in civic life for dissenters and ensures freedom of worship and participation in the democratic process, roughly equivalent to that of Great Britain after the Toleration Act of

¹⁵⁴ Ibid., 128.

¹⁵⁵ Ibid., 130.

¹⁵⁶ Ibid., 130 n. 28.

¹⁵⁷ Simon, *Philosophy of Democratic Government*, 124.

1689 (allowing for freedom of worship for nonconformists), the Catholic Relief Act of 1791 (allowing the same for Catholics), and the Catholic Emancipation Act of 1829 (which allowed Roman Catholics to vote, sit as members of Parliament, and hold senior government positions).¹⁵⁸ At the same time, Simon does not at any point state that the maintenance of civic virtue requires the establishment of the Catholic Church, and the concluding chapter to his *Philosophy of Democratic Government* focuses not on the role of divine grace but instead in Jeffersonian fashion on the formative potential of rural life and the craft of farming. Simon does not supply us with a great deal of detail on such questions, except insofar as his recommended path is that of the tolerant authority that rightly befits a witness, rather than the kind of authority that gives orders, demands obedience, undertakes campaigns of propaganda and censorship, and sees academic freedom as an enemy to be defeated.

Simon has not answered every objection that can be raised against such a position, nor has he given specific examples of what kinds of truth-promotion he recommends and what level of toleration he thinks is required. Yet what he has supplied us with is more than merely suggestive. He has mounted an argument that liberal reticence to promote any kind of transcendent truth is impossible, for some such truths will in any case be promoted. He has specified that democracy requires a high level of freedom of expression, and stipulated that the kind of authority over truth that ought to pertain in civic life is of the character of a witness, and so (one might say) seeks to propose rather than impose, tolerant and patient of those that do not immediately assent to that to which it bears witness. We will discuss this further in our conclusion, with reference in

¹⁵⁸ Simon would also prefer, so it seems, that the state not involve itself in the appointment of bishops, as a figure such as William Gladstone very much did in the Victorian era.

particular to John Bowlin's recent work on the virtue of tolerance, but for the time being it bears repeating that in emphasizing the freedoms of democratic practice and autonomous societies rather than the unbounded freedom of the individual, Simon is proposing that his approach provides *more* freedom than the liberal alternative, *more* securely grounded, not less. When Simon writes that delivering up the "principles of a society, its very soul, to the hazards of controversy" is a "fateful threat to any regime," we should call to mind the kinds of liberal democracies that Simon thought were incapable of a vigorous assertion of the principles basic to their common life over against the onslaught of fascism in the early 20th century, as he told the story in *The Road to Vichy*. Liberalism, Simon thinks, does not tend to preserve democratic freedom well. Simon does not emphasize the freedom of the individual before all else, but instead proposes that the maintenance of certain transcendent truths will serve the goal of effectively protecting "innocent life," for instance from those who consider "mercy killing" to constitute "altogether beneficial surgery"; or of protecting the "human rights" of those whom others suppose were created for natural servitude "by providence."¹⁵⁹ By placing those kinds of questions first, Simon is not devaluing personal freedom in favor of collective authority, but instead asking the kinds of questions that seek to secure freedom for all persons, particularly the most vulnerable in society.

Simon's treatment of democratic freedom continues with his discussion of the so-called "democratic transformation of the state."¹⁶⁰ Is it indeed the case, Simon asks, that the democratic practice of subjecting governing personnel to regular elections will suffice to ward off the evils of "misgovernment and overgovernment," and preserve the *political*

¹⁵⁹ Simon, *General Theory of Authority*, 123-4.

¹⁶⁰ Simon, *Philosophy of Democratic Government*, 127.

character of government from abuses of power? The hope is sometimes expressed that “in democratic revolutions the people storms the field of government, after which institutions designed to keep the government within its field are sometimes allowed to decay; they are reputed no longer to be indispensable, since power is in the hands of an agent who... can do no wrong.”¹⁶¹ Simon argues against the notion that democratic practice alone will be sufficient to guard against such abuses of power, such that the state might be transformed into an efficient and humble servant of the people by democracy itself. This Simon thinks is a temptation of democracy, on which he favorably cites Proudhon’s judgment that “the belief in the democratic transformation of the state gives absolutism a particularly redoubtable chance.” Democratic governments, like every other form of government, “participate in the character of the prince,” and the “salvation of society depends on institutions provided with a power of resistance equal to the power of the state.”¹⁶² Thus Simon argues that democracy’s aspiration to secure freedom for all cannot be achieved simply by making the state democratic in nature. Rather, like any form of government, democracies must guard against the temptation to become absolutist in nature, swallowing up all other social institutions external to the state. Simon lists several of these external institutions: the church, a free press, the private school, the independent labor union, the autonomous co-operative, private ownership, and free enterprise.¹⁶³ It is helpful to recall here that for Simon, genuine communities exist insofar as they pursue goods in common that their members cannot enjoy as individuals, such that a social entity such as the church or the family is not reducible to individuals

¹⁶¹ Ibid., 133.

¹⁶² Ibid., 134.

¹⁶³ Ibid., 137-8.

who associate together to enjoy individual goods in like-minded company, but instead possesses a unity of order unique to itself. Simon here is doing more than listing off a number of voluntary associations that together form what is sometimes called civil society in liberal political orders, but instead pointing to social realities that are neither reducible to individuals nor depend upon the state for recognition.¹⁶⁴ Recalling his earlier argument concerning the relationship between autonomy and authority, Simon notes again that “there is more life and, unqualifiedly, greater perfection in a community all parts of which are full of initiative than in a community whose parts act merely as instruments transmitting the initiative of the whole.”¹⁶⁵ Democratic freedom is best served when there exist a wide array of autonomous communities that pursue common goods on their own initiative, not subject to a high degree of intrusion by civic authorities. Simon summarizes this in the form of a principle, which is in essence that of Catholic social teaching on subsidiarity: “The progress of society and of liberty,” he writes, “requires that at every given moment in the evolution of a community the greatest possible number of tasks should be directly managed by individuals and smaller units, the smallest possible number by the greater units.”¹⁶⁶

On the whole, Simon has mounted a significant argument that authority and democratic freedom are not at odds, rightly understood, but rather can be viewed as supporting one another. Only if democracy is understood to be equated with political liberalism would this not be the case, but Simon has shown that this equation is unsupported by a closer attention to democratic practice. The practical wisdom of

¹⁶⁴ Simon would view this as no more than what Leo XIII had in mind in *Rerum Novarum*. See here Russell Hittinger, “Leo XIII,” op. cit.

¹⁶⁵ Ibid., 130.

¹⁶⁶ Ibid., 140.

democratic practice shows that democracy is of real service in ensuring freedom for all, particularly the “common man” who would otherwise be more vulnerable to abuses of power. Democracy requires a high degree of freedom of expression, and this too is of real benefit in the preservation of freedom; but it does not require the kind of thoroughgoing liberal agnosticism that does not take into account the need for civic society to play a meaningful role in the maintenance and preservation of truths and principles vital to a free and just society. And democracy is not by itself sufficient to guard against the imperial ambitions of the state; non-state institutions with real vitality and initiative of their own are of utmost importance in preserving the freedoms that democracy aspires to secure. On several counts, then, Simon has shown ways in which the good operation of authority in service of the common good of a civic community is in service of democratic freedom, better so than political liberalism. So too, he has shown that a civic and philosophical account of authority as a positive good can do real work in thinking through persistent issues in democratic practice, in a way that a restorationist Augustinian account focused on authority as a mere check against sin could not provide.

3.3.2. Democratic equality

As we have already mentioned, Simon’s case that an approach to democracy that begins with the question of authority and common goods will be of service in the pursuit of equality will be more intuitive to the general reader. The “second” socialistic revolution of modern times, inspired as it was by Karl Marx and like thinkers, did not always view itself as necessarily bound up with democracy, and sometimes defined itself in opposition to the first “democratic” modern revolution. But if Simon has less initial

work to do, he nonetheless will need to address pressing objections, to do in essence with whether or not it is indeed the case that equality and freedom exist in a zero-sum relation, such that the more freedom we enjoy the more we will have to give up in terms of equality, and vice-versa.¹⁶⁷ Will an approach that begins with authority and common goods, and seeks to learn from the socialist movement, necessarily come at democratic freedom's expense?

Simon's answer is most clearly seen in two issues that he takes up: equality of opportunity, and the egalitarian demand to do away with relationships of economic exploitation. A rigorous pursuit of equality of opportunity, Simon points out, will soon run into the apparent injustice not only of hereditary aristocracies, the restriction of navy admiralties to those of noble birth, and the like, but also of all "privilege or handicap attaching to the hazard of birth" itself, insofar as children born to wealthy parents will possess an advantage over children born to poor parents, children of doctors will have a better chance at success in the medical profession than children of coal miners, and so on.¹⁶⁸ A thoroughgoing solution to this problem would be to abolish the inheritance of wealth altogether, and to give children over to the tutelage of the state. But this of course is highly intrusive, requiring massive state centralization of power and wealth, and seems a clear instance of how equality comes at freedom's expense. Can we do no better than an attempt to balance the two?

Simon suggests that the formulation of the problem is misleading, insofar as it assumes a "principle of equal opportunity" for which "nothing matters except qualities of

¹⁶⁷ Ibid., 196-7.

¹⁶⁸ Ibid., 224-5.

strictly individual character.”¹⁶⁹ The “consistent development” of this premise “leads to a condition of individualistic isolation which deprives all individuals of great goods.” Simon seeks instead to reinterpret the principle of equal opportunity non-individualistically, placing persons within the communities within which they enjoy and seek goods in common. If the right of inheritance is done away with, Simon writes, “all are deprived of the advantages procured by a system of economic circumstances favorable to conjugal faithfulness and parental devotion, favorable to the stability of the home, and capable of giving man great comfort in his unequal struggle with time and death.”¹⁷⁰ If equal opportunity does not take such goods into account, “it is impaired by a failure to list adequately the requirements of human life,” and was so impaired by the “silent operation of individualistic preconceptions.” When the common goods of human life are taken into account, it should be possible to see that “a policy of equal opportunity begins to be harmful when it threatens to dissolve the small communities from which men derive their best energies.”¹⁷¹ No such policy should ignore “the goods procured by integration in the family and other small social units.” Democratic equality operates well when it removes restrictions upon certain offices to those of aristocratic lineage, and when it does away with situations in which “people marked by a certain color are excluded from certain functions.”¹⁷² Furthermore, *de facto* exclusion from such opportunities is undemocratic as well; a society in which “the sons of peasants or proletarians, no matter how bright, are denied the financial help necessary for higher education is undemocratic.” Yet such measures ought to operate in a manner that is

¹⁶⁹ Ibid., 227.

¹⁷⁰ Ibid., 228.

¹⁷¹ Ibid., 228-9.

¹⁷² Ibid., 230.

highly sensitive to the autonomy and integrity of communities other than the state; ideally, they should be undertaken from within those communities, since then “the social aspect of personal destinies and the meaning of the person’s incorporation in groups which may not be of his own choice are unlikely to be ignored.” Without this, the principle of equal opportunity would become a “first-class factor of atomization and a formidable wrecker of democratic communities.” As we can see, Simon is able to show in short compass how beginning with authority and common goods can prove genuinely helpful in resolving policy debates concerning equal opportunity that can be interminable and destructive when conducted on individualistic premises.

The value of Simon’s approach is perhaps even more clearly seen in his discussion of economic exploitation. “So far as the final cause of government is concerned,” Simon writes, “there is freedom when government is exercised solely for the common good or for the good of the governed; if government is exercised for the private good of those in power, the governed are slaves.”¹⁷³ Simon shows this premise to be a highly exacting and productive place to begin, insofar as the kind of authority suitable for free men and women cannot in any sense reproduce a master/slave relationship, which implies that those who are governed cannot be exploited by those who governed: to use a term taken from Marxist analysis, their labor cannot be *alienated* from them for private gain.¹⁷⁴ And while it is clear enough that alienation and exploitation exists when certain persons are enslaved, and when this enslavement is protected by law; Simon thinks it exists as well “in the case of the ill-paid wage earner.”¹⁷⁵ “Like slaves,” Simon writes,

¹⁷³ Ibid., 230-31.

¹⁷⁴ Ibid., 231.

¹⁷⁵ Ibid., 232.

“these people undergo alienation when they have to be content with processes of exchange in which they give more than they receive, which means that part of their contribution is, involuntarily, given for nothing to another person.” Unequal exchange, then, is a kind of involuntary servitude; and a state of affairs in which such servitude is taken for granted and protected by law cannot be one in which it can be said that government serves the common good. Authority, in this case, instead serves the private good of society’s masters, who grow wealthy by exploiting the labor of the poor and less powerful.

Simon spends a considerable amount of time analyzing the requirements of equal justice with respect to economic exchange, such that situations of unjust alienation and exploitation can be recognized and combatted. In doing so, Simon can be read as following out Thomist lines of analysis, insofar as he like Aquinas assumed that equality in exchange operates such that commutative justice can be rigorously pursued even in societies that do not agree on other aspects of justice’s full scope.¹⁷⁶ Simon regards as “axiomatic that exchange is just if, and only if, the exchanged values are equal; then, and only then, the partners treat each other as equal; then, and only then, both are free from alienation and exploitation.”¹⁷⁷ Yet ascertaining whether or not exchanged values are in fact equal is a significant problem; this Simon thinks is a version of “the problem of recognition in ethics.”¹⁷⁸ How is it possible to recognize whether or not a certain amount of labor is equivalent to so many dollars; or whether or not a bushel of wheat equals a

¹⁷⁶ Simon here cites *ST II-II* 61.2 (Simon, *Philosophy of Democratic Government*, 234). Simon assumes that much work can be done to specify what commutative justice requires in the civil sphere, even if it remains difficult to reach agreement about justice in its distributive and general aspects.

