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### Article abstract

Published in 1962, Charles N.R. McCoy's *The Structure of Political Thought* remains an important, albeit neglected, work on the history of political philosophy. Though there has been some appreciation of his study, there has never been a critical examination of his treatment of medieval political theory. In my paper, I explore the structure of his argument in the two chapters on medieval thought, showing how McCoy centers his discussion on an investigation of the different interpretative methods Thomas Aquinas and Marsilius of Padua employ when reading Aristotle. He does so in order to establish how the Aristotelian teaching — concerning the structure of political thought — is best protected by (and fulfilled within) revelation.

# BEYOND THE LETTER OF HIS MASTER'S THOUGHT : C.N.R. MCCOY ON MEDIEVAL POLITICAL THEORY

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*RÉSUMÉ* : Publié en 1962, le livre de Charles N.R. McCoy, intitulé *The Structure of Political Thought*, demeure un travail important, encore qu'oublié, sur l'histoire de la philosophie politique. Bien que l'ouvrage ait reçu de bonnes appréciations, il n'existe pas encore d'examen critique de son traitement de la théorie politique médiévale. Dans le présent article, j'explore la structure de son argument dans les deux chapitres sur la pensée médiévale, en montrant comment McCoy centre sa discussion sur une investigation des différentes méthodes interprétatives qu'emploient Thomas d'Aquin et Marsile de Padoue en lisant Aristote. Il le fait dans le dessein de déterminer comment l'enseignement aristotélicien — touchant la structure de la pensée politique — est le mieux préservé par (et accompli au sein de) la Révélation.

*ABSTRACT* : Published in 1962, Charles N.R. McCoy's *The Structure of Political Thought* remains an important, albeit neglected, work on the history of political philosophy. Though there has been some appreciation of his study, there has never been a critical examination of his treatment of medieval political theory. In my paper, I explore the structure of his argument in the two chapters on medieval thought, showing how McCoy centers his discussion on an investigation of the different interpretative methods Thomas Aquinas and Marsilius of Padua employ when reading Aristotle. He does so in order to establish how the Aristotelian teaching — concerning the structure of political thought — is best protected by (and fulfilled within) revelation.

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## INTRODUCTION

Charles N.R. McCoy's *The Structure of Political Thought* remains one of the more perceptive works on political theory published in the last fifty years. By way of an investigation of the history of political philosophy, he attempts to identify the "structure of political thought" in the Aristotelian tradition and document its decline in modernity. Despite the work's significance, however, it has received scant critical attention. Indeed, since its publication in 1963, scholars have largely ignored it. What accounts for such neglect? No doubt, it is partly due to the work's difficulty

— its wide “range and implications,” as James V. Schall observes.<sup>1</sup> Covering the history of philosophy from the pre-Socratics to Marx, *The Structure of Political Thought* embraces at different points in its argument the fields of philosophy, theology, epistemology, and logic. Given such varied subject-matter, it is hardly surprising that philosophers seem reluctant to grant the book a hearing — and those who do have legitimate reason to wonder about the final direction of McCoy’s thought. Is McCoy a political theorist writing as a theologian, a theologian moonlighting as a philosopher, or a philosopher dabbling in politics ?

The simple answer to these questions is that McCoy is working within the Thomistic tradition. Central to his project is an argument showing how Christian revelation can best safeguard political things. He takes as his starting-point the Thomistic understanding of the compatibility and complementarity of reason and revelation, of philosophy and revealed theology. Though theology and philosophy represent distinct disciplines for St. Thomas, distinction does not imply separation — let alone conflict. Inasmuch as grace perfects nature, Thomas writes with every expectation that philosophical questions can be resolved within revelation. This is true not only in the fields of metaphysics and natural philosophy, but in political theory as well.

Unfortunately, the Thomistic character of McCoy’s argument does not come across too well in his work. To begin with, he offers no extended discussion of the relation between reason and revelation. His two chapters on medieval political theory, where one would reasonably expect to find a treatment of this question, represent something of a textual mystery. The first chapter addresses the issue of Church and State. Focusing initially on the Augustinian-Thomistic tradition, it ignores the general political teaching of these authors, and ends with a lengthy analysis of the dissolution of their work in the writings of Late Scholasticism. The second chapter includes a separate, self-contained study of medieval constitutional theory, which seems to bear little relation to the issue of Church and State. Moreover, while the reader is busy trying to discern some connection between these chapters, he is soon confronted with another, more troubling, mystery — the evident inadequacy of McCoy’s defense of Thomas. His treatment of Church and State concludes with an examination of the work of Marsilius of Padua. The 15<sup>th</sup> century political philosopher is perhaps best known for his promotion of the “Two Truths” doctrine of Latin Averroism — the teaching on the fundamental incompatibility of faith and reason. McCoy sees Marsilius as a forerunner of early modern political thought : in breaking with the medieval tradition, he breaks with Aristotle, adopting a revived Platonism in epistemology and a crude populism in politics. Now though McCoy is adept at revealing the unAristotelian roots of Marsilius’ teaching, he offers no clear response to the challenges that teaching represents. To the extent that he fails to do so, he compels his readers to

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1. For a good overview of McCoy’s work, please see SCHALL’s two studies : “Man for Himself” : On the Ironic Unities of Political Philosophy,” *The Political Science Reviewer* (Fall 1985), p. 67-107 ; and “Transcendent Man in the Limited City : The Political Philosophy of Charles N.R. McCoy,” *The Thomist* (January 1993), p. 63-95.

wonder about the final status of Thomistic political science in his work. For if Marsilius' rejection of the medieval tradition exposes the weaknesses of the Aristotelian position, his further embrace of Latin Averroism casts doubt upon the validity of the Thomistic synthesis as a whole — and whether revelation's signal contribution to the structure of political thought genuinely helps safeguard the political things.

