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A Tale of Two *Civitates*

On the origins and meaning of the concept of subsidiarity

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INDEX

Abstract (3)

Introduction (4)

Chapter I Intermediacy and its non Aristotelian origins (21)

Chapter II The Jewish Origins of Intermediacy (39)

Chapter III Towards Christian Intermediacy: Philo, Jesus, and Paul (62)

Chapter IV From Christian intermediacy to Constantinian subsidiarity (88)

Chapter V From Constantinian subsidiarity to the principle of Subsidiarity (124)

Chapter VI Subsidiarity in Augustine and Aquinas (158)

Chapter VII Conclusion (170)

Acknowledgments (182)

Bibliography (183)

ABSTRACT

This work traces back the origins of the principle of subsidiarity to second Temple Judaism and the constitution, based on spiritual authority, of an autonomous intermediary sphere between political authority and individuals. It argues that the foundational premise of the subsidiarity tradition derives from ancient Jewish sources, and not from Aristotelian thought or the ancient Greek social reality. Then it argues that Jewish intermediacy is the basis of Christian intermediacy, characterized by universalism and the belief on the already here presence of the kingdom of God, as developed by Jesus of Nazareth and Paul of Tarsus. Christian intermediacy, in turn, is presented as the basis for the Christian political ambivalence that characterizes patristic political thought, which considers the Roman Empire as both a providential instrument of God and a new Babylon. This ambivalent perspective was inclined towards a providential vision of the Empire because of the conversion of Constantine, who inaugurated subsidiarity by combining the “negative” obligations of intermediacy with the “positive” obligations of a Christian Emperor to help the Church. Nonetheless, Constantinian subsidiarity evolved over the life of the Emperor into an overreaching and controlling doctrine of divine kingship, which was afterwards resisted politically and theologically by figures like Athanasius of Alexandria, Hilary of Poitiers, Ambrose of Milan, and Augustine of Hippo. This process culminated in a dispute about the proper form of subsidiarity and in a theoretical detachment of Church and Empire. Augustine of Hippo transformed subsidiarity into a general ethical principle, independent of the contingent relationship between the Roman Empire and the Christian Church. He also philosophically reinstalled ambivalence at the centre of Christian political theory and denied any special role for Rome and its emperors in the divine economy of salvation. Thomas Aquinas’ concept of subsidiarity, which has been frequently presented as the first formulation of the principle, is in fact strongly attached to Augustine’s one. His innovation consisted in systematizing the principle as a principle of justice, starting from Augustine’s ethical formulation of it. The thesis ends by arguing that this original conception of subsidiarity attached to Christian ontology is in tension, but not necessarily in contradiction, with the modern secular order, and that the present ambiguity of the principle can be explained by that tension.

INTRODUCTION

Concepts, like individuals, have their stories and are just as incapable of withstanding the ravages of time as are individuals. But in and through all this they retain a kind of homesickness for the scenes of their childhood.

Soren Kierkegaard, "The Concept of Irony"[1].

The use of the word *subsidiarity* in a political sense was born from a 1936 German paraphrase ("subsidiarität") of the Latin version ("subsidium") of the *Quadragesimo Anno* encyclical (1931) by the Catholic Pope Pius XI. The same word in English was officially translated as "help":

> It is a fundamental principle of social philosophy, fixed and unchangeable, that one should not withdraw from individuals and commit to the community what they can accomplish by their own enterprise and industry. So, too, it is an injustice and at the same time a grave evil and a disturbance to right order to transfer to the larger and higher collectivity functions which can be performed and provided for by lesser and subordinate bodies. Inasmuch as every social activity should, by its very nature, prove a help [subsidium] to members of the body social, it should never destroy or absorb them[2]

This text, as its name indicates, is a commentary and a celebration of another Encyclical, *Rerum Novarum*, published 40 years earlier (1891) by Pope Leo XIII, where the principle is described in a slightly different[3] way:

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1 Kierkegaard, S. "The Concept of Irony". Collins, London, 1966. P.47.

2 Pius XI, Quadragesimo Anno (1931), n. 79. in O'Brien, D.J. and Shannon, T.A. "Catholic Social Thought: The Documentary Heritage". Orbis Books, New York, 1992. p. 60.