¹⁷⁷ Simon, *Philosophy of Democratic Government*, 234.

¹⁷⁸ *Ibid.*, 235.

pair of shoes? The problem can be described as that of the “just price.”¹⁷⁹ The economically liberal solution to the problem is to assume that the just price is equal to the market price, so long as exchanges are free in nature. Yet Simon thinks that this common solution is beset by significant problems. Consider, Simon asks, the case of an honest businessman who acquired a large amount of property, and sold it years later undeveloped at much higher prices. He has done nothing dishonest, yet “there has been between this man and society no real exchange.”¹⁸⁰ He has done nothing to create wealth, yet has become quite wealthy: “all the wealth went one way,” Simon writes, the result being that “wealth leaked out of society.”¹⁸¹ In this way, “the market system admits of one-way transactions and illusory exchanges.”¹⁸² Additionally, Simon thinks that reckoning the just price solely by what the market will bear does not take into account the human needs that must be factored into the cost of production. A laborer may well receive wages for his labor that are “fair” with reference to what the market will bear, but fail to take into account that which is needed for the laborer and his family to achieve a decent standard of living. Put together, the market system alone is one in which a significant amount of alienation and exploitation can take place, simply by way of the “regular and honest operation of the system.”¹⁸³ Wealth can be alienated from society as a whole, leaking out of society to merchants who have created nothing of value in return. And workers can be exploited by a system that fails to recompense them for their human needs.

¹⁷⁹ Ibid., 236.

¹⁸⁰ Ibid., 240.

¹⁸¹ Ibid., 140.

¹⁸² Ibid., 141.

¹⁸³ Ibid., 241.

The core of the problem, as before, lies for Simon in the operation of a hidden individualistic premise. Equality in exchange cannot be adequately calculated without the proper “computation of costs of production,” and this cannot be done without a “philosophy of human needs—which implies, of course, a whole philosophy of human destiny.”¹⁸⁴ This cannot be done solely with reference to individual needs, since human beings are not simply individuals, but are always also persons in community. Simon divides human needs into “those which are biologically determined” and “those which are sociologically determined.”¹⁸⁵ The former include such basic needs as food, shelter, and health care, and should be extended to that which is needed to care for dependent children: no small thing, for “it takes a terrific amount of money to prevent children from dying and to bring them up decently.”¹⁸⁶ The latter category comprise that which is necessary to present oneself in society with dignity—Simon gives the example of clean white shirts for office workers, decent apparel overall, and a respectable place of dwelling—but does not include anything rightly defined as a “luxury.”¹⁸⁷ Here, Simon thinks that the democratic revolution has been highly beneficial, for it is no longer thought necessary for “upper-class gentlemen” to pursue “murderous expenses of conspicuous consumption” simply to present themselves in society as gentlemen, while those in lower classes went without basic biological needs and homes suitable to human dignity.¹⁸⁸ Adjudicating the proper bounds of human need, defined thusly, will obviously be a highly controversial and ongoing task, since as Simon admits it requires nothing short of “a whole philosophy of human destiny.” But if the alienation and exploitation

¹⁸⁴ Ibid., 245.

¹⁸⁵ Ibid., 242.

¹⁸⁶ Ibid., 250.

¹⁸⁷ Ibid., 243.

¹⁸⁸ Ibid., 244.

brought about by unjust exchanges are to be ameliorated, this is a task that cannot be set aside, and cannot be left up to the individualistic operation of market forces. Persons in community must deliberate together about what they owe to one another, in order to seek ever more closely to define what the human needs of persons in community are.¹⁸⁹ In recognizing that “human labor is not an item of merchandise” but rather is rightly exchanged only for that which recompenses the human needs of persons in community, Simon expresses the hope that one day soon it will be understood “by the conscience of the just” that its value must fall somewhere between a lower limit, “which cannot be very low” considering the great expense of preventing the death of children and ensuring their proper care, and “an upper limit, which cannot be very high,” since “no aspect of the common good demands that any person should enjoy an income many times greater than his avowable needs.”¹⁹⁰

Simon does not claim to have done more in this section than to “suggest hopeful research,” and points in his conclusion to several “institutions and trends” that “promote equality in exchanges,” “prevent wealth from leaking out of society,” “procure greater accuracy in the estimation of human needs,” and “assure the social use of everyone’s surplus.”¹⁹¹ The institutions and trends he identifies are, he notes, to be distinguished from the simpler state-socialistic solution of nationalizing the economy, such that jobs at fair pay could be provided for all in the state’s “army and in its concentration camps.”¹⁹² That kind of solution would of course mean the destruction of autonomous life, and

¹⁸⁹ A notable recent example along these lines is David Cloutier’s *The Vice of Luxury*, which does not hesitate to draw up dollar amounts that seek to include biological and sociological human needs in the cost of production (Washington, DC: Georgetown University Press, 2015).

¹⁹⁰ *Ibid.*, 250.

¹⁹¹ *Ibid.*, 251.

¹⁹² *Ibid.*, 246.

would ensure that equality has been purchased at the cost of freedom.¹⁹³ Rather, Simon commends such things as labor unions, co-operatives, free philanthropic distribution of surplus wealth, minimum wage laws, social security, and laws that seek to protect the land ownership of small farmers.¹⁹⁴ An economic approach that begins and ends with the free operation of the market will not arrive at such solutions, but an approach that emphasizes authority in the service of the economic common good will tend to do so, particularly insofar as civic authority is rightly understood to go hand in hand with the autonomy and initiative of communities other than the state. Such an approach need not be viewed as at the expense of democratic freedom, so long as the autonomy of smaller non-state communities is kept in mind. If freedom is defined in liberal fashion as the unbounded freedom of the individual, then a zero-sum relationship is unavoidable, since it would clearly be the case that some are not “free” to acquire as much wealth as they might otherwise be able to do. But doing so at the cost of alienating and exploiting other human beings is not worthy of the name of freedom, to Simon’s mind: rather, it is better described as akin to the relationship between a master class and an enslaved class. Here, rightly understood, freedom and equality converge.

3.4. Technology, Formation, and Grace in Democracy

Simon concludes his *Philosophy of Democratic Government* with a chapter comparing “the merits of rural life and those of technological society,” and it may at first glance appear puzzling why he would conclude in this fashion.¹⁹⁵ Yet as we have

¹⁹³ Ibid., 248.

¹⁹⁴ Ibid., 251-3.

¹⁹⁵ Ibid., 261.

followed him to this point, the conclusion should be read as Simon's effort to ascertain whether or not the conditions of modern life are adequate to form democratic citizens in the virtues required for self-government. Simon summarizes the Jeffersonian "traditional belief that small communities of landowning farmers constitute the soundest foundation for democracy" in three propositions: "Rural life favors an ideal of happiness and thereby discourages lust for power," "it gives citizens the best possible chance for training in self-government," and "it favors community feelings."¹⁹⁶ Simon is concerned not simply with the theory of democratic government but with its practice, and so it is fitting that he would conclude with questions such as: If the common good is not simply the aggregate of resources distributable to individuals, but instead consists of goods enjoyed in common in genuine communities, then what are the conditions of life appropriate to fostering authentic community cohesion? If authority cannot be defined away by the expedience of liberal "cab-driver theory," and should not be regarded merely as a check against sin and pride given by supernatural grace, then what are the virtues required for its good operation in civic life? If democratic freedom and equality requires the maintenance and promotion of the basic principles of civic society and common deliberation about what we owe to one another, and indeed cannot avoid the issue of a "whole philosophy of human destiny," then an inquiry into democratic practice must also undertake an inquiry into the civic formation necessary to the virtues that democratic society will require. In his discussion of economic equality, Simon notes that any just estimation of human needs "cannot be effected without the unique light that proceeds

¹⁹⁶ Ibid., 261.

from virtue.”¹⁹⁷ The problem of recognition—e.g., what is actually required for human needs?—will never be addressed well if beset by covetousness, pride, fear, and a lack of generosity. Simon understands politics to be a matter of practical wisdom, which as such cannot be realized without prudence, temperance, fortitude, and justice.¹⁹⁸ For Simon, a just civic order will never be realized apart from citizens formed in the virtue of justice: “There cannot be justice in society,” he writes, “without a minimum of good will in the individuals who make up society.”¹⁹⁹

Viewed as a whole, Simon’s way of addressing these issues can be read as an intriguing confirmation and illustration of his resolve to take up a *philosophical* approach to democratic government, what might be seen as a civic republican vision of democracy rather than a social-contractarian liberal democratic or a restorationist Catholic antidemocratic approach. Over against a liberal approach, Simon believes that democratic citizens must be formed in civic virtue as members of communities that seek to achieve goods in common, and so is led in this final chapter to pay careful attention to the way in which the rise of technological, urban life can act against the formation in civic virtue and community membership that self-government requires. Over against the

¹⁹⁷ Ibid., 242.

¹⁹⁸ Simon’s extended discussion of the theory of moral virtue can be found in the posthumous *The Definition of Moral Virtue* (New York, NY: Fordham University Press, 1986), consisting of transcriptions of class lectures delivered at the University of Chicago. Simon provides a classic, basic Thomist exposition of the interdependence of the virtues, and with respect to the determination of human needs gives the following example: “Suppose you and your child are starving, and you wonder whether you have the right to take some food that belongs to your neighbor. This is essentially a problem of justice, but in order to make the correct decision you clearly also need temperance and fortitude. You do not want to take what is not yours just because you are hungry; but if you delay taking action out of cowardice, your baby might die. Thus in order to make a prudential judgment in such a situation, you need not only a keen sense of justice; you need also temperance and courage. To save your life and the life of your child, you have a moral right to appropriate what belongs to your neighbor. But to make that determination, your prudence needs all the other virtues. And that is the whole story: all moral virtues are knotted together in prudence” (Simon, *Moral Virtue*, 127).

¹⁹⁹ Ibid., 242.

restorationist Catholic approach, Simon thinks that real work can be done in civic democratic theory and practice, apart from the re-establishment of the Church and of political authorities given ecclesial sanction to act as graced channels of God's authority to rule. Yet Simon is not thereby seeking to establish a free-standing table of civic virtue, or an independent philosophical ethics, or a simply rational basis such as natural law upon which all people of good will could move forward together in civic life. In the posthumous book *Practical Knowledge*, Simon argued that a "purely rational moral philosophy is essentially misleading," since it fails to take into account the actual existential state of humankind, which is described by theology and its attention to human sin and divine salvific grace.²⁰⁰ And in another posthumous book, *The Tradition of Natural Law*, Simon cautioned against the "tendency, in teachers and preachers, to assume that natural law decides... incomparably more issues than it is actually able to decide," which actually "call for treatment in terms of prudence."²⁰¹ In the final chapter of *Philosophy of Democratic Government*, these issues remain hidden in the background but nonetheless present, operative insofar as Simon recommends a way of life not only conducive to the acquisition of the table of cardinal moral virtues, but also to attitudes receptive to God's salvific grace. Simon's alternative course, then, to Enlightenment liberalism and restorationist Augustinian Catholicism should not in the final analysis be seen as content to remain at the level of "pure nature"—which Simon believes has never existed as a historical state of humankind²⁰²—but instead as a philosophical civic engagement that gestures toward its own incompleteness: as Simon put elsewhere, a kind

²⁰⁰ Simon, *Practical Knowledge*, 95 (cited by Russell Hittinger, "Introduction," *The Tradition of Natural Law*, xxii).

²⁰¹ Simon, *The Tradition of Natural Law*, 23.

²⁰² Simon, *Practical Knowledge*, 145 (here, following and expositing Aquinas on the state of original innocence and the woundedness of fallen nature).

of “moral philosophy adequately taken, subalternated indeed to theology, but distinct from it.”²⁰³

Simon begins his discussion of technology and formation with remarks on the pursuit of happiness and on the nature of technological society. Human happiness, he writes, has four characteristics: it is found in pursuits that are “in line with human nature” rather than at variance with it (e.g., rather than in eating dirt and burrowing underground, like earthworms); it is “interior to man,” such as health or the enjoyment of being alive, rather than extrinsic goods like a work of art or the accumulation of money or power; it is “enjoyable in peace,” rather than in violent action or pain; and it is “enjoyable in common,” rather than merely enjoyed by the individual.²⁰⁴ Simon’s discussion of technological society draws out several ways in which human happiness, delineated thusly as grounded in the fulfillment of that which is *natural* to humankind as a social animal, can be endangered and impaired precisely insofar as technology obscures our relationship with the natural order. Technology, Simon writes, has “altered our relationship to time,” insofar as it heightens immediate accomplishment and thereby weakens our sense of participation in and dependence upon “the past and future of society and, together with it, the experience of immortal life in society through generation and work.”²⁰⁵ Technology has “increased enormously” “the ratio of the man-made to the natural in the environment of our daily existence,” such that we are apt to lose sight of our actual dependence on the ecological habitat of the natural world. Connected closely with this, technology “threatens to impair the communion of man with universal nature,”

²⁰³ Simon, *Practical Knowledge*, 98.

²⁰⁴ *Ibid.*, 266.

