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Jacques Maritain and Popes Pius XI and XII on the Church-State Relationship

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by

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ABSTRACT

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Jacques Maritain (1882-1973) was a French Catholic philosopher, acknowledged as one of the most influential non-clerical Catholics of the twentieth century. During this time, the Catholic Church was experiencing the slow process of political displacement. Maritain and the contemporary popes addressed how the Church should function within the modern context. Both began the century sympathetic to right-leaning governments and political parties that supported the Catholic Church but shifted over time to embrace a less direct approach. This thesis will demonstrate the change over time of Maritain's position and how it paralleled the positions of Popes Pius XI and Pius XII. Specific focus will be given to the subjects of nationalism, democracy, and human rights. This is historically significant, because Maritain was highly influential and because the questions they sought to resolve remain unsettled. The role of religion on questions on authority, freedom, and human rights is fiercely debated today.

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CHAPTER ONE

INTRODUCTION

From Paris to Princeton University, Jacques Maritain dominated conversations regarding politics, human rights, epistemology, history, aesthetics, and religion. While never exactly a household name, Maritain's public influence was enormous. Today, an entire center is devoted to him at the University of Notre Dame. His early involvement with the nationalist group *Action Française* marked him as anti-modern, anti-democratic, and anti-liberal. He abandoned the group, however, in 1926 when Pope Pius XI forbade Catholic participation on the grounds that the group instrumentalized religion for political ends. His new anti-nationalist reaction went so far that he became one of the few Catholic intellectuals in Europe to strongly oppose Franco. During World War II Maritain watched the horrors from the United States and developed a great appreciation for American democracy. His writings on human rights situated him squarely in the liberal camp in opposition to some more traditional minded Catholics of the time.

With regards to Rome, despite not being a political body *per se*, the Catholic Church unavoidably engaged in politics, because it defined itself as a universal body and needed to have access to local leaders and followers to fulfill its self-defined religious duties. Its dominance in Europe, however, had been threatened since Habsburg Emperor Joseph II's Church interventions and the French Revolutionaries' installation of the Church of Reason. During the nineteenth century, it loosely remained an international overseer, given that Catholics were present in all European countries and that it had no particular national interests. Pope Leo XIII's encyclical, *Immortale Dei* (1885), acknowledged citizens' duties to the state, but also insisted that the state acknowledge the primacy of God and the Church. The Church perceived any obstacle to its

evangelizing mission as overreach of and interference from the state. Rising secularization, the loss of the Papal States, and the French laws of separation in 1905 made it clear, however, that the Church was no longer a key player in state affairs. Over the course of the following 50 years, it faced challenges it had never experienced before and learned to adapt, all the while maintaining its identity.

Maritain had little direct interaction with popes in the Vatican, yet their shared faith made them fellow travelers in midst of great changes. In comparing Maritain and the popes, it is critical to appreciate that their positions, responsibilities, abilities, and contexts were different. Thus, although they all considered how the Church should function in relation to the state, their fundamental postures were different. Maritain, for his part, always wrote as a Catholic, yet never on behalf of the Catholic Church. He had no official standing with the Church, as he was neither a member of the clerical hierarchy of the Church nor a theologian. He wrote as a layman and philosopher. As he stated in the preface to *The Primacy of the Spiritual*, "I would not have it thought that I have any intention of trespassing upon the domain of the teaching Church, for that would be absurd."[1] This gave him the freedom to directly engage in public and intellectual debates, and he spoke his own mind.

The popes at the Vatican, on the other hand, had a shared goal in this regard, which was to navigate the political field to preserve its ability to pursue its spiritual work. To complicate matters, the Church has never been cleanly and simply unified in its practical positions. Popes disagreed with each other, with other Catholics, as well as with heads of state. Sharing larger interests, all struggled with the question of how best to respond to the modern world, but they would not always agree on the diagnosis or strategy. As the twentieth century opened, most in

[1] Maritain, Jacques, *The Primacy of the Spiritual: On the Things that are not Caesar's,* 1927, trans. J. F. Scanlan (Providence, Cluny, 2020). First published 1939 Sheed and Ward, xv.

Europe acknowledged the enormous influence of the Catholic Church. By its end, this was no longer the case. This thesis will explore the development of Maritain's and Pope Pius XI and XII thought on the Church-state relationship over the first half of the twentieth century. While all three are Catholic, they represent significant lay and clerical responses to the sea change around them, the effects of which are visible today.

Background

Jacques Maritain was raised in a non-Catholic, socialist leaning family. He was the grandson of Jules Favre, a politician in the early Third Republic. As a young student in Paris, he reacted against the materialism and nihilism of his time. He believed that people were more than mere bodies with individual desires and demands, and that there was an immaterial, eternal, universal, yet completely unique dignity about each person that deserved absolute respect. Under the direction of Leon Bloy, he and his Jewish wife, Raissa, converted to Catholicism in 1906, believing that its truth, principles, and tradition could promote human flourishing. For this reason, Maritain was initially attracted to the traditional French message of Charles Maurras. While never an official member of *Action Française,* Maritain participated in and wrote articles for the proto-fascist group. Following Pope Pius XI's condemnation of the group in 1926, he disassociated himself from the organization and wrote against its "State First" ideology. He emphasized the priority of the spiritual dimension of humanity and developed ideas which influenced intellectual life across Europe during the nineteen thirties and forties.

As political power shifted during the nineteenth century, the Vatican had sought to retain influence over public policies which affected its ability to interact effectively with its members. To achieve this, it typically aligned itself with those monarchists who remained Catholic. These

Catholic monarchies stressed rigid tradition which would lay the groundwork for twentieth century nationalism. On the local level, urbanization and industrialization gave rise to greater secularization. The world and society were no longer perceived as hierarchically ordered under God. Many lay Catholics were affected by these developments and formed left-leaning associations based on them. The Vatican, however, judged that modernism, unrestricted capitalism, and socialism all negated the true life of the spirit which it asserted it represented. The decline of royalism left few options. As competing ideas of nationalism and communism became more entrenched within political parties and nations, the Vatican found that neither would provide a comfortable alliance. Nevertheless, due to its explicit atheism, communism, along with its close cousin socialism, was seen as the greater threat. Nascent nationalism was perceived as allowing the Church more local freedom which resulted in some Church leaders and members embracing it. Thus, at the beginning of the twentieth century, Catholics could be found on both the left and the right sides of the political aisle, with the Vatican ostensibly more supportive of the right.

During World War II, Maritain lived in the United States and was a key member of a group of French intellectuals who actively engaged with and commented on events in Europe. While standing against the French government of Vichy, he did not initially join De Gaulle and the Free French. Maritain's engagement with the Church developed as his own prominence grew. After the war, De Gaulle named him ambassador to the Holy See, and he was influential in the planning of the Universal Declaration on Human Rights as well as some of the documents of Vatican II. He taught at Princeton, the University of Chicago, the University of Notre Dame, and Columbia. While at Columbia, he became close friends with Saul Alinsky.

Maritain's relationship to the Vatican was complex. The Church was in an unfamiliar, if not hostile, environment, and it had difficulty negotiating with political leaders in an ever-modernizing world. Engagement with and influence from lay people, such as Maritain, helped it navigate the new context, but the Vatican would ultimately maintain its own authority. Maritain also protected his own integrity. After the death of Raissa in 1960, he returned to France and moved to Toulouse. There, he joined the order of the Little Brothers of Jesus, based on the spiritual principles of Charles de Foucauld, a French Trappist monk who was ordained a Catholic priest, served the religious communities in Africa, and was murdered in Algeria in 1916.

It is important to bear in mind that one of the themes under review in this work is that Maritain and the popes in Rome appear to have shifted from right to left. Both began the century more sympathetic to right-leaning political ideas and groups then gradually turned their sympathies leftward. While this description has some value, it can be misleading, because it emphasizes the political. For both Maritain, as a Catholic philosopher, and the Vatican, as a religious institution, politics was the necessary means of dealing with the practical. Popes negotiated with and within states to exercise what they regarded as the Vatican's defining duty. While some forms of government were perceived as fundamentally detrimental to religion, both Maritain and the Church consistently rejected the notion of formal Catholic affiliation with any specific party or state. Yet, there has always been a fundamental tension to maintain its spiritual identity and priorities. In the beginning of the century, both asserted that the Catholic Church was essential and superior to the state and served as the core foundation of civilization. They sought to support the hierarchy that facilitated the free, independent reign of the Church. Over the course of the century with the increase of secularization, both judged that this model was no longer workable. The landscape changed to such an extent that both determined that the truth of

Christianity required a better means of responding to and accommodating for the modern world. Both Maritain and Rome, however, would argue that they were working out in time and space what they described as eternal truths, bending to circumstances without serious diversion from the main goal. Neither would definitively settle the question.

Literature Review

Much has been written about Maritain's thought and influence. Maritain's early conversion and engagement with *Action Française* are not covered in great detail, but Ralph McInerny's *The Very Rich Hours of Jacques Maritain*[2] includes an interesting account of Maritain's these, as well as later, years. Jean-Luc Barré's *Jacques and Raissa Maritain: Beggars for Heaven*[3] provides a biography of both Jacques and Raissa through their long lives. Julie Kernan's *Our Friend Jacques Maritain: A Personal Memoir*[4] gives a well-informed and thoughtful approach to Maritain's engagement with the world. Bernard Doering's *Jacques Maritain and the French Catholic Intellectuals*[5] focuses on Maritain's engagement and influence on political and social thought. Maritain continues to be studied, and he is the subject of many books, articles, and dissertations.

Much has also been written regarding the changing face of the Vatican in the twentieth century. One dominant theme of the discussion has been the Church's response to the modern world. John Pollard's *The Papacy in the Age of Totalitarianism, 1914-1958*[6] provides a general

[2] Ralph McInerny, *The Very Rich Hours of Jacques Maritain: A Spiritual Life* (Notre Dame: University of Notre Dame Press, 2003).
[3] Jean-Luc Barré, *Jacques and Raissa Maritain: Beggars for Heaven*, trans. Bernard E. Doering (Notre Dame: University of Notre Dame Press, 2005).
[4] Julie Kernan, *Our Friend Jacques Maritain: A Personal Memoir by Julie Kernan* (New York: Doubleday and Company, 1975.
[5] Bernard E. Doering, *Jacques Maritain and the French Catholic Intellectuals* (Notre Dame: University of Notre Dame Press, 1983).
[6] John Pollard, *The Papacy in the Age of Totalitarianism, 1914 – 1958* (Oxford: Oxford University Press, 2014),

overview. Giuliana Chamedes' *A Twentieth-Century Crusade: The Vatican's Battle to Remake Christian Europe*[7] describes the efforts of the Vatican in the first half of the twentieth century to retain political influence in Europe. Samuel Moyn's book, *Christian Human Rights*[8] examines the claim that the modern idea of human rights originated with Christianity along with its significance today, with Maritain figuring prominently in its pages. Maritain's relationship to the Vatican has been widely written on. Peter Hebblethwaite's biography on Pope Paul VI,[9] for instance, speaks of Maritain's engagement as French ambassador to the Holy See after the war connecting his public role with his Catholicism. Maritain's influence has been both praised and criticized.

Methodology

This project will focus on four specific subjects of the twentieth century and relate them to the developing thought of Maritain and the popes on the Church-state relationship: *Action Française* and national integralism; the Spanish Civil War and nationalism; World War II and democracy; and the Universal Declaration on Human Rights and the defense of human rights. Several of Maritain's major writings will be the key primary sources for this work, specifically, *The Primacy of the Spiritual*, *Integral Humanism*,[10] *Scholasticism and Politics*,[11] *The Rights of*

[7] Giuliana Chamedes, *A Twentieth-Century Crusade: The Vatican's Battle to Remake Christian Europe* (Cambridge: Harvard University Press, 2019).
[8] Samuel Moyn, *Christian Human Rights* (Philadelphia, Pennsylvania: University of Pennsylvania Press, 2015).
[9] Peter Hebblethwaite, *Paul VI: The First Modern Pope*, 2nd ed. (New York: Paulist Press, 2018).
[10] Jacques Maritain, *Integral Humanism*, 1934-35, in *The Collected Works of Jacques Maritain*, ed. Theodore Hesburgh (honorary), Ralph McInerny, Frederick Crosson and Bernard Doering (Notre Dame: University of Notre Dame Press, 1996), 11: 141-345.
[11] Jacques Maritain, *Scholasticism and Politics*, trans. and ed. Mortimer J. Adler (1940, Indianapolis: Liberty Fund, 2011). First published 1940 Macmillan.

Man and the Natural Law,[12] and *Man and the State*,[13] Several less widely read works will be examined in order to follow Maritain's concrete interaction with public events. Primary sources for the Vatican will consist mainly of official encyclicals, from Pope Leo XIII's *Immortale Dei* - On the Christian Constitution of States[14] to Pope Paul VI's *Populorum progressio* – On the Development of People.[15] The papacies of Pius XI and XII will be the main focus of this study, because they were in residence from 1922 to 1958, key years for Maritain's engagement. As a note, this thesis assumes the sincerity of belief of those who speak on behalf of the Church. While there is internal disagreement and failure in practice, it is reasonable to maintain that the Catholics under study principally believed the tenets of their faith, especially in the existence of a spiritual reality which is outside worldly dimensions. Treatment of the truth claims of the Church, on the other hand, are outside the scope of this work.

The first subject to consider is *Action Française*. Maritain's conversion to Catholicism reflected, in part, his disaffection with the modern world. His search for tradition led him to Charles Maurras and *Action Française* until Pius XI prohibited Catholic participation in that movement. At this time, the Church was struggling to defend its various engagements in Europe. One of the key issues which Maritain emphasized in his writings was that the person, the consideration of whom takes into account the spiritual as well as the material, was the primary unit of society. The state was made for the person and not the other way around. He rejected Maurras' integral nationalism for spiritual integralism, placing the person at the center of focus. Another issue was the demand for Church liberty from state interference. The Vatican staunchly

[12] Maritain, *The Rights of Man and the Natural Law*, in *Christianity and Democracy*, 1943*;* and *The Rights of Man and the Natural Law*, 1942, trans. Doris C. Anson. (San Francisco: Ignatius Press, 1986).
[13] Jacques Maritain, *Man and the State* (Chicago: University of Chicago Press, 1951).
[14] Pope Leo XIII, *Immortale Dei* [On the Christian Constitution of States], 1885, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_01111885_immortale-dei.html.
[15] Pope Paul VI, *Populorum progressio* [On the Development of People], 1967, https://www.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_26031967_populorum.html.

upheld this idea, yet found enforcement challenging due to changing circumstances. Nationalist leaders appeared to be more in line with Rome; nevertheless, Popes Pius X (1903-1914), Pius XI (1922-1939), and Pius XII (1939-1958) disagreed on how to respond to nationalistic *Action Française.* Their vacillations manifested the lack of unity within the Church.

The second historical subject under consideration is the Spanish Civil War. Maritain's rejection of *Action Française* established the conditions for his rejection of the nationalist Spanish leader, Franco. *Integral Humanism* articulated his views on the limitations of Church political engagement and the necessity to focus on the person rather than the state. After his reversal of position with *Action Française*, he had lost many allies, but events of the Spanish Civil War pushed him even further into the world of polemics, and he became a much better known public figure, disagreeing with many Catholic figures in Spain and throughout the world. Pius XI tried to remain neutral during these events, but was not disappointed when Franco was victorious.

The third subject is the Second World War. Maritain was in the United States during the war, and even though he did not support the French Vichy government, neither did he initially support De Gaulle and Free France. His exposure to democracy in America, in contrast to European politics where bloody conflict between non-democratic states raged, convinced him of the superiority of democracy. As the war advanced, Maritain became a spokesperson for French expatriates in New York and broadcast a weekly radio message to France. As ambassador to the Holy See, appointed by De Gaulle, he exercised influence over the judgment of bishops for their actions during the war, and his ideas on personalism and natural law impacted discussions of democracy across Europe. Pius XII defended democracy as a rational form of government to protect rights.

The fourth subject to be treated is the Universal Declaration on Human Rights. Here, Maritain directly engaged with the event in question. His involvement with discussions surrounding the declaration was significant, and his reflections on the idea of universality warrant review, especially as his contributions are challenged today. Maritain was a promoter of greater openness for the Church. He supported a clear separation of Church and state, believing that a secular culture, loosely shaped by Christianity, could be trusted to protect the basic tenets of human dignity, and that the state did not need any direct guidance from the Church. His *Man and the State* articulated his affirmative ideas on government. The Vatican was very concerned with the spread of communist ideas and worked to ensure their containment. Both Maritain and the Vatican emphasized the theme of religious freedom. Through each of these time periods, Maritain and the various popes were developing their positions, emphasizing different aspects as perceived needs arose. Subsequently, neither Maritain's nor the Church's position remained static, and today questions regarding the Church-state relationship remain far from settled.

This thesis is primarily intellectual history, and Maritain's ideas take center stage, but it is neither a work of philosophy nor apologetics. The goal is to demonstrate how Maritain's ideas developed in response to major world events of his day and to people such as Maurras, Franco, Stalin and Hitler. Like other intellectuals through history, his own engagement was intellectual, but his reactions demonstrate the significance of those events. A close look at his writings reveals subtle changes over time, and this helps us understand how we got to now. The world turned very slowly from monarchy to globalism, and Maritain's intellectual engagement with world events help us gauge that change. The greatest challenge for this project was to retain focus. As a result, many significant and interesting subjects were not taken up. Maritain's writings on history, philosophy and aesthetics all fell outside the domain of this work. More

significantly, the influences on and by Maritain were left unexplored, most notably his relationships with Americans and various progressive religious and political people. Finally, the subject of the Holocaust remained untreated. This is a highly fraught and controversial subject and does not bear directly on the development of Maritain's ideas. It must be said, however, that Maritain always considered himself a vocal defender of Jews, and he actively protested against those, including Catholics, who manifested any form of antisemitism.[16]

Over the course of his life, Maritain had traveled a long way from his early days with *Action Française*. While he was never a spokesperson for the Vatican and did not always agree with its positions or actions, his work always manifested his active and profound faith. He was a prominent personage in his day, and mention of his name evoked the ideas of respect of persons, political pluralism, and religious tolerance. Now, however, historians and theologians disagree regarding the man and his thought. Some perceive his morally traditional Catholicism to be too close to modern integralism or his economics too close to socialism. Within the Church, some see him as a luminary, while others judge him to be the cause of serious confusion. For its part, the Vatican has moved in good part away from the priorities of the Pius papacies as it responded to the crises of the twentieth century and strove to open its doors to the world. Although the context of the Church-state relationship has definitely changed, the fundamental questions remain. Perhaps the challenge Maritain and the Vatican faced was to reconcile what is fundamentally irreconcilable yet must somehow be expressed in time.

[16] For further investigation, two books that treat this subject are *Jacques Maritain and the Jews*, ed. Robert Royal (Notre Dame: American Maritain Association, 1994) and Frank J. Coppa, *The Life and Pontificate of Pope Pius XII: Between History and Controversy* (Washington, D. C.: The Catholic University of America Press, 2013).

CHAPTER TWO

ACTION FRANÇAISE AND INTEGRAL NATIONALISM

Convergence of Maritain, the Vatican, and *Action Française*

Maritain's conversion and baptism into the Catholic Church took place in 1906, in response to his despair at the meaninglessness of the philosophical materialism of his day.[17] He perceived that the idea that human life had no value beyond the natural and immediate was abhorrent and fundamentally irrational. Maritain feared that the subjectivism of modern thinking threatened the negation of truth itself and undermined political harmony. In the years that followed, he studied the philosophy of Thomas Aquinas and became an ardent disciple of the medieval philosopher and theologian. Writing in the preface to his 1922 book, *Antimoderne*, Maritain averred that he was antimodern because he was, in truth, ultramodern and thus able to navigate any modern circumstance. He found modern philosophy to be very narrow as it was wholly dependent on the individual. It was necessarily relevant only to a specific person, time, and place. The metaphysical and epistemological truths expressed by Aquinas, on the other hand, transcended the individual, and as such, were always applicable to contemporary times. Maritain argued that he was not antimodern in the sense that he sought a return to a dusty medievalism, but ultramodern in that he endeavored to express and apply universal truths in modern terms. "Precisely because we claim to adhere to a philosophy of which being perennial is its proper character, and which is thus of today as of yesterday, we love the new. But on one condition, that this new truly continues the old and adds, without destroying it, to the acquired substance."[18]

[17] Adrien Dansette, *Religious History of Modern France*, trans. John Dingle (Freiburg: Herder, 1961), 2:319. First published 1948 Flammarion.
[18] Jacques Maritain, *Antimoderne* (Paris: Éditions de la Revue des Jeunes, 1922), 19, my translation: all translations of this work are mine.

This desire to apply a timeless philosophy to modern circumstances reflected his Catholic thinking and would remain with him throughout his life.

For Maritain, the question regarding the relationship of the Church to the state was inseparable from the larger philosophical question of the relationship between the physical and the spiritual aspects of humankind. As a Catholic philosopher, he believed that the Christian God created and transcended the temporal world. This God also established the foundations of morality, human flourishing, and the common good. Divine authority was absolute and was expressed through the Catholic Church. Nevertheless, Maritain defended the idea of an independent properly functioning state. As he described it in *Primacy of the Spiritual,* Christianity had opened the door to the legitimacy and independence of the secular state with Jesus' command to render unto Caesar what was Caesar's, because this initiated the separation of the political dimension of human life from the spiritual. He wrote, "It is common knowledge that the distinction [between the spiritual and temporal powers] is the achievement of the Christian centuries and their glory."[19] The Church's authority was spiritual, not political, its goal being the salvation of all humanity.

In the early days of Christianity, the Church's public authority grew, but did not take the form of a theocracy. When Rome fell, the Church remained and exercised greater public and political authority. The kings of the Middle Ages exerted considerable authority, and the key conflict of the era was how to draw the line between the two domains. In 494 Pope Gelasius I articulated the two-sword theory according to which each domain functioned within its own sphere and respected the domain of the other. Different papal relationships with monarchs developed, but, generally speaking, a truce was struck which specified that the monarch was

[19] Maritain, *Primacy of the Spiritual,* 1.

head of the state but subject to God and to the spiritually superior Church. Both had rights with which the other could not interfere. The Church exercised indirect authority, sometimes through the state, over the spiritual wellbeing of its members. This proved to be an unstable relationship.[20]

The Reformation changed all this. In *The Three Reformers: Luther, Descartes and Rousseau,* Maritain argued that Luther, Descartes, and Rousseau, by shifting focus to the individual, perverted the proper perspective on religion, epistemology, and government. First and foremost, Luther brought into the world "the seed of the anti-Christian revolution" by emphasizing his own relationship with God, forever distorting theology, and the notion of Christian freedom. According to Maritain, "Lutheranism is not a system worked out by Luther; it is the overflow of Luther's individuality."[21] The "translation of this egocentrism into dogma" was "the transference of that absolute assurance in the divine promises which was formerly the privilege of the Church and her mission to the human individual and his subjective state."[22] As Maritain described it, this exaggerated emphasis on the individual distorted how we understood what it was to be human. As an alternative to this, Maritain offered a definition of the concept of the person as distinct from the individual. "The word *person* is reserved for substances which possess that divine thing, the spirit, and are in consequence, each by itself, a world above the whole bodily order, a spiritual and moral world which, strictly speaking, is not a *part* of this universe."[23] This defined all human beings and was not exclusive to baptized Catholics.

All humans were persons simply by existing because they are made by God. This concept of the person as being both body and spirit formed the basis of his personalism. Individuals, on

[20] Ibid., 1-11.
[21] *Three Reformers: Luther – Descartes - Rousseau* (London: Sheed and Ward, 1928), 15.
[22] Ibid., 16.
[23] Ibid., 19-20. Italics in original.

the other hand, were simply animal beings which shared what, "is common to man and beast, to plant, microbe, and atom." Persons had immortal souls, while individuals merely existed as "a fragment of matter."[24] As such, individuals may have equal rights and liberty, but they are alone and isolated in a "homicidal civilization," and they would ultimately be consumed by the social whole under some form of despotism. Persons acknowledged that they were members of society, and society should promote the common good and recognize the eternal destiny of persons. Accordingly, the person was ultimately freer in a society that recognized her true nature and destiny, rendering the city subordinate to the person. But governments must acknowledge their proper role. "Since this spiritual and eternal good is in fact, by the Creator's grace, not the simple end of natural religion, but an essentially supernatural end – to enter by vision into the very joy of God – the human city fails in justice and sins against itself and against its members if, when the truth is sufficiently proposed to it, it refuses to recognize Him Who is the Way of beatitude."[25] Luther's fundamental shift towards the individual, according to Maritain, tainted all modern thinking about the relationship between persons and government.

Enlightenment thinkers and leaders asserted that secular leaders and states had rights over which the Church had absolutely no authority. Political leaders and states also asserted that they had rights over some spiritual domains of the Church. Hapsburg Emperor Joseph II, for instance, exerted direct authority over the internal workings of Catholic institutions within the empire. The French Revolution, however, went further and displayed the most radical example of this shift of emphasis. The 1790 Civil Constitution of the Clergy absolutely subordinated the Church to state control, and the 1794 National Convention established a new religion, the Cult of the Supreme Being, which completely eliminated Catholic influence from government. In 1798, French troops

[24] Ibid., 20.
[25] Ibid., 24.

seized the Papal States and captured Pope Pius VI. Pius VI was sent into exile where he died eighteen months later. The 1801 Concordat between Pope Pius VII and Napoleon reestablished ties with the Church but left the relationship fraught with difficulties and the Church functioning very weakly.[26] The Papal States were recovered in the Congress of Vienna but were lost again in 1870.

Pope Leo XIII (1878-1903) wrote several encyclicals concerning the Church's relationship to the state and articulated the basics of Catholic social teaching. Early in his pontificate, he issued the encyclical *Inscrutabili Dei consilio* - On the Evils of Society,[27] which expressed his criticism of the modern world, yet stressed the need for those in the Church to work for the good of all. His singularly important letter *Immortale Dei* - On the Christian Constitution of States, was issued in 1885 and proclaimed that governments do not have to be monarchical to be legitimate. Not favoring any particular form of government, Leo XIII reaffirmed the two-power relationship and asserted that the people must be free to select whatever form of government works best for them. He affirmed, however, that the government and its leaders must acknowledge the primacy of God and not restrict the Church in any way. The two should work in concert for the common good and citizens should participate as best they can, so long as the state does not exceed its powers. This document has become the modern bedrock of the Church's position on its relationship to the state, and future documents would be compared against it.

At the same time, important social changes were unfolding. Industrialization and

[26] A concordat is a legal agreement the Church enters into with political bodies to delineate its functioning with that body. It is not exactly a treaty, because the Church has no military branch to support it. It is, rather, a public agreement that recognizes the status of the Church within a state to preserve the local functioning of the Church in communication with Rome. They have no binding authority and have a history of being abrogated by political bodies.

[27] Pope Leo XIII, *Inscrutabili Dei consilio* [On the Evils of Society], 1878, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_21041878_inscrutabili-dei-consilio.html.

urbanization broke down local traditions. Science and its methods were becoming the sole definer of truth. Spiritual and religious values were replaced with material and secular ones which encouraged either individualistic advancement through capitalism or social advancement through socialism and communism. The Church was losing influence among its members, especially the working class, whose members were drawn to socialism and Marxism. Political parties were rising which claimed to be representative of Catholicism. Leo XIII clarified what could and could not be considered Catholic and demanded Church independence from particular parties. *Rerum novarum* – On the Rights and Duties of Capitol and Labor,[28] promulgated in 1891, denounced socialism, criticized individualistic unrestricted capitalism, and served as the basis of future Catholic social teaching. *Graves de communi re* – On Christian Democracy,[29] issued in 1901, outlined the difference between Social and Christian Democracy. Leo asserted that Social Democracy failed because it maintained, "that there is really nothing existing above the natural order of things, and that the acquirement and enjoyment of corporal and external goods constitute man's happiness."[30] Christian Democracy, contrariwise, was built on the faith, so it differed radically from the former. Nevertheless, the Church may have no direct political involvement. It "must remain absolutely free from the passions and the vicissitudes of parties. . . The mind and the action of Catholics devoted to promoting the welfare of the working classes can never be actuated with the purpose of favoring and introducing one government in place of another."[31] Leo XIII outlined the standards for government, emphasizing Church liberty, but resisted alignment with partisan politics.

[28] Pope Leo XIII, *Rerum novarum* [On the Rights and Duties of Capitol and Labor], 1891, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum.html.
[29] Pope Leo XIII, *Graves de communi re [*On Christian Democracy], 1901, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_18011901_graves-de-communi-re.html.
[30] Ibid., par. 5.
[31] Ibid., par. 7.

Events in France elicited specific responses from Leo XIII. In 1884 he wrote *Nobilissima Gallorum gens* – On the Religious Question in France,[32] a response to France's government becoming more secular as royalists lost power in parliament. He criticized some of their secularizing actions but encouraged French citizens to work towards harmony. In 1892, he issued *Au milieu des solicitudes* – On the Church and State in France,[33] which ushered in the *Ralliement*, a rallying of support to the Republic. Leo XIII demanded that Catholics accept the French Republic as not contrary to God's will, and that they should embrace it as such. Many Catholics in France opposed the *Ralliement* and wanted a full restoration of the monarchy and the Church, a response to the Third Republic's staunch anti-clericalism. Unfortunately, Catholic anti-Dreyfusards worsened relations. These Catholics were opposed to accepting Captain Dreyfus' innocence and argued that the good of France depended on defending the military, even if Dreyfus' innocence could be proved, and despite the pope's support, albeit quiet,[34] of Dreyfus. This undercut any harmonizing advances Leo XIII had affected in France.