3 The main difference between these two texts is the functionalist language of *Quadragesimo Anno*, which contrasts with the idea of a natural plurality of associations of *Rerum Novarum*. Although, both have in common the fact that the role of the political authority is unclear, as it is not clear who will decide which functions are better realized at which level, in the first case, or which associations are evidently bad or dangerous to the State, in the second. Víctor Muñiz-Fraticelli describes the difference between both encyclicals in this way: "Leo's (*Rerum Novarum* encyclical) explanation of the autonomy of associations, and especially religious associations, has a decided jurisdictional bent. It recognizes that an association

> It is this natural impulse which binds men together in civil society; and it is likewise this which leads them to join together in associations which are, it is true, lesser and not independent societies, but, nevertheless, real societies… Private societies, then, although they exist within the body politic, and are severally part of the commonwealth, cannot nevertheless be absolutely, and as such, prohibited by public authority. For, to enter into a "society" of this kind is the natural right of man; and the State has for its office to protect natural rights, not to destroy them; and, if it forbid its citizens to form associations, it contradicts the very principle of its own existence, for both they and it exist in virtue of the like principle, namely, the natural tendency of man to dwell in society… There are occasions, doubtless, when it is fitting that the law should intervene to prevent certain associations, as when men join together for purposes which are evidently bad, unlawful, or dangerous to the State.[4]

Today, the principle of subsidiarity has become popular in the English-speaking world after its inclusion as one of the cornerstones of the European Union in the Maastricht treaty (1992). Prior to this event, the academic literature about the principle, as Ken Endo has remarked, was very limited, outdated, and mainly German[5]. Following 1992, a wide spectrum of authors from different countries participated in the academic debate about subsidiarity. The main field of this debate has been the legal one, due to the nature of the instrument that initiated the polemic. But there is also a growing interest in subsidiarity in the fields of political theory, history, and philosophy.

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may have religious or economic aspects, and that these may fall under different –and competing- authorities, and is categorical in denying the right of the state to intervene in the internal affairs of a group... Piu's (*Quadragesimo Anno* encyclical) formulation of subsidiarity, by contrast, is infused by functionalist and organicist language... It is a policy for a thoroughly cohesive society, united behind an uncontroversial and uncontested understanding of the common good and governed by also uncontested arbiters of efficiency and competence" (Muñiz-Fraticelli, V. "The Structure of Pluralism". Oxford UP, Oxford, 2014. P.68.

[4] Leo XIII, Rerum Novarum (1891), n. 50-52, http://w2.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum.html

[5] Endo, K. "Subsidiarity and its Enemies: To What Extent Is Sovereignty Contested in the Mixed Commonwealth of Europe?". Working Paper, Florence: European University Institute, 2001. EUI RSC, 2001/24. P.7.

The central idea of the principle of subsidiarity is conveyed in the word from which it derives its name, the Latin *subsidium*, which means "support" (originally used in reference to support or reserve troops)[6]. It refers to the support that the political authority should lend to intermediate associations for the fulfilment of their purposes when they are in the need of that support. In contemporary political theory, it implies the priority of intermediate associations over the state for the fulfilment of their tasks. The principle, then, has two dimensions or sides: on the one hand, a negative obligation for the higher authorities not to encroach or supplant intermediate organizations in their proper functions. On the other hand, a positive obligation for the higher authorities to help struggling intermediate organizations recover their capacity to perform their proper functions.

Part of what remains unclear in the present debate about subsidiarity, however, concerns the meaning of the "intermediacy" of these institutions, and also the justification for their priority in performing their tasks. The main practical difference between the diverse theories of subsidiarity is the different roles that they assign to the higher political authority. In some theories it has an authorizing function over intermediate bodies: the state decides which organization is capable of fulfilling which function and authorizes that procedure, and it also decides when an intermediate body needs intervention. In other theories, the role of the higher political authority is simply to recognize the autonomy of intermediate associations and offer help if necessary. In this way, ambiguity, understood as something that can go one way or the opposite[7], can be considered a central feature of the principle of subsidiarity.

Recent scholarship on the topic has made important theoretical efforts to deal with this ambiguity through taxonomic classification. Andreas Follesdal, for example, identifies five different conceptions of subsidiarity, with different institutional outcomes. These "differ as to the objectives of the various polities, the domain, and roles of member units—such as states—and they allocate the authority to apply the principle of subsidiarity itself differently"[8]. These arguments offered for the principle of subsidiarity, continues Follesdal,

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[6] Subsidiarity. (n.d.). *Online Etymology Dictionary*. Retrieved April 17, 2018 from Dictionary.com website http://www.dictionary.com/browse/subsidiarity

[7] "Ambiguity" comes from the Latin *ambiguere*, which literally means "moving on both sides".

