

Catholicism and the Economy: Augustine and Aquinas on Property Ownership

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This essay attempts to lay out the understanding of property ownership found in the writings of Saint Augustine and Saint Thomas Aquinas. The reason for focusing on the thought of these two authors is, in part, that much of the contemporary discussion of Church teaching and the economy omits mention of these most prominent figures in the tradition. An additional reason for considering their work is that they both engage the argument laid out by Aristotle on property, thus bridging the distance between classical and Christian thought. The importance of this question can be seen when one assesses how contemporary policy makers might employ these principles in a largely secular social order.

The central focus of both Augustine and Aquinas in their treatment of the question of property ownership is twofold, addressing the rightful acquisition and just use of such possessions. In the conclusion the essay considers some of the ramifications of this earlier teaching for contemporary Catholic social thought on the economy, suggesting that opposing positions will find both support and challenges from the teaching of these authors.

It would not be a controversial statement to suggest that the response to developments in Catholic social teaching in the century-plus since the issuance of *Rerum Novarum* by Pope Leo XIII in 1891 has been marked by critiques and defenses across the political spectrum, as progressives and conservatives have alternately been bolstered or disheartened by the issuance of various papal encyclicals, especially, one might argue, on economic questions. One only has to think of the fairly swift shift of positions that took place in the late 1980s and early 1990s in response to the publication of the encyclical *Solicitudo Rei Socialis* in 1987, and then, in 1991, of *Centesimus Annus*, both from the pen

of Pope John Paul II. Defenders of the free-market economic system lamented the pope's pointed critiques of the excesses of capitalism in the earlier encyclicals but rejoiced at what they took to be the embracing of capitalism and the rejection of the search for some form of "third way" economics in *Centesimus*, which they took—rightly or wrongly—to be a vindication of a decades-long critique of socialism.¹ Conversely, progressives—rightly or wrongly—took the apparent shift in the two documents to be a lamentable deviation from a fairly well-developed economic position that favored the preferential option for the poor to what was now perceived to be a too-easy accommodation of the interests of the developed nations of the world. Central to the concerns of both letters, as it has been central to the various encyclicals on social questions, is the proper understanding of the role and use of property in society. Church teaching has often been described as following the "corporatist" model, one that is seriously at odds with the principles animating a market economy and yet also is distinguished by its pointed critique of collectivism.²

The concern of this essay is to address the question of property ownership in the Christian tradition, in particular as it is addressed in the writings of the two most prominent figures in the tradition, Saint Augustine and Saint Thomas Aquinas. The rationale for undertaking this analysis is that much of the contemporary debate on Church teaching elides the perspective offered by these two seminal thinkers, tending to treat the question of property ownership as if it only appeared in the post-industrial setting (or that it commenced with the issuance of *Rerum Novarum*), or as if with the advent of the Communist ideology we can forego considerations such as the differentiation of property within society.

In addition to helping to fill in that perceived gap in the literature, the merit of examining these authors is that they bridge the relative distance between classical and medieval or Christian thought on the issue, as both Augustine and Aquinas address the issues in a manner that allows us to reflect on the older treatment, especially that found in Aristotle. The interplay between the ancient and Christian understanding should be helpful in assessing how contemporary policy makers might implement Christian principles into a largely secular milieu.

This essay is designed to arrive at an understanding of the early Christian view of property. Through an analysis of the works of Saint Augustine and Saint Thomas Aquinas on the question of the claim to the possession of private property, we will attempt to delineate the principles upon which this thought is based. Our goal is to give us some measure of substantive teaching for thinking about modern economics in light of the older tradition of Christian

and, especially Catholic, thought.³ The conclusion will raise questions about current economic controversies in light of that tradition of thought, but we can only address such concerns in an inadequate manner, suggestive of the importance of our discoveries; a full assessment of the contemporary question and a deeper and more thorough analysis of a century of Catholic social thought would require a separate treatment to do it justice.

Saint Augustine on Property Ownership

As with most Augustinian subjects addressing social or political questions, it is impossible to find any clearly delineated, full-length discussion of the question of property ownership, or treatment of the question of the nature and character of property rights. Augustine wrote no treatise on the question, nor is there any sustained section of any of his works where the issues are thoroughly examined. One might say that this in itself tells us something about Augustine's concerns in this area, for, given his remarkable output of writing, his failure to address the issue at length surely did not arise from any indolence on his part; what this suggests is that the matter could only be, at best, a secondary concern, subordinated to other, relatively more important concerns. Thus, to understand Augustine's teaching on property it is necessary to cull material from disparate texts and to try to organize them into a coherent whole.