The group *Action Française* originated among those, mostly Catholic, who were dissatisfied with the Dreyfus decision and thought that France was being damaged by modern and foreign influences. Many early members of *Action Française* were Bonapartists and considered themselves true children of the revolution, although they sought to restore the France of tradition as opposed to the "diluted" France of Protestants, Jews, and Freemasons. It was decidedly not a traditional royalist or aristocratic association.[35] Charles Maurras joined the group

[32] Pope Leo XIII, *Nobilissima Gallorum gens* [On the Religious Question in France], 1884, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_08021884_nobilissima-gallorum-gens.html.
[33] Pope Leo XIII, *Au milieu des solicitudes* [On the Church and State in France], 1892, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_16021892_au-milieu-des-sollicitudes.html.
[34] Owen Chadwick, *A History of the Popes 1830-1914* (Oxford: Oxford University Press, 2003), 385.
[35] R. E. Balfour, "The Action Française Movement," *The Cambridge Historical Journal* 3, no. 2 (1930): 182-205, 198, https://www.jstor.org/stable/3020706.

in 1899 and became its leader. He described its ideology as "integral nationalism" a particular type of nationalism, stressing that the decline of France could only be reversed through order, reason, and authority, putting the needs of the nation ahead of the individual. He steered the group towards monarchism, because an unelected monarch, without any parliament, could unify and protect local traditional interests. Although many members were Catholic, the group was not specifically Catholic, and Maurras had himself abandoned the faith of his childhood. But, because he feared the individualizing influence of Protestantism, he found the Catholic position less offensive to his ideas of order and discipline. To unify against the Third Republic, he incorporated into his program the Catholic element in such a way that the Church would be recognized as part of France's traditional heritage but in a role secondary to the state. The state would grant primacy to the Catholic Church and not interfere in its activities, but the Church would not be allowed to interfere in the state's domain. Its motto was "*Politiques d'abord!"*

During the early years of *Action Française*, the Vatican was in a weak political position following the loss of sovereignty over the Papal States in 1870. It had little clear political identity and was, in Pope Pius IX words, where popes served as "prisoners of the Vatican." Upon Pope Pius X's installation in 1903, he wrote the encyclical *E supremi* - On the Restoration of All Things in Christ,[36] asserting that the world would only recover from its current difficulties by embracing the truths and laws of the Church. It outlined that the Church was responsible for instructing and forming its priests so that they would be able to educate the laity to be able to act according to the laws of Christ. While authority flowed from the clerical orders, the laity were responsible to live out the Gospel message. Responding to their Christian example, he argued, non-believers would be moved to belief. In this manner, the Church would restore peace and

[36] Pope Pius X, *E supremi* [On the Restoration of All Things in Christ], 1903, https://www.vatican.va/content/pius-x/en/encyclicals/documents/hf_p-x_enc_04101903_e-supremi.html.

order and serve all people. “The Church, such as it was instituted by Christ, must enjoy full and entire liberty and independence from all foreign dominion; and We, in demanding that same liberty, are defending not only the sacred rights of religion, but are also consulting the common weal and the safety of nations.”[37] Pius X asserted that he was not demanding direct political authority. He sought liberty for the Church and recognition of it as one, true, universal, and apostolic: a political arrangement in which the Church was recognized as the overseer of truth, because, as it had always maintained, it was true.

The encyclical was a theological document with political implications. Pius X reasserted that Christianity provided the foundation of a thriving civilization, and that only by rechristianizing the West would peace be restored for everyone. Yet, how this would be achieved without significant engagement in politics was unclear, especially since Pius X headed an institution lacking defined political power. Minimally, rechristianization would require the ability of the Church to work within nations. Complicating matters, given that Catholics practiced their faith under different forms of government, there could not be a one-size-fits-all model. Further, with much of Europe moving towards greater secularity, many political leaders were opposed to granting the moral superiority that the Church claimed for itself.

As the divisions deepened, Pope Pius X enacted stricter policies to oppose modernist tendencies and disciplined two French bishops accused of being sympathetic to the French Republic. In 1904, the French government severed ties with the Vatican and in 1905 passed their laws of separation, which officially established the state secularism still in force today. It has been debated whether Pius X’s stern posture made the situation worse, but historian John Pollard granted that, “even if Leo III and Rampolla[38] had still been in office, it is hard to see how they

[37] Ibid., par. 14.
[38] Pope Leo XIII’s Secretary of State.

could have avoided the rupture with France given the anti-clerical mood in that country."[39] In 1906, Pius X responded with the encyclical *Vehementer nos* – On the French Law of Separation,[40] which denounced the abrogation of the 1801 Concordat and the French government's complete separation of Church and state. In 1907, Pius X issued his encyclical, *Pascendi dominici gregis* – On the Doctrines of the Modernists,[41] which explicitly denounced an array of problematic modern ideas, the term "modernism" meaning any idea that viewed the world in isolation from God. He strove to purify the Church of modernist influences and installed bishops who would support his policies.[42]

Papal tolerance for Maurras and *Action Française* grew steadily, because members of the movement were among the few who explicitly defended the Church in France.[43] This itself, however, was to become a point of contention, because mere support for the Church was not sufficient to avoid condemnation. Marc Sangnier advocated greater social justice for the working class and formed *Le Sillon* in 1894, an effort to bring Catholics together within the Republic. He advanced the ideas of *Rerum novarum*, but without direct Church oversight. As Pius X sought to eliminate all traces of modernism, he perceived that *Le Sillon* leaned too far towards socialism and downplayed Catholicism for the sake of social justice. As a result, the group was officially condemned in August 1910. Like Sangnier, Maurras desired that his group not be subordinate to the Church, and many in the Church and in France were critical of Maurras and his methods. Amid growing concern, several Cardinals warned Pius X that *Action Française* was excessively

[39] Pollard, 21.
[40] Pope Pius X, *Vehementer nos* [On the French Law of Separation], 1906, https://www.vatican.va/content/pius-x/en/encyclicals/documents/hf_p-x_enc_11021906_vehementer-nos.html.
[41] Pope Pius X, *Pascendi dominici gregis* [On the Doctrines of the Modernists], 1907, https://www.vatican.va/content/pius-x/en/encyclicals/documents/hf_p-x_enc_19070908_pascendi-dominici-gregis.html.
[42] Oscar Arnal, *Ambivalent Alliance: The Catholic Church and the Action Française 1899-1939* (Pittsburgh: University of Pittsburgh Press, 1985), 51.
[43] Balfour, 197.

nationalistic and not specifically Catholic. The Congregation of the Index decided to ban seven of Maurras' books as well as one of his journals. Pope Pius X signed the condemnation yet opted not to publish it,[44] *damnabilis sed non damnanda*, – condemnable but not to be condemned. Regardless of the group's shortcomings, Pius X hesitated to prohibit *Action Française*.

Significantly, although papal encyclicals were principally religious documents which political bodies could easily, and most often did, ignore, the Church nonetheless preserved a fair degree of authority. Had that not been the case, there would have been no need for the French government to write the separation laws which effectively disbanded or took control over all Catholic institutions in France.[45] The degree of the Church's political influence on the eve of World War I continues to be debated. Some have suggested that Vatican involvement encouraged the July crisis and helped precipitate the war,[46] while others maintain that its international influence was at a low point in 1914.[47]

As World War I unfolded, competing political groups in France chose to form a unified front and put aside their differences. *Action Française's* pro-French and anti-German position helped inspire enthusiasm for engagement in the war. The new pope, Benedict XV (1914-1922), chose not to publish the ban against *Action Française*, because he did not wish to estrange a friendly group, and because he feared that banning a French organization would appear to support the Central Powers.[48] Nevertheless, the Vatican had few official diplomatic relations throughout World War I and failed to achieve any noteworthy political success. Pope Benedict XV's efforts at peace negotiations were perceived as favoring one side over the other and fell on

[44] Eugen Weber, *Action Française; Royalism and Reaction in Twentieth-Century France* (Stanford: Stanford University Press, 1962), 222.
[45] Pollard, 20.
[46] Pollard, 27.
[47] Pollard, 28. Pollard's evidence for this is that Christopher Clark's book, *The Sleepwalkers*, makes no reference to the Catholic Church. This is weak evidence, however, because Clark excludes reference to any religion.
[48] Balfour, 203; Weber, 223.

deaf ears entirely. Internally, one significant accomplishment of Popes Pius X and Benedict XV was the codification of Canon Law, published in 1917, which clarified and organized Church law, bolstering Catholic renewal. This strengthened the Church's structure and identity, thereby creating a firmer footing on which to engage the world. Benedict XV also made positive strides towards ameliorating tensions in France, culminating in the Briand Ceretti Agreement of 1923-1924, which allowed for better negotiations between the Vatican and France in selecting French bishops.[49]

During this time, as a devoted Frenchman and Catholic, Maritain asserted that the spirit of France was essentially Catholic.[50] He agreed with the Church's position against secular state authority, arguing that the state itself would fail if disassociated from its Catholic heritage.[51] This position was far from radical at the time. Though European urban centers were quite secularized, many of the Church's core ideas continued to be influential. Specifically, the legitimacy of natural hierarchy remained unquestioned in many powerful circles, because it was seen as a reflection of God's order in creation. Maritain wanted to emphasize that order, and he saw France as the protector of these beliefs. It is, therefore, not surprising that the traditional views of Charles Maurras and *Action Française* appealed to him. As World War I dragged on, he perceived that the conflict represented a modern-day spiritual war, pitting Catholic France against the Protestant, modernist Germany. He wrote, "The great war came out of it by a fatal game. Considering it in one of its aspects – the philosophical and intellectual aspect – as we said in 1915, and it does not seem inopportune to restate it today, 'Pan Germanism' is the monstrous

[49] J. de Fabregues, "The Re-establishment of Relations between France and the Vatican in 1921," *Journal of Contemporary History* 2, no. 4 (Oct. 1967): 163-182, https://www.jstor.org/stable/259828.
[50] Michael D. Torre, "The "Annex" to Maritain's 1914 Lectures on 'The Spirit of Modern Philosophy' The Role of Germany in Modern Philosophy," in *The Wisdom of Youth: Essays Inspired by the Early Work of Jacques and Raissa Maritain*, ed. Travis Dumsay (Washington, D.C.: Catholic University of America Press, 2016), 83-84.
[51] Maritain, *Primacy of the Spiritual,* 1 - 36

but inevitable fruit of the great rupture of equilibrium of the sixteenth century, of the separation of Germany from Christianity.'"[52]

Papal Condemnation

In 1922 the newly elected Pope Pius XI became the sovereign of an international body with no specific territory, vague international standing, and undefined universal authority and influence. Following the example of his namesake, he wrote his first encyclical on the role of Christianity in society. *Ubi arcano Dei consilio* – On the Peace of Christ in His Kingdom,[53] was promulgated in December 1922. He lamented the state of the world after World War I, emphasizing that real peace had not been achieved. Conflict and hatred continued to exist among nations, parties, and classes as well as within families and social groups. The love of pleasure on the individual level was destroying society, but the failure of governments to recognize God was destroying the world. "Authority itself lost its hold upon mankind, for it had lost that sound and unquestionable justification for its right to command on the one hand and to be obeyed on the other."[54] True peace would only be possible if people were willing to accept the principles of Christianity. In this way, Pius XI upheld the traditional teaching of the Church. Nevertheless, he was aware of the changing political context. In discussing the conflicts within nations, he acknowledged that, "These different forms of government are not of themselves contrary to the principles of the Catholic Faith, which can easily be reconciled with any reasonable and just system of government,"[55] thereby reinforcing the notion that Catholics should not withdraw from

[52] Maritain, *Antimoderne*, 177.
[53] Pope Pius XI, *Ubi arcano Dei consilio* [On the Peace of Christ in His Kingdom], 1922, https://www.vatican.va/content/pius-xi/en/encyclicals.index.2.html.
[54] Ibid., par. 28.
[55] Ibid., par. 12.

participation in their government communities.

Bearing in mind that he still had no political state, Pius XI acted accordingly. In addressing the kind of participation the Church should have in government, Pius XI recognized a clear tension between the role of the Church and the role of the modern state. He demanded full liberty for the Church which "cannot permit or tolerate that the state use the pretext of certain laws of unjust regulations to do injury to the rights of an order superior to that of the state, to interfere with the constitution given the Church by Christ, or to violate the rights of God Himself over civil society."[56] To this end he encouraged the establishment of diplomatic concordats to ensure legal independence within established countries.[57] On the other hand, while condemning "social modernism"[58] and declaring that governments must acknowledge God and Christian principles, he was not endorsing any kind of authoritarianism. "The Church does not desire, neither ought she to desire, to mix up without a just cause in the direction of purely civil affairs."[59] To distance the Church from nationalist groups and nations, Pius XI distinguished patriotism from extreme nationalism, which arises "when we forget that all men are our brothers and members of the same great human family." He argued, "It is never lawful nor even wise, to dissociate morality from the affairs of practical life,"[60] indicating that morality could never be compromised for political ends. Pius XI, like Pius X, sought to rechristianize and thereby strengthen the world, encouraging lay Catholics to engage with the world. Liberty for the Church was necessary to permit the flourishing of Catholic engagement. He favored the association, *Catholic Action*, comprised of young Catholics, under the direction of local clerics, to be the

[56] Ibid., par. 65.
[57] Martin Conway, *Catholic Politics in Europe 1918-1945* (London: Routledge, 1997), 41; J. Derek Holmes, *The Papacy in the Modern World 1914-1978* (London: Burns and Oates, 1981), 82.
[58] Pius XI, *Ubi*, par. 61.
[59] Ibid., par. 65.
[60] Ibid., par. 25.

advance guard in this mission. This ensured that Rome would retain a degree of moral authority over its members, who often influenced public events.

In January 1924, he wrote the letter, *Maximam gravissimamque* – On French Diocesan Associations,[61] in which, due to improved circumstances and negotiations, he accepted the French laws on the establishments of state sponsored religious associations "in the interests of a more general peace."[62] Pius X had rejected any such proposal. Pius XI, therefore, emphasized that he was not negating the decision of Pius X to reject the associations.[63] Different contexts and circumstances warranted different responses. Pius XI confirmed that the Vatican and the French government had come to an agreement in which both French and canon law could be satisfied, and the Church would enjoy the liberty it required. He described his acceptance of the associations "as a starting point from which we shall be able to go forward to the legitimate and peaceful conquest of a full and entire freedom for the Church."[64] This approach would serve as the foundation for twentieth century evangelization.

Near the end of 1925, he promulgated the encyclical, *Quas Primas* - On the Feast of Christ the King, confirming his first letter and emphasizing that the private and public rejection of Christ brought about the evils in the world. He continued that it was only in the "*Kingdom of Christ"* (italics in the original) that peace would be restored.[65] Harkening back to the medieval two sword model, he explicitly stated that the authority of Christ is universal, law-giving and judging;[66] yet, this kingdom is "spiritual and is concerned with spiritual things,". . . and "is

[61] Pope Pius XI, *Maximam gravissimamque* [On French Diocesan Associations], 1924, https://www.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p-xi_enc_18011924_maximam-gravissimamque.html.
[62] Ibid., par. 13.
[63] Ibid., par. 17.
[64] Ibid., par. 16.
[65] Pius XI, *Quas Primas* [On the Feast of Christ the King], 1925, par. 1, italics in text, https://www.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p-xi_enc_11121925_quas-primas.html.
[66] Ibid., par. 7.

opposed to none other than to that of Satan."[67] This was a reminder that no one nation could claim absolute status, because Christ's laws superseded all those made by people. "The empire of our Redeemer embraces all men. . . for all men, whether collectively or individually, are under the dominion of Christ."[68] Further, the responsibility of political leaders is to recognize that they rule only by God's mandate and must "exercise their authority piously and wisely, . . . having in view the common good and also the human dignity of their subjects."[69] Such an arrangement represented the surest path to peace. Pius XI used the occasion of this letter to institute the Feast of Christ the King to emphasize the absolute, rather than national, sovereignty of Christ and to enlist lay involvement against anti-clericalism. Again, Pius XI asserted the universal truth of Catholicism, demanded Church liberty within nations, and called upon the laity to advance the faith.

While Pius XI consistently defended the demand for Church liberty for spiritual, rather than political, ends, tension continued to grow. In the early years of the century the Vatican asserted that it did not wish to run governments directly, but that governments should defer to the moral principles of the Church. While this was consistent within tradition and was reasonable from a Catholic point of view, it became increasingly problematic for secularists. The problems associated with the definition of liberty resurfaced: was freedom the ability to do what one ought, i.e., as the Church defined, or simply to do what one chose?[70] The Church claimed it needed liberty to be able to help people be sufficiently free to achieve their final end – God and heaven. It also claimed that states functioned best, and served true liberty best, when they promoted the

[67] Ibid., par. 15.
[68] Ibid., par. 18.
[69] Ibid., par. 19.
[70] Raymond Grew, "Liberty and the Catholic Church in Nineteenth-Century Europe," in *Freedom and Religion in the Nineteenth Century*, ed. Richard Helmstadter (Stanford: Stanford University Press, 1997), 196-232. Grew's essay is very interesting in discussing how the Church's demand for liberty encouraged pluralism and other modern tendencies it sought to restrict.

common good which supported people towards that final end. Thus, what appeared to be a practical requirement for full Church liberty seemed to be nothing short of universal acceptance of Catholicism. Naturally, modern secular governments did not want to conform to this particular set of religious beliefs. They rejected the Church's idea of liberty, preferring the definition of freedom as self-determination.

Not wanting to align the Church with any particular political parties, Pope Pius XI focused on concordats and lay movements, especially Catholic Action, to support the Church and its members within particular countries. This approach was not without problems, however. The first problem was that in abandoning parties which described themselves as Catholic, mediating institutions were at a loss to restrain totalitarianism.[71] Another issue was that in accepting the cultural associations and advancing the group Catholic Action, Pius XI appeared to tighten clerical control over its lay members, since the Vatican would ultimately be in control of associations that defined themselves as Catholic. Finally, in relying on concordats to establish legal relationships with countries, the Vatican appeared to be very close to be engaging in the kind of active particular political involvement it denied it sought.[72]

Immediately after the war, *Action Française* had maintained its popularity, with Leon Daudet, editor of the group's periodical, elected to public office in 1919. Support for the group began to diminish, however, and internal division grew. The organization was becoming a problem for the Vatican, because its strong anti-German rhetoric conflicted with the Church's diplomatic goals.[73] Pius XI was not in favor of harshly punishing Germany[74] and was more

[71] Eamon Duffy, *Saints and Sinners: A History of the Popes* (New Haven: Yale University Press, 1997), 338-341.
[72] As Chamedes described it, "The Vatican invented an aggressive new diplomatic strategy to protect itself and promote Catholicism in the modern era." 11.
[73] Duffy, 336.
[74] Pollard, 233-234.

interested in moving away from supporting political parties and more towards endorsing religious associations.[75] Furthermore, he sought to emphasize the transnational aspect of Catholicism rather than focus on national issues. Pius XI requested the dossier which had been assembled regarding Maurras and *Action Française*. As a result of reorganization done at the Vatican in 1917, a number of these documents and related research materials were misplaced. Upon hearing that the dossier was lost, he took strong measures to bring about its retrieval.[76]

In the meantime, the ideas of Maurras and *Action Française* were spreading, taking hold especially in Belgium; consequently, Church concern over the matter was growing.[77] In August 1926, responding to questions and concerns regarding the influence of the group upon young people, Cardinal Andrieu of Bordeaux, an early staunch supporter of *Action Française*,[78] wrote a stern critical letter in his diocesan bulletin, accusing it of being anti-Catholic and promoting a restoration of paganism.[79] Maurras and his followers denounced the charges. On September 5, Pius XI wrote a letter to Andrieu approving and praising his letter. Pius XI focused his attention on the problem relating to the subordination of the faith, its dogma, and morals, to secular authorities, and stated that the failure to uphold the primacy of the teachings of the Church in effect created a new sort of religion. Maurras was seen as promoting a "rebirth of paganism." He reiterated his support for Catholic Action and warned that the love of country could not justify inculcating doctrinal confusion among the youth.[80] That Pius XI felt the need to respond to a letter written by a Cardinal regarding Catholics of his diocese indicated the importance he attached to *Action Française*.

[75] Holmes, 83.
[76] Duffy, 336-337.
[77] Weber, 227.
[78] Weber, 35.
[79] Balfour, 201; Weber, 231.
[80] Pope Pius XI to Cardinal Andrieu, Archbishop of Bordeaux, September 5, 1926, *Rorate Caeli* (blog) September 13, 2011, https://rorate-caeli.blogspot.com/2011/09/taming-action-i.html#more.

On December 29, 1926, after examining the dossier and considering the current situation, Pius XI enforced the 1914 ban placing seven of Maurras' books on the index of banned books.[81] Owing to the criticisms by Maurras and Daudet directed toward the Holy See and Pius XI in the daily *L'Action Française*, the periodical was also banned. In addition, Pius XI prohibited Catholic participation in *Action Française*, arguing that it was bad for the Church and for the spiritual well-being of its participants. This was not an outright ban on the group which called for its dissolution, as was the case with the *Sillon*, but rather a prohibition of Catholic participation in the group. Pius XI's main complaint was that it instrumentalized religion and in effect put the state ahead of the Church. Catholic response in France was not as immediate as was hoped, especially given that many of the bishops shared the anti-*ralliement* attitude of Pius X.[82] The following March, Pius XI prohibited any clerical support of the group, threatening to suspend their sacramental privileges if they disobeyed, and required bishops to sign an oath accepting the prohibition.[83] Cardinal Billot, who sent a letter of sympathy to the group, was ordered to resign his office, marking the first time a cardinal was fired.

Responses to Condemnation

During 1925, Maritain had written several essays in view of the tensions created by Maurras' growing influence but did not publish them. He was considering what the position of the Christian philosopher should be regarding the political ideas of Maurras' political ideas. Pius XI's letter to Andrieu made him reconsider the issue, and in September 1926, Maritain

[81] Nicola Canali, "Decree of the Holy Office Condemning Certain Works of Charles Maurras and the Periodical *L'Action Française*, December 1926, *Rorate Caeli* (blog), January 12, 2012, https://rorate-caeli.blogspot.com/2012/01/taming-action-ii-decree.html#more.
[82] Holmes, 85.
[83] Holmes, 87.

published, *Une Opinion sur Charles Maurras et le Devoir des Catholiques.* This small volume was not one of Maritain's major works, yet it reflected Maritain's deeply personal engagement and put in simple terms many of his key ideas on the relationship between the Church and state. To avoid possible confusion among his readers, many of whom were shocked and angered by his position,[84] he carefully stated his basic premises. First, the principles of metaphysics, philosophy, and the faith were superior to those of political action and should not be involved in and impacted by temporal passions. Second, a philosophy, such as Thomism, could be applied in various times in various ways, but was not linked to a particular party or political position. Finally, for him to retain his philosophical independence, he had never belonged to a political party.[85]

Maritain investigated the question of Maurras from both theoretical and practical points of view. From the perspective of philosophy, in the section entitled *Politics and Theology,* Maritain described Maurras' approach as empirical and inductive, seeking what worked in practice to establish order.[86] Maritain criticized this approach as having things backwards, because one ought to begin with what is metaphysically true, move through ethics, then establish a political philosophy based on the truths of both. For Maritain, politics was subordinate to morals; thus, he faulted Maurras for not considering the "hierarchy of essences or the subordination of ends."[87]

Maritain clearly articulated his position on the correct relationship between the Church and state as reflecting respectively the difference between the spiritual and material aspects of reality. Being an Aristotelean and Thomistic philosopher, Maritain typically examined things

[84] Jacques Maritain, *Une Opinion sur Charles Maurras et le Devoir des Catholiques.* (Paris: Libraire Plon, 1926), 7.
[85] Ibid., 10-11.
[86] Ibid., 21-22.
[87] Ibid., 31, my translation.

from the point of view of causes and ends. "The end of the terrestrial State is the *totum bene vivere* of mankind on this earth; a temporal good, no doubt, but one which is not only of the *material* order, but also and pre-eminently, of the *moral and spiritual order*. The science and practice of the good conduct of the State are therefore inseparable from the exact knowledge of the ends of human life."[88] Everything together comprised a whole and each part operated best when it functioned according to its nature. This comprehensive approach expressed how Maritain's political science was integral: it reflected the integration of the material and spiritual aspects of humans. "Integral political science, . . . to be truly complete. . . must have a reference to the domain of theology." Citing St. Thomas, he wrote, "The good conduct of the human State in particular can exist as an integral science, as a complete body of doctrine, only if related to the ultimate end of the human being."[89] While Maurras and the Church agreed on many practical goals, which explained why so many Catholics were attracted by his ideas, they diverged on causes and means. Maurras' failure to found his political ideas on God meant that he could not fully comprehend the role of government in the life of the community or of the people. What Maurras was left with, according to Maritain, was little more than the fragments of a political science.[90]

Maritain then considered Maurras from a practical point of view and acknowledged that although Catholics could follow non-Catholic leaders, the situation had changed given the fact that the pope had banned participation in *Action Française*.[91] He reminded Catholics of the supernatural dimension of obedience and rejected the claim that Maurras did not endanger the faith of individuals. People could not remain in the organization as it stood, because participation

[88] Maritain, *Une Opinion*, trans. J. F. Scanlan in *The Primacy of the Spiritual*, 2020, 109.
[89] Ibid., 110.
[90] Maritain, *Une Opinion*, 46.
[91] Ibid., 56.

in it was no longer simply a private matter. Maritain suggested that a group could be created within *Action Française* that would be expressly Catholic and under clerical direction.[92] Though French royalists proposed this idea to the Archbishop of Paris,[93] the Vatican rejected this suggestion.[94] This was a very personal issue for Maritain, for while never a member of *Action Française*, he had many close associates and friends who were. He restated his position as being entirely his own and as based on his position as a philosopher who strove to clearly enumerate the relevant principles which could be easily forgotten by other Catholics who found themselves in a conflicting situation.[95]

The last ten pages of this brief work addressed the distinctions to be made between nationalism and Catholicity. First, Catholics should be leery of nationalism, because it was contrary to the universal nature of the Church. That said, there were two ways in which nationalism could be positive. It could promote the highest natural social unity as opposed to the Rousseauian humanitarian myth, and it could promote the common good in contrast to the individualistic myth or mere collection of particulars.[96] Further, some nations may do certain things better than others, and so each may have its own mission or role. But problems arose when the nation became an end in itself or operated contrary to the will of God. Also, when the sense of the nation was determined by nationality, the danger of racism may arise, which Maritain described as a "very pernicious error."[97] The greatest threat posed by nationalism, however, was when it deteriorated into a blind cult which placed the nation above all else. The state put itself above the Church, not recognizing the Church's independence. Conversely, the

[92] Ibid., 61-62.
[93] Weber, 233.
[94] Barré, 259.
[95] Maritain, *Une Opinion*, 63.
[96] Ibid., 67.
[97] Ibid., 69.

state may reject the laws and duties of justice and charity, and it may wage war on its neighbors. Arguing against nationalism, Maritain called for obedience to the pope to ensure peace and charity.[98]

In his 1927 major work, *The Primacy of the Spiritual*, Maritain outlined his ideas about the relationship between the Church and state and upheld the position of Pius XI and the tradition of the Church. He distinguished between spiritual authority that was either direct or indirect, analyzed the prohibition against *Action Française,* and affirmed and articulated the idea of the primacy of the spiritual. The pope's spiritual authority may be direct, as related to matters of faith and practice, or indirect, as on temporal matters.[99] Further, as all acts have a moral dimension, everything fell within the pope's power.[100] The pope was also within his rights to change his mind on temporal matters.[101] Indirect authority was exerted several times during the Middle Ages when kings overextended their authority, and it remained a natural right of the Church.[102] Both types of actions demanded strict obedience unless they were harmful for the Church or were intrinsically evil.[103] The Holy Spirit assisted the pope's judgement; thus, even if the directives were not the best practical option, they must be obeyed for the good of one's soul and of the community of the Church.[104] Maritain argued that because the pope's pastoral scope was universal, he may not be bound by a particular nation and must be his own sovereign in order to be perfectly free.[105] On the other hand, as a sovereign, the pope may offer counsel or suggestions that were not binding. These diplomatic efforts replaced what would otherwise be a

[98] Ibid., 70-72.
[99] Maritain, *Primacy of the Spiritual*, 7-10.
[100] Ibid., 18.
[101] Ibid., 25.
[102] Ibid., 14.
[103] Ibid., 29.
[104] Ibid., 27.
[105] Ibid., 35. A major complaint of the Vatican at the time of *Primacy*, until the Lateran Accords of 1929, was that the papacy and Holy See had no sovereignty.

national sovereign's military powers.[106]

The section devoted to *Action Française* reviewed Maritain's response to Maurras and Pius XI. He stressed that what began as a simple warning to Maurras ended in a ban on Catholic participation. The whole affair was a very difficult personal experience for Maritain, and he expressed the sorrow he felt for Maurras.[107] His main purpose was to regard the issue from a spiritual point of view and to consider why participation was condemned. While he acknowledged the practical arguments against the condemnation and the difficulty it posed for many people, he maintained that obedience was necessary, and that Pius XI was acting within his authority. The Church could not be more concerned about the good of one nation, France, above its own independence, and it must "free itself from the earthly fetters which threatened to enslave it."[108]

He agreed with Pius XI that the Church, which served as the material link between God and the temporal world, was essential to the well-being of the state, and that the world could never be correctly understood apart from God. Because this truth operated at a level above particular nations, there could be no connection between traditional Catholicism and fascism, as the state could never be an end in itself. Catholicism was the true universalism and Catholics must "expel from their minds all the barbarism, both capitalist and communist, of the naturalist and atheist world."[109] Regardless of the best intentions of members of *Action Française* to seek a spiritual renewal through political activity,[110] the spiritual element and work must come first. For historically, when the spiritual was removed from the material, "the claim for the absolute

[106] Ibid., 22.
[107] Ibid., 38.
[108] Ibid., 54.
[109] Ibid., 58.
[110] Ibid., 58.

independence of the temporal was converted into an attempt to subordinate the spiritual to the temporal."[111]

The final chapter on duty to God outlined the spiritual dimension of the Church/state relationship. Here he addressed the complaint that he and the Church were "sliding to the left." Maritain maintained that such a judgment was short sighted. The Church must defend itself even against those (right leaning) groups which would support it, "for the Church fears the protection of a human arm which is not in the first place absolutely docile to God." He expressed his absolute belief in the continuity of the Church's teaching authority through its responses to specific historical circumstances. "Anyone with his eyes fixed on the present things thinks that she is changing direction every time; it is the danger which changes direction, the Church marches straight on."[112] From antiquity to the modern age, the teaching of the Church has remained constant while politics varied. Ultimately, "a Christian political order in the world is not to be artificially constructed by diplomatic means; it is a product of the spirit of faith,"[113] and it was primarily incumbent upon lay people to work towards the temporal salvation of world.[114]

In considering non-Catholic churches and non-Western societies, he respected natural diversity yet lamented the separation of other cultures from the Church. and felt sorry for them, because "they have nobody to defend them against the power of the world."[115] As part of God's creation, all people were under the care of the Church, and the pope was their spiritual father. There was no necessary link between the Church and Europe other than the historical. He emphasized that the Church was not western, and Europe was not the faith. True Catholicism

[111] Ibid., 64.
[112] Ibid., 70.
[113] Ibid., 75.
[114] Ibid., 72, 77.
[115] Ibid., 72-73.

was universal and sought unity in God.[116] He also warned against any revolution in order to repair the ills of the world, because after fifteen hundred years of the relatively stable efforts of the Church to lead the West, one hundred and fifty years "was sufficient for human liberty emancipated from Christ to plunge the world into a chaos of woes."[117] Ultimately, "Europe will rise again only if she return entirely to the feet of Christ. Then only will she be able to resume her function of serving the world by guiding it, not ruling it for her own advantage."[118]

Following the prohibition, Maurras and members of *Action Française* denounced the Vatican and claimed that the action was done simply for political reasons and that the pope was siding with Germany to establish a new Holy Roman Empire.[119] In response to this, Pius XI asked several French Catholic intellectuals to explain his position to other Catholics. Given Maritain's stature as a philosopher as well as his former association with the group, his participation in the effort was considered to be highly valuable.[120] Maritain had been planning a trip to Rome to intervene on behalf of a friend. He met with Pius XI on September 6 and 7, 1927 where the two discussed the situation regarding Maurras. At the end of the second meeting, Pius XI asked Maritain to edit a book which he had been contemplating.[121] The response to this plea was the book *Pourquoi Rome a Parlé,* in which Maritain contributed the chapter entitled "*Le Sens de la Condamnation."* This work explained the pope's judgment as a religious event. The introduction asserted, "The present debate does not take place between an authority which constrains without reason and a spirit which sees, but more between a spirit which sees certain realities (in the name of which acts the spiritual authority), and a spirit which does not see these

[116] Ibid., 81.
[117] Ibid., 84.
[118] Ibid., 87.
[119] Holmes, 89.
[120] Arnal, 128.
[121] Barré, 268-270.

realities."[122] Clearly, this was a work by Catholics and for Catholics, to clarify the spiritual significance of Pius XI's ban.