[8] Follesdal, A. "Subsidiarity and the Global Order" in Evans, M. & Zimmermann, A. (Eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.207-220. P.208.

"have striking implications, both for the interpretation of the principle and for public policies … they offer drastically different conceptions of the proper objectives and scope of authority for central political action"[9]. As a result, the author admits, "considerations of subsidiarity seldom resolve disagreements about the allocations of authority"[10]. This fact has led Daniel Brieba to consider the principle of subsidiarity as a subordinate principle that can only be useful once a political agreement on the distribution of competences has been reached by the political community[11].

The wide and contradictory range of interpretations of the principle of subsidiarity explains why it has been simultaneously blamed for being a dissolver of state-sovereignty[12], a nationalistic threat, a "neoliberal gadget"[13], a "statophobic" idea[14], a political buzzword[15], a potential "Cinderella principle"[16], and even an anti-political and anti-democratic concept[17]. The ambiguity of the principle, which seems manageable at a theoretical level, becomes impractical once it touches reality.

The best example of the apparent futility of the principle of subsidiarity comes from the European Union itself. Subsidiarity was chosen as the principle that would shape the form of the Union because it occupied a theoretical middle ground between supra-nationalist and inter-governmental objectives. Jacques Delors, president of the European Commission[18] between 1985 and 1995, started to use the concept in May 1988 in his dialogues with the representatives of the German *Länder* who were worried because of the European

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[9] Follesdal, A. "Subsidiarity". The Journal of Political Philosophy: Volume 6, Number 2, 1998. PP. 190-218. P. 213.

[10] Follesdal, A. "Competing Conceptions of Subsidiarity" in Nomos LV. Fleming J.E. & Levy, J.T. (Eds.) "Federalism and Subsidiarity". NYUP, New York, 2014. PP.214-230.

[11] See Brieba, D. "La subsidiariedad es útil, pero subsidiaria" in Ortúzar, P. (Ed.) "Subsidiariedad: más allá del Estado y del mercado". IES, Santiago de Chile, 2015. PP. 171-204.

[12] Marquardt, Paul. "Subsidiarity and Sovereignty in the European Union". Fordham International Law Journal, Volume 18, Issue 2, 1994. PP. 616-640. P. 618.

[13] Pollack, M. "The Origins of the Chilean New Right". Macmillan, London, 1999. P. 49.

[14] Barroche, Julien. "L'État contre lui même". Raisons Politiques, N°49, 2013/1, pp. 153-171.

[15] Lazer, D. and Mayer-Schoenberg, Victor. "Blueprints for Change: Devolution and Subsidiarity in the United States and the European Union" in "The Federal Vision. Legitimacy and Levels of Governance in the United States and the European Union". Oxford UP, Oxford, 2001. Nikolaidis, K. &Howse, R. (eds.). PP. 118-143. P. 137.

[16] Martinico, G. "Dating Cinderella: On Subsidiarity as a Political Safeguard of federalism in the European Union". European Public Law, 17, 2011, 4, 649-660.

[17] Latimer, T. "Against subsidiarity". The Journal of Political Philosophy. Published ahead of print, November 12, 2017. https://onlinelibrary.wiley.com/doi/abs/10.1111/jopp.12147

[18] The European Commission is the executive power of the European Union.

Community expansion. And it was also the core of his response to Margaret Thatcher's Bruges speech (September 1988), where she said that Delors' ideas about the Community were "socialism through the back door"[19]. In October 1989, Delors responded to Thatcher, also in Bruges, using the concept of "subsidiarity" twelve times in his speech entitled "Reconcile the Ideal and the Necessity"[20]. In the speech, he argued that his understanding and compromise with the principle came from the intellectual influence of Emanuel Mounier's *Personnalisme*, portrayed as a middle path between collectivism –including socialism- and individualism[21]. Subsidiarity, in this way, was proposed by Delors as a softer alternative to federalism that would calm the leaders of other countries who were worried about a loss of sovereignty through the agreement.