One place to begin an investigation into Augustine's teaching is in an unexpected comment on the Donatists' claims on Church property, found in his Tractate VI on the Gospel of John, for here we find an interesting and important comment on the source of property rights:

Look, there are the villas. By what right do you protect those villas? By divine or human right? Let them reply: "Divine right we have in the Scriptures; human right in the laws of the king." On what basis does anyone possess what he possesses? Is it not by human right? By divine right, "The earth and its fullness belong to the Lord" (Ps. 24:1).⁴ God made the poor and the rich from the one clay, and the one earth supports both the poor and the rich. Nevertheless, by human right one says, "This villa is mine; this house is mine; this servant is mine." Thus, by human right, by the right of the emperors. Why? Because God has distributed these same human rights through the emperors and kings of the world.⁵

The point that Augustine seems to be driving at is that private ownership of goods is not sanctioned by the divine law in the original creation, but, rather, is directed by human law, though that direction is undertaken at the behest of

God.⁶ Claims to personal possession of the land, then, derive their justification not from any original grant from the Creator but only because such claims are recognized by the temporal ruler.⁷

Yet, to recognize limits on the claims that individuals might make to private property is not to deny that some legitimate claim can be made in defense of such assertions, nor, importantly, does it deny that there is a positive good found in the possession of things, as Augustine never repudiates the disposition of goods from God, all of creation being naturally disposed to some proper use.⁸ Thus, against the Manicheans he must defend the view that the possession of goods is not an evil in itself, and yet he must also caution Christian believers to not get attached to worldly goods, and to use them in the right manner for righteous purposes. This concern for the proper use of possessions suffuses Book I of the *City of God*, and is addressed as well in the account in Books XI–XIV on the origin of the two cities, the city of God and the city of man. In this context Augustine posits that the cause of the Fall—sin—is not grounded in excessive attachment to goods, for that would not account for the fall of the angels, immaterial beings unaffected by such mundane concerns:

For the corruption of the body, which weighs down the soul, is not the cause but the punishment of the first sin; it was not the corruptible flesh that made the soul sinful but the sinful soul that made the flesh corruptible. And though from this corruption of the flesh there arise certain incitements to vice and, indeed, vicious desires, yet we must not attribute to the flesh all the vices of a wicked life, in case we thereby clear the devil of all these, for he has no flesh.⁹

Rather, the orientation of the will is the critical focal point of ethical analysis and, thus, questions concerning the acquisition and use of material possessions can only be of secondary importance in analyzing moral action. That is not to deny that they are of real significance in assessing the character of the soul, which may very well become consumed by a concern for possessions, but it is not the possessions themselves that are the source of the problem; it is, rather, lust—the comprehensive Augustinian term for an excessive desire of any kind.

In legal terms, for Augustine, the rightful claim to private property is always circumscribed by the law and, thus, when contested, will have to be adjudicated by the civil authority (in his time, by the emperor). That is to say, individual or private rights are not understood as “natural” rights, for they do not inhere in individuals absent their recognition by the law. The principle governing such possession is that all possessions are subject ultimately to the

common good and that the law governing all citizens and that law, in turn, is itself predicated on the divine law. Thus, there can be no understanding of a claimed good or right that transcends the political order simply; private property is, thus, in the words of one scholar, “neither absolute nor inviolable but relative and conditional.”¹⁰

One way to see this question worked out more fully is in the principle that possessions, or “equipment” in the Aristotelean sense, is not necessary for the exercise of virtue. In the *Politics*, Aristotle notes (the argument is repeated in the *Nicomachean Ethics*)¹¹ that the communism seemingly advocated by Socrates in Plato’s *Republic* is problematic in part because of the limitations it puts on the practice of virtue:

Moreover, helping and doing favors for friends, strangers, and companions is a thing most pleasant, and it requires private property. Those who make the city too much of a unity are not only deprived of these pleasures, but, in addition, they also manifestly do away with works of two virtues, by which I mean moderation as regards women (for keeping away, through moderation, from a woman who is another’s is a noble work), and liberality as regards possessions (for no one will be able to show his liberality nor do any liberal act since the work of liberality exists in the way one uses one’s possessions).¹²

Still and all, the possession of goods is not essential for the practice of virtue, according to Augustine: “God doth not heed the means a man hath, but the wish he hath, and judgeth him according to his wish for temporal blessings, not according to the means which it is not his lot to have.”¹³ It is much better, he tells us, to possess little and be content with a modest estate than to desire to have more and be constantly struggling to maintain what one possesses; that desire for more, which is found at the heart of the desire for empire, will itself turn into the *libido dominandi*, the lust of ruling that comes to control earthly powers.¹⁴ Augustine, then, must at one and the same time defend the legitimacy of ownership, under certain limitations but also indicate the limited nature of such goods, as their possession must always be understood in light of the larger theological concerns. This is indicative of the balance that he must navigate between the Manichean attack on property ownership as immoral and the too-ready embrace of property as an unqualified and essential good.¹⁵