Maritain's main point was that the condemnation was not, contrary to Maurras' accusations, a political act. Despite temporal repercussions, the Church did not and does not deviate in its mission to protect souls. "No doubt the condemnation of the Action Française had *repercussions* on the temporal. . . But *in itself and essentially* it is a measure completely spiritual."[123] It was an act of direct power over the spiritual insofar as its main purpose was to protect the well-being of the souls of its members, especially the young. Being a philosopher, he systematically broke down all the different possibilities and concluded that it was a religious act with religious motives to achieve religious ends.[124] Following *Une Message sur Charles Maurras*, Maritain affirmed that the pope was, in essence, merely doing his job. What surprised him was how many Catholics failed to obey the pope. This confirmed how influential Maurras and his ideas had been on the Catholics in the group. Had their faith not been diluted, they would have easily seen that not only had Pius XI been acting within his authority, but that he was clearly correct.[125] Maurras' opposition to the pope itself revealed that his ideas were not compatible with Catholicism. They flowed from a purely political perspective which failed to defer to the pope when he spoke on matters which were clearly within his domain. Indeed, the more they fought against Pius XI's authority, the more they proved his point.[126] The problem was that in joining the group for a shared immediate purpose, Catholics failed to keep their relationship with it simple. Little by little it became for them the sole conception of civilization

[122] Jacques Maritain, "*Le Sens de la Condemation*," in V. Bernadot, P. Doncoeur, E. LaJeunie, D. Lallement, F. X. Maquart and J. Maritain, *Pourquoi Rome a Parlé* (Paris: Aux Éditions Spes, 1927), 9, my translation: all translations of this work are mine.
[123] Ibid., 348.
[124] Ibid., 349.
[125] Ibid., 333, 335.
[126] Ibid., 336.

and culture, a "particularization of Catholicism,"[127] which, for the universal Church, was contrary to its mission.

To demonstrate the weakness of Maurras' position, Maritain imagined a polemical discussion between them.[128] Of particular interest were the complaints that the prohibition was too onerous, that it damaged *Action Française,* and that it was destructive to France. Against these complaints, Maritain argued that none of these things were true if one kept in mind that the spiritual preceded the temporal. The pope had no intention of destroying anything, but that it was not his fault if a political party had harbored incorrect ideas about liberty, as he believed that France would be best served by those who made themselves Christian first.[129] Maritain had no objection to patriotism, yet the integral nationalism of Maurras was distorted as a result of his naturalism.[130] Love for one's country was a good thing, so long as it did become excessive to the point of loving it more than God or and other peoples. Ultimately, the supernatural love of the Church provided the foundation for a healthy love of country. This did not mark the end of the public debates. Maurice Puju, a co-founder of *Action Française,* wrote a rebuttal which in turn prompted a further response from Maritain's group entitled *Clairvoyance de Rome.*[131] This work received approbation by Pius XI, through a letter from Cardinal Gasparri[132] to Maritain, stating that the book was greatly appreciated. Attached to the text was an article by Maritain entitled *The Yoke of Christ* in which he reaffirmed earlier positions and responded to new criticisms.

[127] Ibid., 339.
[128] Ibid., 362-372.
[129] Ibid., 377.
[130] Ibid., 379.
[131] Jacques Maritain, V. Bernadot, P. Doncoeur, E. Lajeunie, D. Lallement, and F. X. Maquart. *Clairvoyance de Rome*. Paris: Éditions Spes, 1929
[132] Pope Pius XI's Secretary of State.

Critique

Examining why Pius XI was so vehement in his condemnation of a relatively minor group, historian R. E. Balfour, writing from England in 1930, judged that "the *Action Française* was condemned for theological reasons from political motives."[133] This was an appropriate description, because, by its own reckoning of its mission, the Church must unavoidably engage in politics, understood in the broadest sense. Maritain's description of the Church's and the pope's role in the world was cohesive and internally consistent; nevertheless, the pope was only one man, and it was impossible for him to know and address all spiritual threats. Granting that his concerns were primarily spiritual, his decision to prioritize one temporal issue over another was *de facto* political. Pius X tolerated the group, but Pius XI judged that the group's theological differences and errors could no longer be tolerated, because they now caused a serious disruption of the Vatican's intentions. Pius XI wanted greater peace in Europe and to extend the *ralliement.* To achieve this, he needed to keep the Church in France free from the control of the political right and its emphasis on a vengeful nationhood. This was not unreasonable. Thus, it is difficult to accept Maritain's and Pius XI's assertion that the prohibition was essentially spiritual, as if the political dimension was something entirely peripheral.

The pope may be outside of particular political borders, but he was not outside of time, and his participation in diplomacy reflected distinctly political interests. Indeed, what made Pius XI effective was that he recognized that the fundamental practical question was how a non-political, non-military body, which declared itself to be the source of universal moral truth, and which had been recognized as such for over a thousand years, was to function in a world which no longer accepted its premises. In other words, he was politically effective.

[133] Balfour, 204.

Given that many groups which may have been judged as corrupting the young were not prohibited, Maurras' complaints on this score have some justification. Maritain argued that any temporal repercussions were merely circumstantial, yet to describe it in this way begs the question. Pius XI's response was ultimately motivated by care for souls, but attention to political events in Europe cannot be downplayed simply because of his primary spiritual role. His engagement with the political context was broader than spiritual and did not need to be defended. It is possible that in responding to Maurras' charges of political motivation, Maritain went further than was necessary. Ultimately, Pius XI's intentions on this matter were neither clear, explicit, nor static, because they were primarily reactive, and, as a result, left the Vatican open to criticism. Perhaps, with the world changing so quickly, it could not have been otherwise.

Criticisms of Pius XI's decision continued to come from opposing corners. More traditional Catholics criticized Pius XI for banning *Action Française*, because they claimed the ban allowed for the rise of secularism and the radical diminishment of Christian culture. They judged that forcing Catholics to abandon *Action Française* left them disenfranchised and disunified. Such a blow put the final nail in the coffin for any Catholic committed to royalist political engagement, and this removed all obstacles to secular governments, be they democratic, fascist, socialist or communist. They offer as proof of this the failure of the 1934 royalist uprising and the advent of European totalitarian states.[134] This is an ironic criticism, however, because at the time, the more traditional Catholics obeyed the pope out of filial duty, and because this narrow argument is exactly what Pius XI and Maritain argued against. Another papal critique in favor of Maurras' line, yet certainly not in agreement with the principles of *Action Française*, came from Giuliana Chamedes who recently argued that during these interwar years,

[134] Gary Potter, "February 6, 1934: a Royalist Last Stand," *Catholicism.org* (blog) February 1, 2014, https://catholicism.org/february-6-1934-a-royalist-last-stand.html.

the Church was actively repositioning itself in the modern political world in the attempt to reclaim Christendom. After clarifying the Code of Canon Law in 1917 to define its legal jurisdiction to negotiate with political nations, the Church revived the practice of establishing concordats with various countries to ensure that it had the power to influence policies that reflected Catholic positions.[135]

From a different point of view, some judged Pius XI's prohibition to be political in the sense that it was primarily a means of consolidating centralized papal power. The prohibition ensured that the Church would be the sole definer of Catholic political engagement. Oscar Arnal argued that Pius XI's prohibition was neither more progressive than Pius X's pronouncements nor was it substantially different from the condemnation of the *Sillon.* Arnal concluded that Pius XI's prohibition against *Action Française* dealt two blows. Not only did it stop a rogue lay group which was a greater threat to Church control than the left leaning *Sillon,* it also achieved greater control over the French church, which had long sought practical independence from Rome.[136] From this view, Pius XI maintained the standards of Pius X, but manifested a better political grasp of the Church's position in the world. "Conservative authoritarianism and counterrevolution characterized his long reign and gave it consistency."[137]

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[135] This argument puts too much emphasis on the political, does not sufficiently acknowledge the actual spiritual goals of the Church, and gives the Vatican more credit than it deserves. Not having any political standing, remembering that Benedict XV was not invited to Versailles after World War I, the Church's first goal was to protect itself from total disenfranchisement. It also had to exercise its self-defined religious motivations. Further, it is doubtful whether the Vatican ever successfully held or executed any unified well-formed political strategies or tactics. Even had the Vatican desired to be more directly engaged; it mostly stumbled along. Ultimately, when put to the test, concordats were meaningless.

[136] Arnal, 144.

[137] Arnal, 171. It is noteworthy that historian Paul Cohen reviewed Arnal's book and commented, "Arnal has written, in short, a clear and tightly argued indictment of the modern Catholic church from the standpoint of left-democratic values. But is it the historian's job to judge the Catholic world according to a preconceived left-right scale?" Paul Cohen, review of *Ambivalent Alliance: The Catholic Church and the Action Française, 1899-1939,* by Oscar Arnal, *Journal of Modern History* 59, no. 2 (June 1987): 387-398, https://www.jstor.org/stable/1879752.

Debate continues on various aspects of Maritain's early life, his writings, and specifically regarding his relationship to *Action Française*. It is striking that a young man, nurtured on socialism, would turn to *Action Française*, and then just as easily turn away when a pope forbade it. Perhaps he fell into it because it seemed like the natural way to be Catholic, or because he was moved by Maurras' charisma. In the opening sentence of *Une Opinion sur Charles Maurras,* he described himself as "the philosopher the most resolved to not enter into the contingencies of practical politics."[138] In 1932, Maritain reported that he was naïve and never really paid much attention to all Maurras said, given his own focus on metaphysics.[139] In this light, Maritain was never a committed member of the group and was motivated by theological commitments rather than political ones, being rather a "fellow traveler."[140] This may help explain some of Maritain's later relationships and serve to offer a more consistent portrait of the man. To be sure, his focus was on the philosophical and theological, yet he applied both to various political realities, sometimes forming surprising friendships and alliances in doing so. On the other hand, it is difficult to imagine that he never read or did not fully comprehend Maurras' ideas, especially given their explicit antisemitism.[141] Perhaps Maritain's shifting positions may most accurately be said to reflect his own ambivalence about what practical steps to take given the complexity of the times. Like the Church to which he belonged, his writings in the decades to come would sound very different, yet both would argue that their core beliefs and commitments never altered.

In 1930, when *Primacy of the Spiritual* was translated into English, Maritain wrote a new preface which revealed that he had changed his mind, and that "the condemnation of the *Action*

[138] Maritain, *Une Message*, 7, my translation.
[139] Jean-Luc Barré, *Jacques and Raissa Maritain: Beggars for Heaven,* trans. Bernard E. Doering (Notre Dame: University of Notre Dame Press, 2005) 104-105; McInerny, 63.
[140] Torre, 93.
[141] Barré, 105; McInerny, 62.

Française, in spite of my first impression, was in no way an exercise of 'indirect power.'"[142] It could not appropriately be termed "indirect power," because such was "a right which has ceased to correspond to the conditions of the times."[143] The use of indirect power was only effective, and then rarely used, during the Middle Ages against those monarchs who would limit the liberty of the Church. Now, however, since the collapse of the Holy Roman Empire, the Church may offer only counsels or directions.[144] The power of the Church during the Middle Ages failed consistently to preserve an important truth, to the extent that "the realization of liberty" is now valued more highly than "force at the service of God." Maritain suggested that this might be the occasion for the world finally seeing the truth of the Church.[145] This was a small yet highly significant shift on his part, because it anticipated later developments in Maritain's thinking as he strove to accommodate religious differences. Of course, while implementation of it was variable, the basic papal teaching of the relationship between Church and state, between the spiritual and the temporal, had not changed.[146]

The last paragraph of this forward included a response to the charge that the pope had been acting merely as a foreign sovereign, which is worth citing in full, because it indicated how thoroughly Maritain remained committed to his beliefs:

> The Pope is not a foreign sovereign: he is the visible head of the mystical body, essentially supra-temporal, supra-political, supra-national, supra-cultural, of which Christ is the invisible head: he is, for the supreme control of doctrine and the government of that Body the visibility, as it were, of Christ on this earth. His kingdom is not of this world, and, if he does possess a temporal sovereignty, it is as the minimum of body required precisely to assure the full liberty of the spiritual sovereignty peculiar to him; if he is sovereign of the Vatican City, it is precisely so that he shall be neither Italian nor American, neither French nor Chinese, so that he shall lose all human nationality, as

[142] Maritain, *Primacy of the Spiritual,* ix.
[143] Ibid, ix.
[144] Ibid., vii.
[145] Ibid, x-xi.
[146] Ibid., iii.

Christ was destitute of all human personality, to belong exclusively to God.[147] While sensing a shift in attitudes and circumstances, he remained committed to the hope that the world would recognize that politics worked best for everyone when they served truth, which is what the Church provided. While these arguments sound strange to modern ears, one must assume that they must not have been so radical for the time in which they were proposed, as they did not hinder Maritain's academic career in America.

The aftermath of the interaction between the Vatican and *Action Française*, gave rise to new reactions. The group was shrinking, in part because of the prohibition, but also due to receiving less public support. In 1937, Maurras appealed to Pius XI and expressed his contrition and loyalty to the pope's anticommunism. Maurras sought to have the ban lifted. Pope Pius XII was elected in 1939, and he offered reconciliation if the members of the group rejected their errors and followed the directives of the Church. All the leaders of the group agreed to this, and Pius XII decided that they no longer posed any spiritual threat to the young. He lifted the prohibition on July 10, 1939,[148] despite the concern that such an action would be perceived as politically motivated.[149]

Conclusion

This episode in history is evidence of the awareness and efforts of the Vatican, traditionally powerful, to address the changed political landscape resulting from the explicit anti-clericalism of the Third Republic and the extreme nationalism of many Catholics. While neither a passive by-stander to nor a key player in major political events, the Vatican struggled to

[147] Ibid., iii-xiv.
[148] Arnal, 174-175.
[149] Weber, 251.

maintain its presence and influence amid the changes taking place in the modern world. It affirmed its self-defined role as the transmitter of absolute truth and as the messenger of universal salvation, and it strove to fit into the modern scheme by negotiating with a variety of governments. It expanded its focus away from direct engagement with governments and parties towards the support of lay movements, specifically Catholic Action, as a means of promoting centralized spiritual authority and influence. Yet, a fundamental tension would persist. As de Fabregues very clearly described in 1967, the crisis of negotiations with French anti-clericalism

> Has almost always been viewed as mainly political though it was mainly religious, even if its visible consequences may have been political. To accept the common law. . . meant to deny and destroy the authority of the church which emanated not from men but from God. . . On the other side, this point of doctrine was not discussed. The main objective was seen to be to make life possible for the church in France and to enable it to return to political life. Thus, two tactics were opposed, inspired by different doctrines and which on both sides pushed things to extremes in the hope of everything being justified by the defeat of the other.[150]

Rather than having any grand political agenda, the popes were forced to manage this internal/external dilemma. Their responses of varying sorts to *Action Française* were indicative of how complicated the task was and how inconclusive were its results.

In summing up Maritain's position, he absolutely maintained the centrality of metaphysics, theology, and philosophy to develop a political philosophy. All reality was whole and taking a merely empirical and pragmatic approach was superficial and error-bound. He rejected Maurras' integral nationalism for integral humanism. God and the Catholic Church were central to all of creation and should be acknowledged as such. Governments can take different forms but must be designed to enhance the person in her full dignity and allow for the primacy and liberty of the Church. Maritain was in complete alignment with the pope in Rome and was appealed to by him to help articulate his positions to the Catholic public. His statements on the

[150] J. de Fabregues, 173.

relationship between the Church and state was consistent with the tradition that insisted upon the primacy and independence of the Church. During these early years of the century Maritain and the popes chose to articulate the primacy of the spiritual and the demand for Church liberty alongside a detachment from partisan politics. Subsequent events and circumstances would prove to be more complicated, and Maritain and later popes would need to adapt.

CHAPTER THREE

THE SPANISH CIVIL WAR AND NATIONALISM

Maritain and the Popes in the Nineteen Thirties

The secularization of modern governments meant for many that the issue of Church-state relations was evaporating. The Catholic Church was moving into the wings with other religions and private beliefs as one among many. Politics could more easily be discussed without reference to any religion. For the Church, however, the significance of this issue did not abate. It continued to perceive itself as a significant participant in the world, but its role assumed a new dimension. The last chapter emphasized the Church's demand for liberty, because as governments hostile to the Church were growing, it found itself cut off from its members. It declared that all Catholic churches were subject to Rome and not subordinate to local or national political control, and it demanded that it must be free to operate within any form of government. It continued to engage directly with political leaders through its papal nuncios, the Pope's diplomats, yet lacking any real force, it was aware that it needed to address the world differently. Acquiring statehood in 1929, the Vatican was now able to directly engage with other political bodies. Maintaining that it provided the surest beacon of truth in the world, it navigated two spheres: the Holy See served as the religious arm overseeing Catholics universally; and Vatican City, under the domain of the Holy See, served as the political entity which engaged with other political bodies. Yet, because it lacked any military or economic force, it began to don a more advisory role and employ methods that would help shape policy consistent with its teachings. This chapter will focus on the development of this new direction during the 1930s and how it played out during the Spanish Civil War.

Maritain was among the first promoters of this new direction. When the Vatican had considered how to respond to the modern political environment, it rejected the "politics first" model of *Action Française*. Both Maritain and Pius XI agreed that neither the Vatican nor private Catholics should support this group that instrumentalized the Church for political ends. But as Catholic deaths mounted in Spain, especially among the clergy, most Catholics judged the "red terror" of the Spanish Civil War to be a new articulation of the French Revolution. The Vatican struggled to remain neutral. Maritain absolutely rejected this position. His response to the Spanish Civil War provided clear evidence of how he anticipated the shape of the trajectory of twentieth century Church-state relations. In his view, the Christendom of the Middle Ages was gone. The Church could no longer enforce its policies within particular states through parties and governments. It had to concentrate its attention on communicating the fundamental Christian message to the world through its members.

Maritain moved from an integralism that relied on publicly acknowledging the primacy of the Church to a position that promoted the centrality of the human person in all dealings. He shifted from direct Vatican interaction with politics to the broader issues of human dignity and human rights and argued that this was the surest means to positively impact politics. His method, however, was neither utilitarian nor proscriptive. In his view, the workings of politics were part of the world described by Aristotle and Aquinas. The knowable world was whole, and each part was inseparable from it. Thus, his political philosophy did not describe the way he thought things ought to be, but, rather, his description of the way things worked best, given the nature of reality.

It will be helpful to restate the Church's position regarding its involvement in state affairs to solidly situate it within coming developments. The Church claimed that it alone completely addressed both the material and the spiritual dimensions of human life. Further, since everyone

was made in God's image, the Church asserted that the truths it asserted were for all people, establishing universality. In addition, natural law, the manifestation of God's eternal law in created nature, was accessible to everyone through human experience and reason. Finally, through the Church's sacraments, it claimed to provide the greatest access to the historical reality of the redeeming God-man. Despite corruption and setbacks, it had always maintained that its constant mission was the highest good of people, eternal salvation. It expressed a lived public reality embraced by its members; thus, it was not an organization styled for power, nor one that merely offered a set of ideas or moral principles. Since the Middle Ages, in its view, government ultimately served the same purpose, but focused on the details of political life. The Church was involved in politics, because politics served the common good ultimately open to eternal ends. The two necessarily overlapped.

Ascendant secular ideas, conversely, demanded that articles of faith must remain private and have little public influence on society at large and certainly none on the state. This point of view typically rejected faith or revelation as a source of truth either by means of a scientific standard or by describing them as merely subjective and as no truer than any other spiritual claim. The Church countered, however, that these secular critiques failed to adequately respond to their religious claims or merely ignored them. As a result, they failed in justifiably privatizing religion. The appeal to science begged the question, because science denied the spiritual aspect of reality from the outset. This was not an argument but a simple assertion, parallel to the religious one, and proved nothing. To the other rejection, the Church answered that to suggest that spiritual belief was subjective or simply one among many would be to reject knowable historical reality. Thus, the Church held that in privatizing religion, religious claims were

summarily dismissed, neither adequately denied nor scrutinized.[151]

Nevertheless, as those embracing modern ideas rejected core Church dogmas, the Church would argue that many positive modern ideas flowed from traditional Church teaching, and that many of its foundational ideas were essential to good and effective political policy. One example was the truth of the absolute dignity of each person, as all were made in God's image. This dignity served as the foundation for personhood which was the cornerstone in the comprehensive understanding of the role of the state. Honoring this truth was a universal responsibility, and Maritain and the popes would argue that this was one of the Church's greatest contributions to the modern world. They would lend their attention to defending this dignity on the basis of Catholic philosophy, and in so doing, change gears toward the Church-state relationship. Greater practical development of these ideas would have to wait, however, until after World War II and the rise of the interest in human rights. During the 1930s, Maritain and Pius XI were developing these ideas while entrenched in the quagmire of competing ideologies and states, here seen specifically through the events of the Spanish Civil War.

The Eve of the Spanish Civil War

Although Maritain and Pius XI found common ground in their responses to *Action Française*, events in Spain would lead to more complicated conclusions. In April 1931, the Second Spanish Republic was established under President Zamora, and it mirrored many of the

[151] The Church has been trying to accommodate the privatization of religion since the Reformation. Some, scandalized by Church's demand for influence in family issues and education, presume the Church to have only a self-serving stance, but this is how the Church has always understood its role. For an interesting discussion of current descriptions of modern Catholicism, see Rosario Forlenza "New Perspectives on Twentieth-Century Catholicism," *Contemporary European History* 28, no. 4 (11, 2019): 581-595. https://ezproxy.lib.uwm.edu/login?url=https://www.proquest.com/scholarly-journals/new-perspectives-on-twentieth-century-catholicism/docview/2318625597/se-2?accountid=15078.

anticlerical positions of France's Third Republic. In May of that year, Republican groups in several cities burned convents, monasteries and churches, an event which came to be known as the "burning of the convents." The constitution of 1931 codified the anti-clerical positions of the government. It closed all Catholic institutions, including schools and charities, and forbade clerics from any teaching. It dissolved the Jesuits, confiscated Church property, and prohibited any public expressions of Catholicism. President Zamora, a Catholic himself, resigned in protest to the extreme provisions. (An amended version was passed in December and Zamora was elected prime minister.)

Pius XI responded to these events with his encyclical *Dilectissima nobis* - On Oppression of the Church in Spain.[152] In this letter, he reiterated that the Church was conformable to different forms of government and that the new constitution was particularly offensive because the multitude of Spaniards were Catholic. After listing each of the offenses contained in the constitution, Pius XI declared that the law itself was unjust, because it worked against the "inalienable rights of the Church." The appropriation of the right to educate children, to witness marriage and to have authority over religious properties and institutions was in direct violation of the Church's liberty. Pius XI ended his letter by encouraging Catholics to work towards amelioration through all legitimate means and Catholic Action, "not constituting a party but rather having set itself above and beyond all political parties."

Amid this backdrop, in 1933 Maritain made his visit to the University of Chicago and delivered his lecture entitled *Some Reflections on Culture and Liberty*.[153] This is a useful text to

[152] Pope Pius XI *Dilectissima nobis* [On Oppression of the Church in Spain] 1933, https://web.archive.org/web/20101005090028/https://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_03061933_dilectissima-nobis_en.html.
[153] Jacques Maritain, *Some Reflections on Culture and Liberty,* (Chicago: University of Chicago Press, 1933).

explore, because it tracked a step along Maritain's intellectual development. He continued to rework these themes, but this lecture marked his thought within a particular frame of time. Though he delivered this lecture in Chicago, his ideas were clearly in response, but not restricted, to events in Europe. For Maritain, ever the philosopher, everything political depended upon a correct understanding of reality and of human beings. Needless to say, his understanding of these was very different from trends of today. Maritain sought to retain the complete person, or the person fully considered, over and against the threats of modern ideas which ignored God and expressed the desire to control nature. He focused on the relationship between culture and liberty, because liberty, or freedom, was the cornerstone of human culture which "is the common good, terrestrial or temporal, of the human being."[154] Human liberty or freedom, presupposed a spiritual dimension of human life, without which there would be only mechanistic materialistic determinism. Yet, the simple assertion of a spiritual dimension was imprecise and left unresolved how it was to be acknowledged in time.

In this lecture, he drew the distinction between two types of humanism, theocentric and anthropocentric, the latter being dominant since the Renaissance. While he did not denounce the Renaissance and acknowledged its many achievements, he criticized its anthropocentrism. In denying God's centrality, culture had to denounce its own heritage and essentially create a new religion, as in "the Russian solution" which seeks "to create a perfectly atheistic humanity."[155] Another type of anthropocentric humanism sought to promote the sovereignty of the idea of humanity on account of immanence which asserted that all reality was immanent within humanity and its history. This failed, because any particular individual was limited and would ultimately be consumed by a larger entity. "It passes then necessarily to a common subject:

[154] Ibid., 2.
[155] Ibid., 5.

collective humanity itself, or becoming, or matter, where it is reabsorbed and disappears."[156]

According to Maritain, freedom only existed alongside an intellect, because one must be able to choose meaningfully, employing reason. The individual intellect was spiritual, yet not absolute or complete. Freedom could be understood in two ways: simple freedom of choice, or freedom of indifference, and freedom fully considered as a human person. He referred to this latter sort as a terminal freedom or freedom of autonomy.[157] A political philosophy which emphasized freedom of choice necessarily brought about oppression, because it required that "a few may enjoy the freedom so conceived only through the oppression of all the others."[158] Here, justice and the common good were overlooked. A political philosophy which emphasized terminal freedom or freedom of autonomy for humanity was also problematic and ended in totalitarianism, because the individual was lost in the collective of the state for realization of power. In this case, freedom of choice was overlooked.

The intellect chose based on what it perceived to be good, and God was the absolute good. In this way, by best exercising one's freedom of choice, one became truly free. Human intellect, will, and the good could not be abstracted from one another, because together they formed a whole. Maritain relied on Aristotle and Aquinas in describing all things as having a final end, and the supreme final end of persons was to be a saint.[159] Further, as all were made in God's image, this was available to everyone, and not only to Christians. "This type of perfection of a supernatural elevation can appeal to all men of all conditions, because it is accomplished in the secret of the heart and through good will."[160] Again, this was not a suggestion for religious

[156] Ibid., 6.
[157] Ibid., 15.
[158] Ibid., 16.
[159] Ibid., 18.
[160] Ibid., 18-19.

devotion, but a basic description of reality.