²⁰⁵ *Ibid.*, 275.

instead restricting our encounters with nature to a few tame pets and trees planted along roads. Technology tends to foster an “unlimited confidence in the human planning of physical processes” out of proportion to our actual capability. Finally, technology tends to foster an overconfidence in the capacity of technical wisdom itself, such that it is thought that “rule by experts,” technical administrative processes, and scientific laws can be a substitute for the acquisition of moral virtue.²⁰⁶ Taken as a whole, technology increases human power without doing anything to ensure the wise use of that power, while at the same time it presents the temptation to suppose that *techne* can be a substitute for the virtue and practical wisdom that alone can direct technological power’s use well.

With these remarks as a backdrop, the first proposition Simon takes up is a comparative examination of rural life and modern technological society with respect to “the dedication of man to the pursuit of happiness, as opposed to his being driven by the lust for power.”²⁰⁷ Simon’s central concern here is “the patterns of irresistible power with which technology surrounds human life,” joined to a “mechanistic picture” of the world that “haunts the minds of nearly all in technological society.”²⁰⁸ Possessed of ever-more powerful technological tools, we are tempted to view the use of this power as constrained by nothing natural whatsoever: “in such a demiurgical position,” Simon writes, “man is likely to lose his equilibrium and to erect himself into a sort of cosmic engineer strongly inclined to despise the mystery of human nature.”²⁰⁹ In contrast to this, rural and agricultural life brings one “much closer to untamed nature” (particularly in

²⁰⁶ Ibid., 280.

²⁰⁷ Simon, *Philosophy of Democratic Government*, 261.

²⁰⁸ Ibid., 291.

²⁰⁹ Ibid., 292.

“small-scale farming”), such that “nature constitutes the environment of daily life.”²¹⁰

Simon thinks that such a mode of life is a “good safeguard against the frantic lust for power that technology can stimulate,” as found in “the sentiments of universal reverence, of mystery, of awe and unity, that result from communion with nature in daily life.”²¹¹

Without a significant place for this kind of “family-sized farming,” Simon thinks, society would lack “the quiet ambition to achieve happiness” and be “devastated by unchecked lust for power.”²¹²

It is significant to notice here that Simon has chosen to highlight aspects of rural life that are conducive to that which Aquinas discussed under the heading of the virtue of *religio*, and which Cicero and other ancients referred to as *pietas*: namely, the “sentiments of universal reverence, of mystery, of awe and unity, that result from communion with nature.” For Aquinas, the virtue of religion is a moral or acquired virtue annexed to justice, and can be understood in short compass as that which orders human beings to the natural reverence of God as Creator and Lord of all things, of which pagan philosophers such as Cicero spoke.²¹³ While Simon does not discuss it, according to Aquinas it is quite possible to view natural religion as the rightful attempt of creatures to render honor to their Creator as a matter of justice, even if in practice such attempts are as a rule disordered (see ST II-II 94.1 on idolatry). “It belongs to religion,” says Aquinas,

²¹⁰ Ibid., 295.

²¹¹ Ibid., 295.

²¹² Ibid., 296.

²¹³ ST II-II 81-87. For an important recent discussion of Thomas on the virtue of religion, see Russell Hittinger, “Religion, Human Law, and the Virtue of Religion: The Case of *Dignitatis Humanae*,” *Nova et Vetera* (Vol. 14, No. 1 [2016]): 151–177. I am also dependent upon a dissertation by Jared Staudt: *Religion as a Virtue: Thomas Aquinas on Worship Through Justice, Law and Charity* (Unpublished Ph.D. dissertation, Ave Maria University, 2008).

“to show reverence to one God under one aspect, namely as the first principle of the creation and government of things” (ST II-II 81.3). The “sentiments of universal reverence” that Simon recommends are for Aquinas not unconnected with civic justice, with rendering that which is due to God and to God’s creatures, both other human beings and the rest of the natural order. The “unchecked lust for power” that tempts human beings in technological society is diagnosed by Simon as a failure of reverence for that which was not created by us and cannot be owned by us in an ultimate sense; as a lack of reverent “awe” for that which rightly ought to be loved and enjoyed in its created integrity, rather than lusted after and used. A daily environment filled with artificial, technological tools and structures will tend to tempt us to view the whole of the created world as mere artifice, to be used and bent to our wills in demiurgical fashion. By contrast, the daily “communion with nature” experienced by small farmers, who in the course of their labor recognize often their dependence upon nature and the limits of artifice and technology, will tend to inculcate in them the sentiments of reverence and awe for created goods external to the self that is characteristic of those who possess the virtue of justice. While the virtue of religion is in the Thomist sense a properly natural or acquired characteristic, it is not thereby one that is closed off from God and divine grace. Rather, the virtue of justice is best formed in those who show due reverence to God and to God’s creation, and so are humbly receptive to communion not only with nature but also with nature’s God.

Simon moves from here to a comparison of rural life and technological society with respect to the formation of citizens in the virtues necessary for self-government; in other words, to the “training of citizens in autonomy, as opposed to their being subjected

to the mores of servitude.”²¹⁴ Here, Simon’s verdict is mixed. On the one hand, he views labor unions as providing excellent training in self-government, inasmuch as they engage citizens in the work of ensuring economic justice and of authority in its essential functions, in a way that the small family farm tends not to do given its tendency to maintain paternalistic forms of authority and to give less place to strict justice within the family unit.²¹⁵ On the opposite side of the ledger, Simon is concerned that the “division of labor” enabled by technological advances and industrialization provides poor training in autonomy, such that fewer workers enjoy the wide training, scope for architectonic thinking, and creative initiative of small farmers, and lack the opportunity to gain a genuine *habitus* of excellence in a craft.²¹⁶ Instead, Simon fears that these opportunities will be increasingly restricted to a small number of people, what we might call a minority “creative class,” with a larger number of workers delegated to bit parts. Connected with this is Simon’s concern that the prevalence of big cities in technological society will provide fewer opportunities for self-government, of the kind that Tocqueville admired in New England townships.

We can see in this section Simon’s theory of democratic authority put to work in his concern that working people as a whole are engaged in the labor of self-government, seeking out the common good of small farming or business enterprises as embedded within small communities. Authority in such a community is served best by the autonomy of such working people, as they learn daily how authority in good order is at

²¹⁴ Ibid., 262.

²¹⁵ Ibid., 301-306.

²¹⁶ Ibid., 301-2. Simon does not here show his work, to let us know whether or not he is directly engaging an economist such as Adam Smith on the division of labor. However, we have already seen him criticize the problem of the alienation of workers from their labor, a term typical from Marxist analysis of capitalistic economic orders.

the service of the various particular common goods to which they contribute in meaningful ways.

In his final section, Simon examines how rural life and technological society foster community life and combat individualistic loneliness. Here, Simon's discussion recalls his earlier wartime criticism of the nihilistic temptations that will beset liberal social orders, insofar as a felt lack of a meaningful common good to which one can be dedicated is likely to contribute to vulnerability to destructive and false movements that offer a source of common purpose and social belonging. Material prosperity and individual freedom are insufficient, for "the frustration of the inclination to give causes more disorder than that of the inclination to grasp... the act of dedication, which transcends all need, is, in a way, more needed than any object of need."²¹⁷ In a number of ways, Simon thinks that this need is less readily satisfied in technological society than in rural life. The sheer size and complexity of cities makes it difficult to form relationships with true depth and familiarity. In small-scale agricultural economies, it is likelier to know personally both those for whom one works and those who are beneficiaries of one's labor, making it easier to see the reality of the local common good to which one contributes. So too, the local distinctiveness of *this* bakery or *this* family-run inn tends to be eclipsed by the uniformity that tends to be prevalent in societies that have achieved the economies of scale that technology makes possible, and in a society characterized by mass production and uniformity the distinctive contribution made by any one person is effaced.²¹⁸ In addition, the rapid advance of economic and technological efficiencies

²¹⁷ Ibid., 308.

²¹⁸ Elsewhere in *Philosophy of Democratic Government*, Simon suggests that the increasing prevalence of work conducted in "mere partnerships" rather than as part of genuine co-laboring communities contributes

tends to be accompanied by rapid social change, such that the stable communities and relationships of an earlier era are undercut by the ongoing churn of social fluidity. All of this, Simon writes, tends also to have deleterious effects on family stability, particularly insofar as the family transitions from a site of meaningful economic production to a site for consumption alone.

Viewed as a whole, Simon is not sanguine about the effects of technological society on community cohesion, and he tends to credit arguments that underscore how the conditions of modern life tend to create mere individuals susceptible to “government by the leaders of the mob,” rather than persons in communities exercising responsible self-government.²¹⁹ Yet he does not end the book with a counsel of despair, but rather with proposals for ways in which more people can partake in the virtues of rural life within modern technological society, and a word of encouragement to those in the agrarian movement who seek to “give the family farm a historic and, as it were, transcendent meaning,” sounding notes familiar to readers of the later writer Wendell Berry.²²⁰ “All that is necessary,” Simon writes by way of concluding his book, “is awareness of a link between farm life and the preservation and promotion of things that can never become

significantly to modern malaise: “Mere partnership,” Simon writes, “...does not do anything to put an end to the solitude of the partners. They may be better off as a result of their contract, but their contract will not relieve their lonesomeness. There is not, between them, any communion in an immanent action. It may be that in our time mere partnership plays too great a role in the life of men at work; according to certain criticisms, this would be a major part of the anxiety prevalent in our societies” (Simon, *Philosophy of Democratic Government*, 65).

²¹⁹ Ibid., 316. Simon’s verdict is not entirely negative, for he also credits technology with making it possible to extend our moral conscience to the whole of humanity—a “conscience as large as the world,” he writes—in a way that is difficult when most of one’s awareness is restricted to a highly local area (ibid., 318).

²²⁰ Ibid., 322. Among many writings, see here Wendell Berry’s classic *The Unsettling of America: Culture and Agriculture* (San Francisco: Sierra Club Books, 1977). As we shall see in our conclusion, Charles Pinches makes a similar move in recommending Berry’s work as a resource for those who seek to recover civic virtues.

indifferent to men—communion with universal nature, the conquest of time through everlasting faithfulness, temperance, dignity in poverty, holy leisure, contemplation.”²²¹

Simon’s concluding remarks here are a crucial window onto the significance that he attaches to rural life. As Russell Hittinger suggests, it is helpful here to place Simon alongside his Catholic contemporary, John Courtney Murray, whose 1960 *We Hold These Truths* had a wider influence than Simon’s 1951 book. Hittinger notes that in the book’s thirteenth chapter, “Murray argued that even the metaphysical premises of natural law are amenable to the contemporary mind,” such that a workable consensus might be reached on the basic principles of a just social order even without the wider agreement on their transcendent source in God that a Catholic theorist would be able to articulate.²²²

Murray’s chapter on “the eternal return of the natural law” can be read in large part as an intellectual argument that natural law doctrine is a surer foundation for the rule of law and the rights enumerated in the U.S. Constitution than Lockean social-contract liberalism.²²³ Simon concludes his book rather differently: with a recommendation of small-scale farming. The difference, Hittinger suggests, may be found in Simon’s relative emphasis on the role of inclination rather than cognition in grasping truths of natural law, and in his relative emphasis on the role that prudence and tradition will inevitably play in the specification of moral principles in divergent historical circumstances. As Hittinger writes: “Simon argues that the root and nerve of natural law—the source that makes theories about it possible—is reached not by a philosophical

²²¹ Ibid., 322.

²²² Russell Hittinger, “Introduction” in Yves Simon, *The Tradition of Natural Law* (New York: Fordham University Press, 1992), xxxii n. 10.

²²³ John Courtney Murray, *We Hold These Truths* (New York: Sheed and Ward, 2005), 267-300.

mode of cognition, but by a connatural grasp of the good via inclination.”²²⁴ As such, Simon’s decision to conclude his discussion of democratic authority with a commendation of rural life is a logical move, albeit puzzling on its surface. Simon did not deny that “natural law is inescapably theoretical and properly philosophical,” but thought that in the wake of the modern “breakdown in tradition” within which its premises had normally been transmitted—as Hittinger glosses it, the “pre-theoretical bases for moral consensus” that “owe more to affective sources of order and common striving than to philosophy”—it is not likely that cognitively-grounded arguments for natural law principles will be sufficient to serve as a basis for a just and democratic political order.²²⁵ So too, Simon reminds his readers that “law is a premise rather than a conclusion,” and cannot anticipate the many contingencies that can only be approached by the good operation of practical wisdom.²²⁶ In *Practical Knowledge*, Simon writes that “the practical judgment, in order to be true and certain, ought to proceed not by logical connection with axioms (such a connection is impossible in contingent matters), but by way of virtuous inclination. This judgment is an act of knowledge through affective connaturality.”²²⁷ As such, while John Courtney Murray spent considerable space in *We Hold These Truths* discussing natural law, Simon omitted the subject almost entirely from his *Philosophy of Democratic Government*, and instead compared the formative influences of small farming and modern technology. Simon’s approach placed the question of authority and common goods first, and so sought to articulate how rightly

²²⁴ Hittinger, “Introduction,” xxi.

²²⁵ Ibid., xxi, xxiv; on the “breakdown of tradition,” Hittinger cites Simon, *Practical Knowledge*, 95.

²²⁶ Hittinger, “Introduction,” xxv.

²²⁷ Simon, *Practical Knowledge*, 20; cited in Hittinger, xxviii.

constituted authorities and genuine communities form citizens in the practical wisdom they need to make just decisions in the concrete circumstances of their common life.