For Augustine, in the end, the overriding question in considerations of property ownership and use is never so much what economic system or understanding is likely to produce the most efficient production of goods, or even what the most equitable distribution of goods is for humanity. Rather, the ultimate question will always be what the disposition of the possessor or the user is. As he indicates in the *Enarrationes in Psalmos*, one should not be confused about the source of salvation or damnation:

Do not take what I have said, brethren, in such a way, as if God does not hear those who have gold and silver, and a household, and farms, if they happen to be born into this estate, or hold such a rank in the world: Only let them remember the Apostle's words: "Charge those who are rich in this world, that they be not highminded" (1 Tim. 6:17). For those that are not highminded are poor in God, and to the poor and needy and those in want he inclines his ear.¹⁶

What profits a man, Augustine notes, is works of mercy, which can be done by a rich man in will and deed, but by a poor man only in will.

In Augustine's terminology, the assessment of that disposition of the soul will be done in light of the distinction between the use and the enjoyment of a thing. The following passage from Book I of *On Free Choice of the Will* is indicative of his typical outlook:

[T]he man who makes evil use [of the things which can be taken from him against his will] clings to them with love and is entangled by them (that is, he becomes subject to those things which ought to be subject to him and creates for himself goods whose right and proper use require that he himself be good); but the man who uses these rightly proves that they are indeed goods, though not for him (for they do not make him good or better but become better because of him). Therefore he is not attached to them by love, lest he make them limbs, as it were, of his spirit (which happens if he loves them), and lest they weaken him with pain and wasting when they begin to be cut off from him. Instead, let him be above temporal things completely. He must be ready to possess and control them, and even more ready to lose and not to possess them (I.15.113, PL 32:1239).¹⁷

In other words, possessions are not to rule us, but we are to rule them; that rule includes, though, not an unalterable right to possessions but, instead, a requirement that we understand the proper place of goods in the context of divine providence. Possessions have been given by God for the purpose of achieving the human good, but the excessive attachment to such goods so

endangers man's salvation that he should be willing to jettison them, abandoning any claim to ownership at the peril of his soul. What is to be used properly is everything, what is to be enjoyed is only the Trinity, as Augustine makes clear in Book I of *De Doctrina Christiana*.¹⁸

Saint Thomas Aquinas on Property Ownership

The longest part of Saint Thomas Aquinas's treatment of law in the commonly denoted "Treatise on Law" of the *Summa Theologica* is an analysis of the various aspects and teachings of the divine law, and within that analysis by far the bulk of it consists of a treatment of the Old Law. That this part of the *Summa* generally garners little attention is unfortunate, for there is much to learn from what Aquinas lays out therein. The more common area for analysts of Thomas's teaching on economics and property to focus their attention is in Part II-II of the *Summa*, where within the treatment of the virtue of justice he devotes some attention to the merits of property ownership and the principles governing the exchange of goods.¹⁹ The advantage of examining the treatment of property found within the analysis of the Old Law in Part I-II is that this discussion is more particular, focusing on the practical application of the principles of property ownership treated in the later passages.

The treatment of the Old Law is itself divided into three parts, as Thomas deals with the various precepts of law, broken up into moral precepts, ceremonial precepts, and judicial precepts. The moral precepts of the Law are those that relate to acts of virtue, and Saint Thomas addresses them in Question 100. In Questions 101–103 he deals with the ceremonial precepts, their causes (Q. 102), and the duration of the precepts (Q. 103). The ceremonial precepts are the precepts of the Old Law that "refer to the Divine Worship" (Q.99.3.corp), and include external actions by which "man makes profession of his subjection to God" (Ibid.). Since the ceremonies of the Old Law ceased at the Incarnation, it is no longer lawful to follow these precepts: "It would be a mortal sin to observe those ceremonies which the fathers of old fulfilled with devotion and fidelity" (Q.103.4.corp.).²⁰ The legal ceremonies under the Old Law, as Saint Thomas puts it, are both dead and deadly.