As Maritain viewed it, civilization or culture must acknowledge this anthropology to function well. “It would be a conception of the life of society which is indeed neither individualist nor imperialist but communal and personal, and one which makes justice and amity the proper foundation of this life.”[161] In this way, Maritain suggested that persons were part of society and thrived as persons when the society was correctly ordered towards the good. He rejected both individualism and collectivism. The particular person maintained her own dignity best when society allowed her to flourish, which cannot be achieved outside society. “A true humanism unfolds in the social life (which is the human life par excellence, sometimes, alas, all too human), but also raises itself above and beyond the human.”[162] What was critical in this description of liberty was that its focus resided not in the state, but in culture or society. “Our social philosophy, consequently, would be primarily centered on the progressive interior freedom of persons, and not on the realization of an exterior freedom of power and domination over nature and history.”[163] In order for people to exercise their greatest liberty, the overall culture must encourage the common good. Maritain has here clearly moved away from an integralism expressed through the state and towards one based on the dignity of the person. The top-down model of enforcing Christianity through the state was no longer taken for granted, although his own idea of the state was not yet clearly formed.

In December 1933, *Freedom in the Modern World* was published and included several of the ideas and works on which Maritain had focused during the previous two years. Ideas from *Culture and Liberty* were explored more philosophically and greatly expanded. Of note, he

[161] Ibid., 19.
[162] Ibid., 20.
[163] Ibid., 19.

differentiated how people participate in society. Persons inhabited two worlds, the material and the spiritual. As persons, ontologically higher than society because of their spiritual dimension, they participated in society and benefitted from it. The temporal world respected their individuality but could not acknowledge the whole person. As individuals, lower than society of which they were only a part, they participated in and contributed to it. The society was greater than the individual who may be called upon to sacrifice for it. Thus, there was a tiered manner of human participation in society.[164] The person was greater than society which was greater than the individual. Individuals participated in society for the good of persons. Being persons, humans did not exist primarily in isolation, but societally. It was from this reasoning that Maritain claimed that the state was for the person and not the person for the state.

Maritain then provided a description of this well-functioning civilization. Of foremost importance, it would be communal and personalist. It would have many similarities with and differences from the medieval world. It would be analogous in that it would be corporative, authoritative, and pluralistic, but it would be different in that it would consider modern situations and challenges.[165] Of particular interest was the emphasis on pluralism. While the civilization would be fundamentally Christian, it would not be theocratic, nor there would be standardized means of enforcement: the Church's engagement would vary according to circumstances. Further, the means of engagement would be primarily encouraging rather than coercive. Maritain wrote, "It is proper to this wisdom to direct civilization not by imposing its conceptions authoritatively from above because they are Catholic, but by demonstrating experimentally as it

[164] Jacques Maritain, *Freedom in the Modern World,* in *The Collected Works of Jacques Maritain,* ed. Theodore Hesburgh (honorary), Ralph McInerny, Frederick Crosson and Bernard Doering (Notre Dame: University of Notre Dame Press, 1996), 11, 29.
[165] Ibid., 31-41.

were from below that they are conformable to right reason and to the common good."[166] This society would be best described as democratic with a dose of pre-modern aristocratic and monarchical elements.

Maritain delivered a series of lectures which were collected in his major work *Integral Humanism* in 1936. This was his most thorough exploration of the subject of humanism and its historical developments. At this point, his own break with theocentric medieval political philosophy was complete, and he solidified his position as of neither the left nor the right. Specifically, his critiques of capitalism appeared to be of the left while his defense of Christianity appeared to be of the right. He also rejected both capitalism and communism because they foundationally erred in their one-sided understanding of the person. In the first two chapters, he carefully detailed the collapse of the Middle Ages, with its exclusive focus on God, and the developing varieties of humanism and their problematic outcomes. In short, the modern acceptance of nominalism failed to express ontological realities and left humanity essentially adrift. According to this view of nominalism, words did not express corresponding truths about the world; thus, only negative statements about persons could be made. Maritain then focused on the remnants of Christian civilization, specifically, the idea of the kingdom of God. This idea energized the desire to establish the kingdom of God here and now, which gave rise to the various forms of totalitarianism, both fascist and communist.

In the third chapter, Maritain delivered his harsh assessment of capitalism.[167] During the Middle Ages, the Church was instrumental in reflecting the world of grace on humanity and was linked to its structures. The continuing benefit of this development was "the realization of the

[166] Ibid., 40.
[167] Maritain's criticism of capitalism earned him the title "Christian Marxist," although he clearly rejected Marxism as well. See Bernard Doering, *Jacques Maritain and the French Catholic Intellectuals* (Notre Dame: University of Notre Dame Press, 1983), 89.

principles of natural law in the temporal order, and with regard to the subordination of the latter to the ends of the spiritual order."[168] In modern times, those social structures remained, but society eschewed God. Conservative elements of society retained the vocabulary of Christian morality but failed to maintain its spirit. As a result, civilization, "came, even in its Christian elements, to accept the inhuman situation created for the proletariat by an uncontrolled capitalism, and came to be wholly carried along in the blind movement of a social materialism which in practice, in existence, proclaimed for that which is of it the ruin of the Christian spirit."[169] Divorced from its relationship to God, capitalism recognized only the individual and not the person. "The objective spirit of capitalism. . . is a spirit of hatred of poverty and of scorn of the poor man; the poor man exists only as an instrument of a production that yields profits, not as a person. The rich man, . . . exists only as a consumer. . ., not as a person."[170]

Maritain accepted the fall of theocentric medievalism and the rise of anthropocentric humanism, and argued that only an accurate metaphysical understanding of the world, the person and society could deliver the best possible political policy; thus, governments should acknowledge Catholic truths because they were true. His arguments were no less rational than the anthropological and historical assertions of Rousseau, Mill, or Marx. On the other hand, although Maritain agreed that the Church alone had the complete truth about human reality, he argued against the old model of Christendom where the state played an active role in helping people get to heaven. He judged that the Church could no longer work through governments and suggested that it should withdraw from directing the temporal order of the world.[171] While Christendom had loosely existed under the Holy Roman Empire, the Treaty of Westphalia and

[168] Maritain, *Integral Humanism,* 223.
[169] Ibid., 223.
[170] Ibid., 224.
[171] Ibid., 227.

the separation of religions among nations finalized its collapse. The Church was now clearly extraterritorial and needed to remain so, otherwise it would become entangled in national churches.[172] With this, there was a marked change in the meaning of the state. The medieval idea was that the state served the political needs of the people, but that its ultimate end paralleled that of the Church's. Here, it was neither an aid to salvation nor an end in itself. It had become an instrument for society.

The state was the governing element of society. Having rejected the narrow theocentrism of the Middle Ages, the view towards humanity needed to be wholistic, incorporating an anthropocentric dimension, while the role of politics needed to be exclusively temporal. Political society was not designed to encourage sanctity, but "the development of those environmental conditions which will so raise men in general to a level of material, intellectual, and moral life in accord with the good and peace of the whole, that each person will be positively aided in the progressive conquest of his full life as a person and of his spiritual freedom.[173] The task of the state was to facilitate full human flourishing in the temporal order. Temporal matters were indirectly open to the eternal as human flourishing encouraged virtue, but not directly, and not under the direction of Rome. The two areas where the Church could directly intervene were specific religious clerical matters and marriage, because both were sacral; they were specifically designed with a view to eternal life, not mere earthly flourishing.

The Christian model was best for all persons, but it was not to be enforced by the Church or the state. The state was to be nourished from below, through individual participation in society, and the truth would percolate up through the people. Thus, the task of elevating society would fall to the Christian person. "The aim the Christian sets himself in his temporal activity is

[172] Ibid., 243-246.
[173] Ibid., 237.

not to make *of this word itself* the kingdom of God, it is to make of this world, according to the historical ideal required by the different ages, . . . the place of a truly and fully human earthly life."[174] Individuals do not participate in society as isolated agents, but as part of a community. This meant for Maritain that there was no clear distinction between public and private as everyone was called to be social: in living out social relations, people exercised their humanity. Further, while Christians might take the lead, all people realized their humanity through social engagement. "From the very fact that it is a Christian work it proceeds on the hypothesis that those who will take the initiative in it are Christians, with a full and total grasp of the end to be attained, it nevertheless asks all of good will to cooperate."[175]

In short, governments which maintained a correct understanding of the person allowed for the greatest human flourishing. It was the role of the Church to make its truths known and the role of citizens to engage in society, but it was the role of the state to facilitate this task among persons. The state, therefore, must respect the first and greatest human freedom which was in line with their spiritual perfection. It must allow for religious freedom so that people may pursue and secure the possibility of their spiritual perfection, as well as for the protection of the Church within its borders so its citizens may be in communication with Rome. Religious freedom was therefore the first freedom, because through its exercise persons may perfect themselves and further support the society. The two could never be isolated from each other. "Thus, while the center of unification of the temporal and political order is lowered, as we saw, at the same stroke the dignity and the spiritual freedom of the person emerge still higher above that order."[176]

Maritain did not expect that all the people in a given state would agree on a *"common*

[174] Ibid., 221.
[175] Ibid., 282.
[176] Ibid., 265.

theoretic minimum," but rather find a "*common practical task*,"[177] The state was not a religious or sacral body and did not demand that all persons involved be Christian. As a practical body, it must be pluralistic and permit a diversity of cultures and religions. In this sense, Christianity itself was the greatest defense of pluralism. Christian dogma had the fullest view of human dignity and thus allowed "among its characteristic features a pluralism which makes possible the *convivius* of Christians and non-Christians in the same body politic."[178] It was promoted by Christians and supported the functioning of the Church within its boundaries, but encouraged and supports those non-believers, providing they do not fundamentally contradict the truths it espouses.

Catholic Nationalists

The leftist Republican Government took office in Spain in 1936, after which the nationalists revolted. With the Loyalist government unable to completely put down the rebellion, a brutal civil war broke out and lasted until 1939. In the early months of the war, the "Red Terror" killed nearly 7000 clerics and as many as 16 bishops.[179] As historian Stanley Payne described it, the Catholic Church was the singular target for many Republicans. Their hatred of Catholicism was similar to that of the French revolutionaries. "They were convinced that the Church was the cultural and spiritual bulwark of the traditional order, and that the clergy, church buildings, and their strongest supporters were both tangible representatives of that order, even more so than the members of conservative political and economic groups."[180] Their motivation

[177] Ibid., 282.
[178] Ibid., 282.
[179] Julio de la Cuevo, "Religious Persecution, Anticlerical Tradition and Revolution: On Atrocities Against the Clergy During the Spanish Civil War," *Journal of Contemporary History* 33, no. 3 (1998), 355-369. https://www.jstor.org/stable/261121.
[180] Stanley Payne, *The Spanish Civil War* (Cambridge: Cambridge University Press, 2012), 111-112.

was distinctively religious, and the slaughter, destruction and sacrilege "were not merely wanton acts, but were directed toward the fundamental goal of destroying Catholicism in order to replace it with the new secular religions, mutually conflicting though they might be."[181] As a result, Payne reasoned, "the Catholic leadership, hardly surprisingly, committed itself more and more to the side that protected the Church."[182]

Republican ruthlessness towards the Church led many Catholics to describe it as a holy war. These people supported Franco to protect Catholics and the Church in Spain. On September 14, 1936, Pius XI delivered a speech to a large group of Catholic Spanish refugees at Castel Gandolfo, many of whom were clerical and religious.[183] He acknowledged the sufferings of the refugees and likened them to the early Church martyrs who died for their faith, as many of those killed were targeted on account of their Catholicism. But Pius XI resisted labeling the civil war a holy war. Rather, he lamented the fact that brothers in the faith were killing each other in fratricidal frenzy. He described the events not as a holy war, but as a "savage persecution which has been professedly reserved for the Catholic Church and the Catholic Religion," following similar persecutions in Russia, China, Mexico, and South America.[184] He attributed blame to those ideologies which extoll "the new and horrifying cries of 'No God' and 'Against God." To defuse hatred among fellow Christians, Pius XI named communism as the focus of animosity and emphasized that only in the Church's free ability to foster the faith could true peace be found. While praising those who defended the Church, he warned that it was too easy to "go

[181] Ibid., 114.
[182] Ibid., 115. It is worth noting that Paul Preston takes an opposing position in judging the atrocities in *The Spanish Civil War: Reaction, Revolution and Revenge* (London: Harper Collins, 2006). The point here, however, is that for many involved, religion was perceived as a key motivation.
[183] Pope Pius XI, *The Pope on the Spanish Terror: The Speech Delivered by Pope Pius XI to Bishops, Priests, Nuns and Laity, Refugees from Spain, When he Received them in Audience at Castel Gandolfo on Monday, September 14th, 1936* (London: Catholic Truth Society, 1936).
[184] Ibid., 8.

beyond bounds and render it not fully justifiable."[185] With the unity of Christians first in mind, he ended his speech imploring the refugees to love and pray for their oppressors and to have confidence in God's peace and mercy. This outraged several of those in attendance and at least one threw their copies on the floor. Further, the Nationalist press published only parts of the speech which led the Spanish bishops to believe that Pius XI supported Franco and to write pastoral letters along those lines.[186] Most Nationalists present were not satisfied with the Pope's position and were frustrated that Pius XI was not explicitly on their side.

In 1967, Carlo Falconi wrote, "In that speech. . ., Pius XI incited the whole Catholic world to mobilize against the Spanish Republicans."[187] Falconi held the position that "Pius XI had ignored the circumstance that in Spain the legal government was not the aggressor but the victim of aggression."[188] He argued that Pius XI and the Vatican were much more sympathetic to the Nationalist cause and tried to remain neutral only to secure future interests after the outcome of the civil war. In general, Falconi granted that Pius XI was motivated by religious and confessional reasons,[189] but judged that his diplomatic methods mixed "the sacred and profane in a way that is both ambiguous and liable, as far as religion is concerned, to defeat its own ends."[190] Almost fifty years later, in 2014, Karl Trybus offered a more nuanced view and argued that Pius XI was more likely to want to confront evils head on, but that his very diplomatic Secretary of State Pacelli, soon to be Pope Pius XII, urged greater impartiality in order to protect

[185] Ibid., 18-19.
[186] Hilary Raguer, *Gunpowder and Incense: The Catholic Church and the Spanish Civil War,* trans. Gerald Howson (London: Routledge, 2007), 84-85.
[187] Carlo Falconi, *The Popes in the Twentieth Century: From Pius X to John XXIII,* trans. Muriel Grindrod (Boston: Little, Brown and Company, 1967), 196.
[188] Ibid., 197.
[189] Ibid., 200.
[190] Ibid., 204.

the Church from political threats.[191]

At that time, many Catholics worldwide rejected Pius XI's neutral position and continued to judge the event in religious terms.[192] Maritain absolutely rejected the simplistic good versus evil description.[193] He perceived that the problem was deeper than a simple threat of atheistic communist oppression over religion. For him, many Catholics were drawn to the Republicans, because the Church identified with the bourgeois classes and defended them against the working class. As a result of this union between the privileged class and the Church, Maritain judged that the Church was failing in its mission to see all its members as persons.[194] Jay Corrin, historian and professor of social science commented that Maritain "could not in good conscience support the Insurgents simply because they claimed the banner of Catholicism." For those Catholics who did not support Franco, "the violent outburst of anticlericalism that marked the onslaught of the Civil War was the logical outcome of a tragedy already identified by Popes Leo XIII and Pius XI, namely, the failure of the Church to satisfy the needs of the laboring classes."[195] Thus, Maritain could not judge events as a contest of good versus evil, but rather as a call to promote social justice, founded on the Christian message. The Nationalist "White Terror" further pushed him away from political support in the name of Catholicism. The massacre at Badajoz in August 1936, where civilians gathered in the town bull ring were indiscriminately executed, matched any offenses from the left. Along with Francois Mauriac and Georges Bernanos, he was one of the few prominent Catholics who did not side with Franco.

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[191] Karl Trybus, *The Rosary, the Republic, and the Right: Spain and the Vatican Hierarchy, 1931-1939* (Brighton: Sussex Academic Press, 2014), 4.
[192] For instance, see Aodh Blácam, For *God and Spain: The Truth about the Spanish War*, Office of the'Irish Messenger', 1936.
[193] For a thorough account, see "The Spanish Civil War" in Bernard Doering, *Jacques Maritain and the French Catholic Intellectuals* (Notre Dame: University of Notre Dame Press, 1983), 85-125.
[194] Doering, 100-101.
[195] Jay Corrin, C*atholic Intellectuals and the Challenge of Democracy* (Notre Dame: University of Notre Dame Press, 2002), 334.

Pius XI desired to remain impartial, especially given the fact that Basque Catholics were pro-Republican,[196] but this became increasingly difficult. In March 1937, he promulgated two encyclicals denouncing the evils of both totalitarianisms of left and right. The first, *Mit brennender Sorge* – On the Church and the German Reign,[197] translated as With Burning Anxiety, written in German, and smuggled into Germany to be read from pulpits everywhere on Palm Sunday was directed against Nazi Germany, but also targeted nationalism in general. General Franco suppressed this document in Spain[198] and allowed only the distribution of Pius XI's letter against communism, *Divini redemptoris* – On Atheistic Communism,[199] because it furthered his support against the communists in Spain. Franco united the diverse nationalist groups in April, cementing his authority. Trying to straddle both sides, Pius XI maintained weak relations with the Republican government,[200] and did not formally recognize the Nationalist government until mid-1938.[201] On May 29, when a Spanish delegation went to Rome, Pius XI refused to grant them a private audience and did not even mention them in the list of those present.[202]

Maritain's Anti-Nationalism

The Basque town of Guernica was severely bombed on April 26, 1937 by German and

[196] Pollard, 263.
[197] Pope Pius XI, *Mit brennender Sorge* [On the Church and the German Reich], 1937, https://www.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p-xi_enc_14031937_mit-brennender-sorge.html.
[198] José Sanchez, *The Spanish Civil War as a Religious Tragedy* (Notre Dame: University of Notre Dame Press, 1987), 127.
[199] Pope Pius XI, *Divini redemptoris* [On Atheistic Communism], 1937, https://www.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p-xi_enc_19370319_divini-redemptoris.html.
[200] Michael Burleigh, *Sacred Causes: The Clash of Religion and Politics, From the Great War to the War on Terror* (New York: Harper Perennial, 2008), 137.
[201] Pollard, 263; Sanchez, 124.
[202] Raguer, 196.

Italian forces at the request of Franco. In response, on May 8, 1937, Maritain and others published an article of protest in *La Croix*, entitled "For the Basque People." This denounced the attacks and highlighted the evil in targeting the Basque people who, while traditionally Catholic, chose not to support Franco.[203] The article was widely read and is reported to have influenced the Vatican in urging Franco to use moderation.[204] A few weeks later Maritain wrote an article entitled "On the Holy War," in which he argued that the left's actions could not justify indiscriminate violence,[205] and he spoke out strongly against the use of violence in the name of religion. Maritain argued that given the state's secular nature, it was neither desirable nor logically possible for it to engage in a holy war.[206] On July 7, the Spanish bishops published a letter defending their desire to respect the civil authorities but argued that they were forced into a defensive position due to Republican attacks on the Church. In this way, they argued that their cause was just, and they were grateful for the Nationalists' protection and support.[207] The Catholic divide grew.[208]

Maritain expanded his position in July and August 1937, published as the preface to *Martyrdom of Spain: Origins of a Civil War*, by Alfred Mendizabal. Here again, his return to his left-leaning roots along with his development of a better way was on display. He criticized both the right and the left for betraying their principles through their actions. The right erred, because it abandoned its principle of order through complacency and "does not carry out what it promises and actually does the opposite, which of itself goes to produce an existence void of all internal

[203] "Pour le Peuple Basque." *La Croix* May 8, 1937. https://wisconsin.hosts.atlas-sys.com/illiad/gzn/illiad.dll?Action=10&Form=75&Value=2934853.
[204] Doering, 99.
[205] Ibid., 104.
[206] Ibid., 106.
[207] Ibid., 107-108.
[208] For instance, *Commonweal* and *America*, both major English speaking Catholic periodicals, published opposing sides on the issue in their editorial pages. See Corrin pp. 362-373.

justification."[209] The hypocrisy of the right in speaking of lofty metaphysics yet behaving as cruelly as those they oppose lent further justification to its enemies."[210] The left erred, because instead of improving conditions, it "does not do that for the sake of which it is undoing everything else, which of itself goes to make existence impossible."[211] While sympathetic to the complaints of both sides, Maritain demanded that hate be replaced with truth to guide the way forward.

Rather than being revolutionary without order, he wrote that the best policy would be conservative in keeping all the good developments of the past human work. It would transform old policies, keeping what was best and adapting to what was new. Those who have real hope in progress "are all the more deeply innovators and ready for revolutions that are necessary in that they have a more real will to conserve those goods which are not dead but living."[212] Maritain quoted Pius XI's statements on the situation in Mexico to support his arguments, indicating that the two were in step.[213] Good politics depended on a realistic metaphysics, rooted in faith in God. Everything worked together, and only the love of Jesus could animate political energies and "can alone succeed where violence and terror cannot conquer but can only infuriate."[214] Not only was this war not a holy war, but it was also a sacrilege as Christians were killing each other in hatred. Even if the nationalists felt that they were justified in the war, the means were unacceptable for Christians, and the end never justified the means. As Maritain eloquently said, "Christianity will remake itself by Christian means or it will unmake itself altogether."[215] He

[209] Jacques Maritain, "Preface," in *The Martyrdom of Spain: Origins of a Civil War,"* by Alfred Mendizabal, trans., Charles Lumley (New York: Charles Scribner's Sons, 1938), 5.
[210] Ibid., 7.
[211] Ibid., 5.
[212] Ibid., 9.
[213] Ibid., 14-15.
[214] Ibid., 19.
[215] Ibid., 25.

counseled a third way, where good and evil were not ascribed to different sides, and where peace was the key goal.[216]

Maritain started and served as president of an international committee, the Committee for Civil and Religious Peace in Spain, offering assistance to help bring about peace and to aid any victims of the war.[217] As a result of his activism and publications, he found himself in an isolated position. Paul Claudel, French writer, diplomat, convert to Catholicism, and early friend to Maritain, publicly and bitterly criticized him.[218] His work brought about renewed hostility from the enemies he had made from *Action Française*, and they appealed to Rome declaring him dangerously close to heresy. The journal, *Sept*, in which he published many of his articles, was suppressed by the Dominican Fathers, many suggesting that this was done at the behest of Rome.[219] He was denounced internationally, especially in Spain, where he was declared public enemy number one.[220] In July 1938, Serrano Suner, the minister of the interior, delivered a speech in which he said, "Maritain, the president of the committee for civil and religious peace in Spain, is a covert[221] who broadcasts to the four winds lies about massacres by Franco and consummate rubbish about the legitimacy of the Barcelona government." He added, "The wisdom of Jaime [sic] Maritain has a tone that reminds us of the wise men of Israel and has the faked-up style of the democratic Jew."[222] On September 24, 1938, Maritain wrote a letter to the Vatican asking Pius XI to become actively involved in the promotion for peace in Spain, to which the Vatican did not publicly respond. The committee again appealed in December, and

[216] Ibid., 45.
[217] "An Interview with Jacques Maritain," *Commonweal*, February 3, 1939.
[218] McInerny, 133 and 137. But, as McInerny pointed out, the difference between Maritain and Claudel was perhaps more a difference in political temperament. Maritain was a "man of the left," and Claudel was a conservative. See also Doering 117-118.
[219] Doering, 111.
[220] McInerny 104
[221] "Covert" in the original. I believe Suner meant "spy."
[222] Rauger, 218-219.

again the Vatican offered no response.[223] While this reflects the lack of influence that Maritain's group had on the Vatican, it at the very least indicates the perceived authority of the Vatican.

Conclusion

Both Maritain and Pius XI struggled to remain above the fray and attend to metaphysical and spiritual priorities. Pius XI had to navigate the political realities and find a course which would not exacerbate difficult relations with states while at the same time protect what he saw as his primary interests. He acknowledged and was likely relieved by Franco's victory in 1939 but was aware of the divide in Catholic public opinion.[224] Describing the papacy of Pius XI before the extreme horrors of World War II, in 1939 historian Balfour drew attention to the difference between Pius XI's diplomacy of the 1920s and the 1930s. During the 1920s, Pius XI had more hope in the League of Nations in creating a common bond against communism, which he saw as the most serious threat against the existence of the Church. He consistently worked against political parties and national churches as seen in his denouncement of *Action Française*: more was to be gained by compromising with secular governments. In the 1930s, however, the totalitarianism of Germany and Italy appeared to offer the greater protection. But this was a deal with two devils and came at a great cost.[225] Pius XI worked to maintain Church presence and influence, but this reinforced the tension between the Vatican insisting that it was doing its spiritual work and the perception that it was seeking to enlarge political power. Secularists judged that the disestablishment of religion was the norm, while the Church asserted that it was simply trying to maintain what it considered to be the historical norm as well as the best form of

[223] Trybus, 144.
[224] Pollard, 264.
[225] R. E. Balfour, "The Policy of Pius XI," *Theology* 38, no. 228 (1939): 406-418, 412. https://doi.org/10.1177/0040571X3903822802.

Church-state relations. Balfour concluded his prescient article:

> If the totalitarian states succeed, Pius XI will appear in history as a wise diplomatist who steered the Church through difficult years. If they collapse, they will be succeeded by anti-clerical governments, and he will appear as the evil genius who allied the Church with reaction and brought upon it a heavy load of future trouble.[226]

On the other hand, Maritain had the luxury of the philosopher in that no one depended on or scrutinized his practical leadership. In late 1938, Maritain spent several months in the United States, and on his return voyage he answered a series of questions, including a reference to the attacks by Suner for *Commonweal*, published in February 1939. He maintained that he had always been neutral to the politics of Spain and decried both fascism and communism as forms of totalitarianism. He looked optimistically at the United States as a place where the possibility of a "democracy freed of capitalist materialism" had a real chance of developing. He wrote, "You know how fond I am of America and what hopes I have for her. I believe that the feeling for liberty, which is so deep in your country, is of major importance for the future of civilization." He went on to add that, however, that a new political philosophy would have to be worked out. "To purify the democratic ideal of the errors of Jean-Jacques Rousseau, to lead it back to the healthful region of a great Christian humanism – it seems to me that this is [sic] magnificent undertaking for the land of Jefferson and Lincoln. It will require much clarity of thought and much patience." [227]

[226] Ibid., 418.
[227] "An Interview with Jacques Maritain," *Commonweal*, February 3, 1939, https://wisconsin.hosts.atlas-sys.com/illiad/gzn/illiad.dll?Action=10&Form=75&Value=2941019.

CHAPTER FOUR

WORLD WAR II AND DEMOCRACY

The events of World War II created a crisis for both Maritain and Pius XII, prompting them to shift direction. They, like many Catholics, saw Nazism and communism as different manifestations of totalitarianism. In the early stages of the war, when Nazism was a serious threat, both warned of and reacted against its statist neopaganism. Later in the war, when it was likely that Nazism would fall, the Vatican feared the spread of communism and needed allies. For his part, Maritain loved American democracy and encouraged the idea of community level evangelization. Both moved towards democracy as a better alternative within which Catholicism could thrive. To achieve this, ideas which had previously been anathema, being reminiscent of the French Revolution, took on a new sympathetic meaning, and both Maritain and Pius XII expanded their embrace of Christianity to include non-Catholics. Maritain's public engagement led him to examine the Church-state relationship from a more political perspective than Pius XII, who focused more on the Church's survival. While Maritain's ideas may have had some indirect influence on Pius XII, his own development may best be seen parallel to Maritain's, impacted by similar events, but with different particular interests.

Maritain's Development in History

After *Integral Humanism* and his conflicts regarding the Spanish Civil War, Maritain's influence expanded despite breaks with many close friends and associates over his views on the Church-state relationship. He chose not to promote a reactionary nationalist or activist progressive political theory, because he insisted upon a philosophically unified message.

Harkening back to his defense of Pius XI, political philosophy could only be effectively understood as emanating from a sound philosophical groundwork and not from the mind of a particular philosopher. His work as a philosopher boiled over into the practical arena, but he argued that he was not ideological. He did not assert a rationalistic idea to be imposed; rather, in keeping with traditional metaphysics, he observed the world in keeping with historical tradition and drew judgments, which then served as the basis for practical judgments. Maritain's disagreements with other political ideas continued to reflect deeper disagreements about metaphysics and epistemology. As tensions in Europe grew, he became more convinced of his fundamental criticism of the modern world: its anthropocentric philosophy was manifestly wrong. The inward turn towards epistemology and subjectivity was fundamentally false and events in the world were evidence that this turn was fatal. His repetition of this theme revealed its significance for him and how he thought that that was the piece of the argument that his contemporaries failed to understand. His insistence upon the truths of Christianity was not a matter of private taste, historical trends, or fashion, but part of a long development of human history. The choice against religion, then, by this standard, was a step in the wrong direction.

In the intellectual domain, he also judged the study of history to be prey to this sort of rationalistic error. In the first chapter of *Scholasticism and Politics,* he offered an assessment of this problem and offered his own historical method, which was not rationalistic, relying not on "the mere logic of ideas and doctrines, but that of the *concrete logic of the events of history*."[228] Maritain described this as "a concrete development determined, on the one hand, by the internal logic of ideas and doctrines and, on the other hand, by the human *milieu* within which these ideas operate and by the contingencies of history as well as by the acts of liberty produced in history."