As we have already indicated with reference to Simon's discussion of the pursuit of happiness and the lust for power, the virtues, goods, and practices he recommends are notably not restricted to the cardinal table and to that which can be naturally acquired, but pointedly include other items such as "communion with universal nature, the conquest of time through everlasting faithfulness, temperance, dignity in poverty, holy leisure, contemplation."²²⁸ Simon could have restricted his discussion of the rural life to the training it provides in the practice of civic justice and self-government, but turns here in an intriguing concluding sentence to commend its openness to that which is not acquired but received, to that which is given. Simon has already connected communion with nature to "sentiments of universal reverence," "mystery," and "awe" that can be associated with a religious attitude of reverent respect and gratitude for the created order and its transcendent source. "Everlasting faithfulness" in the face of time can be understood as a posture that receives time as a gift, not seeking to master it but instead faithfully to contribute our small part to work that takes its place within the generations that came before us and those that will come after. Temperance as the virtue that rightly orders our affections in their attachment to created goods frees us from distractions and immoderate fixation on corporal pleasures, such that we are free to act with prudence and contemplate that which is true, good, and beautiful. In poverty, we are enabled to recognize and receive the rich blessings of grace that God bestows upon us, trusting in

²²⁸ Ibid., 322.

God's benevolent provision and humbly placing ourselves within God's care.²²⁹ In holy leisure, we are freed to contemplate that which is eternal, beyond the politics and labor of the *civitas*, given and not acquired.

As we have noted before, Simon thought that a "purely rational moral philosophy is essentially misleading," since such a philosophy failed to take into account the existential state of humankind: both as fallen and therefore subject to the wounds of nature inflicted by sin, and as saved and called by divine grace to an end that transcends the merely natural.²³⁰ Following Aquinas, Simon understood that the "state of original innocence is defined by two systems of gifts, the supernatural and preternatural," by which humanity was enabled to know and love God as God's friends and to be protected from the dangers to which fragile human flesh is naturally subject.²³¹ Our fall into a state of sin entailed a loss of these gifts, such that we suffer from "disquieting propensities and the incapacities that would not have existed if man had been created in the state of pure nature," as well as the "material consequences" of becoming subject to injury, illness, toil, error, vice, and death. Viewed in this way, God did not create human nature in a "purely natural" state, but rather capacitated human nature to be given gifts to enable us to live as God's friends. Any attempt to do moral or political philosophy without an awareness of these realities could not be up to the task of answering to humanity's existential state, for while God did create nature to be distinct from the gift of grace, God did not create nature to be independent of the gift of grace: any understanding of human

²²⁹ See here Christopher Franks, *He Became Poor: The Poverty of Christ and Aquinas's Economic Teachings* (Grand Rapids, MI: Eerdmans, 2009).

²³⁰ *Ibid.*, 95.

²³¹ *Ibid.*, 145.

nature must be joined to an understanding of nature's wounds, and of nature's higher calling by God's grace.²³²

Such reflections lead Simon to a careful and subtle discussion of the relationship between moral philosophy and theology, and the impact that theology ought to have on philosophical ethics. In *Practical Knowledge*, Simon commends "the spirit of poverty" as that which is vital for an authentically Christian form of humanism, as that which prevents us "from attachment to things inferior" and "the freedom of man from the weight of man's creations."²³³ We should recognize this recommendation as analogous to that with which Simon closes his *Philosophy of Democratic Government*. "Once the inadequacy of a purely natural ethics is recognized," Simon wrote, "we must choose between two conclusions: one is that there is no adequate moral philosophy; the other, that moral philosophy, which, if left alone, is inadequate, should be made adequate by some sort of union with theology."²³⁴ Simon, following his teacher Maritain, takes the latter route, writing that "to be taken adequately, moral philosophy must receive some principles from theology." Yet receiving these principles does not to Simon's mind mean that moral philosophy has no contribution to make: "the study of ethics and of politics," he writes, "shows that many issues that cannot be treated without appeal to revealed truth have not, in fact, been studied, or have not been studied well, by theologians." This prompts the question, Simon thinks, whether "the domain of ethics comprises questions that do not admit of treatment by theological methods but demand to be treated philosophically, even though moral philosophy, in order to be adequate to these subjects,

²³² Ibid., 94-5.

²³³ Simon, *Practical Knowledge*, 155.

²³⁴ Ibid., 95.

may have to subalternate itself to theology.”²³⁵ Simon’s recommendation of the “spirit of poverty,” both in humanistic education and in the rural life with respect to political ethics, is a signal that he has attempted to undertake a philosophical approach to political ethics while at the same time “receiving principles” from theology, in awareness that a “purely natural” political philosophy will be inadequate to humankind’s existential state in sin and grace.

As our first two chapters helped us to see, Simon’s approach was carried out in distinction from both a “purely natural” Enlightenment liberal approach and also from what might be called a “purely supernatural” restorationist Augustinian approach. In distinction from the latter approach, Simon as a philosopher and member of the Committee on Social Thought at the University of Chicago was able to draw upon Aristotle, Aquinas, and the Thomist tradition to formulate a criticism of social-contractarian liberalism, as well as a theory of authority and the common good that served as a basis for his philosophy of democratic government. Simon’s political philosophy, as an exercise in what he called “moral philosophy adequately taken,” was able to be posed in such a way that a great deal of common ground could be found between Christians and non-Christians who together seek the common good of the *civitas*. Political authority did not need to be understood as necessarily graced and ecclesially sanctioned in order to be good, since it is part of what is required for human beings as social animals to seek after goods in common: essential to human nature in good order, and not necessarily bound up with God’s saving mission to rescue humankind from its bondage to sin. Yet at the same time, Simon did not seek to craft a

²³⁵ Ibid., 96.

political philosophy that operates as if humankind were not fallen into sin and given divine grace. In his discussion of democratic freedom in its relation to the maintenance and promotion of fundamental political principles, Simon gestured toward the desirability of a benignly established church with the tolerant authority of a witness. In his recommendation of the rural life, he pointed towards a way of life that is reverent and contemplative in nature, filled with awe and gratitude for the sources of life on which we depend and receptive to the gifts bestowed by God our creator. Though subtle and gentle in presentation, Simon should be read here as presenting a political philosophy that knew itself to be incomplete in nature, receptive to being shaped by revealed knowledge about humanity's existential state in sin and grace.

In political theory and practice, following Thomas, Simon thought that “matters of justice will supply a large field of complete agreement between Christians and non-Christians,” due to the possibility of “the settlement of issues by the *medium rei*,” with reference to equality in the things that are exchanged.²³⁶ We saw this in operation with respect to Simon's discussion of the just price and equality in exchange, although even there Simon acknowledged that an adequate formulation of the just price requires a calculation of human needs that opens up onto an “entire philosophy of human destiny.” Yet at the same time, Simon wrote, “when the question of the collaboration of believers and unbelievers in the temporal city arises, difficulties should not be underrated; nor can it be denied that some divergences admit of no solution, except those of good will, friendship, and toleration.”²³⁷ Simon mentions marriage in particular as an example of a situation in which nothing but “political prudence” as guided by tolerant goodwill and

²³⁶ Ibid., 94.

²³⁷ Ibid., 94.

friendship can “find a means of sanctioning the full dignity of Christian marriage without imposing upon non-Christians—upon people living in the order of simple natural law—difficulties that would be neither intelligible nor manageable.” In Simon’s democratic *civitas*, non-liberal yet zealous of liberty, witnessing to truth rather than imposing it, governed by authorities charged with guarding equality, local autonomy, and liberty from authoritarian caprice and the encroachment of government for the sake of private goods, the way to live together amidst serious differences as to the final destiny of humanity is neither imposing a unitary moral and religious code upon all nor abolishing civil common goods in favor of a multitude of lonely individuals seeking after private satisfactions. Rather, it is civic friendship and tolerance, political prudence, and the formation of people of virtue. For this, Simon thinks there is no substitute.²³⁸

5. Conclusion

Viewed as a whole, we have seen in Simon’s mature work a Thomist argument that began with the nature of the common good as that which is enjoyed and shared in the common life of a genuine community, and showed that authority rightly understood is a correlative concept, as that which is needed for a community to pursue and enjoy common goods. Neither liberal “cab-driver” theory nor restorationist Augustinian “divine-right” theory are capable of giving an account of what it means to pursue civic common goods, being from one side or another a species of the “practical atheism” with respect to civic life that Simon decried in *The Road to Vichy*. Insofar as both fail as accounts of civic authority, they also fail as accounts of the civic common good. And the

²³⁸ See here in particular the first chapter of Simon’s *The Definition of Moral Virtue*, in which he surveys several “modern substitutes” for virtue and finds them all wanting (1-16).

Thomist account of the civic common good and authority that Simon articulates is not incompatible, as he goes on to show, with democratic liberty and equality but in fact give them surer support than the rivals of Enlightenment liberalism and restorationist Augustinianism. As a good Thomist, Simon is capable of learning “practical things” from the modern democratic tradition and synthesizing them in productive ways with a Thomist account of civic authority and the common good. Finally, such an account leads naturally to considerations of formation in civic virtue, and is well-equipped to do so, again better than its twin rivals. Such considerations, which in Simon take the form primarily of reflection on the relative merits and demerits of technology and the rural life, are capable of being deliberated upon between Christians and non-Christians, but are also at the same time inherently open to the further healing power of God’s grace. Christian theologians can pursue such a civic exercise in “moral philosophy adequately taken” alongside their non-Christian neighbors, up to a point; and then go further insofar as they also receive principles from theology that inform and extend such a project.

In this chapter, we have presented the mature political philosophy of Yves Simon as an exercise in “moral philosophy adequately taken” that navigates between what he saw as the twin errors of Enlightenment liberalism and restorationist Augustinian Catholicism to provide a surer foundation for postwar democratic freedom than either of those two flawed options. Beginning with the question of authority and common goods, he proceeded to draw on both the Thomist Catholic and the modern democratic traditions to present a theory of democratic government that sought to be responsive to and appreciative of the aspirations for political liberty and equality embodied in modern democratic revolutions while also finding in the Thomist tradition a firmer footing for

them than Enlightenment liberalism was able to provide. Simon showed that rightly understood, authority and the common good are correlative concepts, such that one cannot have one without the other; and that the same is true for authority and liberty, authority and autonomy, and autonomy and hierarchy. By providing an extended critique of liberal “cab-driver” theory, which dissolved civic authority from below; and also a critique of “divine-right” theories of authority associated with restorationist Augustinianism, which dissolved civic authority from above, Simon positioned his “old traditional” Thomist articulation of civic authority as one for which democratic authority was not a contradiction in terms (from one side or the other), helping his readers to see that Catholic commitment to political authority under God is not an enemy of but in fact a friend to civic democratic freedoms. The “practical atheism” opposed by the “very definite teaching of the Church on political authority” was not meant as an argument for the restoration of Catholic monarchies, but instead as a defense of the social nature of humanity as created by God. Simon’s careful work can be read as an extended response to “the bad name of authority”²³⁹ in many circles, which he shows often depends on an insufficiently careful conflation of the good operation of authority with authoritarian abuses of power. Coupled with Simon’s principled and passionate opposition to authoritarian politics, as we examined in chapter two, Simon’s position represents a significant argument that traditional Catholic commitment to authority and the common good is not an enemy but a friend of civic democracy, liberty, and equality. We moreover saw that Simon’s approach was philosophical and civic, but not narrowly so, seeking not to create an independent basis in natural law or reason for political ethics but

²³⁹ Simon, *A General Theory of Authority*, 13-22 (his first chapter is simply titled “The Bad Name of Authority”).

instead to gesture toward its own incompleteness, reaching out to revelation and divine grace to supply that which is lacking in a mere *philosophy* of democratic government.

We must turn now to our original question: What contribution can Simon's work make to the ongoing conversation of contemporary theological ethics? As D. Stephen Long recounts, a great deal of that conversation in recent years has been between what he calls "neo-Augustinian" and "ecclesial" ethicists, with the former seeking to apply certain Augustinian insights to guide Christian disciples living in liberal political orders, and the latter often seeking to apply other Augustinian insights to the distinctive polity of the Christian church. Philip Turner's observation that the historic question of the "nature and basis of political authority" has largely gone unasked and unanswered in contemporary theological conversation is one that is confirmed by Long's overview. Yves Simon's work as such comes from what appears to be on the one hand a significantly different angle than much of contemporary theological ethics, but on the other hand in meaningful continuity with a historic tradition that has been largely bypassed. An attempt to recover it is at once an attempt to show the generativity and usefulness of the "old tradition" of Christian political ethics for modern democratic institutions, in partial response to Jeffery Stout's concern that this tradition must be made more democratic if it is to be of contemporary use, and also a judgment that the Augustinian insights that have dominated recent theological discussion can be usefully moved forward by Thomist insights, particularly with respect to the relationship between nature and grace. Simon's mature work, as we have examined it in this chapter, can be read as providing an extended response to the concerns of a figure such as Jeffrey Stout, who tends to view orthodox Christian tradition's commitments to authority and some form of ecclesial hierarchy as

antithetical to a self-reliant democratic piety, and to democratic liberty and equality. For Simon, such concerns are misplaced, and reflect a conflation of concerns about authoritarianism and political despotism with authority rightly understood.