In Question 104, though, we encounter the judicial precepts of the Old Law, which concern man's relation to man, but which receive their binding force not because they were designed by human reason for the sake of some political good but, rather, from the fact that they were divinely instituted

(Q.104.1.corp.). And while the judicial precepts, like the ceremonial precepts, have been annulled by the coming of Christ, they are treated in a distinct manner by Saint Thomas. The rationale for the different treatment is that there is a fundamental distinction between the two types of precepts. On the one hand, the ceremonial precepts were instituted as primarily figurative, “chiefly for the purpose of foreshadowing the mysteries of Christ to come” (Q.104.3.corp.). The judicial precepts, on the other hand, were not figurative but, instead, were intended to serve the function of guiding the just order of the people. Thus, when that state no longer existed, after the coming of Christ, the judicial precepts lost whatever binding force they had, but the performance of the actions prescribed by the judicial precepts was not therefore deadly to salvation unless one followed them as if he were still bound by the Law (Ibid.). *The judicial precepts, then, are dead but not deadly.*

The importance of this argument concerning the judicial precepts is seen once Saint Thomas begins taking up his analysis of the particular precepts given under the Old Law, an analysis that takes up the whole of Question 105. In Article 1, Aquinas asks whether the Old Law established suitable precepts concerning rulers, and then he commences to defend the establishment of offices and powers laid out in the Old Law. Indeed, so willing is he to defend the arrangement that he suggests that the Mosaic form of government could be understood to be simply the best form of government, following, as it does, the Aristotelian model for the best regime, combining the elements of kingship, aristocracy, and popular rule (Q.105.1.corp.).

It is in the succeeding passages that we find the considerations most relevant to our concern here, with property and economics, for in Article 2 Saint Thomas asks, “Whether the judicial precepts were suitably framed as to the relation of one man with another?” His response to this query is thorough, nuanced, and provocative, and deals especially with the question of the Old Law’s teaching on the possession and use of private property. Keeping in mind the underlying principle, that employment of these precepts or policies is not necessary but is available as a legitimate source of law, let us look more closely at the argument contained herein.

Thomas first distinguishes between the arrangement of public matters and private matters, holding that the Law properly provided for the former by establishing judges, by establishing procedures for pronouncing just judgments, and the like (Q. 105.2.corp.). As regards the precepts concerning private matters; that is, concerning matters over which private men have control, namely, their possessions, Aquinas turns his attention to Aristotle’s account of possessions in Book II of the *Politics*. Aristotle, he tells us, taught three prin-

ciples concerning possessions: “that the things possessed should be distinct, and that the use thereof should be partly common, and partly granted to others by the will of the possessors” (Ibid.).²¹ Thomas then proceeds to address each of these concerns as they are dealt with in the Old Law.²²

The first point is to establish the way that the Old Law provides for the division of property among individuals; and such an arrangement is found in Numbers 33:53–54: “I have given you the land for a possession: And you shall divide it among you by lot.” However, as Aristotle teaches, it is not sufficient to divide up land without also ensuring against the “irregular” accumulation of land, and thus the Law provides against such a danger. This it does in three ways: first, by providing for an equitable distribution of the land; second, by prohibiting the permanent alienation of one’s land, so that land would return to its former owner after a period of time, thus avoiding the “confusion of possessions”; and third, to further remove any confusion about ownership, the Law provided for succession of ownership through lines of kinship and by requiring that heiresses marry within their own tribe (see the Reply to Obj. 2).²³ Here, Saint Thomas may have in mind the Aristotelian critique of Sparta, which does not tend to the distribution of property in the right manner, a circumstance resulting in large part from the poorly designed laws concerning the Spartan women’s inheritance of property. Because the acquisition of property by the women was not restricted, the resulting marriages led to a concentration of lands in the hands of a few.²⁴ It was precisely this problem that was addressed by the Mosaic law.

Second, Saint Thomas argues that the Law provided for the use of things being available to everyone in common, again in three ways.²⁵ First, the care of possessions was a common responsibility, not simply that of the private owner.²⁶ Second, everyone was allowed by the Law to eat the fruit of another’s vineyard as long as none was taken out of the vineyard; in addition, the “forgotten sheaves” and bunches of grapes and fruit were to be left for gathering by the poor.²⁷ Finally, and perhaps most significantly, whatever was grown in the seventh year was held as common property.²⁸ This point Saint Thomas elaborates upon at much greater length in *Summa Theologica* II-II, Question 66, “Of Theft and Robbery.” Here, Aquinas relies again on the Aristotelian argument, considering both the possession and use of property.