And Delors' strategy did work. As Antonio Estella explains, the overall perception of the Member States negotiating the Maastricht Treaty was that they were defenceless "in the process of Community intervention backed by Brussels", and that was "the main reason why the Member States pushed for the introduction of the principle of subsidiarity into the treaty"[22]. The French Valery Giscard d'Estaing, who favoured the federalization of Europe, wrote the final report on subsidiarity which served as the basis for the European Parliament resolution of 1990, prior to the Maastricht version of 1991.

But conflict between the Union members started already during the debate about the definition and the practical consequences of the principle. France, on the one side, defended a pre-eminently "positive" vision of the principle, understanding it as a promoter of central intervention oriented to support intermediate organizations, while the United Kingdom, on the other side, defended a pre-eminently "negative" vision of the principle, understanding subsidiarity as an inhibitor of central intervention. These disputes also included differences about how to control the application of the principle[23], and legal specification efforts were

[19] Thatcher, M. "Bruges speech". https://www.margaretthatcher.org/document/107332

[20] Adress Given by Jacques Delors (Bruges, 17 October 1989) https://www.cvce.eu/content/publication/2002/12/19/5bbb1452-92c7-474b-a7cf-a2d281898295/publishable_en.pdf

[21] A complete intellectual profile of Delors can be found in K. Endo, 'The Principle of Subsidiarity: from Johannes Althusius to Jacques Delors', *Hokkaido Law Review*, vol. 43, no.6, 1994. pp. 652-553. P.592-588.

[22] A. Estella. "The EU Principle of Subsidiarity and its Critique". Oxford UP. 2002. P.84.

[23] See Ritzar, Ch., Ruttloff, M. & Hart, K. 'How to Sharpen a Dull Sword. The Principle of Subsidiarity and its Control', *German Law Journal*, vol. 7, N°9, 2006, pp. 733-760. See also Constantin, S. 'Rethinking Subsidiarity and the Balance of Powers in the EU at the Light of the Lisbon Treaty and beyond", *CYELP*, Vo.4, 2008. pp. 151-177.

of little help, since the confrontation between "negative" and "positive" interpretations of the principle has been reproduced at each institutional level[24].

The withdrawal of the United Kingdom from the European Union following the results of a popular referendum in 2016 (a process known as "Brexit") can be seen as a confirmation of the incapacity of the principle of subsidiarity to resolve disputes about the allocation of authority. It also shows that the principle, because of its polyvalent meaning, can be useful to reach temporal agreements between parts that actually disagree, giving time to each part to try to overcome the other. According to Chantal Delsol, who worked with Delors in the early nineties but then resigned, that was exactly the intention of Delors: to use subsidiarity as a Trojan horse that would work as an intermediate step to European federalism[25].

The use of subsidiarity as a conceptual mirage of agreement between disagreeing parties can also be seen at work in the Chilean case, where the principle was utilized by Jaime Guzmán, one of the leading intellectuals behind the dictatorship of Augusto Pinochet, as a hinge between conservative Catholics and libertarian reformers. Guzmán, borrowing from the social philosophy developed by the American theologian Michael Novak, argued that both libertarianism and Catholicism agreed on the defence of the ontological primacy of the individual, as conveyed in the principle of subsidiarity, and therefore were politically compatible. This alliance endured until capitalist modernization pushed forward a process of secularization that made conservative Catholicism politically irrelevant. From then on, subsidiarity has been locally used in Chile, by most of its detractors and promoters, as a

[24] One of the last pre-Brexit rounds in this dispute was triggered in 2013 by the presentation by the Dutch government of a document titled *Subsidiarity Review* where the negative vision was promoted under the slogan "European where necessary, national where possible". That document was echoed and celebrated in December 2014 by a British government report titled *Review of the Balance of Competences between the United Kingdom and the European Union. Subsidiarity and Proportionality*, where the negative approach was promoted, and a more important role of national parliaments were defended.

[25] "From the beginning I was a great supporter of the European project. In fact, between 1992 and 1993 Jacques Delors, then President of the European Commission, asked me to advise him as an expert on subsidiarity, as the Union was going to apply that principle. I travelled to Brussels once a week to work with Delors and his team. But after two or three months, I realized that they only wanted to subvert the principle of subsidiarity, keeping the name of the principle, but applying it in a Jacobin and centralist way. I went to speak with Delors, as I did not want to be part of such an operation. Then, for the same reason, I quitted. I never stopped supporting the European project, even if I became critic of its development. It is not only that the wrong people are carrying away the project, but also the fact that they are hypocrites: they have never been able to recognize that they do not believe in subsidiarity". Delsol, Ch. "Tal como está, Europa va a morir". Interview with Daniel Mansuy published in El Mercurio. Santiago de Chile, Sunday 23 of September, 2018. (Translation is mine).

synonym for “minimal state”, “neoliberal state” or “guardian state”[26].