In what follows, we will provide what can only be a suggestive outline of how Simon's work contributes to this discussion. D. Stephen Long's *Augustinian and Ecclesial Christian Ethics* will be our principal guide, but we will also draw upon other recent work in the Thomist tradition that demonstrates how Simon's insights are already contributing in fruitful ways to contemporary work, responding to concerns and following out suggestions from significant figures such as Jennifer Herdt and Jeffrey Stout. As we hope to indicate, Simon is a figure who can help the conversation between what Long calls the Augustinian and ecclesial schools of theological ethics to move along, precisely by coming at similar questions from what we have been calling a Thomist "old traditional" perspective. Here, we will commend in particular John Bowlin's *Tolerance Among the Virtues* and Thomas Bushlack's *Politics for a Pilgrim Church*, as two significant recent works with a position similar to Simon's that make helpful interventions in present-day discussion. Such work, we will suggest, helps to show that Simon's Thomist "old traditional" approach can help contemporary theological ethics move forward in the task D. Stephen Long assigns to it: to identify "those places of longing, of goodness, beauty, and truth that constitute the wealth of nations and find a place for them," while at the same time lifting up the unique and distinct community of the *ecclesia* as a form of Christ's body given the means of God's saving grace.²⁴⁰ As we shall see, Long argues that theological ethics should move forward by pursuing the

²⁴⁰ D. Stephen Long, *Augustinian and Ecclesial Christian Ethics: On Loving Enemies* (Lanham, MD: Lexington/Fortress Academic, 2018), 278.

ecclesial and civic national projects simultaneously, and we shall conclude by suggesting that Simon's Thomist approach gives us resources to do so.

Conclusion

In this dissertation's introduction, we presented Yves Simon as something of an unjustly neglected figure, and suggested that a careful examination and recovery of his work can make a helpful contribution to contemporary theological ethics' ongoing conversation about politics. Now in our conclusion, it has come time to assess what that contribution might be. As a guide to the contours of contemporary discussion (at least, limited largely to the Anglophone sphere of scholarship), there is possibly no more comprehensive guide than D. Stephen Long's recent overview *Augustinian and Ecclesial Ethics*, which seeks to engage with the high points of much of the last seventy-five years of scholarship, characterizing much of it as an argument between two schools of thought: the "Augustinian" or "neo-Augustinian" (indebted to Reinhold Niebuhr), and the "ecclesial" (indebted to John Howard Yoder and Stanley Hauerwas). As such, we will depend largely upon Long's overview of the field, seeking to suggest in brief outline how Simon's work can help resolve certain persistent questions and points of debate, in large part by virtue of coming at them from a different approach than either of the two dominant schools. Simon's work, I hope to suggest, provides a compelling response to concerns articulated by Jeffrey Stout about the perceived incompatibility between orthodox Christian tradition and modern democratic aspirations, and does so in a way that follows out more recent guidance by Jennifer Herdt and D. Stephen Long. Simon's "old traditional" Thomist approach, I will suggest, provides an account of civic life and virtue that helps us to pursue the ecclesial and national projects simultaneously, as well as an account of civic democracy from within the orthodox Christian tradition that displays their complementary rather than conflictual relationship. Moreover, Simon's work helps

resolve certain questions that have been points of contention or discussion between the Augustinian and ecclesial schools, particularly the role of violence, epistemic humility, and tolerance. Finally, it helpfully follows in the wake of recent work by Thomas Bushlack, who has pointed specifically to the fruitfulness of the Thomist “old tradition” of preconiliar Catholic social teaching for contemporary theological ethics, particularly its conception of the common good. In conclusion, we will reflect briefly on the implications of this project for the practical life of Christian communities.

Simon’s approach, as we have seen, is Thomist. By contrast, Long characterizes both “Augustinian” and “ecclesial” approaches as in fact Augustinian at bottom, emphasizing different aspects of the Augustinian tradition.¹ What he labels the “Augustinian” approach might rather be called “agapist,” insofar as it focuses on the Christian call to love our neighbors, even our enemies, in a fallen world marred by violence and sin.² It lifts up the Augustine who criticized “the ancient politics of perfection,” insisting rather on the pervasiveness and ineradicability of sin this side of the eschaton, and so views politics primarily as an imperfect means by which to love our neighbors by restraining evil and violence, at times necessarily with the sword.³ The ecclesial approach by contrast lifts up the Augustine of the doctrine of the two cities, the city of man characterized by self-love and the city of God characterized by love of God and identified with the church. For this approach, politics primarily focuses on the unique polity of the church, which “participates in the perfection of Christ’s work in a way that no other human institution does,” in contrast to the Johannine “world” that

¹ Long, *Augustinian and Ecclesial Christian Ethics*, xix.

² *Ibid.*, xxiii.

³ *Ibid.*, xxiii.

resists Christ's peace and is marred by the rivalrous violence that accompanies the love of self before God.⁴ The ancient politics of perfection is recovered, but now primarily situated in the *ecclesia* insofar as she participates in Christ's perfection by grace, rather than in Aristotle's *polis*. The two schools, Long writes, as set side-by-side seem to present us with a question: "Is ethics an ecclesial or national project? Must we choose between them?"⁵

As we summarized in our introduction, Long presents the two schools as ripe for moving on from decades-old debates between adherents of Niebuhr and Yoder. The "neo-Augustinians," such as Eric Gregory and Charles Mathewes, have sought to respond to ecclesial critics by recovering "an unapologetically *theological* approach to Christian ethics that draws from distinctly Christian teachings."⁶ Many of them have done so in concord with Jeffrey Stout's exhortation that Christian ethicists "take up a civic national project," and share his concern that the ecclesial emphasis necessarily comes at such a project's expense.⁷ Yet Long suggests that the ecclesial and national projects need not be viewed as mutually exclusive options, when rightly understood. Long concedes that "the ecclesial approach has been insufficiently attentive to a national politics," and that Stout's criticism as such was salutary.⁸ There is a need to fill out this gap with a "theology of the nations," articulating their good as "dethroned authorities" with "glory and honor" to bring to the "city set on the hill."⁹ Yet at the same time, as a representative of the ecclesial approach, Long thinks that this "should be accomplished without abandoning

⁴ Ibid., 155; see also xxi-xx.

⁵ Ibid., 156.

⁶ Ibid., xviii.

⁷ Ibid., xvi.

⁸ Ibid., 274.

⁹ Ibid., xviii, 276.

the important ecclesial project that the neoAnabaptists brought to Christian ethics.”¹⁰

This project cannot be abandoned insofar as it is maintained that “unlike all other social, cultural, or natural formations the church is one of the threefold forms of the body of Christ,” wherein the means of saving grace in “Word and Sacrament” are a unique site for God’s inbreaking visitation of God’s people.¹¹ Those who hold this view of the church can move forward in conversation with neo-Augustinians on theological grounds, by working to take up the “national project” recommended by Stout while refusing to dissolve the ecclesial project into it.¹²

1. Moving the conversation forward: Responding to Herdt and Stout

How then can a Thomist approach, such as Simon’s, contribute to moving this conversation forward? Clearly, any satisfactory attempt to take up Long’s suggestion that the ecclesial and national projects both be pursued will require an ability to see them as relating to one another in complementary rather than zero-sum fashion. At bottom, Long writes, many of the numerous criticisms that he recounts as leveled by Augustinians over against the ecclesial school can be viewed as generated by two overarching critiques: Ecclesial ethicists, they charge, “have an inadequate doctrine of creation, and lack a sense of solidarity with all humanity”; and so they “deny goodness in the social world and lack any acknowledgement of beauty in creation or truth shared in common with those outside the church.”¹³ In an intriguing section of the book, Long discusses Jennifer Herdt’s retrieval of the “pagan or acquired virtues,” motivated in large part by

¹⁰ Ibid., xviii.

¹¹ Ibid., 154-5.

¹² Ibid., 275.

¹³ Ibid., 80.

her view that “if Stout is to convince those who take an ecclesial approach to join in the work of civic liberalism, then shared, acquired, secular virtues are essential.”¹⁴ “The status of pagan virtue is key to [Stout’s] enterprise,” Herdt writes, for “only if Christians accept that secular piety is true, if imperfect, piety can they perceive believers and nonbelievers as embarked on a common social enterprise.”¹⁵ But any Augustinian approach will struggle to do this, insofar as Augustine regards secular, pagan virtue as mere “splendid vice,” a parodic semblance that inevitably has the rivalrous violence of the city of man as its *telos*, the glory sought by the gladiator in the arena or the warrior in the battlefield that comes along with defeating and subjugating other persons and nations.¹⁶ Therefore Herdt recommends Aquinas, since his more complex account of the virtues enables Christians and non-Christians to find common civic ground. Rather than a binary account within which the true virtues of the city of God are opposed to the splendid vices of the city of man, Aquinas offers a threefold account in which the virtues of the earthly city are genuine virtues, albeit “imperfect” insofar as they are not “directed to our true end in God” but simply to the good of the earthly city.¹⁷ The earthly city as such is not characterized by the love of self to the exclusion of the love of God, but rather by the love and pursuit of “true goods that are open to further ordering to our final end of enjoyment of God.”¹⁸ As Long suggests, such a position “makes possible a

¹⁴ Ibid., 67.

¹⁵ Herdt, *Putting on Virtue*, v. Cited in Long, 67.

¹⁶ I say only that any Augustinian approach will *struggle* to do this, not that it is impossible. As Long notes, Herdt “defends [Augustine] against a possible interpretation that all secular virtue is nothing but splendid vices,” and places the blame rather in what she calls “hyper-Augustinianism.” Nevertheless, it is clearly a trajectory and a legacy of Augustinian thought, and so as we shall see, Herdt does not focus on rehabilitating Augustine but rather recommends moving forward with Aquinas (Long, *Augustinian and Ecclesial Ethics*, 68-9).

¹⁷ Long, *Augustinian and Ecclesial Ethics*, 70.

¹⁸ Herdt, *Putting on Virtue*, 74; cited in Long, *Augustinian and Ecclesial Ethics*, 70.

rapprochement between Hauerwas's emphasis on ecclesiology and Stout's on the civic nation."¹⁹ Herdt's Thomist "commingling of natural and theological virtues does not reject the ecclesial approach, but opens it to a national one."²⁰ Insofar as the ecclesial approach does not adequately "acknowledge natural virtues shared in common," a Thomist construal of the virtues can open the door to just such an acknowledgement. And insofar as "civic liberalism only makes space for natural virtues, tacitly naturalizing the supernatural," such a Thomist approach opens it up for a richer theological engagement than it otherwise has had. Long commends Herdt's work as offering "prudent counsel for those who would continue with the ecclesial approach and acknowledge that our ordinary life assumes, nourishes, and cherishes the natural virtues among people in and outside the church."²¹ In short, her Thomist approach allows for the simultaneous pursuit of the ecclesial and national projects, as Long recommends.

If this is true at a general level, more remains to be said with respect to how a Thomist approach can help respond to the concerns raised by Jeffrey Stout in his influential book *Democracy and Tradition* about the apparent incompatibility between orthodox Christian tradition and modern democratic politics. As Long recounts, Jeffrey Stout offers as an alternative to orthodox Christian tradition a democratic tradition read through the lens of Whitman, Emerson, Baldwin, and Rorty, exemplified by a self-reliant democratic piety that refuses "deference to the hierarchical powers that be," a "self-consciously democratic alternative to the implicitly antidemocratic forms of traditionalism now gaining influence in many religious communities" influenced by what

¹⁹ Long, *Augustinian and Ecclesial Ethics*, 70.

²⁰ *Ibid.*, 71ff.

²¹ *Ibid.*, 72.

he calls the “new traditionalists” of ecclesial ethics.²² Stout presents this democratic tradition as an attractive alternative to orthodox Christian tradition, insofar as it forms a better basis for democratic progress. Christian tradition, Stout fears, too often inculcates a kind of “deference” or “docility” toward authority and the hierarchical powers that be, rather than the kind of “self-reliant judgment” of the individual who thinks for him or herself, which Stout thinks better befits the democratic citizen.²³ Yet for Long, Stout’s account of self-reliant democratic piety, in its refusal to consider that the “sources of our existence and progress through life” are hierarchically ordered powers, is “hard to square” with a Christian piety focused on “any remotely traditional conception of the perfectly simple Triune God.”²⁴ Moreover, Stout’s concern that the Christian tradition is “implicitly antidemocratic,” at least in its orthodox form, replicates Long’s concern from the other side. It may appear that the democratic tradition and the Christian tradition are ineliminably at odds with one another, at least unless the Christian tradition is opened up to become more “democratic” and less “hierarchical,” less deferent to authority. This however is hard to envision for anyone who shares Long’s basic theological concern—namely, that this is “hard to square” with a tradition that worships the Triune God and confesses Christ as Lord—which easily can be extended to difficulty squaring with basic Christian claims about the authority of Scripture, of dogma, and of ecclesial hierarchy in the apostolic succession.²⁵ More particularly, it is hard to square with traditional Catholic

²² Stout, *Democracy and Tradition*, 37, 57; cited in Long, 189.

²³ Stout, *Democracy and Tradition*, 37-38. Cited as part of an incisive discussion by Charles Pinches, “Stout, Hauerwas, and the Body of America,” *Political Theology* 8.1 (2007), 17.

²⁴ Long, *Augustinian and Ecclesial Ethics*, 189.