It appears that in trying to solve one mystery (the neglect of McCoy's work), we have stumbled upon several. What connection is there between the two chapters on medieval political theory? Why is there no extended discussion of the relation between reason and revelation? And why, in a book which supposedly champions the Thomistic political teaching, does McCoy manage such a poor job of defending that position?

As it happens, McCoy is not unacquainted with the intellectual challenge of a mystery. Indeed, in the preface to his work, he likens studying political theory to reading a good mystery:

[...] in all great mystery stories it is not the wealth of facts that contribute materially to the solution [...]. The facts frequently appear incoherent, contradictory and unconnected. But the ideal detective knows exactly when the moment is reached at which further investigation of facts is unnecessary; he knows that "only pure thinking will lead to correlation of the facts collected. So he plays a violin, or lounges in his arm-chair enjoying a pipe, when suddenly, by Jove, he has it." He has suddenly the keys to the facts at hand, and indeed he now knows that certain other events have taken place.<sup>2</sup>

It may be prudent to follow McCoy's lead here. Much like the ideal detective, the student of *The Structure of Political Thought* has before him a "wealth of facts" which initially appears "incoherent, contradictory and unconnected." Yet careful reflection might reveal the "keys to the facts at hand." In short, "pure thinking" might suggest that *The Structure of Political Thought* has a structure all its own, and that what appears at first glance to be a muddled defense of the Thomistic position is in actuality a cleverly nuanced articulation of that tradition. The resolution of the above mysteries, I contend, rests upon some curious remarks McCoy makes concerning the interpretation of Aristotle. Towards the end of his discussion on Church and State, he notes that Marsilius' rejection of the tradition flowed from a singular devotion "to the absolute authority of the letter of Aristotle." Later, in his introduction to constitutional theory, he praises Thomas for going "beyond the letter of his master's thought." How can one break with the Aristotelian teaching, as Marsilius does, by way of a devotion to Aristotle's letter? And how can one defend Aristotle, as Thomas does, by going beyond his letter? The answer to these questions will lead us to the heart of McCoy's argument. For while their expressed topics are unconnected, the chapters form an interpretive whole: the ideological unmasking of Late Scholasticism in the first chapter serves as the critical prologue for a deeper exploration of the Thomistic position in the second chapter, an inquiry that not only responds to the

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2. Charles N.R. MCCOY, *The Structure of Political Thought: A Study in the History of Political Ideas*, New York, McGraw-Hill, 1963, p. v-vi. All references to the text hereafter shall be placed in parentheses next to the quotation.

Marsilian challenge but includes an implicit account of the relation between reason and revelation as well.

### I. THE GENERAL ARGUMENT OF *THE STRUCTURE OF POLITICAL THOUGHT*

Before we examine his discussion of medieval theory, it might be helpful to begin with a brief summary of McCoy's argument. In the Aristotelian tradition, there is a structure of political thought that consists in a "relation between logic and reality, between theoretic science and practical science, between art and prudence." McCoy begins with an analysis of Plato's work. Plato made the crucial error of identifying the logical with the real order. Claiming that the logical universal was a substance, he assumed that the universal "man" had separate existence, while individual men, like John and Paul, were mere "participations in the idea Man" (21). This confusion had disastrous effects for political thought. Just as singulars could be "absorbed in the specific or generic being of a logical universal," so, in the political context, the Platonic position would entail that the actual, vital components of a political community could be dissolved into a simple whole (22). Plato failed to grasp the essential plurality of the political community — that the state possesses a unity of order, composed of independent, yet related, parts.

In opposition to this, Aristotle distinguished the logical from the real, arguing that the logical universal had no direct bearing on reality — it was a "universal of predication," not a "universal in 'act'" (30). This move proved fruitful, since it not only allowed Aristotle to avoid the political dangers of Platonism, it also permitted him to introduce necessary distinctions among the different kinds of knowledge ("theoretic, practical and productive") (31). He insisted on the order of the sciences, first subordinating the practical sciences to theoretic science, and then, within the practical sciences, subordinating art to prudence. The securing of this order, Aristotle maintained, guarantees the "essence of constitutional liberty" (157). Whether they concern making or doing, all practical sciences are founded upon theoretic science, where "truth depends solely on the conformity of the intellect with what is" (31). In his examination of human nature in the *Nicomachean Ethics*, Aristotle locates the core of the good life in man's natural function, a function assigned to him by the Prime Intellect. By nature, man possesses a proper activity that involves the exercise of reason. Now rationality expresses itself in two ways within the human soul: there is one part of the soul that holds a rational principle, and another "sensitive part" that merely "participates" in reason (41). The sensitive part, while "obedient" to reason, has some "power of opposition," and thus the rule of reason within the soul is both "political and royal" (44). Now to the extent that man can direct himself to his own end, he possesses a "principle of self-government." In speaking of this capacity, Aristotle distinguishes human nature from the rest of nature: natural things manifest only a "substitute intelligence," for they act with regularity in respect to an end, but do so without intelligence — their "very regularity is a sign of stupidity" (42). Thus, in the Aristotelian teaching, man occupies an intellectual center between the ordering and

ruling principle of the Prime Intellect, who as Divine Artist places the ends within nature, and the empty regularity of nature as “substitute intelligence.”

By granting the superiority of theoretic to practical science, Aristotle also maintains that the health of political life “depends on the primacy of the contemplative.” The virtuous activity of the good man “presupposes theoretic rectitude” for, without this, political science becomes an art presupposed to no end other than the criterion of the artist’s “intention” (47). For this reason, Aristotle takes pains to distinguish art from prudence : whereas art is morally neutral, and its freedom includes the “end itself,” prudence is fixed by “the first principles of man’s nature” because man “belongs to the order of things reason considers but does not make” (34-35). If the possession of a rational principle prevents man from becoming confused with the working necessities of nature, his grounding in a speculative order saves him from the designs of the political artist intent upon remaking him.