Finally, a similar mirage effect can be distinguished already in the use of the concept by the Catholic Church in the late XIX and early XX centuries. Even if the formulation of the principle varies between the *Rerum Novarum* encyclical and the *Quadragessimo Anno* encyclical, the function of its invocation could be seen as the same in both cases: an instrument to forge alliances between the Catholic Church and some secular political forces in the face of the advent of revolutionary ideologies.

The question that such a realist approach to the recent uses of the principle of subsidiarity leaves us is whether subsidiarity should be considered a principle at all. As political principles are supposed to guide political action, a totally ambiguous political idea that is not capable of doing so could be judged, ultimately, as devoid of utility for political theory. As Raymond Aron affirmed, “it is not impossible to conceive, at one extreme, a politics of pure and simple observation and, at the other, a politics of pure and simple ideals, each of these two terms setting, so to speak, the limits of an effort either toward objectivity or toward utopia. However, raw observation is hardly instructive and utopia of little use in practice” [27]. If subsidiarity, then, is just a utopic abstraction whose only practical utility is to contemporize conflicts, it would be of little use for political theory. But before arriving to that conclusion we should explore the origins of the principle and see if its emergence was connected to some concrete reality and practices that can shed light over its meaning. In other words, we should look for the moment, if it exists, when the idea of subsidiarity did function as a principle. That is the objective of my thesis.

Political theory, as Bernard Williams once said, is “both normative and impure... normative at least in the sense that first-order moral and political disagreement with the author can relevantly motivate disagreement with his philosophy, and impure in the sense that materials from non-philosophical sources, an involvement with history or the social sciences, for instance, is likely to play a more than illustrative part in the argument”[28]. This

[26] See Ortúzar, P. “Prólogo” en Ortúzar, P. (Ed.) “Subsidiariedad: Más allá del Estado y del Mercado”. IES, Santiago de Chile, 2015. PP. 11-30. Also Mansuy. D. “Notas sobre política y subsidiariedad en el pensamiento político de Jaime Guzmán”. Revista de Ciencia Política. Vol.36. N°2, 2016. Santiago de Chile. PP.503-521.

[27] Aron, R. “Politics and History”. The Free Press, London, 1978. P.237.

[28] Williams, B. “Political Philosophy and the Analytical Tradition”. In Richter, M. (Ed.) “Political Theory and Political Education”. Princeton UP, Princeton, 1980. PP. 57-75. PP.57-58.

"impure" dimension of political notions is the one explored by the history of political concepts.

The history of political concepts tries to explain how an abstract complex of distinctions has been connected to concrete complexes of power through history[29]. According to Reinhart Koselleck, concepts shape reality and are shaped by it. Following Kant, he states that "there is no experience without concepts and no concepts without experience", and that "concepts allow keeping and retaining experiences, even when they have already vanished"[30]. Therefore, "every language is at the same time active and receptive; it takes note of the world, but at the same time is an active cause in the perception, cognition, and knowledge of things"[31].

The history of the concept of subsidiarity, then, can be imagined as formed by layers of experience. As geological strata, each of these levels has internally consistent characteristics that make them distinguishable, and their succession is capable of telling the story of the concept and its evolution, including disruptions and displacements. By studying them we can understand better the specific situations and problems that called this idea into being, its place and evolution in the "arsenal of terms"[32] of political language, and the possibilities for action determined by the experiential charge of the concept.

An exploration of the origins of the concept of subsidiarity should allow us to understand what were the forces in play at the time when the idea of subsidiarity was developed, and which were the functions and objectives of the principle in that context. As Quentin Skinner affirms, "language, like other forms of social power, is of course a constraint, and it shapes us all [but] is also a resource and we can use it to shape our world"[33]. If subsidiarity was devised at some point in history to play a specific political role other than to contemporize disagreements, we need to study the process that led to that moment in order to understand the potentialities of the principle and its conditions of operation.

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[29] Vatter, M. 'The Political Theology of Carl Schmitt' in J. Meierhenrich & O. Simons (eds.), *The Oxford Handbook of Carl Schmitt*, Oxford, Oxford UP, 2014. P. 249.