[228] *Scholasticism and Politics,* 1, italics in text.

This development may be described as "dialectic," but in neither a Hegelian nor Marxist sense.

Thus, while history is judged through the lens of ideas and doctrines, ideas cannot be ideologically imposed on history, but must flow from history. As such, according to Maritain, developments can be progressive or regressive. Citing a specific example, acknowledging a ubiquitous supernatural dimension to human life prior to the Enlightenment, the Renaissance humanists went wrong and halted real progress when they divorced themselves from the accepted supernatural dimension of the classical humanists. Now, "instead of an *open* human nature and an *open* reason, which are real nature and real reason, people pretend that there exists a nature and a reason isolated by themselves and *shut up* in themselves, excluding everything which is not themselves."[229] For Maritain, real human progress expanded with Judeo-Christian developments, but stumbled when that tradition was rejected. Reason was divorced from the supernatural in the practical domain of human government. Maritain likely found this examination of history to be obvious; yet his repetition and clarification reveals that it was not so obvious.

Maritain and Democracy

Maritain spent October and November 1938 in America and was impressed by the fresh openness he perceived. Robert Hutchins and Mortimer Adler from the University of Chicago were among those of a new generation which inspired Maritain's optimism.[230] He found American culture to be rife with religious sentiment which indirectly influenced the government. This served as an example of a fruitful relationship between the Church and the state. While there, he gave a series of nine lectures in which he more clearly articulated his political

[229] Ibid., 2, italics in text.
[230] Ibid., viii.

philosophy, and which formed the basis for his book *Scholasticism and Politics.* Relying on ideas articulated in *Integral Humanism*, he reiterated the centrality of the dignity of the person establishing the core of just governance but turned his attention towards democracy as the most possible means of promoting a flourishing society. As he wrote in the foreword, "To my mind, it is through a sound philosophy of the person that the genuine, vital principle of a new Democracy, and at the same time of a new Christian civilization, can be rediscovered; and this involves an extensive work of purification of the ideas that the world has received from the eighteenth and nineteenth centuries."[231] Democracy, as he envisioned functioning in America, provided the greatest hope for a good union between the Church and state: one in which the truths of religion were promoted by the citizens, yet protected by the state, with no direct interference from the Church. Europe was in regress; America might be in progress.

In the chapter entitled "The Human Person and Society," Maritain developed his anthropology and distinguished individuality from personality. Persons were always in relation to other persons and the person is unique in that she can give of herself as a gift to the other. This was a central idea which would be taken up by later popes. It was the spiritual dimension of the person that shared with other persons. The person is a whole universe unto herself, which, in recognizing herself, "refers to the highest and deepest dimension of being; personality is rooted in the spirit, in so far as the latter stands by itself in existence and super-abounds in it." [232] The person recognizes her own universality in relation to God, "the transcendent Whole," which makes it possible for her to then give herself freely to the other. Society, then, is the community of persons who live together for the good of each and the whole in different ways. "Society thus appears as furnishing the person with the conditions of existence and development which he

[231] Ibid., vii-viii.
[232] Ibid., 63.

definitely needs. The human person cannot achieve his fullness alone, but only through receiving certain goods essential to him from society."[233]

From this, Maritain defined the end of society as the common good, which is "the good *human* life of the multitude, of a multitude of *persons*; it is therefore common *to the whole and to the parts,* on whom it flows back and who must all benefit from it." [234] He described the common good as "rectitude of life, an end good in itself. . . a thing ethically good." It includes "the greatest possible development of human persons, of those persons who form the multitude, united, in order to constitute a community, according to relations not only of power, but also of justice."[235] This can only be accomplished "through the action of Christian ferment."[236] Democracies without this dimension have been tried but failed to properly recognize the person. With this true perspective, "They respect human dignity in each concrete and existing person, in its flesh and blood and in its historical context of life."[237] Nothing else can secure the protection of the dignity of each person in society.

In following chapters, Maritain explored the details of democracy and its relationship to authority and freedom. Mindful of his distrust of European democracies and totalitarianisms, which "are themselves but the fruit of the most morbid elements which afflict modern democracies," he considered the fact that democracy had a long history of different expressions. As opposed to the French dislike for the notion of hierarchy, he found the Lockean and British version less hostile to hierarchy, and for this reason, more natural.[238] His concern for authority focused on the political functions of government, and he distinguished authority, the right to

[233] Ibid., 68, italics in text.
[234] Ibid., 69.
[235] Ibid., 70.
[236] Ibid., 84.
[237] Ibid., 85.
[238] Ibid., 90.

direct, from power, the force one uses to oblige others. But the two were co-related and should not be practically separated. Authority derived from the moral order and power rose to the moral order. Thus, the distinction between authority and power was the same as that between force and justice. Authority must have power to function, and power must be just to be fair.[239]

Attacking the bourgeois democracy that derived from Rousseau, Maritain argued that this was a power which suppressed legitimate authority. The individual assented to the social contract to maintain her freedom to obey only herself, yet the will of each was absorbed in the General Will. This was nothing more than the will of the multitude and acted as a trick that allowed some to have power over others. This simply masked anarchy and ignored the priority for the human person. "The ruin of authority. . . is consummated in the totalitarian State." Though it has the appearance of order, it is extreme in its contempt for the person. "Such totalitarianism is the ultimate fruit of masked anarchic democracy."[240] Because it denied the moral element of authority, it became the arbiter of reality.

Over and against individualistic democracies, Maritain asserted an organic or personalistic democracy. Contrary to those who rejected the idea of authority and hierarchy, Maritain maintained that authority was a necessary part of a political community. It was "inscribed in the very nature of things." The community was a necessary part of human life and required a distribution of parts which was hierarchical. This was a democracy that flowed from the people and was natural in so far as it acknowledged the full nature of persons. Political authority existed "to direct *free men* toward the good of the social community." Indeed, "the leader himself exists as such only for this good, and finally, is the latter's victim as well as its

[239] Ibid., 93.
[240] Ibid., 95.

ordinator."[241] Authority revealed what Maritain called a "double truth of common sense:" that the person has the right to obey a leader who has the right to direct, and that to obey one who uses this authority for the common good is to act as a free person. This sort of organization was exemplified in a sports team where the members follow the captain.[242] Disdain for authority arose out of misunderstanding and abuse, but the foundation for the need for the good use of authority remained. Further, organic democracy demanded just use of authority. An unjust law did not oblige one in conscience. Ultimately, "at the origin of the democratic sense, taken in its human truth, there is not the desire to 'obey only oneself,' but rather the desire to obey only *whatever it is just* to obey."[243]

Maritain noted that while even societies which were not Christian recognized the reality of authority, he appealed to his Christian realism to argue that, ultimately, all authority had its source in God. As God was creator of the world and was the absolute moral authority, all human authority necessarily had its source in God, even that which was corrupt. The leader's authority was from God but flowed through the people, so that it passed "from the base to the summit of the hierarchic structure of the community."[244] Maritain maintained that the state was organized by the consent of the people, but not as a social contract. He rejected the Hobbesian model of government which merely protected the rights of persons as such. Deriving authority from the people, it was the leader's task to represent the entire people. Thus, government would not be perceived as one class paternalistically ruling over the masses. In the just exercise of authority class divisions would diminish and contempt for and domination over any social class would be replaced by an authentic sense of the dignity of each human person. Representatives of

[241] Ibid., 98.
[242] Ibid., 101.
[243] Ibid., 103.
[244] Ibid., 106.

government would function according to the mission of the people and not in some pure ideological manner. The aim of government, ultimately, "is a common good of human persons, whose chief value is the accession of persons to their freedom of expression."[245] It was personalist and viewed civic friendship, rather than individual competition, as the fundamental experience of social interaction. The positive relationship among persons took priority over the brute opposition and competition among individuals.

Maritain defended the policy of universal suffrage and defined the authority structure of the government as pluralistic. He agreed that, though somewhat risky, universal suffrage was a valuable democratic symbol, "because it attests, according to the specific law of democracy, the right of human persons to political life, and of the multitude to the constitution of the authoritative organism of the city."[246] This will more perfectly protect the society from the abuse of authority from and possible enslavement by the leader. Pluralism meant that authority was distributed through a plurality of social organizations and did not flow exclusively from the top. As authority flowed from the people, they exercised it through their institutions, the family being the most basic community. He agreed with the principle of subsidiarity which maintained that every function of society must be achieved at the lowest level of community as possible. The healthy functioning of these smaller institutions required that governments protect the natural rights of persons, which were not open ended and self-directed, but existed to allow people to carry out their duties within society. Authority flowed to the state from the people, but the ability to fully engage in society was protected by the state.

In the practical order, the individual person was best served when her political interests were joined with others and were represented as a whole. By focusing on a shared object, what

[245] Ibid., 109.
[246] Ibid., 113.

was wise in each person would be enhanced and the representatives' votes would have "a better chance of being reasonable."[247] Enlarging this theme, political parties would then serve a great purpose. Parties were legitimately constituted to further a particular political interest and should reflect a particular education or tradition. Maritain believed that they were essential to stable political life, but that they should not function within the government itself, because that led to the corruption of the public good. Rather, Maritain suggested a representative regime that would protect democratic principles. Although not successful in their contemporary form in Europe, Maritain was convinced that the reforms necessary to implement an organic humanist democracy were within reach.

When Maritain examined the issue of freedom, he looked at it from a holistic view of the person and relied on Aquinas' philosophy. Although complicated, Maritain made careful distinctions, because the question of freedom was essential in terms of how persons most fully flourished. The appreciation of human freedom was part and parcel of the political project. He distinguished the absence of constraint, as in a cage, from the absence of necessity, as in Samuel Adams' decision to throw tea into Boston Harbor.[248] Maritain called the first kind the freedom of spontaneity and the second kind free will. People in general were primarily interested in freedom of spontaneity, because it is the more political kind of freedom over which people fight wars. He also called this the freedom of autonomy and freedom of exaltation. Although this sort of freedom was very important, it was not the same thing as free will which was the subject of philosophers and intellectuals.

This second type and use of free will concerned Maritain first, and it is necessary to recall his idea that the state was made for the person in her wholeness and not simply her materiality.

[247] Ibid.
[248] Ibid., 118.

This discussion of free will, therefore, is essential to understanding Maritain's idea on the function of government. Without going too far afield in Thomistic philosophy, suffice it to say that the will was an appetitive part of the human intellect. As such, it naturally desired what it perceived as good. It willed it, precisely because it was good. The final end of all human willing was happiness. Due to our present life, however, the will was not determined by any particular temporal goods, because they were not absolute.[249] For Aquinas as for Maritain, as opposed to Aristotelean eudaimonism, the absolute goal of the will was absolute happiness, which was unconditional and supernatural.[250] Regardless of religion and culture, every human would be determined by this desire for absolute good. This was naturally the case yet was confirmed "only by a virtue of a free option, and may be declined." Thus, the discussion of freedom and liberty had become confused, because real freedom and liberty consisted not merely in not being constrained, but in choosing the good as "*the act of a person in so far as it is person*."[251]

Freedom of spontaneity was important, but only God who was pure act has absolute spontaneity. Humans' material reality limited and constrained their spontaneity and autonomy. It was only in the exercise of free will that persons expanded their freedom of autonomy. Thus, government should serve the expansion of freedom of autonomy by enhancing free will. "Certain conditions and certain means are prepared, and certain beginnings of spiritual freedom, of the freedom *purely and simply terminal*, whose conquest and achievement transcend the proper order of nature and the civil community."[252] In this light, the free person had mastery over herself, and the slave was mastered by another person. The authority of government should the directed to development of free persons who were not subject to the "private utility of another

[249] Ibid., 122.
[250] Ibid., 121.
[251] Ibid., 127, italics in text.
[252] Ibid., 137.

man."[253] Contrary to Marx who sought to abolish servitude by abolishing private property, Maritain encouraged "a progressive spiritualization of humanity caused by the forces of the soul and of liberty, and the gospel leaven at work in human history."[254] Maritain's understanding of the world, the person and government were of a piece: everything worked together for the good of each and all. The end of civil life then, "is a common earthly good and a common earthly undertaking, whose *highest values* consist in aiding the human person so that it may free itself from the servitudes of nature and achieve its autonomy in regard to the latter."[255]

Scholasticism and Politics also included lectures in which Maritain developed a positive practical political system which articulated his ideas on the Church-state relationship. The chapters entitled "Catholic Action and Political Action" and "Christianity and Earthly Civilization" explored the structure of society and government as well as how that society should be elevated through the actions of Christians. He began by distinguishing his own thought from the traditional view of the two powers: sacred and secular. Rather, he thought that the description would be more complete if it began from the point of view of the particular Christian. In this way, there were not two levels, but three. There was the spiritual dimension, the political or temporal dimension, and the third level by which the spiritual was related to the political dimension.[256] The person engaged in both the spiritual and temporal dimensions, but in different ways. She may be engaged in the specifically spiritual domain, or in the political domain with spiritual goals, or in the political domain as a Christian, but with only political goals.

Catholic Action, the lay movement advanced by Pius X and Pius XI was an example of working in the temporal domain with spiritual ends. "Laymen are called to assist the Church in

[253] Ibid., 139.
[254] Ibid., 140.
[255] Ibid., 137.
[256] Ibid., 195.

the *integral fulfilment of her pastoral office;* they are called to the apostolate, to that same apostolate with which Christ has charged the Twelve and their successors; and they receive for this an explicit mission."[257] Catholic Action, in contrast, was the name of the activity or goal of Christian personal involvement. This encouragement of the involvement of the laity clearly anticipated developments at Vatican II. To this end, the Christian must engage in social and political communities to be able to implement the Christian message of love, mercy, and friendship. It was a grave error that Christians failed to practice their faith, and this has left the world not only devoid of that love, but has also caused great antipathy towards the Church and the truth it declared.[258]

Always the systematic philosopher, Maritain reasoned that individual engagement and concern for the spiritual well-being of others had to be worked out through temporal structures, and everything was part of a whole. "Let us not forget that the social, the economic, and political, are intrinsically dependent on ethics, and that, *by this title,* for this formal reason, the social, the political, and the economic, are concerned with eternal life, and therefore with the pastoral ministry of the Church." While he has moved on from direct engagement from the Church, Maritain continued to assert that the state was, by definition, engaged with eternal matters. "The problem of destitution, for example, of misery, is certainly a temporal problem; but it is also a problem of eternal life. . . As long as modern societies will secrete destitution as an ordinary product of their functioning, there cannot be any repose for the Christian."[259] Yet, Catholic Action did not seek to solve social problems. The end of such Christian engagement was not for human justice, but eternal justice. In consequence, to retain its spiritual integrity,

[257] Ibid., 197.
[258] Ibid., 205.
[259] Ibid., 203, italics in original.

Catholic Action was not to be contaminated by political interests or factions, nor should it align itself with one party or camp. Rather, it should encourage every camp to respect the rights and values it represents.[260]

The other way a Christian participated in the social world was in a Christian manner, but exclusively for earthly goods. One should be prepared as a Christian to bring to bear Christian principles but should seek only those ends which were temporal. The details of such aims were not set by the Church and could take many different forms. For instance, just labor and wages were demanded by social justice, but the details of the work week were not. Thus, Christians should work to support just principles within the context of her particular community. This work was enlightened by the good instruction of the Church, but the initiative and responsibility rested solely with the free person. In this way, Maritain argued that political action, as opposed to spiritual action, was not an instrument of the Church.[261] Christians must be unified in their civic goals as well, "whose object is the defence of the proper values of God's city as it is engaged in temporal affairs: the union of Catholics is indispensable in order efficaciously to compel the respect for religious interest by civil legislation."[262]

In addition, political action would naturally represent a diversity of positions. Catholics themselves would have diverse judgments and would not belong only to one block. Even though Christians might disagree over particulars, it was critical that they maintain a unity of respect and inspiration. He recalled that real social development occurred "through the virtue of the evangelical leaven working inside consciences,"[263] rather than through rules and regulations. Further, in the political world, Catholics must be able to interact with non-Catholics and non-

[260] Ibid., 212.
[261] Ibid., 215.
[262] Ibid., 216.
[263] Ibid., 219.

believers, but the community must be formed by a shared ideal, which Maritain asserted arose through nature and was not dependent upon revelation. Representatives of all peoples would be allowed at the table. Yet, precisely because of their commitment to authentic Catholic action, Catholics would be better able to respect and negotiate with their political associates. While not seeking to form a Catholic national ideal, Maritain repeated his goal: "To vivify and animate from within, to help organic forms to germinate – it is for this that Christian influences are called upon, in the present age more than in the past, to act on political realities; and it is thus that a new Christendom will perhaps some day be born." [264]

In the following chapter on Christianity and civilization, Maritain wrote that civilization was the result of reason and virtue. These virtues were both natural and supernatural. However, "to arrive at their full state of virtue, the natural moral virtues must be united to charity and the infused moral virtues." According to Maritain, civilizations that operated on the natural level did not arrive at their full dignity because of the fall of man. Without the grace of Christ, no civilization could ever find its fulfillment. He recommended that Christians should teach those of other cultures the difference between Caesar's and God's things. Yet, he rejected the narrow cultural superiority of the West claimed by the likes of Hilaire Belloc. He saw in Christianity a truly human society which respected diverse civilizations, and which saw ethnic and cultural particularism as contrary to truth. In this way, Maritain was hopeful for a universal civilization – not homogenous, but one which recognized the fundamental truths of the Church, both rational and transcendent.[265] He was optimistic only so long as people loved rather than fought. If Christianity was to serve to heal, it would only be "by remoulding social structures according to justice and human dignity, and with the free co-operation of the labouring classes, in order to go

[264] Ibid., 233.
[265] Ibid., 228, 235.

beyond the capitalist system and the social cult of material goods and material power."[266] Christianity was necessary, because saints were necessary for this regeneration. He concluded, "The forces of Christianity must be involved again and anew in the flesh of humanity, to give birth, in the order of earthly civilization, to formations which are new and more pure."[267]

Promoting democracy as he did, Maritain was considered very progressive in his day. He shared the optimism that personalism offered the greatest opportunity to protect against twentieth century evils but maintained that it must be grounded in the Christian God. He had rejected the old model of Church and state integralism, where the state played a role in the salvation of its citizens for an integralism of the person, where the state played a role in the flourishing of the temporal society but did not advance salvation. Despite privileging Christianity, the state may not establish any religion. Maritain would argue that this was not an integralist position, because religion would not function on the political level except insofar as being an expression of its citizenry. The government would enact laws manifesting elements of Christian teaching, but only as the result of Christians have been successful at evangelizing the world. Thus, keeping in mind his description of the relationship of the person to the state and that society was not merely a collection of individuals, Maritain's model expressed an authentic third way, because it neither imposed religion through political parties or states, nor completely privatized religion out of the public square: a non-integralist model of common good politics.

In reflecting on Maritain's ideas, several questions arise. Despite his insistence that the Catholic Church must not engage in politics, as in the case of the Spanish Civil War, it remained front and center of his discussion. Politics were built on ethics which relied on metaphysics, and the Catholic Church represented the surest articulation of metaphysical truth. The truths of the

[266] Ibid., 246.
[267] Ibid., 248.

Church must therefore be at the core of any political discussion. In resolving this issue, Maritain shifted his focus from looking at the Church as a spiritual institution engaging with secular institutions to looking at the relationship between the person and the Church and the state. Though only a slight move, it marked the emphasis Maritain placed on the centrality of the person. The Church was steadfast and true, but it was through people within society that its message was spread. Maritain asserted that he brought religion and spiritual issues into lived social reality, yet it is debatable whether this description of personal participation and influence meaningfully removed the Church from engagement in politics. To the modern reader, the introduction of the private Catholic citizen as the means of implementing Christian principles in politics looks like intervention through other means. While influence may not be direct from Rome, it is clearly indirect from Rome. Many might judge this as an intellectual distinction with a small degree of practical distinction. Further, the distinctions Maritain used to protect the Church's spiritual integrity sound too spiritual, as if the Church had no political interests, an issue that arose during debates regarding *Action Française.* Interestingly, his emphasis on the person and the common good sounds more like an integral socialism rather than an integral or organic democracy. He downplays the individual, and many people do not find themselves within a community or society to which they feel akin. His reference to family life is reminiscent of Chesterton's distributivism, attractive but unrealistic. Finally, despite his aversion to nationalism and his averred respect for other cultures, his steadfast assertion that in time all may come to see the truths of Christianity sounds to modern ears as unrealistic and perhaps explicitly arrogant. At this point in Maritain's writing, he sought a solution to the ills of Europe and the world, but his own third way was equally fraught.

As he stated in his Commonweal interview later that year, he found in American democracy the sort of healthy culture and government he imagined, but only if they did not follow in the faulty individualistic ways of Europe. America, with its strong religious roots, would need to stand firm against the modern notion that government served the private ends of individuals. He judged that democracy in America served the public common good of persons, and he was hopeful that it could develop further. "It may be that, in America, there is still time for mankind to eliminate these errors by a creative effort of intelligence and liberty rather than by offering itself up as a victim to the forces of fatality."[268] For Maritain, the philosophical movements which rejected Christianity ushered in individualistic capitalism and the totalitarianisms which were destroying Europe. This new explicitly Christian democracy would be a government by and for the people, privileging Christianity without any direct intervention from the Church.

On February 8, 1939, in Paris, Maritain delivered a lecture on the situation in France and Europe, entitled *The Twilight of Civilization*, later published in America. In this highly charged context, he articulated less his despair at the broken state of his beloved France and Europe than his optimism for the development of a true Christian democracy based on a correct humanism. Much of this lecture had its basis in earlier lectures, but he focused his attention on events leading up to the war. He repeated his view, reflecting a Catholic spiritual perspective, that Communist Soviet Union and Nazi Germany were alike in that both were destructive manifestations of the errors of incorrect humanism which turned inward and thought itself self-sufficient. Unlike the Vatican, however, Maritain thought that Nazism was the greater threat, no

[268] Ibid., viii.

doubt based on his negative experiences with Maurras and Franco.

Communism, which he defined as "totalitarianism of the *social community,"* although directly atheistic, sought to replace the individual will with the common will to work out human salvation. It, at least, shared a common understanding of language and logic. Nazism, defined as "totalitarianism of the *political state* and that of the *racial community,"*[269] along with other fascisms, were in fact "counter-humanist" perversions of the anti-rational reactions against reason found in the likes of Nietzsche or Kierkegaard who, though in error, were high-minded and spiritual.[270] What devolved was "the voice of that base and mediocre multitude, the very baseness, the mediocrity and the disgrace of which seem indeed to be apocalyptic signs; of that multitude which hurls out to the four corners of space, under the form of the cult of race and blood or under the form of the cult of war, the gospel of the hatred of reason."[271]

Although communism was older, Nazism was the greater threat, because it twisted the idea of God into an idol for the "glory of a people or of a state, or as the demon of the race."[272] He described this phenomenon as a *paratheism* where the God is invoked, but in a neo-pagan manner. This, in fact, rendered it baser than classical paganism, which acknowledged "the piety of the eternal Laws and of supreme divinity."[273] While communism sought unity and universality, albeit exclusively earthly and materially, racist Nazism rejected unity and universality "to impose on the world the hegemony of a so-called higher racial essence."[274] In dogmatic communism, reason remained intact and thus able to be used as a tool to argue against it. But the "racist pseudo-theism" of Nazism "causes any dogma or intellectual conviction to

[269] Jacques Maritain, *The Twilight of Civilization*, trans. Lionel Landry (New York: Sheed and Ward, 1943), 17, italics in text.
[270] Ibid., 7.
[271] Ibid., 8-9.
[272] Ibid., 18.
[273] Ibid., 21, italics in text.
[274] Ibid., 23.

dissolve and rot," It was not rational. "It is the very surging up of irrationalism as an elemental force getting rid of all doctrine, truth and rational structure." As such, it was a "process of spiritual poisoning. . . more irremediable than atheism itself."[275]

In contrast to the failed anthropocentric humanism, Maritain offered his model of humanism, which he here referred to as the "humanism of the Incarnation."[276] Since the one-dimensional idea of humanity had led to confusion and destruction, he advanced the possibility of imagining both the vertical (eternal) and horizontal (in history) elements of humanity simultaneously. This would respond to the immediate physical needs of people and help prepare people for eternity.[277] Maritain argued that Christian humanism would necessarily be concerned with the masses of people and would not be a reinforcement or repetition of capitalist errors. The spiritual renewal to energize society must be rooted in love that elevated humanity beyond the temporal. "Only a political ideal of brotherly friendship can direct the work of true social regeneration."[278] Again he insisted that this could not be brought about by force, but "that the persevering and patient action and the manifestation of the Christian spirit in the world are more important than the external apparatus of a Christian order."[279] In other words, while Maritain insisted that Christianity was central to a true healthy humanism, it could not be politically forced, thus opening the door to pluralism.

The primacy of the spiritual could only be realized through positive forces, not negative ones such as those in force through totalitarianism. If Christianity was to help everyone in society, it had to respect everyone in society in their particularity: no one could be despised as

[275] Ibid., 24.
[276] Ibid., 13.
[277] Ibid., 14.
[278] Ibid., 32.
[279] Ibid., 33.

"other." The mere constitution of a society based on "the principle of ourselves '*against the other,'* or of constitutive enmity" created a sovereignty of hate. Maritain did not despair of this state of politics, however, because he judged that the grace of Christ, who was savior of all the world, could penetrate politics to overcome hatred of the enemy.[280] Maritain was not shy to declare that only the Gospel demanded love over hate, because each person was redeemed by Christ and all people together comprise the spiritual community.[281] While Christian societies have fallen short of the mark, they "knew at least that the Christian table of values is the true table of values."[282]

He concluded his lecture turning his attention to America and democracy. During his travels there in 1938, he perceived that Americans wanted to defend democracy and integrate its Christian values. He cited prominent Americans, including President Roosevelt, appealing to religion as the surest foundation for democracy.[283] This offered Maritain a new idea of democracy as opposed to that long associated with the atheism of the French Revolution. This new form of government acknowledged the inalienable rights of the person differently, and Maritain recognized the American founding based on "a Christian philosophy of life and by the Lockian tradition much more than by the ideas of Rousseau."[284] He saw the American model as proceeding from a theocentric source which merged integral humanism and organic democracy. His praise for the American model continued: respect for human dignity in a real fashion, the aim of freedom of development of each person and the life of the spirit, and the ideal of

[280] Ibid., 36, italics in text.
[281] Ibid., 39.
[282] Ibid., 41.
[283] Ibid., 55.
[284] Ibid., 58.

"fraternal friendship among the wounded children of an unhappy species made for supreme happiness."[285]

This integral humanism and organic democracy recognized political rights of individuals as well as the rights of persons and families. He referenced specific inalienable rights enumerated by Pius XI and added ones in response to totalitarian oppression. Maritain's appeal for democracy at this point was clearly through the love and justice of persons acting within society, rather than through fear and coercion, to develop these principles. Since these natural rights came from God, democracy would defend freedom of religion, because it acknowledged that its effective functioning depended on the expression of religion. But citizens, rather than the Church, would protect religion. In this way, faith could not be private: it was public and social. It was not a private relationship between an individual and her god in an otherwise secular world, but a relationship between integrated persons and God who grants and guarantees the freedom and rights of each person. Christianity could not be imposed on or through government. Finally, he acknowledged that Europe was no longer isolated, and the battle for civilization against totalitarianism was universal. He encouraged the French to renew their own civilization but looked forward to new developments abroad.[286]

Maritain in America During the War

On February 10, 1939, Pope Pius XI died. Eugenio Pacelli, taking the name Pius XII, became his successor. Pacelli had been the papal nuncio to Germany and the Cardinal Secretary of State. As such, he was closely allied to Pius XI and well versed in diplomacy; nevertheless, he

[285] Ibid., 59-60.
[286] Ibid., 64.

did not share a similar relationship to Maritain as Pius XI,[287] with whom he conferred and agreed upon the Church-state relationship, especially in response to *Action Française.* Maritain traveled to America in early 1940 to give courses in Toronto and deliver lectures in the United States. The onset of the war forced him to cancel his return to France. Raissa's Jewish background and his own public anti-fascist position would make them targets, and he learned that the Gestapo in Paris had gone to the *Institute Catholique* in search of him.[288]

He set up residence in New York City, and his household became a center for displaced European intellectuals. He wrote a book for Americans in 1941 entitled *France My Country Through the Disaster* explaining the current situation. It circulated widely in Europe as one of the first works of the resistance. Czeslaw Milosz, Polish poet who lived under Nazi occupation during the war, wrote the preface to the Polish edition and praised it for making clear the complexities of Nazi propaganda.[289] In early 1942, he and some close associates formed a new university-in-exile in New York, *L'Ecole Libre des Hautes Etudes,* for which de Gaulle gave his personal approval.[290] Maritain was also among the signers of *Before the World Crisis: A Manifesto of Catholic Europeans Sojourning in America*, which manifested solidarity despite national or intellectual differences.[291] It denounced totalitarianism and projected principles for post-war peace.

Maritain gave a series of radio addresses for France between the years 1941-1944, transmitted by the BBC, NBC, and The Voice of America, later collected under the title, *Messages.* From September 1943 until the Allied landing at Normandy, he delivered these

[287] Barré, 346-347.
[288] Kernan, 120.
[289] Barré, 361.
[290] Kernan, 126-127.
[291] *Devant la Crise Mondiale: Manifeste de Catholiques Européens Séjournant en Amérique,* (New York: Editions de la Maison Française, 1942).

speeches weekly.[292] These messages are significant, because they revealed the evolution of Maritain's thought anchored in direct response to the war. His love for his native France, intensified by separation, was on full display. While consistently rejecting any nationalistic politics, he appealed to his native fellows to remain faithful to their thousand-year civilization, maintaining the pro-culture and anti-nationalist balance he sought to uphold. Here again, Maritain insisted that political freedom was not simply freedom from oppression and occupation. While France struggled under the war and hoped for political liberation, personal freedom was also restricted by the progress of nihilism.