²⁵ As a priest in the Episcopal Church, I was required to answer affirmatively to these questions at my ordination: “Will you be loyal to the doctrine, discipline, and worship of Christ as this Church has received them? And will you, in accordance with the canons of this Church, obey your bishop and other ministers who may have authority over you and your work?” (*The Book of Common Prayer*, 526).

claims about the necessity of civic authority, as we surveyed in our first chapter. The question then can be put in the words of Stanley Hauerwas: “Can democracy be Christian?”²⁶

In response then to both Herdt and Stout, the work of Yves Simon presents us with a way forward that is helpful on several different counts. As an avowed Thomist, Simon worked throughout his career with a clear and articulate sense that the civic common good is one that is in principle shared between Christians and non-Christians alike, genuine if imperfect, such that those who pursue it can acquire civic virtues that will in many respects be shared across religious difference. He rejected the restorationist Augustinian view that civic authority ought to be fused with the graced authority of the Church, uniting throne and altar, inasmuch as authority is viewed primarily as a check against sin and vice. His *Philosophy of Democratic Government* articulated nothing that could not be taken up by non-Christian colleagues at the University of Chicago, and he presented it not as a blueprint for a Catholic country but rather for wide readership in the highly diverse United States, his new home. Yet at the same time, as we have seen, Simon did not intend to offer his political thought as a stand-alone civic and natural project, but instead as an exercise in “moral philosophy adequately taken,” within which the ordering of nature to grace, philosophy to theology, is articulated and displayed. The one-dimensional Erasmian humanism that may be taken as a possible trajectory²⁷ from a

²⁶ Stanley Hauerwas, “Can Democracy Be Christian? Reflections on How (Not) to be a Political Theologian,” *ABC Religion and Ethics* (June 2014). <<https://www.abc.net.au/religion/can-democracy-be-christian-reflections-on-how-not-to-be-a-politi/10099212>> (Accessed May 6, 2019). Also published in slightly revised form in *The Work of Theology* (Grand Rapids, MI: Eerdmans, 2015), 170-190.

²⁷Jennifer Herdt’s discussion of Erasmus in *Putting on Virtue* indicates the possibility of such a trajectory, with which it appears she has some sympathy. Yet it may be viewed (in Augustinian and Lutheran fashion) as problematic that, as she notes, “Erasmus accepts a seed of virtue remaining in human nature even after the Fall that itself must be acknowledged as general grace,” and that “through this seed of virtue we are

recovery of the pagan virtues is not a necessary trajectory for those who would follow Simon, in his clear awareness that “pure nature” cannot form an independent, non-theological basis for political ethics. Simon’s national project was one that displayed, albeit subtly and quietly, not only the distinct good of the civic nation but also its dependence upon the *ecclesia*, insofar as the virtues that are needed to sustain a just and free democratic *res publica* will not be readily and easily acquired apart from God’s saving grace given the wounds of nature in humanity’s fallen state. While Simon himself as a philosopher focused on what Long might call the “national project,” he did so with awareness of and sensitivity to the need for such a project to be only part of a larger whole within which the ecclesial, theological project was included.

Moreover, as we have followed out the suggestive interpretation of Alasdair MacIntyre, Simon can be read in response to Stout as an example of a thinker immersed in the orthodox Catholic tradition as well as the modern democratic tradition, who was able to produce both a body of work and a legacy of political engagement that learned from and gave support to the aspirations for liberty, equality, and fraternity in modern democratic movements. Simon did so without needing to render Catholic tradition “more democratic” or less “hierarchical,” but instead reached into the storehouse of the Thomist tradition, guided by Leo XIII, to show how democracy can be understood as a form of political authority in service of the civic common good rather than as an individualist rejection of civic authority. Simon’s criticism of political liberalism, while indeed a

capable of responding to the driving grace of God,” insofar as the emphasis for a common civic politics would then fall on an aspect of human nature that is not in need of God’s saving grace: a moral philosophy that has no ultimate need of the hypothesis of theology, as it were (Herdt, *Putting on Grace*, 378 n. 43; see 101-127 for her discussion of Erasmus). Simon’s Thomism need not go in that direction, insofar as with Thomas it recognizes the goodness of imperfect virtues without supposing that they are not also in need of God’s healing grace for their best operation.

profound root-and-branch critique, was joined with a highly articulate appreciation for the goods of liberty and the “march to liberation” from authoritarianism, and so can contribute to answering Stout’s concern²⁸ that traditionalist Christian critiques of liberalism may unintentionally give aid and comfort to oppressive enemies of political liberty. Simon was as aware as anyone could be of those dangers, and as we saw from his letters with Maritain, resolved to have no part in the kind of Catholic critique of liberalism that played into the hands of authoritarianism. Simon’s careful and detailed arguments for the compatibility of authority and liberty, and authority and autonomy—particularly when coupled with his forceful engagements on behalf of democratic freedom and equality, over against the authoritarian temptations that swayed too many of his Catholic colleagues, and against the political and economic liberalism that he thought paid insufficient attention to the common good and democratic equality—together provide a response to a concern such as Stout’s that democratic piety must define itself in Whitmanian fashion over against authority and hierarchy. Stout’s concerns about undue deference to authority do not reflect the kind of careful thinking about the nature of authority that Simon undertook, and are arguably insufficiently distinguished from the kinds of concerns about authoritarianism that Simon took pains to address.²⁹ Moreover,

²⁸ Stout, *Democracy and Tradition*, 296; cited in Long, *Augustinian and Ecclesial Ethics*, 188.

²⁹ As Charles Pinches argues: “Stout falls into conventional assumptions all about power and subservience and authoritarianism to explain why someone might think piety, *dulia*, obedience, disobedience and thankfulness (to list the five questions that fill the gap between piety and gratitude in the *Summa*) matter within a community. Surely it is possible for some corrupt “hierarchical power” to try to make “piety” matter so that he can make his minions serve his every whim. But that is not how piety works in Confucius nor in Aquinas nor, for that matter, within any vital religious tradition. Rather, such relations, and the “deference” shown within them, matter because they sustain the rich, varied and specific moral landscape in which the subtleties of human relations of various sorts can be worked through... Stout seems to imagine throughout this section that the authority relations he associates with a former piety—the one he wants to distinguish from the “reconceived” and “self-reliant” democratic piety—are all of one sort: they require a kind of monotone subservience or deference. But this is simply a mistake about this other piety; and,

they provide a strong line of argument taken from the Thomist tradition that Stout's formulation of the democratic tradition will have difficulty in sustaining commitment to the civic common good and forming persons in the virtues necessary for it: the rejection of civic authority as such, to Simon's mind, will also be a rejection of the common civic good. Simon's work displays genuine attentiveness to and appreciative learning from the modern democratic tradition, and so provides an account that enriches the Catholic tradition with practical wisdom about democratic practice, and re-directs it away from restorationist Augustinian formulations of authority that were indeed inhospitable to the aspirations of modern democratic movements in the way Stout feared was characteristic of the Catholic tradition as a whole. If we take Simon's project as fruitful, we do not need to view the Catholic and democratic traditions as opposed, but rather as complementary. Simon suggests that the Enlightenment liberal and restorationist Augustinian pathways are both implicated in the road to Vichy's authoritarian politics, but that the oppositions assumed therein between authority and liberty, Catholicism and democracy, are unnecessary. The Thomist "old tradition" of Catholic thought on political authority, as Simon argued, is a friend to modern democratic aspirations and not their enemy, even if this was not understood by too many for too long.

2. Further contributions: Violence, epistemic humility, and non-liberal tolerance

D. Stephen Long's overview depicts a new opportunity for discussion between Augustinian and ecclesial ethicists, in which dialogue can move forward by attending to

insofar as the reconceived democratic piety defines itself over-against this piety, its definition rests on an illusion" (Pinches, "Stout, Hauerwas, and the Body of America," 19-20).

specific theological issues at stake rather than trading broad concerns that one camp is insufficiently theological while the other camp is sectarian and world-hating. Perhaps of primary importance on the list of issues and questions Long identifies is that of the role of violence in politics. “The Augustinian,” Long writes, “refuses to abandon the link between the exercise of violence and politics. A willingness to use violence appears to be a necessary correlate to a putative world-affirming theology.”³⁰ But Long as an ecclesial ethicist cannot accept such a correlate, and asks whether the “only way not to have a world-hating theology” is “to be always prepared to use violence when truth, beauty, and goodness are compromised.”³¹ This places a key difference between the two approaches on display, for while Augustinians see God’s “providential ordering working through the violence of the modern nation-state,” ecclesial ethicists see this violence as an “aberration” and look forward “a peaceableness that is more basic to everyday politics than violence.” The ecclesial approach, Long writes, “argues that warfare is not politically necessary; for it, like slavery, is not intrinsic to creation or providence. The difference is whether it should be normalized as the essence of politics.”³²

Here, Simon’s “old traditional” approach of placing the question of authority first, and his Thomist approach to answering that question, proves doubly helpful, offering something for ecclesial and Augustinian ethicists alike. For if the essential function of political authority has nothing to do with violence, but instead with the civic community’s need to make prudent practical decisions as it seeks to enjoy goods in common, and with its need to preserve the maximum possible level of lively autonomy at

³⁰ Long, *Augustinian and Ecclesial Ethics*, 251.

³¹ *Ibid.*, 252.

³² *Ibid.*, 253.

all social levels while ensuring directedness to the common good, then violence is by definition not “normalized as the essence of politics” but rather viewed as an “aberration.” While the Augustinian tradition has difficulty conceptualizing civic political authority as something other than a providentially-provided check upon sin and violence—and thereby has difficulty conceptualizing it as “intrinsic to creation” in its God-given goodness—the Thomist tradition views political authority as an essential part of what it means to have been created by God as social in nature. Simon’s clear and detailed re-presentation of this view can serve as a way for ecclesial ethicists (themselves Augustinian, as Long recounts) to move forward, by articulating how civic politics is not violent in essence. Civic authority does not have to be defined as “bearing the sword,” or identified with “powers and principalities” in their fallenness, but instead as that which is entrusted with the civic common good, an enterprise with which Christians will of course be called to participate. So too, it can help Augustinian ethicists remove themselves from the quandary articulated by Long, within which the affirmation of created goodness seems to require a corresponding readiness to use violence in its defense—apparently making a privation of the good a necessary component of the affirmation of that same good, a contradiction in terms and arguably itself a “world-hating” move. If violence is ever necessary in defense of the good, out of love for neighbors and enemies, it does not have to be articulated as intrinsic to the essence of politics but instead can be evaluated one case at a time.

Long also raises the issue of what he calls apostolic *parresia*, or confidence, in what has been revealed by God and given to the church by grace, in its apparent conflict with the humility recommended by many Augustinian ethicists as central to a

“theopolitical vision.”³³ In the hands of an Augustinian ethicist such as Charles Mathewes, “epistemic humility toward one’s own convictions” is lifted up as an antidote to pride and a helpful encouragement in the respectful dialogue and tolerance of difference that is basic to liberal democracies.³⁴ Yet Long argues that such a commendation of epistemic humility “requires a negative view of liberty where every account of what is good must be subject to critical revision” in order to qualify for good standing in liberal democratic politics.³⁵ For such an account, it would seem that apostolic confidence in the proclamation of the Gospel is a liability to be managed, by being leavened with an appropriate dose of humility. And following MacIntyre, Long questions whether liberal democracy so understood can sustain any concept of human flourishing capable of uniting a community in pursuit of a common good: rather, “liberal democracy polices against such a central concept by making epistemic humility rather than conceptions of human flourishing as that which unites us.”³⁶ But the “constant vigilance” required to make sure that we are not united by any concept of human flourishing becomes its own concept of human flourishing, wherein human flourishing consists in each person choosing his or her own conception of human flourishing. Those schooled in the practices of liberal democracies know that the proper response to anyone who proposes some concept of human flourishing is to say: “That may be your version of it, but it is not mine.”³⁷ And this vigilance “can have a violent streak, as the realities of liberal democracies since the beginning of the twentieth century demonstrate.”³⁸

³³ Ibid., 273.

³⁴ Ibid., 176.

³⁵ Ibid., 178.

³⁶ Ibid., 179.

³⁷ Ibid., 179.

³⁸ Ibid., 180.

Here, Simon's Thomist approach can contribute in at least two ways. First, by making a distinction between the ends and virtues of the *civitas* and the *ecclesia*, Christians do not in every matter of public deliberation need to supply an account that elaborates on such matters as the doctrine of the Trinity, sacramental theology, or Christology; and confidence in the goodness of creation as distinct from our higher calling by grace to be friends with God in Christ does not have to subtract from our confidence in the Gospel. Christian thinkers can should they wish continue to fill out Simon's philosophical work in terms that do not require recourse to revealed truths that non-Christians do not accept. Such a project need not be tempered with "epistemic humility" in the sense of holding any given truth claims or arguments loosely, and confidence in the Gospel is for it not a weakness of any kind. Simon did not lack confidence in the revealed Gospel of Jesus Christ and in the efficacy of the Word and the sacraments as means of grace, but did not see elaboration on such matters as in his direct competence as a philosopher. Nevertheless he was able to provide a philosophical account of the good of democratic authority in service of the common good of the earthly city, guided by revelation and gesturing towards our need for it but not appealing to it as an argumentative basis. At the same time, the distinction between these two aspects of our twofold end in nature and grace by God's providence does not require two airtight compartments of inquiry, but rather can be unfolded by theological ethicists in such a way that the dependence of nature upon grace in the extant order of providence can be displayed. Theological ethicists could well go further than Simon did, seeking to make use of his philosophical account of authority and the common good while also filling out theologically that which he did no more than gesture toward.