[30] Koselleck, R. "Historia de los conceptos y los conceptos de la historia". Ayer, N°53, Volume 1, 2004. PP. 27-45. P. 28.

[31] Ibid. P.30.

[32] Koselleck, R. "Linguistic Change and the History of Events". The Journal of Modern History. Vol. 61, N°4 (Dec. 1989). PP. 649-666. P.659.

[33] Skinner, Q. "Visions of politics: Vol.1, Regarding Method". Cambridge UP, Cambridge, 2002. P. 7.

Moreover, concepts are not the same as words, though they are expressed through them. Skinner helpfully uses the example of the term *originality* to explain the difference between concepts and words. Although *originality* is a central *concept* in the thought of John Milton, the word itself does not "enter the language until a century or more after his death"[34]. What can be seen from this is that Milton's thought is integral to the history of the concept of originality, even if the word itself did not exist in Milton's lexicon.

The point made by Skinner is that tracing the history of concepts is not the same as tracing the etymology of words; an idea can be expressed in many different ways even before precise language exists to signify it. Therefore, it is not even necessary to search for "proxy" words when looking for the past of a concept: the truly relevant objective is to show that the content of the researched concept is already present, even if expressed by different means.

In the case of subsidiarity, it is true that the word only appears during the 20th century, but the idea referred today by that word, the political priority of intermediate institutions over higher authorities, seems to have a much longer history, as most of the theories about the origins of the principle attest.

Finally, the enterprise of researching the history of fundamental political ideas, as Max Weber remarked about his research on ancient Judaism, entertains "but modest hopes of contributing anything essentially new to the discussion, apart from the fact that, here and there, some sources and data may be grouped in a manner to emphasize some things differently than usual"[35]. In other words, as Hans Gerth and Don Martindale explained in the preface to Weber's *Ancient Judaism*, the objective of the social scientist digging into history is to perceive new relations among old facts[36], and not to unearth new facts. I have followed that principle in my own research.

The origins of subsidiarity

There are four main theories about the origins of subsidiarity. The first is that it is a Greek idea that was first sketched by Aristotle. This is the most popular thesis, stated by the

[34] Skinner, Q. "Visions of politics: Vol.1, Regarding Method". Cambridge UP, Cambridge, 2002. P. 159.
[35] Weber, M. "Ancient Judaism". The Free Press, New York, 1967. Footnote 1, p.425 below.
[36] Ibid. P. IX.

French philosopher Chantal Delsol in her 1992 book "L'Etat Subsidiaire"[37], introduced in the English speaking world by Ken Endo's article "The Principle of Subsidiarity"[38], and repeated since then by most of who write about the principle. Delsol's book argues that Greeks consented to be governed "not because who governs has the force, nor because he represents divinity, but because we need an authority, and only to the extent that we need it"[39], and that Aristotle considered that power had to "facilitate the happiness of a diversity, and in that sense, it remains supplementary (*supplétif*)"[40]. She then explains that there is no contradiction between this respect for diversity and the idea of a "superior good" towards which the whole is oriented.

The second genealogical thesis states that subsidiarity understood as the limitation of government to judicial functions comes from the Patristic Christian tradition, but it was distorted by the influence of Aristotle in Aquinas' political thought, which assigns government more intrusive and creative functions. This is the thesis of the theologian Joan Lockwood O'Donovan. The Western Patristic tradition, Lockwood states, "taught that political rule was established by God for the purpose of restraining human evildoing and encouraging virtuous conduct... The social right that political authority was instituted to defend and vindicate was given, first and foremost, by God's revealed Word of Scripture, and included religious and moral obligations beyond those of respecting and protecting personal life, liberty, and property"[41]. This tradition, says the author[42], had St. Paul's political injunctions in Romans 13:1-7 as its cornerstone, and was systematized by Augustine.

The third thesis is that the origin of subsidiarity can be found in Aquinas' thought itself. This is the position of John Finnis and Nicholas Aroney[43]. Finnis, in "Subsidiarity Roots

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37 Delsol, Ch. "L' État subsidiaire", PUF, Paris, 1992.

38 Endo, K.. 'The Principle of Subsidiarity: from Johannes Althusius to Jacques Delors', *Hokkaido Law Review,* vol. 43, no.6, 1994. pp. 553-652.