According to McCoy, the revolt of modernity consists in the systematic reversal of these Aristotelian distinctions. In its first phase, Machiavelli shifts the order between prudence and art : ignoring nature, the Machiavellian prince brings the “ends of human life” within “the sphere of art” (179). In its second phase, modern theorists reverse the order between theoretical and practical science, transferring to the practical sphere “an attitude toward the whole of nature that had previously been reserved to the speculative intellect” (262). As we have noted, within the Aristotelian teaching, man is positioned between the Prime Intellect and the idea of nature as substitute intelligence ; the human intellect is thus seen as “‘separable indeed’ although not existing apart from matter” (191). Starting with Hugo Grotius, the moderns systematically remove nature from its dependence upon the Prime Intellect. Stripped of its teleological grounding, autonomous nature became that substitute intelligence that intends only the “singular good” of its species, and that cannot account for the “diversity of species,” let alone “the order of the universe” as a whole. At the same time, by reducing “‘the material and mental spheres to a common denominator’,” modern theorists also denied the human intellect’s separability from the rest of nature, insisting that the “autonomy of the intellect” corresponded to the “pure autonomy of nature” (191). In this correspondence, McCoy argues, man moved “toward the condition of creator by moving toward the condition of substitute intelligence,” but in doing so, like nature, he found himself “not explicitly ordering himself to the common good.” Given this predicament, he had to assume the role previously assigned to the Prime Intellect : he could “distinguish himself in nature,” and from nature, only by “ordering the common good of his species in its material and efficient principles to maximize his individual being” (197). Through the process of making himself “specifically human,” man as such became “*homo faber*” ; that is, he came to see “that he is all that he knows and that he is the act whereby all things are made.” Thus, nature itself (including human nature) became something “operable” to him, since everything must now be surrendered to his will. In connection with this trend, during the third and final phase of modernity, there begins in the work of Rousseau an attempt to identify the individual with “the universal self” or “universal being” (262-263). And this view, where the individual is thoroughly subsumed under the “species

life” or “generic life” of “socialized humanity,” reaches its apotheosis in Marxism, a political doctrine that resembles a kind of inverted Platonism (307). Against this background, McCoy seeks to strengthen the Aristotelian position, threatened on the one end by the ancient totalitarianism of Plato and on the other by the modern totalitarianism of Marx.

## II. MCCOY ON CHURCH AND STATE

One might think that McCoy would introduce his study of medieval theory with a discussion of Thomas’ treatment of the Aristotelian teaching. Instead, he begins with the issue of Church and State, and his preliminary remarks here distinguish his interest in this topic from that of his contemporaries. Recent historians of political thought (Professors Sabine and D’Entreves), he notes, credit the emergence of Christianity as a crucial event in the development of the idea of “religious liberty” (99). However, when focusing on this question, they tend to embrace the doctrine of modern liberalism, a position that ensures the “separation of the church from the state” and in turn represents “the end of any public function for religion.” To read the medieval teaching in such a narrow manner is to misunderstand its “revolutionary significance,” a significance that can only be grasped in relation to the teachings of classical political theory and, in particular, to Aristotle’s profound examination of the “ultimate public question” — that of human happiness. In order to recover this understanding, McCoy proposes a critical re-examination of the medieval teaching on Church and State.<sup>3</sup> His treatment will center on three questions : How did Christianity’s emphasis upon the “primacy of the spiritual” provide an answer to the “ultimate public question” ? What was the “public function” for religion in the medieval teaching ? And, finally, how did the political theorists of Late Scholasticism depart from this traditional position ? He will respond to all these problems in turn, but there is a certain peculiarity to his discussion : his answer to the first two questions, especially his examination of the Thomistic contribution, will be perfunctory at best ; in contrast, his account of Late Scholasticism will provide an exhaustive analysis of the decline of the tradition. At chapter’s end, McCoy will have documented the crisis of modernity, but he also will have raised a number of troubling questions.

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3. According to McCoy, Marxist theory had a better take on the question of Church and State than modern liberalism. Marx provided a solution to the problem of happiness, and thus recovered a sense of the “primacy of the spiritual” that had been lost in early modernity (100-101). McCoy writes : “The (Marxist) form of the primacy of the spiritual is not indeed, then, freedom of conscience as the decisive religious attitude ; rather, it is that ‘heightened self-consciousness’ by which the primacy of the spiritual has again become a social and public force. It is remarkable that this foremost fact in the whole consideration of the question of Church and State as it bears on the character of civilization seems scarcely to have been noticed by those who are today conspicuously concerned with that question” (101-102). Inasmuch as liberal theorists have ignored the “primacy of the spiritual,” McCoy adds, they fail to grasp the historical uniqueness of the Christian tradition.

## 1. The “Authentic Thing” : The Augustinian-Thomistic Theory of Church and State

In the next section, McCoy turns to his first problem : How did Christianity's emphasis upon the “primacy of the spiritual” provide an answer to the “ultimate public question” ? He finds this teaching best illustrated in the work of Thomas. Because he ordered the practical to the contemplative life, Aristotle granted the State a part in “the spiritual concerns of mankind” ; the State had the obligation to cultivate wisdom in its citizens (102). Yet Aristotle had also indicated the improbability of achieving such goals. Basing his critique on these difficulties, Thomas argues that the philosophical knowledge of God achieved through natural theology cannot represent perfect happiness. In the first place, he notes, since Aristotle admits that natural wisdom is attained by “very few” it cannot be the “final perfection,” on the grounds that most members of a species normally obtain their end (104). Secondly, Thomas insists that, even when the few do attain wisdom in this life, it is inadequate by itself : “the operation of the speculative intellect is very unsatisfactory — it is neither continuous nor one, but multiplied and discontinuous” (105). Since such happiness can never quiet man's natural desire, and since “nature does nothing in vain,” this desire must be satisfied in some manner “after this life.” Thomas thus offers a revelational solution to the problem of happiness : the locus of human fulfillment is not discovered in a this-worldly political activity, or even in the contemplation of the philosophic life, but in the promise contained in divine revelation.