Second, Simon’s work indicates how a civic common good that is genuinely positive in nature, as opposed to the centrality of merely negative liberty in political liberalism, can be authoritatively pursued and governed without the kind of authoritarian imposition of a single concept of human flourishing that Simon and many others rightly fear. While as we have noted this is an area of Simon’s thought that stands in need of further filling out, he has made significant progress toward meeting the kinds of concerns that have historically motivated political liberalism. As Long writes, a critic of modern liberalism like Alasdair MacIntyre and Augustinian civic liberals such as Charles Mathewes and Eric Gregory can find “common cause” in “acknowledging the limited authority of the modern nation-state to determine what constitutes human flourishing.”³⁹ MacIntyre, Long notes, “has consistently argued that if our political choices are a communitarianism that uses the state to impose a conception of human flourishing or liberalism, we are better off to go with liberalism.” For the ecclesial approach, the imposition of Christian truth-claims is inconsistent with the content of those same truth claims: “the patience God has shown with God’s creatures must be reflected in those who worship God,” and so too must any presentation of the peace found in Christ be nonviolent in form.⁴⁰ Simon, as we have seen in our third chapter, does not abandon a version of the “ancient politics of perfection,” insofar as he envisions that a democratic society will necessarily promote and maintain certain propositions “relative to the rights of men, relative to the purposes of civil society, and relative to God, which make up the soul of our temporal common good.”⁴¹ Indeed, Simon thinks that “promoting the order

³⁹ Ibid., 179.

⁴⁰ Ibid., 180.

⁴¹ Ibid., 127.

of truth in the social life of the transcendent intellect is the highest function of the civil community.”⁴² He does not shy away from envisioning that such a democracy could choose to recognize the Catholic Church in an established role, though he thinks this is a matter for prudence rather than of necessity. Yet at the same time, he holds that the role of authority in matters of truth rather than of practical rationality must take the form of a tolerant *witness*, rather than that of a leader who issues commands. And Simon’s articulation of the doctrine of subsidiarity, following Leo XIII, placed a strong emphasis on the need for lively autonomy at all levels of society, such that there is not simply one homogenous common good directed from above, but multiple communities seeking common goods on their own authority and initiative.

Simon by no means gave a complete account of this fraught subject; indeed, his fullest discussion of the matter in his *General Theory of Authority* was written during a period when he was conscious of having little time and strength left before he was to die of cancer. However, the direction in which he pointed is compelling and worth pursuing further. A partial filling-out of Simon’s position and an indication of its fruitfulness can be found in John Bowlin’s recent book *Tolerance Among the Virtues*. Bowlin makes an extended Thomist case that tolerance is not solely a virtue of modern liberal democratic societies, a product of social orders that make negative liberty central and police against any determinate view of human flourishing, but instead is better understood as an acquired moral virtue within a perfectionist account of social ethics.⁴³ Tolerance, according to Bowlin, is the patient endurance of difference, even when some difference is

⁴² Ibid., 129.

⁴³ John Bowlin, *Tolerance Among the Virtues* (Princeton, NJ: Princeton University Press, 2016), 4-5, 104-159.

judged morally objectionable, for the sake of preserving the common goods shared with our objectionable neighbors within a community. Tolerance for Bowlin is not formed in spite of goods held in common, such that the more liberal and individualist a society is the more tolerant it becomes, but *because* of goods held in common. Instead of a virtue that “flourishes in modern, liberal societies where... strangers are many and distance is encouraged so that liberty might flourish,” Bowlin holds that tolerance “is a creature of social relationships.”⁴⁴ “The actions and passions of the tolerant,” he writes, “depend upon something prior, on the common commitments and loves, the shared practices and activities, and the fellow feeling and mutual identification that in some measure animate every healthy social relationship, every flourishing political community... As love precedes justice, so too a community of shared loves precedes tolerance.” It is because we recognize someone as “our own” that we tolerate them when they act in ways we find morally objectionable, allowing us “to stay put and stay with.”

Bowlin is a helpful interlocutor for Simon insofar as he shows that a non-liberal civic polity is not by definition an intolerant one. To the contrary, Bowlin helps us see that tolerance rightly understood is best envisioned from within a social order that is committed to some vision of the good, some concept of human flourishing, some community within which members pursue and enjoy goods in common. MacIntyre’s abovementioned concern with a “communitarianism that uses the state to impose a conception of human flourishing” may be alleviated if it can be clearly articulated that a civic society’s maintenance and promotion of a concept of human flourishing does not

⁴⁴ Ibid., 159.

thereby imply that such a concept should be *imposed* on the members of that society.⁴⁵ Rather, such a concept can be witnessed to, while at the same time those persons and groups whose concept of human flourishing diverges from it can and should be tolerated for the sake of the common social bonds that are shared. For Simon, as we have seen, matters of truth rather than practical rationality *must* be borne witness to rather than commanded or imposed, for authority in matters of truth is always substitutional in character: an authority witnesses to some truth in order to help another perceive it for herself, and such a perception cannot by its very nature be imposed if it is to be genuine.⁴⁶ Simon's Thomist acknowledgement of the imperfect, acquired, or pagan virtues is helpful in this regard as well, for he is able to assume that even while different final end conceptions⁴⁷ will indeed generate persistent disagreements about matters of pressing civic import, nevertheless "matters of justice will supply a large field of complete agreement between Christians and non-Christians," insofar as the matter of justice is the things themselves that are exchanged and distributed rather than the final end to which they are referred.⁴⁸

Indeed, it can be argued that a non-liberal political order animated by the kind of tolerant civic authority that Simon recommends will be more likely to tolerate difference than its liberal counterparts, just insofar as it fosters the pursuit of goods shared in

⁴⁵ Cited in Long, *Augustinian and Ecclesial Ethics*, 179.

⁴⁶ Simon, *A General Theory of Authority*, 84. Simon writes: "Witnesses do not enjoy, in human relations, a position superior to ours. The authority of the mere witness is nothing else than truthfulness as expressed by signs which make it recognizable in varying degrees of assurance."

⁴⁷ I take this helpful phrase from David Decosimo, whose book *Ethics as a Work of Charity: Thomas Aquinas and Pagan Virtue* (Stanford, CA: Stanford University Press, 2014) is a deeply careful exegesis of Aquinas's reception of pagan virtue as true albeit imperfect, and of his attempt to respond to the Augustinian objection that differing final end conceptions will generate false semblances of virtue rather than true virtue. Since this dissertation is not primarily an exegesis of Thomas on such points, I will here do no more than point to Decosimo's defense and articulation of the position that Simon here assumes to be faithful to Thomas.

⁴⁸ Simon, *Practical Knowledge*, 94.

common without which there cannot be any community of shared loves worthy of the name. For Bowlin, as we have seen, the “actions and passions of the tolerant depend upon... the common commitments and loves” that animate “every flourishing political community,” such that it can be said that “a community of shared loves precedes tolerance.”⁴⁹ As we have seen from Simon, a genuine community rather than a mere partnership or a collection of individuals will necessarily be governed by authority in some form, democratic or otherwise, in order that it may pursue and enjoy goods in common. If there is no authority, there is no common good that is shared; if there is no common good, then there is no community. And if there is no community, with members who recognize one another as “our own,” then for Bowlin there is no genuine tolerance. Taking his argument a step further, there would then only be either a collection of individuals who enjoy the liberty that comes from leaving one another alone, or the rivalrous violence that comes from seeing others simply as one of “them” rather than as one of us, “our own.” Likely enough, there would be some of both. While the freedom that comes from leaving each other alone bears a resemblance to tolerance, it is in any event not a good shared in common; and the rivalrous violence that tends to follow in the absence of any common good is certainly not tolerant, but oppressive. Like Simon, Bowlin’s approach places the common good first and then works to show that goods and virtues enjoyed and celebrated by modern liberal democracies, such as tolerance, are in fact given a better home in a polity with some shared concept of the good than in liberalism. While Bowlin’s book does not follow from this point to Simon’s discussion of the need for authority, it is compatible with it. Bowlin helps us to see that Simon’s

⁴⁹ Bowlin, *Tolerance Among the Virtues*, 159.

“old traditional” Thomist approach, which places authority and the common good first and at the same time appreciatively learns from and engages with the modern democratic tradition, is a fruitful way forward for theological ethics.

As we have indicated, Simon also helps to answer the kinds of concerns raised by MacIntyre insofar as Simon views authority and autonomy as complementary, such that civic authority at the highest level is not envisioned as providing order to a homogenous whole but instead as freeing up other social entities to pursue common goods of their own in a variety of ways. This is not the equivalent of the kind of civic liberalism within which various individuals agree to form voluntary associations, but instead a recognition of the ontological reality of communities other than the *civitas* (primarily the family and the church, following Leo XIII and Pius XI) that act as limits on civic authority,⁵⁰ as well as of the rich particularity of small and local traditioned communities that pass on a vision of the good that cannot be detached from their own histories. As we saw, Simon’s discussion of these issues is incomplete, but suggestive insofar as he assumes that authority is correlative with the existence of a genuine community rather than a liberal mere partnership of individuals, and leaves open the question of whether the “philosophic essence of the state” is rightly found in the federal union of provinces and states in the United States and Canada, or in the provinces and states severally. There is, in other words, as much room in Simon’s position to critique the semblance of authority in the kind of vast liberal nation-states that someone like Alasdair MacIntyre finds so problematic, as there is room for a constructive account of political authority under the

⁵⁰ Russell Hittinger, “The Three Necessary Societies,” *First Things* (June 2017). <<https://www.firstthings.com/article/2017/06/the-three-necessary-societies>>. Accessed May 7, 2019.

conditions of highly diverse modern nation-states. D. Stephen Long writes that “civic republicanism is promising if it is understood as a complex space that allows for a diversity of nations freely to practice their ways of life—African, Cherokee, Irish, European, Chinese, Indian, etc.—acknowledging that these ‘nations’ need protecting from others, including a liberal state that tends to absorb them into its overarching, simple space.”⁵¹ Such a complex civic republicanism could be in service of the traditioned memories of various communities, as Charles Pinches suggests in his brief but intriguing book *A Gathering of Memories: Family, Nation, and Church in a Forgetful World*. Pinches writes that “in baptism, the bodily life of family and nation meets the spiritual life of the church,” not destroying the life and memory of our embodied existence through time but gathering it up into a new and larger community that transcends the temporal, earthly city.⁵² The example that Long cites, “Bryan Stephenson’s project of placing monuments at every site a lynching occurred in the US,” is an instance of what such a gathering of national memories could look like.⁵³ Simon does not pursue such projects, and indeed leaves certain of these questions in an unsatisfactory place (for instance, as we indicated, insofar as he cites “flag-waving” as an example of intersubjective communion, but also at other points argues that far more depth of communion must exist in order to speak of genuine community), but there is ample room for those who would follow him to do more. Charles Pinches suggests that the kind of turn toward local memory and economy he recommends has been exemplified by the

⁵¹ Long, *Augustinian and Ecclesial Christian Ethics*, 277.

⁵² Charles Pinches, *A Gathering of Memories* (Waco, TX: Brazos Press, 2006), 165-6. Pinches develops this argument in his 2007 essay “Stout, Hauerwas, and the Body of America,” cited above.

⁵³ Long, *Augustinian and Ecclesial Christian Ethics*, 277.

work of Wendell Berry,⁵⁴ and in this light Simon's own lifting-up of the importance of rural life for democratic practice is intriguing. It may be fruitful to follow Simon by following Berry, seeking to further articulate the kinds of local traditions and economic practices that conduce to the "genuine communities" that are correlative with authentic political authority, and which form citizens in the civic virtues necessary for flourishing democracies.

3. The "old tradition" for today: Catholic social teaching, practical atheism, nature and grace

We began this dissertation by noting some comments from Philip Turner, who argues that the historic Christian tradition's custom of beginning discussions of political ethics with the question of the source of political authority in God has been largely bypassed in recent decades, with the unfortunate consequence that foundational questions that have widespread implications are often not now discussed.⁵⁵ It can go unnoticed today, writes Turner, how liberal political theory's suppositions about the nature and basis of political authority in "human wit and will" rather than in God can reverberate throughout subsequent discussions. A basic individualism and "practical atheism" (in Simon's phrase, resonating with Stanley Hauerwas and Jana Bennett's analysis of the

⁵⁴ Pinches, "Stout, Hauerwas, and the Body of America," 20ff. Pinches writes: "The sheer size of the modern nation state, in particular the United States, presents a consistent challenge to those who would hope to engage in genuine moral formation. Berry's community in Kentucky, or any similar farming community, must be relatively small to provide for the moral and relational intricacies he describes about it. Its way of life clearly could not be pursued at a large scale. This does not, however, eliminate its moral force in a country such as America. As Scott Davis points out in his response to Stout's book, '[t]he viability of the larger groups we may enter into depends on the virtues we learn in our primary towns and neighborhoods'" (Pinches, 26 n. 43).

⁵⁵ Turner, *Christian Ethics and the Church*, 211-224.

chief criticism leveled by Catholic social teaching at modern polities) can remain unexamined, and its consequences can remain unremarked.⁵⁶

In Simon, we examined a figure for whom that was not the case—one of the last of the line of Catholic thinkers of whom that can be said, working as he did his entire career before the tectonic shifts represented by the Second Vatican Council, *Dignitatis Humanae*, and subsequent encyclicals within which the question of the source of political authority and the kingship of Christ fell away as a matter of emphasis.⁵⁷ Simon assumed that the pre-Vatican II tradition of Catholic social thought, with its assumption that political authority is of divine rather than human origin, and its concomitant criticism of what it saw as the practical atheism implied by social-contractarian liberalism, was the primary body of teaching to which he as a Catholic philosopher was answerable. His chief quandary was to assess whether or not “the very definite teaching of the Catholic Church” on the nature and basis of political authority under God implied that modern democracy was in essence impious and individualist, such that the theses of restorationist Augustinian Catholics were correct, and such that the political implications he deplored as many Catholics made common cause with authoritarian political movements were unavoidable. Upon examination, Simon did not think the restorationist theses were correct, nor did he think the Enlightenment liberals they opposed were correct. The problem we have labeled “practical atheism” was thus of immense consequence for Simon. In the terms of discussion we have drawn from D. Stephen Long, we might say that both schools he opposed could be seen as “world-hating” in their own way: both

⁵⁶ Stanley Hauerwas and Jana Bennett, “Catholic Social Teaching,” 523-4; Simon, *The Road to Vichy*, 14-15.