39 Delsol, Ch. "L' État subsidiaire", PUF, Paris, 1992. P.25. (Translation is mine).

40 Ibid. P. 22. (Translation is mine).

41 Lockwood, J. "Subsidiarity and Political Authority in Theological Perspective" in O'Donovan, O. & Lockwood, J. "Bonds of Imperfection: Christian Politics, Past and Present". Eerdmans, Cambridge, 2004. PP. 228-229.

42 Ibid.

43 Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27.

and History: Some Observations"[44] argues that the principle indeed has Aristotelian roots, but that its definitive articulation belongs to Thomas Aquinas, who rejected the Aristotelian *autarkeia* (self-sufficiency) as the end of the political whole, remarking that "what the principle of subsidiarity both emerges from and points to is a conception of the political community's common good as a wellbeing in which it is *included* ... the flourishing of individuals and families and their appropriate associations"[45].

Aroney points in the same direction when he affirms that "for Aristotle, the *polis* presented a comprehensive context in which what is good for human beings is secured", while for Aquinas, "while the state certainly has this function, it is itself put into a wider theological context, and its goods are understood relative to that framework... this enabled Aquinas to take a view of the 'state' that was relative –not only 'upwards' and 'outwards' as regards its wider context, but also 'downwards' or 'inwards' as regards those forms of human sociality that are 'smaller' than the state"[46].

Finally, the fourth genealogical thesis is that subsidiarity is a wholly modern concept, which originates in the Nineteenth century, when the Catholic Church developed the idea as an *ad hoc* device to face a difficult political situation. This is the thesis of Julien Barroche, who argues in his book "État, Libéralisme et Christianisme"[47] that subsidiarity should be understood as a completely modern product, generated by a "state-phobic" reaction of the Catholic Church against the totalitarian state. A reaction which implied its assumption of the liberal thesis about democratic politics: "a minimal conception of political democracy, considered a lesser evil, the reduction of politics to management, a discourse of adaptation and administration, without other ambitions beyond a simple and imperious necessity of survival"[48]. Arthur Joyeux introduces a variation into this same thesis, by considering that the principle of subsidiarity was a Catholic appropriation of German legal doctrines based on the organic analogy from the 19th century[49].

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44 Finnis, J. "Subsidiarity's roots and History: Some Observations". *The American Journal of Jurisprudence*. Vol. 61, N°1, 2016. PP. 133-141.

45 Ibid. P. 137.

46 Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27. P.19.

47 Barroche, J. "Etat, libéralisme et christianisme. Critique de la subsidiarité européenne". Paris, Dalloz (Nouvelle bibliothèque de thèses), 2012.

48 Ibid. P. 41. (Translation is mine)

49 Joyeux, A. "Le principe de subsidiarité, entre terminologie et discours: pistes pour une nouvelle histoire

Barroche and Joyeux, then, discard the necessity of looking for the historic roots of the principle of subsidiarity to understand it better. Barroche, in particular, strongly attacks and rejects the idea of a "grand continuity" of the principle between Aristotle and our days, as proposed by Delsol[50], considering that kind of approach essentialist and contrary to the historicity of the principle[51]. Against Delsol, Barroche states that "subsidiarity, in its substantive formulation, is recent and proceeds from a specific context, although the idea may be feed by distant sources"[52].

These four theses are not all contradictory in every respect, but given their different emphases, the consequences of accepting one or another give subsidiarity different characteristics. Methodologically, the first three theses proceed in the same way: they track the origins of the principle not in the sphere of practice but the sphere of thought. The problem of this approach is that it keeps subsidiarity as an abstract complex of distinctions disconnected from the concrete complexes of power that have shaped the concept through history. In other words, the practice of subsidiarity is diverted from the idea of it, generating the illusion of a "grand continuity" and leaving the question about the uses of subsidiarity unanswered.

Barroche and Joyeux, on the other hand, give almost exclusive relevance to what the Catholic Church aimed to do when it introduced the concept in the 20th century. The problem with this perspective is that the definition of the principle becomes too restrictive: the meaning of subsidiarity is fixed by its use in a narrow context. By trying to avoid essentialism, Barroche and Joyeux end up trapped in presentism: if subsidiarity is defined strictly by its latest uses, and these uses are ambiguous, then we end up empty-handed. As Endo has argued, "the more malleable it looks, the more necessary it is to examine the principle of subsidiarity from a historical viewpoint, thus clarifying the direction of confusion at least"[53].