The introduction of revelation, however, transforms the status of political things. Since the aim of political life is now the full enjoyment of God, an end that cannot be attained without divine grace, earthly rules and rulers are insufficient. “Only divine rule [...] can lead us to the end. Such government belongs only to that King [...] Jesus Christ.” Now Christ entrusts his “kingdom [...] not to the rulers of the earth but to priests,” and in particular “to the high priest, the successor of Peter and Vicar of Christ, the Roman Pontiff [...] to whom all things in Christendom should be subject.”<sup>4</sup> But even as orthodox Christianity appointed the Church the new “guardian of truth,” McCoy contends, it did not deny the limited good of the State ; rather, it “affirmed the existence of two distinct societies with separate but related jurisdictions” (108). In its new role, the Church must enter the political arena, but it must do so while remaining independent of the State.

McCoy now turns to his second question : what was this public function for the Church ? To answer this, he offers an historical examination of the medieval theory of Church and State. His treatment contains three distinct parts : a brief discussion of the origin of the mainstream teaching — what he calls the “authentic thing” — in the writings of Augustine ; an even shorter examination of the full flowering of this teaching in Thomas ; and a lengthy description of its dissolution in Late Scholasticism.

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4. *On Princely Government*, XIV, reprinted in A.P. D'ENTREVES, ed., *Aquinas : Selected Political Writings*, New York, Macmillan, 1948.

McCoy begins with a reading of Augustine because the Latin Father's seminal discussion of the relation between Church and State in the *De Civitate Dei* establishes the formula for its later development in medieval theory. The core of Augustinian political theory, he observes, is rooted in the complex interplay found among the four "basic" societies: the two "visible" societies, the Church and the State, shadowed through history by the two "invisible" societies, the Heavenly City and the Earthly City. Though grounded in nature, the State is unfortunately subject to the "wound of sin inflicted by the Earthly City"; instead of embracing justice, it manifests only the "rule of masters [...] over slaves" (112). Because it refers all earthly goods to an "eternal end," the Heavenly City can heal "(the State's) wounded nature"; and the Church, in contributing to this task, can help restore the true grounds of political authority by defining the boundaries of the State. For Augustine, the Christian emphasis upon eternal beatitude is essential in securing the State's well-being. Actually, it was the pagan obsession with temporal goods that led to the cult of emperor worship in the later Roman Empire, a perversion which represented an "insane search for a substitute infinity." By ordering all things to God, the Heavenly City preserves the "proper forms" of political life (117). Thus, far from being a threat to the State, the Church guarantees its integrity: in supplying both "moral" and "doctrinal rectitude," it prevents the State from falling into "that 'variable impiety' by which it aims at something more than 'the coherence of wills in honest morality'" (114).

In the 13<sup>th</sup> century, Thomas assumes the essential points of Augustine's position, but adapts them to an Aristotelian formula. For McCoy, the Thomistic teaching embodies the fully fleshed doctrine of the "authentic thing": Church and State are seen as "two independent powers related by a unity of order through the principle of the hierarchy of ends" (124). Their relation rests upon "the principle of the hierarchy of ends" — the subordination of the secular to the spiritual order — but their independence arises from the fact that they are linked by a "unity of order" that admits of related, though self-supporting, parts. While ordered to a higher end, the Church recognizes the State's significance, and it keeps the State focused upon its own peculiar sphere. For its part, the State retains a "tutelary" obligation to "encourage [...] wisdom" (118).

Thomas sketches this relation with great care. Granting a certain independence to the State, he nevertheless allows the Church to interfere in secular matters in two specific types of cases. The first kind includes those situations where the State "exceeds its jurisdiction." The State does so when its legislation conflicts with "the ends appointed by the natural law" (119). The fundamental precepts of the natural law are "prior to any civil jurisdiction," and thus do not concern matters that are "originally indifferent." In these cases, the Church claims the "right to decide" on the grounds that it possesses a "theological science served by all the theoretic sciences." Secondly, the Church may interfere on matters that involve faith and divine law. McCoy gives as an example Thomas' treatment of "heretical rulers" (120). Thomas maintains that apostate rulers should be punished, for loyalty to such rulers might lead to "corruption of the Faith." Nonetheless, even here he admits that the Church's claim is a rather limited one: he suggests that non-Christian rulers should be left alone, since it

does not come “within the competency of the Church to punish unbelief in those who have never received the Faith.” Moreover, since divine law does not eliminate the need for human law and, in any event, “temporal authority precedes the distinction between faithful and unbelievers,” the “rites of unbelievers” should be “tolerated.”<sup>5</sup> The Thomistic teaching on tolerance, McCoy points out, ultimately has its foundation in the doctrine of the “authentic thing” (120-122).

## 2. Church and State in Late Scholasticism

Thus far, McCoy's analysis suggests that the Augustinian-Thomistic synthesis, in assigning a public function to the Church, helped ensure the political health of the State. He now turns to his account of Late Scholasticism. This passage, an inquiry into the work of Giles of Rome, John of Paris, and Marsilius of Padua, depicts the theoretical difficulties that emerge once one departs from the “authentic thing.” For reasons of space, I will focus on McCoy's treatment of Marsilius, since the Latin Averroist's position represents the final, decadent stage in the medieval teaching.<sup>6</sup> Marsilius refused to grant any political claims to the Church, since its power dealt with “matters relating to the next world.” Secular authority received its true force from the “command of the whole people,” and once this is acknowledged, the Church becomes nothing more than the “body of Faithful believing in [...] Christ (126).” In the end, the people, “simple and unified,” hold all power — “political and ecclesiastical”:

The Pope is merely an administrative head of the Church. Heresy may indeed be punished, but it is punishable by the community or by the emperor when he has authority

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5. *Summa Theologica*, II.II.Q.12 a.2.C. All translations of Aquinas are McCoy's.