⁵⁷ As previously noted, Victor Austin’s dissertation on the social encyclicals of John Paul II notes this shift in postconciliar Catholic social thought (Victor Austin, *A Christological Social Vision: The Uses of Christ in the Social Encyclicals of John Paul II*. Fordham Ph.D. diss., 2002).

united in their incapacity to see political authority as a created good under God, an aspect of what it means to be created by God as social by nature, a God-given gift by which we seek and enjoy goods in common. One school, as it were, dissolved this gift from below, and the other from above: liberalism rendered political authority unintelligible, as we all simply hop into our taxi cabs and tell our government cabbies where we want to go; and restorationist Augustinianism rendered it intelligible only as a matter of a nature-destroying grace. By working with the grain of the Leonine Thomist strand of preconciliar Catholic social teaching, Simon showed that what he assumed to be the “old tradition” of Catholic political thought had great explanatory power to ask and answer foundational and practical political questions for the tumultuous 20th century world in which he lived.

Thomas Bushlack, in his recent *Politics for a Pilgrim Church*, plows much the same ground we have covered with Simon, although he does not mention Simon even in a footnote. As we have done in our first chapter, he tells a story of Catholic social thought that brings out the ontological questions that were being asked about the nature of human society and politics in preconciliar tradition, relying on recent work by Russell Hittinger and Emile Perreau-Saussine to characterize that period as struggling with “the theological challenge of political authority” over against Enlightenment liberalism.⁵⁸ Unlike the encyclicals and theological work that characterized that period, Bushlack notes that contemporary Catholic (and non-Catholic) social thought tends to understand the common good as “a collection of individual goods that come to make up a whole of social goods or services that is instrumental to each individual’s good,” citing a well-used

⁵⁸ Thomas Bushlack, *Politics for a Pilgrim Church* (Grand Rapids, MI: Eerdmans, 2015), p. 32-65.

formulation from *Gaudium et spes* (§26).⁵⁹ The standard Thomist “formal distinction between the individual good and the common good is rarely recognized in Catholic social or political thought” today, Bushlack writes, but it is a “central tenet of a Thomistic account of civic virtue” and was assumed by the preconiliar Leonine Thomist tradition that we saw Simon took as normative.⁶⁰ In his book, Bushlack works to recover just this sense of the common good from the same preconiliar tradition that Simon worked alongside, viewing it as holding great promise for the Thomist account of civic virtue that he offers to the contemporary conversation as a corrective to what he labels as the “neoconservative” school (e.g., those Catholics who tend to accept an instrumental account of government and view political liberalism with favor, such as Michael Novak and George Weigel),⁶¹ a second group that is essentially coterminous with what Long calls the “ecclesial” school (including William Cavanaugh, Stanley Hauerwas, and John Howard Yoder), and a “liberal” school that make constructive use of terms such as civic virtue and the common good but define their content within the terms set by Enlightenment political liberalism (he names David Hollenbach as the best example of this line of thinking).⁶² All three of these schools, for Bushlack, have a diminished or absent sense of the civic common good as Aquinas and the Thomist tradition have understood it. “Despite all the talk of the common good in ecclesial and theological circles,” Bushlack writes, “a coherent and systematically developed language for seeking the common good remains a visible lacuna in much contemporary Catholic social

⁵⁹ *Ibid.*, 79.

⁶⁰ *Ibid.*, 80.

⁶¹ A very helpful book that views Simon’s account of the common good as a helpful corrective over against these same neoconservative thinkers is Thomas Rourke’s *A Conscience as Large as the World: Yves R. Simon versus the Catholic Neoconservatives* (Lanham, MD: Rowman and Littlefield, 1997).

⁶² Bushlack, *Politics for a Pilgrim Church*, 35-44.

thought.”⁶³ Without such a coherent account, for Bushlack, we will lack the capacity to formulate a correspondingly coherent account of civic virtue.

If Bushlack is correct, then the “old tradition” of Thomist political thought that did work with just such a coherent and systematically developed account of the common good represents a fruitful resource for contemporary theological ethics in the attempt to move the conversation forward in a way that preserves both the “ecclesial” and the “national” projects at the same time, and an especially careful and passionately engaged thinker like Yves Simon should be near the top of our list of figures to recover and engage with. While Bushlack does not treat the subject in his book, he notes that any Thomist account of civic virtue, following Aquinas, must highlight the “necessarily intrinsic connection between the common good and political authority” that Aquinas assumed. Aquinas “clearly indicates,” he writes, “that issues of governmental structure and duly constituted authority cannot be ignored if Christians are to remain involved in cultivating civic virtue and seeking the common good.”⁶⁴ We saw in our third chapter that the issues of the common good and political authority were correlative at the most fundamental level for Simon, such that one could not be understood well without the other. Simon helps us see that what might on the surface appear to be an “old tradition” that comes packaged together with an account of political theology that sanctified the “powers that be” with God’s grace and the Catholic Church’s hierarchy, actually represents a set of questions that must be answered by anyone with concern for the civic common good, and which are not necessarily answered in the way that restorationist Augustinian Catholics did. Indeed, they are answerable in a way that in Simon’s hands

⁶³ Ibid., 43.

⁶⁴ Ibid., 93.

went hand-in-hand with vigorous opposition to authoritarian politics and Catholic support for the same. A return to asking the same ontological and theological questions as the “old tradition” need not imply a return to discarded, authoritarian, or anti-democratic political institutions, but in fact may (as Simon would have it) be a better resource for the maintenance of flourishing democracies than the alternatives on offer.

We have not engaged in this dissertation with what might be characterized as a rising tide of interest in Catholic “integralism,” restorationist Augustinian Catholic politics that seek in some way to restore the union between throne and altar that (somewhat misleadingly) went by the name of the *ancien regime*.⁶⁵ Yet when placed alongside a critique of political liberalism that has taken on renewed vigor and visibility in the hands of a Catholic thinker such as Patrick Deneen,⁶⁶ it is worth asking what the alternative theoretical foundation for political engagement will be for contemporary theological ethics in the Catholic tradition, if it is not to be the Enlightenment liberalism or restorationist Catholicism that Yves Simon criticized. For most of his career, Simon’s criticisms of political liberalism and his defenses of authority were conducted in a keen awareness of the way in which such criticisms and defenses could be taken by authoritarian enemies of democratic liberty and equality. A critic as well as a careful builder, Simon worked both to criticize what he saw as problematic intellectual and political trajectories, and to build up what he hoped would be a surer foundation for the

⁶⁵ A prominent recent example was Fr. Romanus Cessario’s review of the published memoirs of Edgardo Mortara, a Jewish boy who was “kidnapped” by Vatican city-state authorities in 1858 since he had been baptized by his nurse, and so (it was reasoned) was required to have a Catholic rather than a Jewish upbringing. Mortara was raised in the papal household and became a priest. (Romanus Cessario, “Non Possumus.” *First Things* (Feb. 2018). <<https://www.firstthings.com/article/2018/02/non-possumus>>. Accessed May 9, 2019.

⁶⁶ Deneen’s book *Why Liberalism Failed* (New Haven, CT: Yale University Press, 2018) was prominently discussed in the pages of *The New York Times*, noted by President Barack Obama as part of his reading list, and has at this date been translated into fifteen languages.

aspirations to liberty, equality, and fraternity that were at the heart of modern democratic movements. Simon did so as a friend to and champion of civic freedom and the civic common good, but also as a Catholic who held out no great optimism about the capacity of unaided, fallen human nature to maintain those freedoms and goods, and who held no over-inflated view of what can be hoped for in the earthly city. His Thomist view of the relationship between nature and grace, the earthly city and the city of God, is rearticulated in essential form by both Thomas Bushlack and John Bowlin and forms for them the basis for a Thomist account of civic virtue that is set within a wider framework of infused virtue. In good Thomist fashion, Bowlin pairs his civic virtue of tolerance with the infused virtue of forbearance, within which divine grace gives persons a loving desire for union in Christ that transcends the possibilities of the temporal city. The tolerance that otherwise ought to characterize the relations between citizens who strongly disagree about weighty matters can, by God's grace, be surpassed: rather than enduring one another for the sake of shared temporal common goods, friends in Christ forbear one another in hope that each "might one day know that they are beloved of God and so put aside their sin," a "work of love" that transcends temporal ends but nonetheless has significant implications for temporal relationships.⁶⁷ Those who live in "friendship with God and neighbor" will endure much for the sake of one another, as beloved members of a community that we experience the firstfruits of now in Christ's body the church. A Thomist account of civic life and virtue such as those of Simon and Bowlin not only can make sense of the ordinary pursuit of civic common goods between Christians and non-Christians, but can also show the difference that Christ makes for *ecclesia* and *civitas*

⁶⁷ Bowlin, *Tolerance Among the Virtues*, 249.

alike. Catholic critiques of liberalism such as that of Deneen, and the salutary aspiration of integralism to avoid an independently-conceived civic or national politics that has no need of the hypothesis of God's grace, need not lead to the opposed options of Enlightenment liberalism and restorationist Augustinianism that Simon diagnosed. A careful Thomist construal of the relationship between nature and grace can be of service in distinguishing in order to unite, in service of *civitas* and *ecclesia* both. As we shall now suggest, this is no merely theoretical conclusion, but an account that has meaningful implications for the practice of Christian communities.

4. Implications for Christian communities

Simon's commitment to a politics of both nature and grace can be seen in this way as providing fruitful guidance for countless ordinary Christian communities that seek to love their neighbors in Christ's name, worship Christ as Lord and King, and look forward to the coming kingdom of God when Christ shall be all in all, the foretaste of which they experience each week when gathered at the altar for Holy Communion. My church, St. Augustine's Episcopal in south Dallas, is utterly ordinary in this regard, but just so also extraordinary. Our local neighborhood association meets monthly in our parish hall, and parishioners and neighbors meet to deliberate together about such issues as local parks and gentrification. We work with them in ordinary ways to serve the neighborhood, such as with a monthly free meal in the parish hall where parishioners and neighbors become friends. We invite our new friends to join our church and receive God's grace in Christ with us, and some of them do. If they do not, we are still neighbors and friends all the same. Church members gather weekly to worship God and study the

Holy Scriptures. A weekly women's Bible study attracts a good number of older church women, about half Anglo and about half African-American, and as they study the Scriptures together they grow in faith and grow as friends, with God and with one another. As their priest, I am privileged to know some of their stories, and I know that one of the women had a close relative who had a cross burned on her front lawn by the Ku Klux Klan years ago. Moreover I know that some tend to get their news from Fox, and others from MSNBC or similar progressive outlets, and have done so during a period of increasing political partisanship. When I reflect on the gracious God who has brought them together as members of one body, I am humbled by the friendship in Christ they enjoy, and the love that is evident in their conversations and laughter. The amazing grace that is capable of bringing friends together in an ordinary Thursday morning Bible study and Sunday morning worship also spills over into the ordinary work of neighborhood work for the common good between Christian and non-Christian neighbors and friends. Tolerance becomes forbearance, a "work of love" that cannot help but have implications (small as they may be) for the civic politics of the city of Dallas, and perhaps beyond.

Simon did not explicitly address the implications of his work for ordinary Christian communities, but his account fits well with what a great many non-theoretically-minded Christians do as a matter of course. It neither reduces the work of the Church to a national, this-worldly project, nor does it encourage the kind of Christian community that might be accused of sectarianism, uninterested with and uninvolved with the ordinary politics of civic life. It endorses carrying on both the ecclesial and the national projects at the same time, and displays how the former by God's grace can spill over into and support the latter, while at the same time remaining distinct. It gives an

account that coheres well with everyday civic-minded engagement in parish halls and school boards and city councils, where Christians collaborate with non-Christians on city parks, local schools, and addressing gentrification. As such, it can be taken as *prima facie* evidence that Simon's work helps the conversation of contemporary theological ethics move on, a Thomist "old traditional" position that addresses issues that have bedeviled the longstanding debate between Augustinian and ecclesial ethicists. More work no doubt remains to be done, particularly with respect to addressing the freedoms of dissenters in a civic polity committed to some positive vision of the common good, the local and economic conditions necessary for the formation of genuine communities, and the relationship between nature and grace in civic life (such as Bowlin has pointed us toward in his discussion of tolerance and forbearance).⁶⁸ Nevertheless, we hope that this dissertation by recovering and examining the neglected work of Yves Simon will prove of assistance for contemporary theological conversation.

⁶⁸ Simon's papers, housed at the University of Notre Dame, remain a largely unexamined resource for scholarship. While his son Anthony Simon, and certain students from the University of Chicago such as Vukan Kuic, kept up a steady stream of posthumous Simon publications, most of those who carried on such work are now themselves deceased. Simon died without having completed what he projected as a vast philosophical encyclopedia, and much of this work remains unexamined and unpublished. A more comprehensive treatment of Simon could make use of this work, as well as go into greater detail in engaging with contemporary theological ethics, of which this conclusion is no more than a suggestive outline.

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