The possession of property, he holds, is necessary for three reasons: First, because men will more intently tend to things if they possess them, rather than the goods or duties being held in common; second, because possession promotes order rather than confusion, as responsibility can be established; and third, private possession promotes peace, since “quarrels arise more frequently

where there is no division of the things possessed” (Q.66.2.corp.)—but Thomas also notes that the use of goods must be in common, or must be at the service of the common good, so that man “is ready to communicate them to others in their need” (Ibid.).²⁹

The third principle set forth by Aristotle concerning property laws, that there should be some arrangement for transferring property, was also embodied in the Law, Aquinas holds, in a variety of ways. First, there was a “purely gratuitous transfer,” as we find described in Deuteronomy 14:28–29: “The third day thou shalt separate another tithe ... and the Levite ... and the stranger, and the fatherless, and the widow ... shall come and shall eat and be filled.” In addition, there were a number of other ways of transferring property—for a consideration, by selling and buying, by renting out, by loan, by deposit—and the Law supplied ample provision for each of these activities (Q. 105.2, Reply Obj. 3).

In the end, we discover that the Old Law’s judicial precepts are defensible under the Christian dispensation, not because they are still binding but because they are reasonable precepts upon which to ground the civil order. In the same manner that, in Article 1, Saint Thomas has defended the political arrangements put in place under the Mosaic Law, arguing that it is a mirror of the Aristotelian account of the best regime in the *Politics*, so, too, here he suggests that the provisions of the Law concerning relations among men are well-founded. These precepts cannot be adopted by men thinking that they are obligatory for adhering to the divine command, and thus are dead as to their mandatory character, but they are not deadly; that is, it is acceptable for societies to adopt these standards as reasonable conditions for the promotion of civil peace and justice. The force of Aquinas’s argument, it seems, goes a good bit further; not only are such provisions legitimate, they are entirely sensible, especially when one considers the correlation between these precepts and the Aristotelian order.

More important, for our present concerns, this means that the operational principles of the economic order, specifically as they concern the ownership of private property, are always understood as subordinate to the moral and political ends of the city. And, in this regard, we discover another significant factor in Aquinas’s account, for the judicial precepts, as he notes, really are not directed solely at producing a peaceful, stable society, one in which people are free to pursue whatever interests might arise. Rather, the whole point of the precepts is that they aim at something much higher, namely, the promotion of charity: As Saint Thomas says, “All the precepts of the Law, chiefly those

concerning our neighbor [the subject of Article 2], seem to aim at the end that men should love one another” (Q. 105.2, Reply Obj. 1). Here, then, Saint Thomas, even while calling upon the united wisdom of Aristotle and the Old Law in an attempt to articulate the proper understanding of the human disposition toward property, does not simply equate the precepts of the Old Law with the rational teachings of Aristotle, for the Old Law points even beyond the Aristotelian end to a higher common good. Yet, while doing so, Saint Thomas, of course, does not jettison the Aristotelian teaching that material goods must always be thought of as serving the common good of the city, *not* the private interest of one or more citizens.

Conclusion

Some contemporary critics of twentieth-century Catholic social thought on the question of property ownership and larger, related economic questions, such as the “just wage” or “living wage,” hold that in this area the Church has abandoned its tradition of thinking in terms of nature and the natural-law tradition. This critique turns on the notion that there is a science to the study of the laws of economics and that the Church, in trying to impose concerns from outside that science, concerns about wages and access to other labor-oriented goods (unemployment protection, working conditions, et cetera), fails to recognize the inherent operative principles found in the economic realm.

A representative voice among these contemporary critics is that of Peter Bauer. In a 1981 essay analyzing, primarily, Pope Paul VI’s 1967 encyclical *Populorum Progressio*, Bauer writes that, in the letter, the pope

... has lost all contact with reality, in both what he says and what he ignores. Amidst large-scale civil conflict, massacres, mass persecution, and expulsions in LDCs [less-developed countries], the Pope wrote about the solidarity and brotherhood of humanity in the less-developed world and also stated that governments always act for the common good.... There is also a complete disregard of historical processes and of the perspective of time, as evidenced by the neglect of the fact that until very recently extreme material backwardness characterized most of the Third World. And yet applications of the time perspective used to be very much an element in Catholic thinking.³⁰

As Bauer suggests, the approach found in many of the encyclicals has led the Church to attempt to impose on the economic order principles external to the science of economics, and thus, it promotes policies that are bound to fail, and

that will thus bring disrepute to the Church, leading people to reject its teachings as unserious.³¹ As Thomas Woods argues, the principles of economic activity are orderly and unchanging, and attempts to impose particular policies from outside of that system reflect a lack of comprehension or recognition of the reality of the economic order. He puts it as follows:

The primary difficulty with much of what has fallen under the heading of Catholic social teaching since Pope Leo XIII's *Rerum Novarum* (1891) is that it assumes without argument that the force of human will suffices to resolve economic questions and that reason and the conclusions of economic law can be safely neglected, even scorned.³²

Woods, with others, rejects the notion that the State may or should play a significant part in the arrangement and regulation of economic exchanges, in the establishment of favorable working conditions for employees, or in the arrangement of certain safeguards for workers, from health care to insurance.