6. As McCoy suggests here, the obvious political differences among these three thinkers mask their deeper agreement on theoretical points. Defending the papal claim, the canonist Giles of Rome established a “theocratic doctrine of Church and State” far exceeding the outlines of the Thomistic position. He based his argument on the papal “*plenitudo potestatis*,” insisting that temporal authority, insofar as it “is derived directly from the Pope [...] belongs of right to the Pope.” In subjecting “the hierarchy of ends” to a “simple unity” under papal hegemony, Giles dissolved the unity of order existing between the two realms. His position thus embraced an elementary Platonism, for this “too simple unity” resembled nothing so much as the extreme restrictions Plato imposed upon the political state (123). Later in the 14<sup>th</sup> century, John of Paris offered an original interpretation that appeared to agree with the Thomistic position. In defending the claims of the temporal authority, he sought to preserve the unity of order between the two realms, but he did so in a novel way. He accepted the core idea of the “principle of the hierarchy of ends” but refashioned it to signify only “a gradation of dignity but not of power.” The spiritual authority might have “primacy of dignity” on account of its higher end, yet its power extended only to the “right of moral judgment” not to “the right of imposing sanctions to enforce judgments” (124). In other words, the indirect power of the Pope was merely the power to “influence” temporal authority; the right of deposition remained in the hands of the political authority. This strategy, while putting an end to the spiritual power as an independent function, ensured the “autonomy of the political order.” If Giles' theocratism absorbed the secular within the spiritual, eliminating, through “simple unity,” the distinct power of the State, John's position just as clearly removed “the distinction between the two orders” (125). Once political society alone defines what is and is not heretical, the State becomes the final arbiter in matters sacred and profane. And as the spiritual authority is diminished, so the divine and natural law are threatened as well. McCoy's diagnosis is perceptible: though John is not guilty of Giles' Platonism, his reformulation of the hierarchy of ends is ultimately a rejection of the Aristotelian teaching “that the master art plays an architectonic role with respect to subordinate arts” (124).

from the people ; and it is punished as a civil offense. Indeed, the Pope himself may be deposed by the secular authority (127).

Marsilius here sounds the death knell for the doctrine of the “authentic thing” : the fragile relation between Church and State promoted in the Augustinian-Thomistic synthesis is shattered ; the unity of order collapses under the strain of a secular authority that reigns “absolutely supreme” (126).

McCoy sees in the work of Marsilius the danger of Latin Averroism and its doctrine of the “twofold truth,” but his analysis of this teaching is quite original. He notes that it did not principally concern the conflict between reason and revelation, or even the juridical problem between Church and State. Actually, he traces its radical character to “philosophy itself where it set up an opposition between what had always been understood to be the rule and measure of human reason (namely, the truth of things — *rerum veritas*) — and the human reason” (127). Departing from the Aristotelian position, the Averroists argued that reason “precedes [...] the ‘why’ of things” and thus they sought to liberate the intellect from its original rule (129). Ironically, they accomplished this emancipation from Aristotle, McCoy notes, by citing “the absolute authority” of his “letter” ; and it was this devotion to Aristotle’s letter that not only allowed Marsilius to exclude the Aristotelian teaching, but enabled him to propose a radical transformation of that teaching (128). This emancipation of theoretic reason led eventually to a political liberation from divine and natural law :

Just as in theoretical truth, the human intellect precedes, for the Averroists, the “why” of things, so in politics there is no “why” by which the law can be tested : It is the authority of its letter, written by the people or the “weightier” part, that is the sole measure of right (129).

While it is not surprising that Marsilius’ primary conceits are in accord with the writings of the early moderns, McCoy insists that the Averroist is more than a forerunner of Thomas Hobbes.<sup>7</sup> To let reason precede the why of things to the extent that the order of the mind takes precedence over the order of reality is — unquestionably for McCoy — a Platonic error. In a later examination of the political writings of Leo Strauss, McCoy explores more fully the ideological connection between Plato and the moderns. Though sympathetic to some points in the Straussian project, he criticized Strauss’ preference for Plato over Aristotle, a preference that was rooted in the same epistemological concern mentioned in *The Structure of Political Thought*. According to Strauss, in the Platonic formula, the “mind does not stand in a relation of obedience of things” ; rather, “‘man as man is the measure of truth and untruth, of the being or non-being of all things’.” As we have seen, the reverse is the case with the Ar-

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7. McCoy connects the Marsilian revolution here with that greater “effort at emancipation from the human condition” that is a distinctive mark of modernity. Just like the early moderns, Marsilius identifies the “natural” with “the biological and physical” ; he denies the force of traditional natural law, admitting only a “quasi-natural law” in the Hobbesian sense ; and, finally, he reverses “all the values of the antecedent tradition,” rejecting the independence and superiority of the theoretic order (130).

istotelian teaching : the relation of intellect to things is one of obedience, since the intellect's truth is "something measured by things."<sup>8</sup>