Drawing on the French demand for liberty, equality and fraternity in a different light, a new emancipated city would have to be created. Harkening back to the traditions of France which could resist nihilism and expand liberty, Maritain emphasized that fraternity was the true end of liberty and required personal sacrifice and heroism. "True political emancipation was the inauguration of a fraternal city."[293] It is noteworthy that in November 1941 Maritain explicitly called for a new declaration of human rights to usher in the fullness of the new world, both Christian and free.[294] The people of France would themselves be the source for unity after the war, and the public vote would ensure its expression. Minority groups would have to acknowledge that the common good would be best served by protecting the authentic exercise of liberty. Rather than sabotaging the majority vote, minority groups should critique and balance the majority.[295]

Maritain did not support Petain, arguing that the Vichy government did great harm to

[292] Kernan, 130.
[293] Jacques Maritain, *Messages (1941-1944)* (New York: Éditions de la Maison Française, Inc., 1945) 37. Translations are mine.
[294] *Messages,* 40-41.
[295] *Messages,* 56-57.

France, dividing it and making it lose its soul.[296] While opposed to Vichy, and respecting de Gaulle, he did not fully support Free France until the United States entered the war, sharing Roosevelt's hesitation.[297] In May 1941, René Pleven, member of the Free French tasked with establishing a group in America, asked Maritain to be the president of the Free French delegation in the United States, and Maritain declined.[298] In a letter to Pleven in July, Maritain wrote that he would support Free France insofar as it aided the suffering people of France, but that he did not wish "for a simple return to old formulas and to the former state of things, but for a complete renewal, truly creating, as is more and more understood in England, a free world worthy of free men."[299]

In November 1941, Maritain wrote to de Gaulle and appealed to him to lead in the construction of the new city which could reject the old political machinations and reconcile Christianity and liberty. De Gaulle responded the following March sharing his ideals, expressing frustration with the French bishops who supported the Vichy government, and encouraging Maritain to continue his work. By this time, Maritain's reputation as a prominent French authority and Catholic was firmly established. His shared experience of the war in exile and opposition to the Vichy government made him a natural ally. De Gaulle asked Maritain to meet him in London, but Maritain did not. This was in part because Maritain feared that France was simply reverting to "the internal politics of the Marechal without the Marechal." He wrote, "I am afraid that with the passage of time we will simply see reappear the old formations and the old parties with their rivalries and prejudices. I am afraid of those who. . . do not understand that the

[296] Messages, 63.
[297] Barré, 362.
[298] Ibid., 363.
[299] Ibid., 364.

saving elan must depend on the people and must tend more vigorously than ever toward political liberty and social justice" [300]

In his radio messages, Maritain encouraged France to be foundationally and morally unified after the war in its soul and not merely through state action. It would be necessary to expunge the error of Vichy while welcoming those French who were fooled by it.[301] In his post-war vision, Maritain expanded his ideas to encompass modern expressions of liberty, and he embraced both traditions of France: the evangelical tradition of Joan of Arc and the democratic tradition of the rights of man.[302] France's "vocation" would be to direct this unity and exclude those, such as slave traders, who would work in an opposing direction.[303] For Maritain, the French resistance exemplified the cooperation of the best of these traditions.[304] Its Christian participants saw that democracy flowed from evangelical inspiration and the democrats saw that Christianity defended the rights they advanced. Its success made him hopeful that all sides could work together after the war: Christians retreating from nationalism, rationalists retreating from anticlericalism, and socialists retreating from communism. While maintaining their differences, they could find together a "second French revolution."[305]

De Gaulle appealed to meet with him in London again in April 1941, and again, Maritain declined. Jean-Luc Barré has suggested that de Gaulle persisted, because he believed that Maritain's reputation could serve him well with Roosevelt. Although Maritain admired de Gaulle, he feared his authoritarian manner and chose to place his confidence in the people of France.[306] In an October 1943 message, Maritain described the Second World War as an

[300] Ibid., 367.
[301] *Messages,* 63.
[302] Ibid., 66.
[303] Ibid., 65.
[304] Ibid., 69.
[305] Ibid., 71.
[306] Barré, 372.

international civil war, all people forming one civilization, over issues of justice, liberty, and the dignity of persons. As a result, every person was engaged in global affairs, and everyone had the responsibility of rebuilding a world which was better for all people. Christians were in a unique to position to lead because they shared the ideology of a truly universal society which transcended borders, races, and classes. The French were particularly well-suited as they were central to the culture that embraced the truths that promoted the well-being of the whole world. Naturally, they would have to stand against those Christians who were drawn in by Vichy propaganda which corrupted the truth and exploited the Church and religion to its own ends.[307] Further, they would have to know their principles and apply them correctly and pragmatically to demonstrate that they obeyed God's law and wisely applied them.[308]

Maritain did not back away from his position that governments which denied the Gospel ended in totalitarianism and failed. "The world is done with neutrality. . . States will be obliged to choose for or against the gospel, they will be formed by the totalitarian spirit or by the Christian spirit."[309] However, while truth was to be privileged, the Church itself was not. To privilege a religion would "introduce a principle of division in the political society and miss as well the temporal common good."[310] The Church should not benefit through attachments to states but should encourage its priests and members to make themselves helpful through the community to develop the sense of liberty and fraternity.[311] Thus, the new civilization would have an inspiration which reconciled both Christian and democratic ideals. The Christian element could belong to any form of government, so long as it did not contradict natural law.

[307] *Messages,* 74-75.
[308] Ibid., 78-79.
[309] Ibid., 84.
[310] Ibid., 86.
[311] Ibid., 87.

Conversely, the democratic element must be linked to Christian social spirit, as opposed to religious creed, because that provided the hope and historical energy of the world.[312] Democracy would function best in acknowledging its Christian foundation, and he was pleased that at that time the United States under Roosevelt and early discussion of the United Nations incorporated a Christian spirit.[313]

Maritain made a striking comment here about the influence of the Christian spirit in the history of the world that marked, if not a change, at least a different articulation and emphasis of his position. "It is not in the heights of theology, it is in the depths of profane conscience and existence that Christianity acts thus, and sometimes in taking heretical forms or even forms of revolt where it seems to deny itself."[314] Ultimate peace could only be achieved through orientation towards Christianity, but the movement in this direction could be achieved through various means. He credited the rationalists for proclaiming the rights of man and the citizen, the Puritans for ridding America of slavery, and the communists for abolishing the absolute right of private property. This last accomplishment, he held out, would have been more easily and less bloodily accomplished had it been achieved by Christians, yet all these outcomes were the result of the Christian spirit working through the history of the world. The spirit motivating these improvements were Christian, yet neither the agents nor the arguments needed to be Christian or even Catholic.[315] This shift reflected a departure from his early position in that he previously argued that the Christian spirit would prevail through the direction of the Church, while he now acknowledged that the Christian spirit could work through forces ostensibly opposed to the Church.

[312] Ibid., 90.
[313] Ibid., 92-93.
[314] Ibid., 90.
[315] Ibid.

As the war advanced and liberation became more likely, Maritain expanded his recommendations for a future government. The first consideration was to restore justice to France by liquidating the Vichy regime. That would have to be accomplished thoroughly and justly, without hatred and vengeance.[316] In early March 1944, he addressed the French people and reminded them that, in their Christian heritage, they had a key role to play in the future, as they led in the practice of the reconciliation between realism and heroic idealism. The war was a war for civilization, and France was "the nervous center for the conscience of Europe."[317] Specifically, Maritain sought a France which was Christian and liberal, ridding it of evil excesses and errors. It would declare the rights and responsibilities of the human person. It would stop the exploitation of man by man, and it would recover its true spiritual foundation.[318] France, like all political communities, was distinct, because it shared a common work,[319] and the restoration of its best virtues would contribute to the world's future.

Beyond France's borders, although in the distant future, Maritain advocated a supra-national government of the world to ensure world peace.[320] In the short run, he supported the idea of a federated international organization to abolish war between nations. Every nation required an internal transformation,[321] and the world federation would share a universal vocation. Each nation would recognize its participation in the civilized community and work towards the common good for all.[322] The international federation would respect each contributing nation and promote the overarching goal of peace. Maritain promoted a new globalism that supported variation among cultures, but preference for Christian cultures. Again, Christian principles would

[316] Ibid., 101.
[317] Ibid., 149.
[318] Ibid.,186-187.
[319] Ibid., 179.
[320] Ibid., 144.
[321] Ibid., 156.
[322] Ibid., 145-147.

undergird this community as the surest means of protecting civilization. Rationalist-bourgeois ideology, which forgets God or uses Him only to act as policeman to the established order must be avoided at all costs.[323] The idea that each person is a "little god" ended in the loss of the person, and only true democracy, based on the Gospel and human dignity would give rise to justice and fraternity.[324]

In his final messages, Maritain praised the French resistance and reported that his understanding of the cooperation of the various groups working within it served as an example of how disparate communities, socialist, Christian, communist and others, could cooperate towards a common goal without abandoning their principles. To Maritain's mind, this was the best of France and would lay the groundwork for rediscovered patriotism. In particular, socialists and Christians needed to work together for a temporal, political and social end which they both valued, despite their differences.[325] "That each, in proclaiming her own philosophical creed, does not impose it on the other; but that all, on the basis of liberty, cooperate towards the realization of immediate objectives and of the temporal work that unites them in mutual understanding and communal action."[326] Clearly, during the war he modified his view of democracy and became more open to cooperation, hopeful that shared political ends could be achieved through shared work.

De Gaulle visited New York on July 10, 1944, and finally met with Maritain. De Gaulle asked him to serve as the ambassador to the Holy See.[327] The Vichy ambassador had been removed as part of de Gaulle's Vichy purge, and a replacement was needed. Maritain initially

[323] Ibid., 189.
[324] Ibid., 191.
[325] Ibid., 206.
[326] Ibid., 207-208.
[327] Barré, 381.

hesitated. In December, Pius XII recognized the French provisional government and installed a new papal nuncio, Angelo Roncalli, the future Pope John XXIII.[328] Maritain flew to France and met with de Gaulle and accepted the position of ambassador. He met with Pius XII and began his position in May 1945. The first business was to deal with the collaborationist bishops in France. De Gaulle had asked for the removal of thirty-three bishops, but the final decision rested with the Vatican. Maritain managed these negotiations, and, in the end, only three were removed.[329] During his time at the Holy See he often met with Pius XII's Deputy Secretary of State, Giovanni Montini, the future Pope Paul VI.[330]

Pope Pius XII and Democracy

Eugenio Pacelli's election to the papacy as Pius XII in 1939 marked a natural transition from Pius XI, and from the time of his election, he struggled to remain neutral and sought peace through diplomacy. His election was perceived as "probably inevitable" and was met with satisfaction by many European heads of state.[331] He had served as nuncio to Germany under Pius XI, and, as Secretary of State, he was involved in drafting the 1937 encyclical *Mit brennender Sorge*, which emphatically opposed Nazism.[332] Memory of his reign is dominated by debates regarding his response to the Holocaust, the so-called "Pius wars." But, as G. Chamedes has pointed out, these debates have stalled in a "historiographical ghetto," and inhibit research into other areas of his influence.[333] Here, however, while Pius XII's moral success or failure in this

[328] Kernan cites Maritain's influence in John XXIII's later encyclicals. 139.
[329] Doering, 207; Kernan, 138; Barré, 384-385.
[330] Maritain's influence on the future Paul VI was enormous, especially at Vatican II. Kernan, 142.
[331] Pollard, 294-295.
[332] Ibid., 267.
[333] Guiliana Chamedes, "The Policies and Politics of Pope Pius XII: Between Diplomacy and Morality." *The Historian* 75, no. 4 (2013): 884+. *Gale General,* https://link.gale.com/apps/doc/A354182248/ITOF?u=milwaukee&sid=bookmark-ITOF&xid=0909427b.

regard falls outside the parameters of this work, this debate is significant, because it testifies to the perception of the pope's influence. The charge that Pius XII might have done more to save lives rests upon the belief that he actually had the ability to save more lives. If he did not wield real influence, the judgement of his behavior would bear only on him and would not warrant such detailed research and heated exchange. This fact serves as a useful barometer of the active public engagement of the Vatican at this time.

Focusing on the Church-state relationship, Pope Leo XIII had accepted Christian democracy as a legitimate form of government in 1901, but Pius XII elevated it to a preferred status by 1944. The Vatican's comfort with democracy grew slowly in response to the rising double threat of totalitarianism. Nazism and communism simply made democracy look better. Through the first months after his election, he appealed to world powers to seek peace. His Easter address, his radio address in August, which included his famous line, "Nothing is lost with peace, everything may be lost with war," as well as his 1939 Christmas address to cardinals, outlining his five peace points, all sought peace.[334] His Christmas address clearly condemned totalitarianism. Michael Burleigh reported that by this point the Germans declared that the Vatican had given up any pretense to neutrality.[335] The necessary continuous thread for any government including democracy, however, was that natural and divine law must be recognized as the true foundation. Following his predecessor, Pius XII judged that recent international systems failed, because they had ignored this.

He wrote, *Summi pontificatus* - On the Unity of Human Society, in October 1939, shortly after the outbreak of World War II. Like his recent predecessors, his first encyclical focused on

[334] Pollard, 301, 302. See, *The Holy See and the War in Europe March 1939-August 1940,* ed. Pierre Blet (Washington: Corpus Books, 1965) documents 7: 99-102; 113: 216-222; 235: 330-336.
[335] Burleigh, 224.

the state of the world and its relation to the Church. Pius XII restated his pleas for peace and denounced those regimes which absolutized the state.[336] Their key error, which could apply to any faulty government, was "to divorce civil authority from every kind of dependence upon the Supreme Being – First Source and absolute Master of man and of society – and from every restraint of a Higher Law derived from God as from its first Source."[337] Europe needed to return to Christianity to save itself. Despite past failures among Christians, at least there existed a recognized moral sense to which all could appeal. "With the weakening of faith in God and in Jesus Christ, and the darkening in men's minds of the light of moral principles, there disappeared the indispensable foundation of the stability and quiet of that internal and external, private and public order, which alone can support and safeguard the prosperity of States."[338] He drew all people under the banner of God and its consequent natural laws and argued that deviation from this reaped destruction and violence. True solidarity and charity could only arise from the equality constituted by God.[339]

Pius XII's emphasis on the nature and equality of people had two corollaries. First, their shared nature established the desire for harmonious relationships and supported differences among peoples as enhancing all of humanity.[340] Second, equality based in God would preclude any one state from attributing to itself absolute sovereignty which ignored international natural law.[341] He urged, after the strife, the formation of a "new world order" based "on the solid rock of natural law and of Divine Revelation."[342] He argued that happiness and tranquility had a

[336] Pope Pius XII, *Summi pontificatus* [On the Unity of Human Society], 1939, par. 60, https://www.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_20101939_summi-pontificatus.html.
[337] Ibid., par. 52.
[338] Ibid., par. 32.
[339] Ibid., par. 35.
[340] Ibid., pars. 42-43.
[341] Ibid., pars. 71-74.
[342] Ibid., par. 82.

greater chance for successes under Christian inspired laws which were aligned with a genuine humane humanitarianism.[343] While Pius XII pled for peace, denounced the aggression at hand and repeated calls for a return to Christian truth, his expansion of the discussion on the equality and unity of all persons served as a springboard to promoting democracy and human rights.

The Vatican continued to communicate with various states in its diplomatic efforts. After the fall of France in June 1940, the Vatican recognized the Vichy government along with the United States and USSR. Although the Vatican was somewhat relieved that the anticlerical third republic was gone and hopeful that the new government would protect the Church, it was less enthusiastic than most of the French clergy because of Vichy's ongoing ties with Charles Maurras and his supporters. The Vatican grew more suspicious as the Vichy government became increasingly collaborationist.[344] On the other hand, Roosevelt and Pius XII established communication early 1940 through Roosevelt's personal representative, Myron Taylor. This benefitted Roosevelt, who might now be able to rely on support from Catholic Americans, and Pius XII, who extended his diplomatic prestige.[345] Pius XII had visited the United States in 1936 and had observed their practice of democracy. The participation of the people, rule of law, and constitution positively identified this democracy in opposition to the anticlerical democracy of revolutionary France. Roosevelt's support of Christianity exemplified a workable democracy that could counter atheistic communism and defend the human rights of all. Their letters throughout the war reflected a shared mission for international peace and religious rights.[346]

Germany's invasion of Russia and the United States' entrance to the war focused Pius

[343] Ibid., pars. 92-93.
[344] Pollard, 315.
[345] Pollard, 312,
[346] *Wartime Correspondence between President Roosevelt and Pope Pius XII*, intro. and notes by Myron C. Taylor (New York: Macmillan Company, 1947).

XII's support of democracy. Strongly opposed to Nazism, he did not support the invasion of Russia as an anti-communist crusade, but he was also leery of Allied engagement with the USSR and any expansion of communism.[347] Following a request from Roosevelt, however, the Vatican permitted a pastoral letter from the archbishop of Cincinnati that distinguished communism from the Russian people and allowed Catholic collaboration in this case. It is likely that Pius XII was willing to support Roosevelt here to defeat the Nazis and to create a strong future relationship against communism. Nevertheless, despite strengthening ties between the allies, Pius XII feared the Soviet threat more than Roosevelt did, and was concerned that the Americans had no plan to contain them after the war.[348]

By 1943, the defeat of Nazism was growing more likely while the threat of communism remained strong. While Maritain supported the anti-fascist resistance, the Vatican was less enthusiastic owing to its connection to the Communists. Democracy, on the other hand, provided an option which was most compatible with Christian principles. After the Vatican was bombed on November 5, 1943, Secretary of State Tardini sent a letter to Myron Taylor stating that democracy would be the best government for Italy, because it allowed for the greatest representation of the people, permitted the widest form of participation, and would help establish harmony.[349] The core of the statement would be taken up by Pius XII in his 1944 Christmas address.

Pius XII's explicit approval of democracy, "a system of government more in keeping with the dignity and liberty of the citizens,"[350] came in his 1944 Christmas address, but it came

[347] Holmes, 138-139; Pollard, 323-325.
[348] Pollard, 327-328.
[349] Hebblethwaite, *Paul VI*, 150.
[350] Pope Pius XII, *Radio Message of His Holiness Pius XII to the People of the Entire World*, December 24, 1944, https://www.ewtn.com/catholicism/library/1944-christmas-message-12.

with many qualifications. While democratic government was naturally reasonable,[351] it was not simply the government over a shapeless mass of individuals, but an organizing unity of real people,[352] where one's freedom joined to others in a spirit of brotherhood to enhance liberty and equality for all.[353] It could easily be debased by masses, and it must recognize that the person has inviolable duties and rights.[354] Ultimately, it must assent to the superior authority of God to succeed. "And if men, using their personal liberty, were to deny all dependence on a superior Authority possessing coercive power, they could be this very fact cut the ground from under their own dignity and liberty – by violating, that is, the absolute order of beings and purposes."[355] Nevertheless, it could work if it was based on natural law and revealed truth. Following upon this, in a 1945 *Acta Sanctæ Sedis*,[356] Pius XII delivered a paper on the spiritual power of the state and modern concepts of state power. In it, he reiterated the traditional position that the Church receives its authority from God and had no human judge. He also said that true democracy may create a sound community, but, if "the people depart from the Christian faith or do not hold it resolutely as the principle of civil life, even democracy is easily altered and deformed, and in the course of time is liable to fall into a one-party 'totalitarianism' or 'authoritarianism.'"[357] Pius XII accepted democracy, was suspicious of its liberal tendencies, and did not embrace later ideas of religious freedom.[358]

To conclude, several comments must be made comparing Maritain's and Pius XII's conceptions of democracy. It is likely that some of Pius XII's ideas on democracy were

[351] Ibid., 19.
[352] Ibid., 22, 27.
[353] Ibid., 28-29.
[354] Ibid., 17.
[355] Ibid., 37.
[356] A monthly publication in Rome which contains public documents issued by the pope.
[357] As quoted in *Church and State Through the Centuries A Collection of Historic Documents with commentaries*, trans. and ed., Sidney Z. Ehler and John B. Morrall (New York: Biblo and Tannen, 1967), 604.
[358] Pollard, 476-477.

influenced indirectly by Maritain through Archbishop Montini. Montini had been strongly influenced by Maritain and had translated his *Three Reformers* into Italian. He is said to have met Maritain in 1924.[359] However, the key point is that both responded to their shared historical context within their own domain. Both first needed to update their understanding of democracy from the mindset of the French Revolution, because in traditional Catholic thought democracy meant destruction of Church liberty and mob rule. Following this, both remained leery of the potential for excessive individualism, and both acknowledged recognition of natural law emanating from divine law. Finally, both enlarged their inclusion of non-Catholics either in the support of democracy or in the fight against communism.

On the other hand, Maritain, while opposed to atheistic communism, moved towards democracy in a very positive manner as a result of his exposure to American democracy and pluralism. He also wanted no special recognition for the Church in government. Pius XII appeared to move more slowly in response to totalitarian threats. This slow transition to democracy has been outlined by historian Roberto Papini as three historical periods of the Church's relationship to rights: the first, the Church bearing the rights of God; the second, the Church defending its own rights against states; and the third, the Church defending the rights of persons – which brings with it the rights of God and the Church. While Maritain actively rejected the medieval model and sought a new Christendom through Christian participation, the Church, and Pius XII, came to democracy more slowly in the fight against totalitarianism, recognizing that defending the person was the best means of defeating totalitarianism.[360]

[359] Hebblethwaite, *Paul VI*, 630 n.18.
[360] Roberto Papini, "Christianity and Democracy in Europe: The Christian Democratic Movement," in *Christianity and Democracy in Global Context* ed. John Witte (Boulder: Westview Press, 1993), 53.

CHAPTER FIVE

THE UNIVERSAL DECLARATION ON HUMAN RIGHTS AND THE DEFENSE OF HUMAN RIGHTS

After the war, Maritain remained in Rome as ambassador to the Vatican until 1948, after which he accepted a position at Princeton University. With the Allied victory, major forces in the West were seeking ways to ensure that peace would endure and that forces unleashed during the war would never rise again. Rome, however, was more sensitive to the expansion of the Soviet Union into Eastern Europe and feared for its existence in those countries. These two key historical issues framed the remainder of Maritain's career and helped shape Vatican policy. This chapter will focus on the development of their positions within this historical context. No longer embroiled in political debates, and engaged in more intellectual pursuits, Maritain turned his attention to human rights and the idea of a flourishing society, and he fully expanded his political thought. Engaged in the international community and enamored of American-styled democracy, he grew more convinced that the Church's role would shift from direct engagement with the state to grass roots level education and support. At the same time, the Vatican developed its ideas on democracy and human rights and incorporated them into their social teaching, anchoring it to the modern world. Pius XII promoted the protection of human rights and focused primarily on the freedom of the Church and the protection of freedom to practice religion.

Maritain and Human Rights

As World War II progressed, Maritain encouraged the establishment of a global institution that could preserve international peace. The foundation and framework for this would

be the protection of human rights, and Maritain perceived that there was basic universal agreement over these rights. In 1942 he wrote *The Rights of Man and the Natural Law* in which he specifically investigated "the question of the relationship between the person and society and the rights of the human person."[361] Repeating themes he addressed in *Scholasticism and Politics*, he began with what he described as the mystery of the human person. More than mere matter, the human person had liberty and dignity. Each was a whole being with a spirit that was super-existent which thought and acted, knew and loved. Thus, one soul was more valuable than the whole universe and was the root of personality of each person. One's dignity was grounded outside oneself, because it had been formed in the image of God and was in relationship with God. Thus, the absolute dignity of each was grounded in its soul's direct relationship with the Absolute. Maritain granted that many non-Christians acknowledged and respected this dignity, but he maintained that it had its source in God whether people acknowledged it or not. "The description of the person here outlined is, I believe, the only one which, without their being themselves aware of it, provides a complete rational justification for their practical convictions." He continued, "This description is common to all philosophies which in one fashion or another recognize the existence of an Absolute superior to the entire order of the universe, and the supra-temporal value of the human soul."[362]

As a corollary to this description of the person, society was essentially ordered by nature; indeed, the human person "craved" communal and political life with her human rights protected. Society was not simply a collection of individuals. "Society is a whole whose parts are themselves wholes, and it is an organism composed of liberties, not just of vegetative cells. It has its own good and its own work which are distinct from the good and the work of the individual

[361] Maritain, *The Rights of Man and the Natural Law*, 65.
[362] Ibid., 67.

which constitute it." Society's own good was to contribute to development of human persons, but not in a libertarian manner respecting only each particular individual's freedom. "The good of the social body is a common good of *human persons*, as the social body itself is a whole made up of human persons."[363] To be neither collective nor despotic, the common good must be shared by both the whole and the parts; hence, the society as a whole flourished in as much as the individuals themselves flourished as human beings. This implied and demanded the recognition of human rights, the most important being the expansion of freedom for the growth of the gifts of goodness.[364] The common good redistributed this good to all people, acknowledged the authority of some people to lead others for the good of the whole, and demanded the basic morality of the common good. Rejecting Machiavellianism, he wrote, "Because of the very fact that the common good is the basis of authority, authority, when it is unjust, betrays its own political essence. An unjust law is not a law."[365] The person existed in tension with society, however, because her end was with God and would supersede society. Society supported the development of the person but would not be able to complete the goal. For that, the Church was needed.[366]

Maritain considered that there were four characteristics of a society of free persons. It was personalist, in that it recognized the absolute dignity of each person. It was communal, because it recognized that people do not thrive as isolated individuals but as people sharing a common goal. It was pluralistic in that people participated in autonomous communities which, though below political engagement, had their own rights and authority. Finally, it was theistic in that "it recognizes that the currents of liberty and fraternity released by the Gospel, the virtues of justice and friendship sanctioned by it, the practical respect or the human person proclaimed by

[363] Ibid., 69.
[364] Ibid., 70.
[365] Ibid., 71.
[366] Ibid., 77.

it, the feeling of responsibility before God required by it,. . . are the internal energy which civilization needs to achieve its fulfillment."[367] These characteristics followed logically from his definition of persons, yet he recognized that not everyone would agree with his deferral to the Church. Thus, he suggested that people were simply required to cooperate in the common good.[368] Maritain maintained that society "must cooperate with religion, not by any kind of theocracy or clericalism, nor by exercising any sort of pressure in religious matters, but by respecting and facilitating, on the basis of the rights and liberties of each of us, the spiritual activity of the Church and of the diverse religious families which are grouped within the temporal community."[369] In other words, because society "is organically linked to religion," people, not through command of the state, must cooperate in the common good and respect the Church by promoting the religious rights and liberties of its members.

Though rejecting the medieval model, Maritain held that society was essentially marked by Christianity. For him, the state must protect religious rights so that the Christian spirit may permeate the society, thereby protecting it from totalitarianism. "There is only one temporal common good, that of political society, as there is only one supernatural common good, that of the kingdom of God, which is supra-political."[370] Rather than demand favor, those in the Church must serve the society, and "share their life so as to spread among them the gospel leaven and so as to open to the working world and to its celebrations the treasures of the liturgy." The Church did not sit in honor but sent its members "to assist the moral work of the nation."[371]

[367] Ibid., 78.
[368] Ibid., 78-79.
[369] Ibid., 79.
[370] Ibid., 82.
[371] Ibid., 83.

Maritain's optimism was here at its highest. He acknowledged that this goal would not be accomplished soon but would require the "New Man" to arise. He believed that the creative progress of the human spirit would be accomplished through fits and starts of history. "Thus, the life of human societies advances and progresses at the price of many losses. It advances and progresses thanks to that vitalization or superelevation of the energy of history springing from the spirit and from liberty."[372] He referred to Teilhard de Chardin's ideas about the evolution of man, and he suggested that he shared some of this enthusiasm.

> If we take as our perspective the entire history of life and humanity, wherein we must employ a scale of duration incomparably greater than that to which we are used in our ordinary experience, we recover faith in the forward march of our species, and we understand that the law of life, which leads to greater unity by means of greater organization, passes normally from the sphere of biological progress to that of social progress and the evolution of the civilized community.[373]

Maritain looked forward to a distant future where the liberal individualism would develop into a fraternal society based on love, working towards the common good for all.[374] Political society's end was not the bourgeois-individualist type which lacked any sense of community, nor the racial nationalist type which defined itself in opposition to others. The best political society shared this highest goal, and, ultimately, "supreme communion is fulfilled for them in the knowledge and love of Someone, who is the Truth itself and Love subsisting."[375] United in this task, the heroic "New Man" could work towards establishing a "*brotherly city,*"[376] "not only for the sake of our material welfare, but above all for the development of the life of the spirit within us."[377] Maritain consistently referred to human persons and political society in their broadest and

[372] Ibid., 84.
[373] Ibid., 85.
[374] Ibid., 86-90.
[375] Ibid., 91.
[376] Ibid., 95. Italics in text.
[377] Ibid., 94.

most complete sense and did not divide them according to activity. The whole person lived entirely within society which had religious, economic, and political spheres.