One peculiar aspect of the critique of papal teaching in this area is that those who raise objections to the intervention of Catholic teaching into the marketplace, since that teaching reportedly undermines the operative principles of the free market, might be—and sometimes is—the first to embrace the encyclicals' teachings developing the claim to the “natural right” to private property. Free-market economics, of course, relies on the protections afforded property owners and, thus, celebrates the articulation of the defense of natural rights in writings from *Rerum Novarum* to the present.³³

Yet, as some critics of papal teaching indicate, that assertion of natural rights, which appears as something of a novelty in *Rerum Novarum*, itself gets developed in the twentieth century in ways that go far beyond what might be embraced by free-market advocates, to include rights such as health care benefits, regular rest, a pension, and insurance.³⁴ In other words, “laissez-faire” economics seems to coordinate well with some of the principles of Catholic social thought, but not as those principles are applied to particular instances beyond the property-right argument of the late nineteenth century.³⁵

While it may be the case that conservative or libertarian critics of the encyclical tradition might be led to take a wider view of the question by examining the contribution of the thinkers treated above, it is also the case that such an examination might lead progressive thinkers to not rest so easily in their assumptions. The encyclicals clearly and forcefully set forth a defense of property, consonant with what we found in Augustine and Aquinas, even if there are variations in the principles behind property ownership and the theoretical

defense given therein. That is, the encyclicals defend private property as a right, and thus it serves as a bulwark against State intervention and potential State oppression (a concern of, for instance, *Rerum Novarum* and *Quadragesimo Anno*).³⁶

The concern of the tradition in terms of property ownership is twofold, addressing both the ownership and the use of property. Ownership of property, whether it is in harmony with nature or a result of the Fall, or whether it falls in some third category, is always subordinated to the common good of the society, and that subordination is not considered to be a violation of the principles of economics; rather, since economics, along with every other human science or art, is meant to serve something higher, the direction provided by the community, or by the divine law, is precisely what leads the economist to a superior valuation of his efforts, recognizing the inherent limitations in his discipline and thus, aspiring to place his efforts within something more architectonic.

The principled defense of an absolute or unqualified right to the possession of private property, then, is not found in Aristotle, Augustine, or Aquinas. That is not to say that a claim of a right to property cannot be substantiated and perhaps even found to be harmonious with the above analysis—only that it is not found in the thought of these two distinguished figures.

In addition, these authors similarly treat the common corollary of the right to the acquisition of property, that is, its free use or consumption. Use or consumption, while originally and primarily under the direction of the landowner, would always be limited by the higher concerns of the community—concerns prompted by justice, or, in the Christian dispensation, by charity. In other words, if the use or consumption of a good could serve the purpose of promoting the political or moral good of the society, then the society would be duty-bound to provide the legal guidance necessary to effectuate that outcome. The “independence” of the economic science, then, would be recognized and protected only insofar as it is consistent with the higher end of the society and so would always be potentially subject to the imposition of moral principles or precepts that would guide its self-understanding.

To repeat, though, that is not to say that the economic order is tyrannized over by the “State” (a term unknown to our authors), only that the civil polity has a legitimate interest in the promotion of economic principles that further the human good, a concept that has substantive meaning seemingly not derived from economic analysis itself. Critics of the developments in twentieth-century Catholic teaching toward a greater “corporatist” outlook may have a

stronger case were they to focus on other changed circumstances that the earlier tradition relied on as presuppositions, such as the existence of a religiously animated social structure.³⁷