This opposition between Plato and Aristotle becomes more striking when McCoy considers their views on the problem of natural right. In Strauss' estimation, Plato takes nature as "standard," not as "authority." This involves him in an "immoderation of thought" that clashes with the sobriety of Aristotle. To embrace nature as "standard" is to identify the real world with the sphere of "immaterial archetypes." Attempting the "direct ascent to the good itself," Plato rejects any possible "obfuscation" or dimming of natural right, and denies the "heterogeneity of social life" central to the Aristotelian teaching. But the good itself in Platonic terms is nothing other than the logical universal, the "universal of predication" that "exists only in speech" and bears no direct relation to the real order. To presume to find the "ultimate reasons of things" in the common genus is to ignore the different levels of being in their givenness, for nature as "standard" is that very "generic nature that fails to express [...] 'the peculiar nature of anything that is'."<sup>9</sup> Now, in modernity, the Platonic archetypes are imposed on the real order ; that is, nature as "standard" becomes that substitute intelligence that "does not 'know' with precision the individual it produces, nor does it 'know' the species, either in themselves or in their diversity." This tendency is best seen in the work of Marx who replaces "the emptiness of the Platonic logical universal with real natural matter," thus transferring to the real order "what Plato had constructed in speech." And just as Plato before him, though by a different route, he ignores the heterogeneity of being. This neglect permits him to attempt both the "construction" of "socialized humanity," and the eventual identification of the "individual with the species and the species with generic being."<sup>10</sup>

In contrast, Aristotle accepts nature as "authority." Rejecting the direct ascent to the good characteristic of the Platonic mode of philosophizing, Aristotle embraces the "levels of beings on (their) own terms." This enables him to establish several disciplines corresponding to the different grades of beings, but it leads to several problems. In accepting the real order, he must accept the unavoidable imperfections found in the "refractory material" of human law.<sup>11</sup> He must "absolutize" the "heterogeneity of social life," embracing the "obfuscation of natural right" that Plato rejected in the *Republic*. Furthermore, adopting nature as authority requires not only a certain dimming of natural justice — in letting the mind be measured by things, Aristotle implicitly admits that the "good itself is obfuscated," that "the world as it is simply given by the authority of nature is filled with irrationalities." There is reason in nature insofar as things "act for determinate ends" but the "ultimate reason of things" cannot be explained in terms of nature itself. And if nature remains indifferent to the ultimate

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8. Charles N.R. MCCOY, "On the Revival of Classical Political Philosophy," reprinted in James V. SCHALL and John J. SCHREMS, ed., *On the Intelligibility of Political Philosophy : Essays of Charles N.R. McCoy*, Washington, Catholic University of America Press, 1989, p. 134-135.

9. *Ibid.*, p. 140-142.

10. *Ibid.*, p. 146-148.

11. *Ibid.*, p. 136-137.

reason of things, if the world is, in other words, not self-explanatory, one must posit the existence of a “universal in act.”<sup>12</sup> McCoy adds here that the Aristotelian position finds its perfect articulation in the Thomistic understanding of “natural right, which is rooted in Aristotle’s natural theology and brought to completion by revealed theology.”<sup>13</sup>

### 3. Summary on Church and State

Let us step back from McCoy’s dissection of Strauss for a moment. Our examination of this first chapter has only deepened the mysteries surrounding McCoy’s work. The Thomistic political teaching seems a fragile doctrine. McCoy has argued that the “revolutionary significance” of Christianity is first discovered in the medieval theory of Church and State. Revelation provides a solution to the classical problem of human happiness. Fully developed in the writings of Thomas, the doctrine of the “authentic thing” secures grounding for the theoretical distinctions found in the Aristotelian schema and grants to the Church a tutelary role as guardian of natural and divine law. But while McCoy claims that this teaching secures the integrity of the political and spiritual realms, he offers no explicit analysis of what underlies it — the doctrine on the relation between reason and revelation — nor how this relation is worked out in political terms. Instead, he shifts to a description of the dissolution of the traditional position in Late Scholasticism, suggesting that the most serious threat to the structure of political thought originates in a revived Platonism that lies at the heart of modernity. To silence the Church, Marsilius favored a political project in which the coercive power of the whole people held sway. And his crude populism represented a first step in the downward spiral toward modern totalitarianism, wherein the “primacy of the spiritual” assumed a “public force” in the dark specter of “socialized humanity.” To be sure, McCoy has shown that Marsilius’ public devotion to Aristotle’s letter masks a radical denial of that teaching. The Marsilian project was not premised upon any fundamental conflict between reason and revelation ; his rejection of Thomas was actually a rejection of the structure of political thought itself. But it might be suggested that McCoy’s task is not completed : an argument illustrating how Marsilius fails to be sufficiently Aristotelian does not show how Thomas defends the Aristotelian tradition nor, for that matter, does it show how his political theory responds to the unique challenges of modernity. How, for instance, does Thomas’ use of Aristotle guard against the populism found within Marsilius’ theory ? More to the point, how does Thomas’ reliance upon revelation help preserve the structure of political thought and combat the nascent Platonism of early modernity ? It is not surprising that the chapter fails to address these concerns. McCoy has ignored the political elements in Thomas and has scarcely touched upon the relation between reason and revelation. Thus, he has no evidence to justify his claim in the Strauss article — that the Aristotelian teaching receives its fullest satisfaction in the Thomistic understanding of natural right.

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12. *Ibid.*, p. 148-149.

13. *Ibid.*, p. 142.

### III. MCCOY ON CONSTITUTIONAL GOVERNMENT

Before we despair, let us recall our ideal detective. Confronted with a “wealth of facts,” he does not shrink from his task. Alert to all the possibilities, he searches for a clue to solve the mystery. The clue here is discovered in an offhand remark McCoy makes at the beginning of this second chapter. When introducing his study of constitutional government, he notes that medieval theory helped perfect the classical idea of the political community as “a community of freemen living under the rule of law.” And in contributing to this teaching, he adds, Thomas remained “faithful to Aristotle’s principles,” while going “beyond the letter of his master’s thought” (133-134). For the attentive reader of *The Structure of Political Thought*, this is a telling comment, coming as it does right after the examination of Marsilius. Unlike the Averroist, who actually abandons Aristotle while appealing to his letter, Thomas remains faithful to Aristotle by going beyond his letter. How does he do so? After a brief introduction, McCoy divides the chapter thematically into two parts. In the first half, which examines the idea of mixed monarchy, he shows that Thomas goes beyond the Aristotelian letter — yet improves upon his master’s thought — by the use of reason alone. As we shall see, this treatment is a decisive, though understated, answer to Marsilius’ populism. In the second half, an all-too-brief reflection on the deficiencies of human law, McCoy indicates that, by embracing the solution found in the divine positive law, the Thomistic teaching goes beyond the letter by means of revelation. This passage constitutes a clear response to all forms of political Platonism — ancient and modern. Thomas’ curious fidelity to Aristotle pays off in political and philosophical terms.