In speaking specifically about human rights, he wrote that human rights flowed from the natural law, which reflected God's created order. Reaching back to the ancients and taking it for granted that "there is a human nature and that this human nature is the same in all men,"[378] Maritain wrote, "Natural law is the ensemble of things to do and not to do which follow therefrom in *necessary* fashion and *from the simple fact that man is man*, nothing else being taken into account."[379] The most basic expression of the natural law was that good was to be pursued and evil avoided, and its universality could be seen in such expressions as, "Do the right thing!" Though there may be differences among particulars, the fundamental desire to do good was ubiquitous and essential to our humanity. Maritain argued that it superseded materiality and required a spiritual source, i.e., God. Divine law flowed into natural law, which flowed into human law, which flowed into positive law. This explained why an unjust law was not a law – in its fullest natural sense. Human rights, then, were assigned to us through this natural law. "It is because we are enmeshed in the universal order, in the laws and regulations of the cosmos and of the immense family of created natures,. . . that we possess rights vis-à-vis other men and all the assemblage of creatures."[380] Without this foundation, human rights did not really exist in a meaningful way. There may be political rights or even universal rights, but these would be contextually *ad hoc,* and could easily be denied. Maritain argued that true human rights were universal, relied upon a metaphysical nature that all persons shared, had their foundation outside of themselves or of this world, and ultimately were granted by God of the Gospels.

[378] Ibid., 103.
[379] Ibid., 105, italics in text.
[380] Ibid., 107.

It was then necessary to achieve a correct balance between the state and its members, respecting the proper duties and rights of each. Persons existed in society as individual beings, civic beings, and as social beings. As individuals, people had the right to live and to pursue the truth. The concomitant right to practice religion secured their right to their highest good. On the other side, just laws must be obeyed, and the state must punish unlawful acts, but the state did not have the authority to impose itself on one's conscience, because it was inviolable. Thus, in relationship to God, people were responsible to choose the true path, but in relationship to the state, people were free to choose their own religious path. In a footnote, Maritain clarified this further. "If this religious path goes so very far afield that it leads to acts repugnant to natural law and the security of the State, the latter has the right to interdict and apply sanctions against these acts. This does not mean that it has authority in the realm of conscience."[381] People also had the right to family life as the most basic association. The state must not violate the rights of the family, because the familial society superseded the political society. "The rights of the family, the rights of the human person as father or mother of the family, belong to the natural law in the strictest sense of the word."[382] Finally, as civic persons, people had the right to participate in society through voting and through associations, the heart of pluralism, and to be represented. They also had the right to assemble and to free speech.[383]

These last two, however, were not like the open freedoms of liberalism. These could be restricted if they presented any interference with the common good. The common good, i.e., the good for each and for the whole, needed to be protected, and it might be necessary to restrict particular freedoms. The political community "has the right to resist the propagation of lies or

[381] Ibid., 118, n. 7.
[382] Ibid., 118.
[383] Ibid., 119-122.

calumnies; to resist those activities which have as their aim the corruption of morals; to resist those which have as their aim the destruction of the State and of the foundations of common life."[384] Yet, Maritain rejected state censorship, and he looked to a public rejection of possibly harmful influences. He preferred a firmly established national ethos which would both protect the common good and guarantee justice and law.[385] Again, a bottom-up approach supported by a Christian spirit rather than a top-down model of strict enforcement.

As Maritain continued his articulation of particular rights, his discussion of people as social beings moved into an explicit discussion of workers' rights. He praised the expansion of human rights to include the working class as a means of redistributing the common good.[386] Work was good, and as such, all people had a right to work, but not in a capitalist sense in which some worked for the private good of someone else. [387] Work was to be done for the good of all, but the capitalist relationship of owner and worker did not respect the dignity of the worker. Yet, the worker did not benefit from rights as interpreted in a Marxist manner, by revolting against the capitalist in class conflict. Rather, the workers were to rise up within their own dignity and participate with the owners to share in the responsibility and benefits of the work.[388] Further, this would not be administered through the state which, for Maritain, tended too closely to totalitarianism.[389] Nor would this be a system of patronage or corporatism, where the owner considers himself to be a father figure for his dependent employees, or where the principles of capitalism remain intact.[390] Rather, workers would be represented to the owners, and their

[384] Ibid., 123.
[385] Ibid.
[386] Ibid., 125.
[387] Ibid., 126.
[388] Ibid., 125.
[389] Ibid., 128.
[390] Ibid., 129.

concerns would be heard and shared, this being accomplished through all people appreciating their own dignity and that of others in a heroic effort to achieve this common good.

Ultimately, the role of the state would become less authoritarian and more structurally supportive. Its practical sovereignty would be tempered externally by international cooperation and internally by the liberties of its people. It would continue to "express the thought and the will of the citizen, with regard to the common good and to the common task, which are of an order, not merely material, but principally moral and truly human."[391] The state would hold everything together to assure the flourishing of the people through consent of the people with a common goal, the broadest goal of which was to decrease human servitude.[392] Maritain ended this piece with a suggestion that would be taken up by later popes, in particular Pope Paul VI's encyclical *Populorum progressio*. Because the end of persons was to achieve their highest spiritual goal, states should facilitate the emancipation of physical suffering to help advance that goal. He wrote:

> An even more profound law requires that all men, in so far as they are coheirs of the common good, should freely have a part in the elementary goods, both material and spiritual, of civilization, to the extent that the community and its organic groups can give their use *free of charge* to human persons who make up this civilization, helping them in this manner to free themselves from the necessities of matter and go forward in the life of reason and virtue.[393]

People were to be supported by associations and the state, where necessary, for the specific purpose of achieving higher goals, which would then positively flow back to society: not individualistic justice, but individual and social flourishing.

Reflecting on this 1942 work, it is possible to understand why Maritain, though extremely influential in his own day, did not sustain his significance. The extreme evils of the

[391] Ibid., 131.
[392] Ibid., 135.
[393] Ibid.

war encouraged people to envision a world of peace, and Maritain was among the most optimistic of these visionaries. Perhaps resulting from this, a tension stood out particularly clearly in this work, and as such, his effort to open a third way ultimately satisfied no one. On the one hand, his assertion that the truths and principles of the Catholic Church, though not privileged, must be acknowledged as the basis for political truth was not significantly distinguishable from a form of integralism for a non-believer. On the other hand, his outline for political and economic success depended upon a methodology he had hitherto denounced, and the description of himself as a philosopher of the concrete did not ring true. Here, he was more like the intellectuals he criticized in *The Three Reformers* who projected an image of man onto the concrete world. Perhaps worse, his projection was so optimistic as to significantly diminish the Catholic doctrine of man's fallen nature. Hence, progressive minded people withdrew from his religion while religious minded people withdrew from his progressivism.

UNESCO Conference

In his transatlantic *Messages* during the war, Maritain was explicit in his call for a new federation which would usher in the fullness of the new world, both Christian and free.[394] He further called for an international organization that would maintain world peace and protect the rights of all people.[395] During his ambassadorship to the Holy See, he was asked to serve as the head of the French delegation to the 1947 second general conference of UNESCO in Mexico City. Maritain's ideas on natural law were on full display here. He delivered the inaugural address entitled "The Possibilities for Co-operation in a Divided World" to a very mixed audience. The justification for an international body would entail a limitation of national

[394] Maritain, *Messages*, 40.
[395] Ibid., 66-67.

sovereignty and an acquiescence to international law. People would need to recognize a "supra-national community founded upon law and directed, within the limits of its well-defined powers, by men whose functions invest them with a citizenship which is itself supra-national."[396] He opposed *Realpolitik*, because politics which were devoid of moral considerations were self-destructive. He also opposed excessive attention to "collective moral transgression." By this he meant that national wrong-doing, such as Germany during the war, must be acknowledged, but not to a humiliating or desperate degree. Appealing to the spiritual dimension, he encouraged repentance and solicitousness for their moral rebirth.[397]

He was aware that there was no universal ideological consensus on the foundation of human rights.[398] Nevertheless, as he had stated earlier, whether these rights were acknowledged as arising from Christian principles, they reflected Christian realities, and he affirmed that his "way of justifying the belief in the rights of man and the ideal of liberty, equality, fraternity, is the only one which is solidly based on truth."[399] Yet he believed that he and those with whom he disagreed could work together because they shared an ideological commitment to certain practical principles, even if they did not agree on the justification of those principles. He described this practical agreement despite theoretical disagreement as a solvable paradox, because of a shared idea about human life. Even though secular and religious positions described the individual and her ends differently, both agreed on the basic content of practical rights.

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[396] Jacques Maritain, "The Possibilities for Co-operation in a Divided World," in *The Range of Reason* (New York: Charles Scribner's Sons), 175.
[397] Ibid., 177.
[398] Barré, 393.
[399] This claim has been debated on many fronts. As a sampling, secular thinkers could argue that natural rights or natural law did not originate in the Gospel or the Church; it was not until the Enlightenment that reason freed people from religious superstition and granted proper individuality. Others concede that these rights historically originated through the Church but did not go far enough. Some assert that the Church was expressly opposed to human rights and true individual human freedom. Or it could also be argued that the so-called individual rights granted through the Church were the basis of unrestricted capitalism and worker oppression.

Though this was "the last refuge of intellectual agreement among men," he held that there was "as sort of common residue, a sort of unwritten common law, at the point of practical convergence of extremely different theoretical ideologies and spirituals traditions."[400] It was sufficient that these principles of human rights could be enumerated, as they were at the London Conference,[401] that they reflected *de facto* universality. He, therefore, did not seek agreement on their foundation, but encouraged a practical formulation to move forward. Again, he firmly believed that these rights were founded on the Gospel, but their existence did not depend on being acknowledged as such, and they were able to be discerned through other means. Thus, everyone could recognize them regardless of their particular ideology. This reflected Maritain's ideas about democracy, in that everyone could participate in the civil society, but that some principles would be upheld because they supported the natural law which all people could perceive regardless of their own ideology.

Maritain was not directly involved in writing the 1948 Universal Declaration of Human Rights (UDHR), but he was asked to write the introduction to the publication of a collection of responses to a 1947 questionnaire sent to various members of UNESCO states regarding the theoretical challenges posed by the 1948 declaration. He also submitted an essay included in the collection. The selection of entries was made by UNESCO which reflected their authors' personal opinions and represented a broad range of ideas. The main issue was the philosophic bases of human rights, and Maritain opened his introduction by articulating the problem. Everyone thought that what they held as justification for human rights was true, and they would not be swayed from that point. Thus, there could be no agreement on bases. Yet, that they could agree that everyone thought that what they held was true revealed that there were some basic

[400] Maritain, "Possibilities," 180.
[401] Ibid., 181.

ideas or experiences everyone shared. This could be a starting point for practical agreement. As Maritain continued, when those of different ideologies were able to articulate a list of rights, they famously said that they could agree on rights so long as no one asked why.[402]

Maritain clarified several points in this brief essay. He described moral philosophy as being the development of reflection on experience which may grow and develop in the manner of a plant. Cultures may vary in their particularities due to context and circumstances, but they were all moving in the same ultimate direction. Reflecting his existentialist approach, he concluded that different cultures and ideologies "prescribe rules of behavior which are in the main and for all practical purposes identical for a given age and culture."[403] He also identified the main tension between those who held rights as emanating from natural law antecedent to history and were consequent upon duties, and those who rejected natural law and claimed that rights arose in history and varied according to society. This divide was unbridgeable. Nevertheless, assuming the notion of progress, Maritain held that these distinctions could be bracketed by recognizing that developing expression of rights could be seen through different ideologies. The apprehension of rights was not dependent upon particular schools of thought, but upon "*currents of thought,*" which explained how Rousseau and Enlightenment thinkers advanced the political rights of individuals and Marx advanced the social rights of the worker.[404]

This distinction or development could also be seen through societal differences. He recognized that fundamental rights were inalienable but were modified and limited within cultures and should be granted a large range. On the other hand, where true rights were denied, the society should be overhauled. For Maritain, "this instance shows us that at the root of the

[402] Jacques Maritain, "Introduction," in *Human Rights: Comments and Interpretations,* ed. UNESCO (New York: Columbia University Press, 1949), 9.
[403] Ibid., 12.
[404] Ibid., 14, italics in text.

hidden urge which impels us ever to the transformation of society, there lies the fact that man *possesses* 'inalienable' rights."[405] In actual human experience, rights conflicted, and different cultures valued different rights. For instance, some would favor individual rights and others would favor social rights. Through these differences, the significant question remained, "Which has a true and which has a distorted vision of Man."[406] In trying to balance this and respect ideological and cultural differences, Maritain required the leanest universality; hence, only an enumeration of the most basic human rights was possible. Recognizing the limitations of the task at hand, he warned readers not to expect too much from the declaration, but to view it as, at least, a hopeful expression for humanity after the catastrophe of recent events.[407]

In his own essay, "On the Philosophy of Human Rights," Maritain succinctly stated his philosophical justification for human rights, acknowledging that others would not agree with him. Although Maritain accepted the mere enumeration of rights, he consistently defended his own position of their being grounded in natural law and the Gospel. First, he clarified that the notion of natural law and human rights did not arise in the eighteenth century as a means of extending the rights of kings to individuals. This position erred by conceiving natural law as a written law that would dictate universal human conduct. While ostensibly absolute, this "natural law" was in fact arbitrary and artificial and bore no resemblance to actual natural law. True natural law was better seen through the natural developments of the ancient and medieval worlds.[408]

[405] Ibid., 15, italics in text.
[406] Ibid., 16.
[407] Ibid., 17.
[408] Jacques Maritain, "On the Philosophy of Human Rights," in *Human Rights: Comments and Interpretations,* ed. UNESCO (New York: Columbia University Press, 1949), 73.

These two ideas of "nature" were equivocal: tradition maintained the idea of man fully considered according to reason, while eighteenth century thinkers considered man in his raw natural state. While both referred to natural law, they referred to very different things. Further, according to Maritain, because the understanding of natural law expanded over time, no list of human rights could ever be complete. Because they were recognized rather than granted, they could never be expressed everywhere the same. Another modern error consisted in not properly ordering rights according to degree. Not all rights were equal in the sense that some were secondary to existing societies. The right to life, family, and religion were essential to the individual, and the right to private property was essential to the common good, but some political rights may be limited to protect the common good. To absolutize lesser political rights at the expense of the common good or of more basic rights would be nonsensical.[409]

Maritain judged that although positivism prevailed in the modern world, it was of little real consequence, because natural law and its correlative rights did not depend upon codification. The gratuitous assertion of superseding natural law did not destroy it, which, like God who created it, existed whether it was recognized or not. Of course, it was naturally better for the society to recognize it. Ultimately, human rights could not be established in any meaningful way unless they inhered in persons, granted by a transcendent Absolute. He wrote, "If there be no God, the only reasonable policy is that 'the end justifies the means'; and, to create a society where man shall finally enjoy his full rights, it is today permissible to violate any right of any man if this be necessary for the purpose in hand." He found it sadly ironic that violent atheistic proletariat revolutionaries reacted against the bourgeois who asserted their own natural law and rejected God's natural law. In rejecting God's law, the bourgeois ignored the poor, setting the

[409] Ibid., 74-75.

path for revolution.[410] He ended his essay with the suggestion that after a list of rights, a list of corollary duties should be enumerated for the person in relationship to her participation within the family, civil society, and the larger international community.

Man and the State

After his tenure as French ambassador to the Holy See, Maritain was invited to teach moral philosophy at Princeton University beginning in the fall of 1948. In December 1949 he delivered the Walgreen Lectures at the University of Chicago, published in 1951 under the title *Man and the State.* This work marked the culmination and final major statement of his political thought in which he restated and clarified his thought. These lectures revealed Maritain's exceptional thoughtfulness and thoroughness that incorporated his respect for all ideas. His care in making clear and careful distinctions helped him navigate the modern context while remaining committed to Thomistic philosophy, and it would be difficult to dismiss his thought without a serious engagement with it. Open to changes in culture and society, he never swayed from the fundamental idea that every person had an absolute dignity founded on the person's spiritual dimension.

He judged that the twentieth century's neglect of this fact was the source of great violence and woe. Eighteenth century thinking about humans and rights had given rise to later totalitarian ideas, but also revealed some truth. Maritain agreed with modern ideas about human rights but held that they derived from natural law dependent on a theistic structure. His goal was to move beyond the medieval structure and distance the Church further from direct public engagement with the state. The idea of natural rights transitioned into the idea of human rights

[410] Ibid., 76.

which appealed and applied to people everywhere, independent of their culture or religion.

Among the ideas Maritain clarified in *Man and the State* was the distinction between a nation and a state. The nation was what Maritain considered a community, i.e., a group that came together naturally owing to shared particular circumstances. The state, on the other hand, was part of a society, i.e., a group that came together with a particular end, in this case the common good. While a nation had an authentic and valuable reality with its own rights, it "is only a historical and contingent particularization of man's calling to the unfolding and manifestation his own multifarious potentialities."[411] As discussed earlier, the political society was that which, through the exercise of justice and friendship, benefitted both the individual member of the political society and the society overall. The state was that part of the political society that "*specializes* in the interests of the whole."[412] Because its authority came from the people who participated in it, it must respect the layers of social life, e.g., the family, that contributed to its well-being.

As Maritain described it, the state was neither a Hegelian incarnation of an idea nor a "collective superman," but at the service of the political society. It must be noted, however, that he defined a structural role for the state, which "may said to be rational in the second degree, insofar as the reason's activity in it, bound by law and by a system of universal regulations, is more abstract, more sifted out from the contingencies of experience and individuality, more pitiless, also, then in our individual lives."[413] Because it was not the head of the political society as described by some medieval theorists, its role was primarily functional or instrumental. The political society as a whole was responsible to promote the common good for which the state

[411] Jacques Maritain, *Man and the State*. Chicago: University of Chicago Press, 1951, 6.
[412] Ibid., 13.
[413] Ibid., 12-13.

provided the legal and structural framework. This meant that the state did have its own end other than public order and welfare.[414] This more abstract definition of the state isolated it in a new way, because it did not have a clear moral function. It held the pieces of a moral society together through its framework, but it did not offer any substance of itself.

To be clear, as Russell Hittinger has pointed out, this did not mean that the state was instrumental in the sense that its function was in any way arbitrary. It was instrumental for the service of the political body. Distinct from the political body, the state served the political body.[415] Further, the state was now not only open to supporting people's eternal end, but it was also defined as having a role that benefitted people's practical happiness. The state supported a thriving civic community. "Justice is a primary condition for the existence of the body politic, but Friendship is its very life-giving form."[416] The whole political society was able to flourish, because the state promoted the common good for everyone and the whole.[417]

This definition of the state granted a check on despotism. Maritain pointed to the error of the post-medieval development of absolute states where either the monarch or the nation appropriated rights that did not belong to them. Rights belonged to the people of the political society and could not be transferred to the state which was "a merely abstract entity which is neither a moral person nor a subject of rights." Thus, state sovereignty was not absolute. "The rights ascribed to it are no rights of its own; they are the rights of the body politic – which is *ideally* substituted for by that abstract entity, and *really* represented by the men who have been

[414] Ibid., 14.
[415] Russell Hittinger, "Introduction to Modern Catholicism," in *The Teachings of Modern Christianity: On Law, Politics, and Human Nature*, ed. John Witte Jr. and Frank S. Alexander (New York: Columbia University Press, 2006), 1:10-11.
[416] Maritain, *Man and the State,* 10.
[417] Patrick Brennan, "Jacques Maritain," in *The Teachings of Modern Christianity: On Law, Politics, and Human Nature*, ed. John Witte Jr. and Frank S. Alexander (New York: Columbia University Press, 2006), 1:94-95.

put in charge of public affairs and invested with specific powers."[418] The state had a metaphorical and practical role to ensure order and enforce the law. "But the state is not the law. And the so-called 'sovereignty' of the State is in no way the moral and juridical 'sovereignty' (that is, the property of binding consciences and being enforceable by coercion) of the Law (the just law)."[419]

This definition of the limited state served as a foil for twentieth century totalitarianisms. "Our epoch has had the privilege of contemplating the State totalitarianism of Race with German Nazism, of Nation with Italian Fascism, of Economic community with Russian Communism."[420] Each of these, although different from each other, made an absolute of a formulation of the state. That said, Maritain did not reject lively state involvement in the political society, and he promoted a balanced exercise of power by the state. Given the need for social justice and freedom from various forms of enslavement, the state may be the only tool capable of establishing and promoting programs to achieve long term gains. But such activity should diminish over time. The state could start and support programs, but these should continue under private operation, promoting the practice of subsidiarity. The state may be necessary to help achieve the common good, encouraging local engagement,[421] but ultimately, as political authority rests in the people, they should be the ones invested with the task of ensuring its exercise in specific detail.[422]

Maritain argued that there was no meaningful sovereignty in political philosophy. No person, society, nation, state, or monarch may claim to be truly sovereign, because only God

[418] Maritain, *Man and the State,* 16n, italics in the text.
[419] Ibid., 17n. 12.
[420] Ibid., 18.
[421] Ibid., 22-23.
[422] Ibid., 27.

alone was sovereign.[423] If states were absolutely sovereign, no international law could bind them, and they could not enter into a larger political body.[424] Also, if state's power were absolute, pluralism and subsidiarity would be impossible, because the state would be unwilling to relinquish any of its power to other level of power.[425] Finally, absolute state power would be unaccountable to anyone, and the people would suffer. While the people were also not sovereign, they were accountable to themselves and would pay the price for destructive use of authority and power.[426] The people of the society were not sovereign, having no authentic legitimacy, but they had a right to full autonomy, that is, "to comparatively supreme independence and power with regard to any part of the whole itself which is composed of them, and in order to have this very whole brought into existence and activity."[427] Thus, because the political society was comprised of people with antecedent human rights, these people had the authority to supervise the state.

Examining the purpose of political life as establishing and maintaining the state, Maritain distinguished a technical rationalization from a moral one. Machiavellianism exemplified the technical approach which would be immediate and forceful, not taking into account moral considerations. Maritain argued, however, that this approach was doomed to fail, despite its short term appearance of success, because the factors necessary for a political society, i.e., justice, law, and fraternity, would be destroyed.[428] On the other hand, a moral approach, although not always successful, would have the greater chance to establish true lasting harmony.[429] Further, only a democracy could provide the occasion for a moral approach, because it would ensure the participation of the people, in whom true authority resides, through their constitution, vote, and

[423] Ibid., 24.
[424] Ibid., 50.
[425] Ibid., 51.
[426] Ibid., 52.
[427] Ibid.., 44.
[428] Ibid., 57.
[429] Ibid., 59.

public engagement.[430]

The type of democracy Maritain envisioned was personalist. Rejecting both the religious and rationalist models of the past, he maintained that the political body, in order to be a true society, had to share a common faith, without which the society would disintegrate. Unlike the medieval period, this faith had to be secular or civic, because "a genuine democracy cannot impose on its citizens or demand from them, as a condition for their belonging to the city, any philosophic or any religious creed."[431] Hence, the public acknowledgement of the aim of the common good without any particular religious affiliation was the best practical foundation for the common good. This may be seen as analogous to his support for international human rights. So long as there was a general acceptance of the goal of the political society, which he defended in Christian terms, the society could thrive despite differences. The state, then, did not impose the truth, but reflected the "chatter" of its people.[432] The politics would be secular, and the people would be religious. While he did not think that there would be religious objection to this idea, because Christians would recognize the traces of Christian thought in its development, he believed that Christian principles would be the most acceptable as they best supported human freedom and human rights.[433]

In his section on Church and state, Maritain repeated his philosophical anthropology about human nature and the common good ultimately supporting the spiritual dimension of people. The state must allow certain provisions to ensure the full autonomy of the people. Because people had both a temporal and eternal dimension, the political society must recognize the spiritual dimension and be directed towards the common good which supported the full

[430] Ibid., 65-66.
[431] Ibid., 110.
[432] Ibid., 112.
[433] Ibid., 112-113.

human development of each person. In addition, he argued that even the unbeliever must respect freedom of religion and the freedom of the Church because of the right of free association and "the right freely to believe the truth recognized by one's conscience, that is, with the most basic and inalienable of all rights."[434] The person grounded in reason, Maritain claimed, would agree that the freedom to think what one held was true was fundamentally essential to human life. For the believer, freedom of religion and the Church were essential, because the Church was the absolute source and reality of religious freedom.[435] But, in relation to the Church-state relationship, while the two realms were distinct, they were not absolutely separate, because members of the society existed in both domains. Moving beyond the historical extremes of sacral and secular states, the new state would be based on and work to protect the person, hence, a personalist rather than a Christian democracy. It would not be a mere extension of religious power, and it would respect the dignity and freedom of each member. However, it would uphold the principles on which it is based, i.e., human morality and the common good.[436]

The Church and the state should cooperate in a bottom-up manner. Democracy thrived when it was grounded in Christianity, manifested through the people and their exercise of religion. Indeed, the best protection of pluralism and tolerance was to have a majority of religious citizens. To that end, a healthy democracy depended upon the freedom of the Church and of Christians "to persuade the people, or the majority of the people, of the truth of Christian faith, or at least of the validity of Christian social and political thought."[437] But the state's laws would not necessarily reflect specific Catholic standards.[438] It may not impose a creed on people

[434] Ibid., 150.
[435] Ibid., 151.
[436] Ibid., 161.
[437] Ibid., 167.
[438] Ibid., 171.

but must support general natural law morality. He emphasized that even if Catholics were to dominate, they would not impose religious constraints on the people.[439] In respecting other creeds, civil law would adapt to the people, with a general orientation towards the common good. An American style separation of Church and state, preferable to the European model, implied "a distinction between the State and the Churches which is compatible with good feeling and mutual cooperation. Sharp distinction *and* actual cooperation, that's an historical treasure."[440] Maritain's optimistic hope in this healthy relationship never wavered.

Pius XII and Human Rights

During this same time period, Pius XII developed the idea of human rights, giving special attention to religious freedom as the source for all authentic freedom, in a world he perceived as increasingly hostile to the Church. Looking again at his 1939 *Summi pontificatus,* his reliance on rights language was explicit and specific. Pius XII affirmed the traditional role of the state in promoting the good, and he defined true natural rights as allowing people to develop their lives and seek their supernatural end. Not existing in isolation, people naturally formed societies and states, the function of which was to, "control, aid and direct the private and individual activities of the national life that they converge harmoniously toward the common good."[441] But he also limited the rights of the state, specifically when its authority was arbitrary or absolute.[442] "Rights" based on utilitarian principles were not rights as all,[443] and states which denied the divine source of rights were doomed to fail.[444] Temporal positive laws were not absolute and

[439] Ibid., 181.
[440] Ibid., 182-183, italics in text.
[441] Pope Pius XII, *Summi pontificatus,* par. 59.
[442] Ibid., par. 71.
[443] Ibid., par. 55.
[444] Ibid., par,.57.

particular practical rights could be expanded, so long as this was done under the scrutiny of common good principles.[445] As people naturally formed societies, resulting in national and cultural distinctions, "a precious heritage,"[446] so "the human race is bound together by reciprocal ties, moral and juridical, into a great commonwealth directed to the good of all nations and ruled by special laws which protect its unity and promote its prosperity."[447] The international community also had its own laws and common good. Thus, rights were to be anchored in natural law and balanced between the personal, national, and international levels.

Pius XII emphasized the rights and responsibilities of lay people to promote the Christian message,[448] but he lamented that these rights were under attack. The modern world had erased the fingerprint of God with tragic consequences. The basic right to practice religion and the protection of the family, including the right to educate one's children in the faith[449] were absolutely primary to persons, and were dependent on the antecedent liberty and rights of the Church. Yet these rights had been denied by many states. In considering the contemporary situation, especially that of the war, Pius XII prayed that people would see the connection between the Church and peace. "What torrents of benefits would be showered on the world; what light, order, what peace would accrue to social life; what unique and precious energies would contribute towards the betterment of mankind," if the forces working for peace would acknowledge the truth of the Gospel of love.[450] While the Church demanded respect for earthly authority and had no desire to usurp political authority,[451] Pius XII desired "that all those who are in power may decide to allow the Church a free course to work for the formation of the rising

[445] Ibid., par. 65.
[446] Ibid., par. 44.
[447] Ibid., par. 72.
[448] Ibid., par. 89.
[449] Ibid., pars. 66, 90.
[450] Ibid., par. 92.
[451] Ibid., par. 102.

generation according to the principles of justice and peace."[452] Looking forward to the situation after the war, he urged the world to look to natural law and divine revelation as the "unshakable foundation" and "solid rock" for peace.[453]

During the war, Pius XII's 1944 Christmas address opened with the reflection that Christmas was the feast of human dignity, as God took on human form, and this became the basis of his defense for an international body created to protect human rights. He praised those statesmen who perceived the continuing battles as "a starting point for a new era of far-reaching renovation, the complete reorganization of the world" based on rights and duties and which would "blaze the trail towards a better future, more secure and more worthy of mankind."[454] As he described his own approval of this development, an overseeing society to maintain peace and justice, over and against national sovereignty, in harmony with natural law and Christian principles, could not have been met with greater joy or enthusiasm than by he who consistently denounced war.[455] Despite the war and the mutual hatred engaged in by both sides, he supported the idea that the only way forward was through a universal solidarity "founded on the intimate connection of their destiny and rights which belong equally to both."[456] Although Pius XII favored the idea of an international organization after the war, the Holy See was not invited to attend, nor to send a delegate to the June 1945 meeting of representatives in San Francisco.[457]

Always the diplomat, Pius XII moved the Church into the modern world where few political Church-friendly options existed. The political world had changed, and democracy appeared to be the safest home for the Church, especially when compared to atheistic

[452] Ibid., par. 93.
[453] Ibid., par. 82.
[454] Pope Pius XII, *1944 Christmas Message,* par. 9.
[455] Ibid., par. 63.
[456] Ibid., par. 75.
[457] Robert John Araujo and John A. Lucal, *Papal Diplomacy and the Quest for Peace: The United Nations from Pius XII to Paul VI* (Philadelphia: Saint Joseph's University Press, 2010), 8-9.

communism. Shifting the Church away from the old conception of democracy of the French Revolution with its destruction of the Church and towards a new idea of democracy that could protect Church liberty, he used the language of human rights to help people move with him. Religion, being the basis of rights, would be protected in a democracy. In employing this new language, Pius XII was not abandoning tradition simply to garner political support, because he emphasized that these rights served the purpose of truth, not simply the individual or the state. He believed that God's revelation and the Church were the surest means for all people to flourish and that his task was to protect the life and liberty of the Church so that it could carry out its mission. "The Church has the mission to announce to the world, which is looking for a better and more perfect forms of democracy, the highest and most needed message that there can be: the dignity of man, the call to be sons of God."[458]

Human rights were essential to democracy, but their foundation was from within the Christian tradition; thus, the Church's freedom must be secured, for without that, no one could exercise personal freedom of religion, or indeed any real freedom. Pius XII named two essential rights that democracy must protect: to express one's view of imposed duties and to express these views before being compelled to obey. Human rights could not allow for a simple raw liberty which "becomes a tyrannous claim to give free rein to a man's impulses and appetites to the detriment of others,"[459] nor should democracy degenerate into mob rule. It must respect the honor of all its citizens. When the masses held sway, liberty and equality degenerated and "all that gives life its worth gradually fades away and disappears."[460] Ultimately, only victims and exploiters who value power and money would remain.