Notes

1. In *Sollicitudo Rei Socialis*, Pope John Paul II had been critical of both sides: “The Church’s social doctrine adopts a critical attitude toward both liberal capitalism and Marxist collectivism” (Section 21). John Gray has argued that while the pope denies that the Church is seeking a “third way” between the two (see Section 41), he is very close to doing so here, “The Last Socialist?” (*National Review*, June 30, 1989), 29.
2. See Frederic L. Pryor, “Corporatism As an Economic System” (*Journal of Comparative Economics*, 12 [1988], 317–44) for an assessment of the roots of corporatist thinking.
3. For a brief discussion of the wider teaching of the early Christian writers on property and possessions, see A. J. Carlyle, *A History of Political Theory from the Roman Lawyers of the Second Century to the Political Writers of the Ninth* (Edinburgh: William Blackwood & Sons Ltd., 1920), chap. 4: “Slavery and Property” (vol. 1 of *A History of Medieval Political Theory*); see also Igino Giordani’s *The Social Message of the Early Church Fathers* (Boston: Daughters of Saint Paul, 1977), chap. 10: “Wealth: Its Value and Use.”
4. On this passage, see the analysis below on Saint Thomas’s interpretation, found in *Summa Theologica* II-II.66.1.ad1.
5. *Tractates on John* VI.25-26. Trans. Michael Tkacz and Douglas Kries. *Augustine: Political Writings* (Indianapolis: Hackett Publishing Company, Inc., 1994), 248–49.
6. For a similar consideration, see Augustine’s account of the origins of political rule in *De civitate Dei* 19.15; there was no such rule in man’s original, created condition, but it arose only as a result of the Fall and the necessities introduced thereby. See also *Ep.* 153.6.16 on the human arrangements necessitated by the fall of kings, the death penalty, weapons, judging, et cetera.
7. See the discussion in Herbert A. Deane’s *The Social and Political Ideas of Saint Augustine* (New York: Columbia University Press, 1963), 104ff.
8. See, for example, *De Civitate Dei* 12.4: “For what is more useful than fire flaming, blazing, and shining? What more useful than fire for warming, restoring, cooking, though nothing is more destructive than fire burning and consuming? The same thing, then, when applied in one way, is destructive, but when applied

- suitably, is beneficial.” Trans. Marcus Dods (New York: Random House, Inc., 1950), 384.
9. *The City of God* 14.3. Trans. Dods, 444.
 10. D. J. MacQueen, “Saint Augustine’s Concept of Property Ownership,” *Recherches Augustiniennes* VIII (1972), 220.
 11. See the discussion of the virtue of liberality at 1119b20–1122a15 of the *Nicomachean Ethics*, and the virtue of magnificence at 1122a20–1123a35. See also Saint Thomas’s account of Aristotle’s argument, *Commentary on Aristotle’s “Nicomachean Ethics,”* Book 4, Lectures I–VII.
 12. 1263b5–14 (*The Politics of Aristotle*, trans. Peter Simpson, Chapel Hill: The University of North Carolina Press, 1997, 42). On this passage, see Peter Simpson, *A Philosophical Commentary on the “Politics” of Aristotle* (Chapel Hill: University of North Carolina Press, 1998), 86.
 13. *Enarrationes in Psalmos* 131.19 (*Expositions on the Book of Psalms*, trans. A. Cleveland Coxe (Peabody, Mass.: Hendrickson Publishers, Inc., 1994, vol. 8 of *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, Christian Literature Publishing Company, 1888), 621).
 14. See *The City of God* 1. Preface: “Unde etiam de terrena civitate, quae cum dominari adpetit, etsi populi serviant, ipsa ei dominandi libido dominatur, non est praetereundem silentio quidquid dicere suscepti huius operis ratio postulat et facultas datur.” See also 4.3.
 15. This question of the connection between virtue and possessions is complicated a bit by Augustine’s comment in *De Moribus Ecclesiae Catholicae*, that “to have these things without cleaving to them is much more admirable than not to have them at all” (23.42). However, his point here is to indicate how rare such a disposition is, and thus we are “strongly cautioned” in the New Testament against the possession of goods.
 16. 85.3 (trans. Coxe, p. 410).
 17. Trans. Anna S. Benjamin and L. H. Hackstaff (New York: Macmillan Publishing Company, 1985, 32). Augustine makes much the same argument in Book I of *The City of God* (see chap. 10), and in Book V concerning the possession of political authority (see chapters 19 and 24).
 18. See especially 3.3–5, wherein Augustine discusses the “use/enjoyment” distinction: “Some things are to be enjoyed, others to be used, and there are others, which are to be enjoyed and used. Those things which are to be enjoyed make us blessed” (1.3.3). Then: “The things which are to be enjoyed are the Father, the Son, and the Holy Spirit, a single Trinity ...” (1.5.5).