#### 1. Thomas on Mixed Monarchy

In addressing the question of regimes, Thomas inherits a problem from Aristotle. Along with the principle of natural rule, Aristotle included two other elements in his view of constitutional government: the principle of “consent, based on man’s moral freedom,” and the principle of “possibility” which refers to “physical freedom” (136). Now Aristotle had defined the question of the best regime in terms of the problem of joining “the elements of consent and possibility with the perfection of the governing principle” (138). He had moreover seen that the pure forms of regime proved defective on one count or the other. Simple monarchy, for instance, a type of rule that embodies the “perfection of the governing principle,” breaks down on the matter of consent, for the many, when excluded from rule, show no real devotion to the common good. On the other hand, polity, a good form of democracy which satisfies the demands of consent, inevitably lacks “effectiveness” in the ruling principle; “it tends to ostracize the better element and to seek equality in everything.” Now Aristotle sought to retain the democratic principle while excluding its “social instability.” He did so by suggesting a “substitute for absolute kingship modeled on the substitute that the continent man employs for true virtue” (139). Just as the continent man imitates the genuinely temperate by combining “two extremes that lie outside the intermediate of true virtue,” so polity reflects “absolute kingship,” by combining the “extremes of

freedom and equality on the one hand and wealth on the other” with a “large middle class” (140).

Thomas agrees with the essentials of this solution, but sees that the stability of rule that polity encourages unfortunately acts as a limitation upon legislative prudence. Aware of this difficulty, he attaches to Aristotle’s position a second component of “royal rule, namely, effective leadership” through the elaboration of the mixed monarchy, a regime that restores “the exercise of government to the one best qualified man.” McCoy points out that mixed monarchy has often been seen as requiring a division of government into “competing organs” (142). Rather, Thomas has in mind a principle of shared rule : mixed monarchy is both “royal and political” in that it retains “the form of pure monarchy,” but is tempered by the “political element” inasmuch as the king is constitutionally bound as representative of the people (143).

McCoy claims that Thomas not only considers the mixed regime the “best safeguard against tyranny,” but also thinks it “a better safeguard” than democracy (144). Simple democracy is readily corrupted, and its decline is usually characterized by political turmoil. This is the case because the regime embodies a “fragile and substitute character of the rule of law” (145). Now though McCoy admits that the mixed regime moderates “the rule of the one best qualified man,” he seems more interested in explaining how it removes the defects of democracy by elevating the character of its citizens (148). In a political community, Thomas maintains, the citizens initially establish rule, but it is not preserved “without their being taken into counsel by the government.” He distinguishes here between “common political prudence,” the prudence by which free subjects govern their own acts, and “reignitive” prudence, “the virtue proper to the ruler.” Thus, in a mixed monarchy, while subjects exercise common prudence, Thomas adds that they will also participate in reignitive prudence by “being taken into counsel in the formulating of law” (147). The whole regime exhibits the character of “kingly government” inasmuch as it supplies legislative prudence to each and every citizen in the community.

We must not fail to see this passage as a response to Marsilian populism, particularly when McCoy notes in passing that “totalitarian governments” possess “a broadly popular base.” Whereas the “simple rule of the many,” unrestrained and unlimited in scope, recalls the “simple, unified and absolutely supreme authority” of the whole people promoted in the *Defensor Pacis*, the Thomistic correction of the Aristotelian tradition paves the way for “modern representative government,” a regime built upon “the principles of Aristotle’s middle-class government and St. Thomas’ mixed regime” (145-146).<sup>14</sup> Moreover, by stressing its characteristic openness to political innovation, McCoy insists that the Thomistic teaching is not a static abstraction, but a dynamic and living practical science that recognizes “the need for change in law.”

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14. In a lengthy digression (p. 143), McCoy argues that the Thomistic teaching, through the writings of his English disciple Sir John Fortescue, influenced the development of the modern British constitution.

## 2. Thomas on Human and Divine Law

McCoy saves his final — and most profound — response to Marsilius for his brief remarks on Thomas' appraisal of human law. Even in the best regime, the factors of consent and possibility place serious constraints upon the scope of human law (150). Thomas was aware of these problems : the statesman must take into account both the physical and moral qualities of the populace, adapting his strategies in accord with what is possible. Ideally, the human law should follow from the precepts of the natural law, but, when applied to the ordinary community, it cannot measure up to the natural law's "participation in the objective order of essences" (151). Directed to those "not perfect in virtue," it must settle for a "quite inferior end" — "that the citizens be so far virtuous that they obey the commands of their rulers."<sup>15</sup> Constrained in this manner, human law functions at best as a preparation for the full life of virtue : through a system of rewards and punishment, it can perhaps obtain the "remote disposing of the citizens for inward growth in the virtues." The Thomistic understanding of the common good, however, demands the "free advancing to the perfection of virtue." Human law may temper passion, but it cannot effect the "free commitment to the ends appointed by the natural law" (152).