[458] Pope Pius XII, *1944 Christmas Message*, par. 84.
[459] Ibid., par. 32.
[460] Ibid., par. 33.

Both democracy and human rights depended on the Christian message. Social life was necessary for human life and had its own degree of authority, but separating people and society off from their divine source would destroy them. He emphasized that "as they are established on this same foundation, the person, the state, the government, with their respective rights are so bound together that they stand or fall together."[461] Democracy itself would fail, and any form of state that did not recognize this would find that "their own authority is shaken, as is social morality, and that specious appearance of a purely formal democracy may often serve as a mark for all that is in reality least democratic."[462] Pius XII consistently maintained the public role of the Church in establishing democracy and advancing universal human rights. "If the future is to belong to democracy, an essential part in its achievement will have to belong to the religion of Christ and to the Church, the messenger of our Redeemer's word which is to continue His mission of saving men."[463] Further, human rights could not be declared universal without their Christian foundation. Human rights without God might be practical, but not sufficiently true. The Christmas message of God becoming man invested the dignity of the person with "an authority and vigor that infinitely transcends that which all possible declaration of the rights of man could achieve."[464]

After the war amid growing tensions between East and West, Pius XII and Maritain were drawn to different concerns. At the UNESCO Conference Maritain had worked on developing a practical vocabulary to expand universal natural human rights for everyone around the world. He was also very concerned about the urgent need for acknowledgement of the Nazi crimes against

[461] Ibid., par. 38.
[462] Ibid., par. 40.
[463] Ibid., par. 82.
[464] Ibid., par. 85.

the Jews, and he expressed frustration that Pius XII did not publicly address these crimes.[465] Pius XII, for his part, grew more concerned with the expanding threat that communism posed for the Church.[466] In a 1950 meeting with the International Congress of Administrative Sciences, Pius XII outlined the correct balance for the role of the state. It needed to increase its power to perform its duties, but not to the extent that it became an "omnipotence crushing all legitimate autonomy," and it must promote a cooperation which is directed towards the common good. "Neither the individual nor the family should be absorbed by the State. Each one retains and should protect his liberty of movement to the extent that he does not tend to prejudice the common good." To this end, rights and liberties must be protected, especially the freedom of religion and the right to raise and educate one's children. In encouraging the International Congress, he advised that the administrators of the state should be "those who see in the State a living being, a normal emanation from human nature, . . . who respect the natural law as the soul of this positive legislation – a soul which gives it its form, its meaning, its life."[467]

In promoting the common good within the context of an international community, the spiritual end of persons could never be divorced from the function of the state, and the faith could never fully submit to the state. It was thus, under the lens of tolerance and the common good, that Pius XII examined the question of the religious rights of non-Catholics. To a group of Italian lawyers in 1953, he opened his discussion with the acknowledgment that all people have the natural right to establish their own communities and nations which then enter into the larger

[465] For a discussion of this, see Michael Phayer, *The Catholic Church and the Holocaust, 1930-1965* (Bloomington: Indiana University Press, 2000), 179-182.
[466] For a description of Soviet oppression of the Church, see, for instance, Anne Applebaum, *Iron Curtain: The Crushing of Eastern Europe 1944-1956* (New York: Anchor Books, 2012), 255-274. For a discussion of Pius XII's concern with communism, see Michael Phayer, *Pius XII,* the *Holocaust, and the Cold War* (Bloomington: Indiana University Press, 2008), 261-262.
[467] Pope Pius XII, "August 1950 Address to International Congress of Administrative Sciences," in *The Major Addresses of Pope Pius XII,* ed. Vincent A Yzermans (St. Paul: The North Central Publishing Company, 1961), 1:141.

international community. States had the right to protect their own laws and customs, but these were not absolute and must work toward the common good of the international group. In turn, the international community also had natural restrictions, such as no one has the right or authority to command something that is false or morally bad.[468] Given these two claims, the Church was in a dilemma as to how to respond to false religious teaching. Ultimately, Pius XII appealed to the higher good and affirmed that the Church could not demand that all error be impeded. "The duty of repressing moral and religious error cannot, therefore, be an ultimate norm of action. It must be subordinate to higher and more general guiding principles."[469] While Pius XII absolutely defended the truth of the Church's teachings, he demanded religious tolerance for the sake of the common good.

Maritain and Pius XII shared the theological and philosophical foundations for natural rights, but they developed and encouraged them in different ways. Maritain was comfortable with the expansion of human rights through history, although he acknowledged that this was sometimes hostile to the faith, because he saw such expansion as consistent with and as an expression of the Gospel message. Thus, after the war, he embraced any universal acknowledgement of human rights, even on the most tenuous terms, because he believed it was the surest way to promote international peace. Both agreed that religious freedom was first among these rights, because it was on the foundational level of the individual person. Given that democracy was the best form of government to promote the common good, and even though Christianity was the surest support of democracy, the state could not coerce religious belief. Pius XII, perhaps because he was less comfortable with modern development and terminology, feared

[468] Pope Pius XII, "December 1953 Address to Convention of Italian Catholic Lawyers," in *The Major Addresses of Pope Pius XII,* ed. Vincent A Yzermans (St. Paul: The North Central Publishing Company, 1961), 1:273.
[469] Ibid., 274.

the strangulation of religious belief in communist countries. He agreed with Maritain's description that the right to practice religion was one of the most fundamental rights, but, responding within a different context, he was constrained to focus on it differently.

CHAPTER SIX

LEGACY AND CONCLUSION

Legacy

By 1955, two world wars and competing states claiming sovereignty had moved the Church into unfamiliar territory. In this new world, both Maritain and Pius XII maintained that the Church was the first authority of truth and morals, and that society flourished when it acknowledged that truth. What had changed was how they thought the Church was to interact with the state. Maritain argued that the Church should instruct and influence the people who comprised the political body, rather than deal directly with states. The people would then correctly shape the state, now defined as an instrument to facilitate the common good, open ended to the spiritual domain. The state was secular; the people were religious. This, however, did not privatize religion. On the contrary, freedom of religion was the first right and was granted full exercise in the public square so that the state may benefit from the influence of religious minded people. Democracy extended the greatest rights to people and protected their freedom of religion best, and freedom of religion protected democracy best. Pope Pius XII agreed that states could not be sovereign, as they were not ends in themselves, and that democracy appeared to be the most natural form of government according to reason, although he did not go quite as far as Maritain.

The world, however, was moving on from Maritain. The Catholic and Thomistic revival of the first half of the twentieth century was losing steam, and much of the world favored science and efficiency over vague ideas of faith and personalism. Alan Jacobs' thoughtful book, *The Year of our Lord, 1943*, outlined the strength of Christian Humanism during the war, but

reflected that after the war nothing could keep the momentum going, and that most of its defenders turned towards other projects. As he wrote, "The opportune time, the *kairos* moment for Christian cultural renewal, had passed. When the clocks were reset to *Stunde Null*, it was technique that proved adequate to that challenge."[470]

Maritain retired from Princeton University in 1952, but continued to give periodic lectures. In 1958, the University of Notre Dame founded the Jacques Maritain Center. In 1960, after the death of his wife Raissa, he permanently returned to France and settled in Toulouse. In 1958 Pope Pius XII died and was succeeded by Pope John XXIII who was expected to oversee a quiet pontificate, given that he was already seventy-eight years old. In a surprise move, he convened Vatican II in 1962, a meeting of many of the world's bishops, to open the doors of the Church to the world. He died in 1963 after the first session and was followed by Pope Paul VI, formerly Archbishop Montini and longtime friend of Maritain. Paul VI oversaw the remaining proceedings of Vatican II, which closed in 1965 and whose documents and impact are studied to this day. Maritain's influence on Montini is uncontested, and his ideas may be seen in several of the documents of Vatican II, specifically *Dignitatas humanae* – Of the Dignity of the Human Person.[471] At the end of the council, Paul VI presented him with "Message to Men of Thought and Science," indicating that he thought Maritain was the exemplary "man of thought."[472] He had wished to make Maritain a cardinal, an extraordinary gesture given that he was not even an

[470] Alan Jacobs, *The Year of Our Lord 1943: Christian Humanism in an Age of Crisis* (Oxford: Oxford University Press, 2018), 205.
[471] Patrick Brennan, "Jacques Maritain," in *The Teachings of Modern Christianity: On Law, Politics, and Human Nature*, vol. 1, John Witte Jr. and Frank S. Alexander, eds. (New York: Columbia University Press, 2006): 75-114, 106.
[472] Schenk, Richard, "Vatican II and Jacques Maritain: Resources for the Future? Approaching the Fiftieth Anniversary of the Council." *Logos: A Journal of Catholic Thought and Culture* 13, no. 1 (2010): 79-106. https://go-gale-com.ezproxy.lib.uwm.edu/ps/i.do?p=AONE&u=milwaukee&id=GALE%7CA349609972&v=2.1&it=r.

ordained priest, but Maritain rejected the offer.[473] In Paul VI's 1967 encyclical *Populorum progressio,* Paul VI specifically referenced Maritain twice.

After Vatican II, Maritain was disappointed with the ways its documents were being interpreted. While he very much approved of its general direction, he perceived that theologians and philosophers were abandoning the metaphysical principles that undergird it and were promoting ideas that were not in keeping with Church tradition. In 1966 he published *The Peasant of the Garonne: An Old Layman Questions Himself About the Present Time* in which he explicitly voiced his complaints. In his preface he stated that he chose the title to refer to himself as "a man who puts his foot in his mouth, or who calls a spade a spade."[474] He rejected any kind of idealism or moral relativism and included a serious critique of Teilhard de Chardin, whose ideas he had previously praised.[475] This marked a turning point in Maritain's popularity. Progressives within the Church, who had always embraced Maritain's ideas, found this about face unacceptable. Peter Hebblethwaite, for instance, Paul VI's biographer, wrote, "In Maritain's case, *whine* is too weak a word to describe *Le Paysan de la Garonne,* in which he reverted to the anti-modern attitudes of *Trois Réformateurs* of 1928."[476]

During his long career, Maritain was distrusted by traditional minded Catholics and praised by forward looking ones. Traditional Catholics did not like him, because he championed democracy and the language of human rights, which they judged to stem from the anti-Catholic Reformation and destructive of true Church-state relations. His rejection of Catholic nationalist leaders solidified this antagonism. After Vatican II and Maritain's *The Peasant of the Garonne*

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[473] Brennan, 77.
[474] Jacques Maritain, *The Peasant of the Garonne: An Old Layman Questions Himself About the Present Time.* Translated by Michael Cuddihy and Elizabeth Hughes. (Eugene, RI: Wipf and Stock, 2011). First published 1968 Holt, Rinehart and Winston. ix
[475] Ibid., 264-269.
[476] Hebblethwaite, 446.

with his criticism of modern theologians, however, he also fell out of favor among the progressives. These disowned him, because he did not give up his Thomistic philosophy or his basic faith in tradition. It is noteworthy that Maritain's light dimmed when he was most in line with the Vatican and when it was working to find a comfortable relationship with the world. This attests, no doubt, to the degree of the challenge. Both Maritain and Paul VI rejected the extremes of political integralism and socialism, and strove to find a middle ground that could acknowledge both sides without effacing the other. This papal effort would continue after Paul VI, with his later successor Pope John Paul II embracing a similar position to Maritain's, uniting faith to philosophy, and the idea of the person to social teaching.[477]

Maritain experienced an analogous reaction in the secular world, but this was less owing to Maritain himself and more because the perspective of his readers had changed. During the war he was seen as the voice of freedom, and he was afterwards internationally acknowledged for having helped introduce the idea of universal human rights onto the world stage. But in the following years he became a casualty of the change of public thought. He was overshadowed, and his ideas were perceived as too Christian, Western, or narrow, of which there are many examples. Sam Moyn, for instance, in his book *Christian Human Rights* gave ample credit to Maritain for transforming the Catholic position on human rights.[478] Further, although he argued that it was political forces which primarily moved the human rights issue along in Europe, he acknowledged that "Maritain was certainly the most prominent thinker on the postwar scene to

[477] See, for instance, Matthew DuBroy, "*Ars Christiane* Philosophandi: John Paul II and Jacques Maritain on Christian Philosophy," *Nova et Vetera*, 18, no. 1 (Winter 2020), https://stpaulcenter.com/05-nv-18-1-dubroy/.
[478] Moyn, 80-82.

defend the concept of human rights."[479] In the years following, after "the shocking reversal for the fortunes of religion after the mid-1960s," Moyn noted that the moral value of the person was no longer framed in Judeo-Christian terms, but in Roman or Kantian forms with greater emphasis on the individual.[480] The death of Christian Europe entailed the death of ideas that had once provided its foundation, provoking an entire reworking of the idea of human rights to the extent that it become a secular doctrine of the left,[481] and Maritain's reliance on religion left him out of the conversation.

However, Maritain would likely respond that he was not simply adapting Christian ideas to accommodate the modern world. Rather than appropriating the idea of human rights of the modern era, he was asserting that this idea was latent within Christianity and would not have developed without it. The absolute value of the individual person arose only within the West precisely because of its Christian tradition. While Maritain may have been instrumental in making this point explicit, it was not radical – which is why Pius XII and later popes were eager to embrace it. The idea of the value of the individual within Christianity was echoed in *Inventing the Individual: The Origins of Western Liberalism* by Larry Siedentop. He wrote that Paul "introduced to the world a new picture of reality." The death and resurrection of Jesus "provided an ontological foundation for 'the individual', through the promise that humans have access to the deepest reality as individuals rather than merely as members of a group."[482] Another work, Tom Holland's *Dominion: How the Christian Revolution Remade the World* went further, arguing that many of today's liberal ideas are in fact fueled by Christian assumptions.[483] Thus,

[479] Ibid., 91.
[480] Ibid., 99.
[481] Ibid., 100.
[482] Larry Siedentop, *Inventing the Individual: The Origins of Western Liberalism* (Cambridge: Harvard University Press), 63.
[483] Tom Holland, *Dominion: How the Christian Revolution Remade the World* (New York: Basic Books, 2019).

according to this argument, those who argued that the idea of human rights arose only in the secular Enlightenment ignored their actual dependence on Christianity. Even if the West had shifted from Christ to Kant, it is the Christian respect for the individual imprint which remains.

Indeed, the West's idea of the individual was unique and had become a source of contention. Shortly after the UDHR was adopted, the argument was put forward that the idea of the universality was itself problematic. Not all of the participating countries had voted for its passage. Post-colonial thought challenged the fundamental structure of the Declaration, accusing it of Western bias. In 1976 Adamantia Pollis and Peter Schwab wrote, "Apparently only in the Western capitalist states with a shared historical development and a common philosophic tradition does the concept of individual rights against and prior to the state exist."[484] "The Declaration is predicated on the assumption that Western values are paramount and ought to be extended to the non-Western world."[485] They further noted that "efforts to impose the Declaration as it currently stands not only reflect a moral chauvinism and ethnocentric bias but are also bound to fail."[486] To remedy this, they suggested that cultural differences surrounding the ideas of the individual, society, and the state be reexamined to reflect and incorporate all of these differences.[487] They did not deny the possibility of universality, but regarded the Western description of rights to be problematic.

In response to criticisms such as this, in 2001, Mary Ann Glendon wrote *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights.* She argued that the idea of universality was not uniquely Western, and that there was a core of consensus from a

[484] Adamantia Pollis and Peter Schwab, "Introduction," *Human Rights: Cultural and Ideological Perspectives* (New York: Praeger Publishers, 1979), xiii.
[485] Ibid., 8.
[486] Ibid., 14.
[487] Ibid., 17.

variety of cultures. Further, what was agreed upon was only the most basic standard for rights. She regretted that "one of the most common and unfortunate misunderstandings today involves the notion that the Declaration was meant to impose a single model of right conduct rather than to provide a common standard that can be brought to life in different cultures in a legitimate variety of ways."[488] Glendon referred to the philosophical survey Maritain had introduced and reported that the responses were broadly similar, with fifteen basic rights agreed upon. As Maritain had emphasized, while they could not agree on the philosophical foundations or explicit details, they could agree on the most basic practical principles. Maritain relied on their shared humanity, not their shared cultural experiences. Thus, they did not need to be more specific. Glendon wrote that the "framers did not imagine in 1948 that they had discovered the whole truth about human beings and human rights," but that they had achieved an important milestone.[489]

Moving forward, Mark Goodale challenged the empirical evidence that supported Glendon's defense of universality. In 2018 he republished the 1949 UNESCO human rights survey to reexplore the documents, and he found that there was much less agreement than Glendon had suggested. He argued that she emphasized the idea of universality in response to complaints of Western bias, and because the idea of human rights universality was losing significance.[490] In a separate article he wrote that recent interpretations of the documents were "more ideological than analytical," and functioned essentially as myth. This did not mean that as a myth it was not true, but that it was "a cultural narrative that is meant to do important work in

[488] Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human* Rights (New York: Random House, 2001), xviii.
[489] Ibid., 231.
[490] Mark Goodale, Intro. and ed. *Letters to the Contrary: A Curated History of the UNESCO Human Rights Survey*, (Stanford: Stanford University Press, 2018), 28-29.

shaping the course of society in particular ways."[491] The "myth of universality" was ripe at the end of the war, but not as widely held as its proponents believed. While he challenged Glendon's interpretation of the documents, he ended by asserting that the desire to prove universality was misguided. It did not matter if it could be proved or not. Goodale dismissed whether the claim of universality was actually verifiable, because its conclusion "resembles those of theology, of faith, and indeed of much of philosophy itself."[492] What interested him most was why there was a need to defend the principle of universality. He concluded that on the heels of the war and during the 1990s, the need to assert the universality of rights grew "because the alternatives to human rights universality, the alternatives to human dignity, the alternatives to a world in which people strive to link themselves together in a noble chain of ceremony simply cannot be lived."[493] Ultimately, Goodale acknowledged the need for such a myth, but reduced the argument to historical contingency. This is especially clear today, when the "age of human rights" seems like distant history.[494] Goodale did not reject the idea of human rights, but argued that a different model is necessary today.[495]

To this line of reasoning, Glendon and Maritain would respond that he missed the meaning of their work. While they would agree that the alternative to human rights universality was unacceptable to them, they would reject the claim that it was simply because it felt profoundly unacceptable and that they needed to keep the myth going. They would respond that their defense of the universality of human nature was because it was true, and that the documents satisfactorily revealed that. For Maritain, the fact of being human with a shared common nature

[491] Mark Goodale, "The Myth of Universality: The UNESCO 'Philosophers' Committee' and the Making of Human Rights," *Law and Social Inquiry* 43, no. 3 (2018): 596-617, 599. https://doi.org/10.1111/lsi.12343.
[492] Ibid., 614.
[493] Ibid., 615.
[494] Goodale, *Letters*, 10.
[495] Ibid., 11.

was the universal reality, and this provided a sufficient foundation for the universality of principles in practice. Further, Glendon did not argue that the philosophic survey empirically and unequivocally proved universality. She was more reserved and stated that many, if not most, of the respondents agreed with the principles, even if their own traditions did not speak in terms of rights.[496] Further, their idea of universal was more simple. As Glendon wrote, "Chang, Cassin, Malik and Roosevelt were not homogenizers, but they were universalists in the sense that they believed that human nature was everywhere the same and that the processes of experiencing, understanding, and judging were capable of leading everyone to certain basic truths."[497] For Glendon, the documents supported, rather than empirically proved, the point that there actually were shared universal ideas about human rights, and that encouraging and protecting them was a first step in securing a safer world.

Finally, it is worth looking at a few other examples to demonstrate that the questions with which Maritain wrestled continue to be debated. One of the best, most recent books on the question of Christianity and politics is Invernizzi Accetti's *What is Christian Democracy?* In this work, he carefully outlined the development of Christian Democracy, giving ample attention to Maritain. In the end, however, he sided with Moyn and Goodale in suggesting that the idea of human rights was good, but must be extricated from its religious moorings. Christianity's emphasis on human dignity, social inclusion and political compromise were positive contributions, but these elements must "be reappropriated from a more secular perspective that appear normatively most appealing today."[498] From an opposing standpoint, post-liberal writers argued that these positive elements could not be separated from their Christian roots, and

[496] Glendon, 76.
[497] Glendon, 230.
[498] Carlo Accetti, *What is Christian Democracy: Politics, Religion and Ideology* (Cambridge: Cambridge University Press, 2019), 353.

liberalism's attempt to do so was flawed from the beginning. Liberalism failed, because the emphasis on the individual was doomed to collapse in on itself as competing rights came into conflict. Patrick Deneen,[499] Sohrab Ahmari,[500] Christopher Ferrera[501] are among a growing number of writers who judge that the crisis of the modern times is due to the abstraction of religion from the public square. Last, and in distinction to both of the above, in a collection of essays, *Christianity and Human Rights: An Introduction,* John Witte, Jr. judged that the desire to purge all Christian and religious remnants from political engagement was simply impractical. "It is undeniable that religion has been, and still is, a formidable force for both political good and political evil,. . . But the proper response to religious belligerence and pathos cannot be to deny that religion exists or to dismiss it to the private sphere and sanctuary."[502] Democracy can only survive if the people are dedicated to ideas which are dependent on specific values and beliefs. Quoting Vaclav Havel, "Only someone who submits in the authority of the universal order and of creation, who values the right to be a part of it, and a participant in it can genuinely value himself and his neighbors, and thus honor their rights as well."[503] Clearly, the debate is not settled.

Conclusion

This work has explored the change over time of Maritain's and Popes Pius XI and XII's ideas on the Church-state relationship. They began the twentieth century, in line with Church

[499] Patrick Deneen, *Why Liberalism Failed* (New Haven: Yale University Press, 2018).
[500] Sohrab Ahmari, *The Unbroken Thread: Discovering the Wisdom of Tradition in an Age of Chaos* (New York: Convergent Books, 2021).
[501] Christopher Ferrara, *Liberty, the God that Failed: Policing the Sacred and Constructing the Myths of the Secular State, from Locke to Obama* (Tacoma, WA: Angelico Press, 2013).
[502] John Witte Jr. and Frank Alexander, eds. *Christianity and Human Rights: An Introduction* (Cambridge: Cambridge University Press, 2010). 41-42.
[503] Ibid., 42.

tradition, maintaining that the Church and the state were two distinct branches of authority, both attentive to the spiritual ends of people, with the Church's authority superseding the state's. But over the course of the fifty years, the Church needed to respond to the changing political world. Rejecting any hint of nationalism, Maritain defended the idea that human rights language had its source in Christianity, firmly planting the Church within the modern conversation. He did not want the Church to be political, but to reach individuals to influence the state. He had great optimism for people to work together to bring about a new world, where respect for the person and their rights would prevail.

Despite his claim of being ever the philosopher, Jacques Maritain was perhaps first and foremost a man of his time. The development from *The Primacy of the Spiritual* to *Man and the State* mark more than a simple development of his thought regarding the Church-state relationship. Maritain engaged in the world and adapted his practical views in response to the events of his day in accordance with his Christian philosophical worldview, which, according to Maritain, was the most accurate and complete understanding of the world and the person's place within it. Looking back, while his earliest roots were left leaning, he sought a heightened religious engagement in culture after his conversion to Catholicism, and he supported Charles Maurras and *Action Française*. He withdrew his support, however, following Pius XI's prohibition, agreeing that the Church could never be instrumentalized for political aims. Events of the Spanish Civil War solidified his rejection of nationalist regimes, and he judged fascism and communism to be two sides of the same anthropocentric coin. He also rejected individualistic capitalism and liberalism which, he argued, ultimately gave rise to the extreme response of totalitarianism.

World War II proved the practical failure of existing parties and ideologies to many

minds, and one common response was to find some sort of compromise, or third way, that would retain what was positive, but be neither left nor right. The Vatican responded to the realities of the times, and struggled to retain influence both with its members and with the world at large. Maritain was in step with the popes of his times, but, as a layman, his focus was more public and political. Both asserted a third way that promoted human rights as the key to managing new crises and promoting a true Christian spirit. Democracy as Maritain envisioned it offered the greatest opportunity for liberty and community, and Christianity would act from the ground up in elevating the culture.

Following from this, human rights were grounded in the dignity of persons made in the image of God and would provide the global foundation for the greatest flourishing for everyone. Maritain believed that Christianity was the only means to guarantee human rights, and he strove to defend this position fully aware of the problems that could arise. All these ideas were in place with the publication of *Man and the State*. Because of his ambassadorship to the Holy See and his friendships with various theologians, his ideas on human dignity and religious freedom would be greatly influential at Vatican II, and all the popes since Pius XII read and were significantly influenced by him.

The development of Maritain's ideas as they occurred in response to events in the world allows us to see that his ideas and attitudes did not arise in a vacuum, nor did they constitute the mindless imposition of a political ideology. Rather, key principles were applied in various circumstances. While Maritain maintained that the Judeo-Christian religious tradition and the Aristotelian-Thomist metaphysical philosophical tradition were the most sound, he would engage with those of different traditions to seek common ground, always respecting their dignity. Indeed, he would insist that the justification for respecting others' dignity came from within

these traditions. The two could not be separated. He advanced pluralism, because his ideas and religion demanded it, not as the result of an open and sunny temperament. Further, he would perceive the current demand for justice and fairness as arising from the very tradition he sought to maintain, albeit hobbled. Today's arguments are not so very different from the ones Maritain engaged, and he would be painfully sympathetic to complaints lodged by various groups of oppressed peoples. Nevertheless, he would argue that although they share his demand for human dignity and rights, they forget the person at the core of the debate. He would add that in denying the existential foundation for that dignity and those rights, i.e., God, they were left with only the isolated individual and power.

The development of Maritain's thought is significant today, because not only have the questions Maritain sought to answer not gone away, but the ability of the current world also appears less able to respond to them in a cohesive way, and while there is an intellectual acknowledgment of the role of religion in the public sphere, religion itself has become excessively privatized. Maritain would respect the exclusion of religion from the state, but argue that excluding it from the public conversation goes too far, because the questions within the public domain simply cannot be answered by excluding all reference to religion.

Much continues to be published on Maritain and his influence on Vatican II, and his impact on historical, theological, and political debates in a global post-modern, post-secular world. He is roundly acknowledged as a pivotal Catholic thinker who was clearly considered progressive in his day. Maritain seems to be a man for and against all seasons, appealed to anew in a growingly contentious world. Understanding the development of his ideas and their influence on various popes and the public world provides a deeper appreciation of the background causes of and current trends in debate. One area which would be helpful to examine

more carefully is how contemporary historians and writers sympathetic to the Church do not interact. Since the time of his greatest influence, the two domains have drifted further apart, and while post-modern writers have encouraged respect for religious experience and its social impact, the two domains rarely engage in a meaningful way.

As he described himself, he was a philosopher of the concrete, and he developed his thought within the context of history. The only non-negotiable was his Aristotelian-Thomistic philosophy without which, he reasoned, reality was fundamentally incomprehensible. With the passage of time, the Christian dimension of Christian Democracy was left behind, and Maritain experienced this same sort of neglect. As the world moved beyond him, his optimism was judged to be unfounded, and he appeared to be neither right nor left enough for anyone. Nevertheless, few people responded to their world with a similar degree of intellectual rigor and honesty, and few have enjoyed such continuing influence and interest. While the secular world appears to have moved on from the Christian personalism of Jacques Maritain, the effects of his influence remain.

Jacques Maritain did not satisfactorily resolve all the problems he set out to solve. There are serious challenges in his thought, but perhaps that is because he tried to do too much. For him, the world and the people within it were whole and could be known, and he worked to explain it all. But today's mind no longer sees the world in this way. Most of his readers might accept one aspect of his ideas, but easily dismiss the others. In both the religious and secular domains, his thought was tainted by a sympathy for the other side, and he became a sort of untouchable. In many cases, those who rejected him did so by oversimplifying his thought and ignoring his overall project. Ultimately, for Maritain, everything began with *Being*, the metaphysical. From this, he was able to adapt according to his circumstances without losing his

foundation, and by this, he described himself as ultra-modern. Maritain could not answer all the questions, but perhaps his approach to problems, always open to the new, manifested a wisdom from which we could benefit today.

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