19. See especially II-II, Question 66, “Of Theft and Robbery” (discussed briefly below), and Questions 77–78.
20. All quotations are taken from *Summa Theologica*, trans. Fathers of the English Dominican Province (Westminster, Md.: Christian Classics, 1981; formerly Benziger Brothers, Inc., 1948).
21. Saint Thomas cites the *Politics* 2.2; the passage that he has in mind is likely found in our 2.5, where there is an extended discussion of property.
22. The following analysis has benefited greatly from Douglas Kries’s “Thomas Aquinas and the Politics of Moses” (*Review of Politics* 52 [1990], 84–104).
23. Numbers 36:6: “And this is the law promulgated by the Lord touching the daughters of Salphaad: Let them marry to whom they will, only so that it be to men of their own tribe.”
24. See Aristotle’s *Politics* 1270a11-33. On the corruption that money introduced into Spartan life, see Plutarch’s “Life of Agis”: “When the love of gold and silver had once again gained admittance into the Lacedaemonian commonwealth, it was quickly followed by avarice and baseness of spirit in the pursuit of it, and by luxury, effeminacy, and prodigality in the use. Then Sparta fell from almost all her former virtue and repute . . .” (*Plutarch’s Lives*, ed. Arthur Hugh Clough, New York: Random House, Inc., 1992, 2:319).
25. For Aristotle’s view on this question, see *Politics* 1263a22ff.
26. Deuteronomy 22:1–4: “Thou shalt not pass by if thou seest thy brother’s ox, or his sheep go astray: but thou shalt bring them back to thy brother. And if thy brother be not nigh, or thou know him not: thou shalt bring them to thy house, and they shall be with thee until thy brother seek them, and receive them. Thou shalt do in like manner with his ass, and with his raiment, and with every thing that is thy brother’s, which is lost: if thou find it, neglect it not as pertaining to another. If thou see thy brother’s ass or his ox to be fallen down in the way, thou shalt not slight it but shalt lift it up with him.”
27. Leviticus 19:9: “When thou reapest the corn of thy land, thou shalt not cut down all that is on the face of the earth to the very ground: nor shall thou gather the ears that remain”; cf. Deuteronomy 24:19: “When thou hast reaped the corn in thy field and hast forgot and left a sheaf, thou shalt not return to take it away: but thou shalt suffer the stranger, and the fatherless and the widow to take it away: that the Lord thy God may bless thee in all the works of thy hands.”
28. Exodus 23:11: “But the seventh year thou shalt let it alone, and suffer it to rest, that the poor of thy people may eat, and whatsoever shall be left, let the beasts of the field eat it: so shalt thou do with thy vineyard and thy oliveyard.” Cf. Lev. 25:4.

29. Saint Thomas cites the Apostle on this point: “Charge the rich of this world ... to give easily, to communicate to others, et cetera” (1 Tim. 6:17, 18).
30. “Ecclesiastical Economics: Envy Legitimized,” in *From Subsistence to Exchange and Other Essays* (Princeton: Princeton University Press, 2000), 107.
31. Indeed, Bauer is quite severe in his assessment: “The spirit of these documents is contrary to the most durable and best elements in Catholic tradition. They are indeed un-Christian. Their utopian, chiliastic ideology, combined with an overriding preoccupation with economic differences, is an amalgam of the ideas of millenarian sects, of the extravagant claims of the early American advocates of foreign aid, and of the Messianic component of Marxism-Leninism” (Ibid., 107).
32. “Catholic Social Teaching and Economic Law: An Unresolved Tension,” Thomas E. Woods, Jr., (forthcoming in *Journal des Economistes et des Etudes Humaines*, Spring 2003), 4.
33. The relative novelty of the natural rights argument in *Rerum Novarum*, given that it is not a significant part of the earlier papal encyclical tradition, is often defended in terms of the need to address the grave new threats of communism and socialism in the nineteenth century. For a critical view of this approach, see Ernest L. Fortin, “Sacred and Inviolable: *Rerum Novarum* and Natural Rights,” in *Human Rights, Virtue, and the Common Good: Untimely Meditations on Religion and Politics*, ed. J. Brian Benestad (Lanham, Md.: Rowman & Littlefield Publishers, Inc., 1996), 191–222.
34. See, for example, John Paul II’s *Laborem Exercens*, 19.6.
35. One possible explanation for this phenomenon is that, mentioned above, the thought informing the encyclical tradition from *Rerum Novarum* on is generally connected to a social-contract theory of government, something obviously not found in the earlier tradition.
36. A helpful work in understanding Pius XI’s 1931 encyclical is Oswald von Nell-Breuning’s *Reorganization of Social Economy: The Social Encyclical Developed and Explained* (New York: The Bruce Publishing Company, 1936). Nell-Breuning was an advisor to Pius and was considered by many to be a contributor to the drafting of the encyclical.
37. For an interesting analysis of the tension that developed in Italian politics between Fascism and the Vatican, see John F. Pollard, *The Vatican and Italian Fascism, 1929–1932* (Cambridge: Cambridge University Press, 1985); Pollard includes discussion of the issuance of *Quadragesimo Anno* in 1931 and the implicit critique of Fascism in the document.