This is only part of the trouble. Thomas also suggests that the natural law itself suffers serious defects ; the intellect's apprehension of the precepts, for example, is often unsure, for even the first common principles can be "blotted out of the conscience" in particular cases. Since both the natural and human laws fail, Thomas concludes that there must be another law available to men (153). It is, of course, the divine positive law that overcomes their limitations : it ensures that "no evil remains [...] unpunished" ; it provides certainty of knowledge and judgment in particular acts ; and, most important, it reaches and judges the unobserved "movements" of the human soul, working to "curb and direct its interior acts."<sup>16</sup> In doing so, the divine positive law preserves "constitutional rule" by fostering the "perfection of liberty." For, unlike the civil law, which cannot compel citizens "to perform virtuously the acts which it prescribes," the divine law "forbids and prescribes, rewards and punishes without compelling" (154).

And it is here — at long last — where McCoy reveals revelation's definitive justification of Aristotle, and its full answer to the danger of Platonism and the challenge of modernity. He recalls that Aristotle considered the political life divine inasmuch as it "imitates the Divine freedom which freely causes the goodness of order in the whole universe" (154). And how does man imitate the Divine freedom ? By way of "proportion" — in other words, by arranging his affairs in an orderly manner, man "causes goodness not only in himself but also in others." This imitation of, or "participation" in, the "life of the Prime Intellect," McCoy argues, formed the very basis of the "profoundly spiritual root of the concept of political common good" (50-51). Now, for Thomas, it is the divine positive law that, in bringing about the "perfect or-

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15. *Summa Theologica*, I.II.Q.92 a.1 ad 3.

16. *Ibid.*, Q.91 a4.C.

der of the common good,” deepens — and ultimately fulfills — the Aristotelian teaching. Through the efficacious movement of grace, it guides one to that “‘supereminent principle of wisdom’ by which ‘the whole man is perfected’,” and touches what is “most profound and obscure” in the human person (154). The Platonic teaching tends in the other direction. By confusing the logical and real order, Platonism, whether in its ancient or modern guise, unavoidably “absorbs the real parts (of a society) in a collective, indeterminate ‘genus’.” In Aristotle’s understanding, the common good is by its very nature diffusive — that is, it does not move in a Platonic fashion towards an “indetermination of individuals,” but rather it reaches out towards individuals in their individuality, “in their very diversity and by reason of this diversity.” And if the healthy political society is essentially an ordered community whose parts are “self-governing,” then the divine positive law most fully guarantees the realization of this unity of order (51-53). Bound by “an objective order of essences,” the natural law can become obscured to men ; mired in custom, the human law must “extend indifferently to all.” By transforming “individuals in their very diversity,” the divine positive law provides the “ultimate verification of the meaning of constitutional liberty,” and thus remains the surest safeguard for the structure of political thought (154).

## CONCLUSION

We began our examination by pointing to several mysteries surrounding McCoy’s work : What connection is there between his two chapters on medieval political theory ? Why is there no extended discussion of the relation between reason and revelation in *The Structure of Political Thought* ? And why does McCoy manage such a poor job of defending St. Thomas ? As I have suggested, the key to resolving the latter two mysteries depends on first finding a solution to the textual mystery. We have argued for the basic coherence of McCoy’s defense of St. Thomas : the two chapters are juxtaposed so as to illumine the unique character of the Thomistic teaching. While the study of Church and State ends with the apparent victory of the Marsilian project, McCoy’s treatment of medieval constitutional theory offers a penetrating, albeit indirect, rebuttal to this challenge. Nor should the absence of an express treatment of the problem of reason and revelation cast doubt upon the strength of his argument, for, as we have seen, what seems a straightforward analysis of constitutional theory is indeed a calculated meditation upon revelation’s contribution to political order. In his examination of Marsilius, McCoy had indicated that there was no fundamental incompatibility between faith and reason. Indeed, because Aristotle’s position embraced an understanding of nature as “authority,” the full implications of his political teaching could only be realized within the context of revelation, after Christianity had properly determined the legitimate ends of the city.<sup>17</sup>

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17. Nevertheless, one might ask of McCoy : why the indirection ? Why must the reader adopt the role of an “ideal detective” in order to discover a teaching buried deep within the text ? Beyond noting the obvious difficulty of his writing, I might suggest another answer — one that helps explain the virtual neglect of his work. As I have argued, McCoy defends St. Thomas by instructing his readers on the proper way to read

In his brief review of *The Structure of Political Thought* published in 1966, Professor J.A. Schwandt commented on the overall direction of McCoy's work :

When the classical-Christian political tradition is contrasted with the modern political tradition [...] then the emphasis naturally falls on the continuities within the earlier tradition. Interpreters then seem to choose one of two alternatives. They may regard the Greeks as anticipatory of the medievals, as having stated themes which could be fully developed only by the Christian political philosophers who were moved by truths which were unavailable to the Greeks. Or they may, if their sympathies rest finally with the city of man, attach more importance to what the medievals had in common with the Greeks than to the differences between them. Professor McCoy is not unmindful of the problem, and if he has opted for the first alternative, it does not detract from the value of his book.<sup>18</sup>

We have seen that McCoy must opt for this first alternative. This does not mean that he lacks sufficient sympathy for the city of man. Genuine fidelity to Aristotelian principles — and to the structure of political thought — requires a willingness to be open to revelation and its abundant riches.

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Aristotle. By demonstrating that a commitment to Aristotle's thought does not require a slavish devotion to his letter, he shows how the structure of political thought is best protected by (and fulfilled within) revelation. In making his case, however, McCoy provides only "the essential clues." He leaves to his readers the important and difficult task of thinking through the problematic itself; in short, they must learn to "follow the plot carefully" in order to arrive finally at the "inevitable" solution (VII). Undoubtedly, such "pure thinking" has its rewards, but it requires much time and individual effort as well.

18. J.A. SCHWANDT, Review of "The Structure of Political Thought," published in *Thought* (Spring 1966), p. 160.