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de la formule". Linguistique. Université de Franche-Comté, 2016. PP. 261-264.

50 Delsol, Ch. "L' État subsidiaire", PUF, Paris, 1992

51 Barroche, J. "Etat, libéralisme et christianisme. Critique de la subsidiarité européenne". Paris, Dalloz (Nouvelle bibliothèque de thèses), 2012. P.17. (Translation is mine)

52 Ibid. P.18. (Translation is mine)

53 Endo, K. "Subsidiarity and its Enemies: To What Extent Is Sovereignty Contested in the Mixed Commonwealth of Europe?". Working Paper, Florence: European University Institute, 2001. EUI RSC, 2001/24. P.8

How to avoid the extremes of false continuity and radical contingency when researching the history of a concept? Jacob T. Levy faces this problem in his book "Rationalism, Pluralism, and Freedom" when he researches the origins of pluralism. He asserts that "if it is a mistake to treat an idea... as existing in every era, it is also a mistake to treat it as having no relevant prehistory"[54] and asks himself about the institutional and political preconditions for the emergence of political pluralism.

Levy considers that "intermediacy" is one of those preconditions, so he devotes part of his book to the concept. He uses the term to refer to "a number of particular institutions that we now think of as part of the intermediate sphere"[55] and points out that institutions of this kind[56] proliferated during the late Middle Ages (1050-1250). Therefore, he concludes, this is the time when intermediacy was born[57].

But while I agree with Levy's methodological strategy, I disagree with his conclusions about intermediacy. It seems to me that he confuses the growth of intermediate institutions in the late Middle Ages with the birth of the practice or phenomenon of "intermediacy" itself[58].

The main problem of Levy's argument is that he never distinguishes the specific features that define intermediacy. Instead, he looks back in history for the origin of the most prominent intermediate institutions that have lasted until our days (universities, municipalities, monastic orders and, to a lesser degree, guilds) and finds it in the turn of the first millennium, assuming this as the starting point of the phenomenon of intermediacy.

Levy recognizes that these institutions were not exactly what we would call "intermediate", as there was no modern state in the Middle Ages. But "they emerged out of struggles with emperors, kings and feudal lords"[59]. What made those struggles possible? That is the question that is missing in Levy's account, and that would have led him, I think, to the

54 Levy, J.T. "Rationalism, Pluralism, & Freedom". Oxford UP, Oxford, 2015. P.88.

55 Ibid.

56 "Self governing societies, founded on mutual consent and holding legal personality, drawing on a common pool of conceptual and legal resources, proliferated during these centuries, creating the intermediacy that was to shape Western Europe". Ibid. P.95.

57 Ibid. P.88.

58 Levy seems to recognize this when he says that some features of the early Middle Ages "were especially important in setting the stage for the birth of intermediacy" (Ibid. P.90).

59 Ibid. P.104.

defining characteristic of intermediate organizations.

Medieval disputes between intermediate organizations and higher temporal powers were disputes about the legitimate sphere of influence of those powers. But to have that dispute, it was necessary to be able to claim that temporal power was not the only source of authority (understood as legitimate power). In other words, self-legitimating autonomous organizations depended on the existence of a fountain of authority different to the one of temporal political authority. A total, "compact", order, such as the one of most traditional societies, had no external point of view from where it could judge itself. The political community of a total society, such as traditional Roman and Greek societies, was not capable of second-order or reflexive observations. That unity had to be broken in order to make possible a dispute about spheres of legitimate influence. So the question about the origins of intermediacy should lead us to search for the historical moment in which that differentiation occurred.

Layout of the chapters

Intermediacy, then, can be defined as the phenomenon of the formation of an autonomous intermediary sphere between political authority and individuals, and it is a precondition for the emergence of the concept of subsidiarity. Without the constitution of such a sphere, the idea of giving priority to intermediate institutions would have no content. And a precondition for that constitution is the availability of a fountain of authority alternative to political authority. That fountain, I shall argue, is the kind of spiritual authority that emerged, according to my research, within second Temple Judaism.

Contrary to contemporary assumptions, my claim is that the foundational premise of the Subsidiarity tradition derives from ancient Jewish-Christian sources, and not from Aristotelian thought or the ancient Greek social reality. In the first chapter of this work I argue that the political and the spiritual domains were indistinguishable in Greek thought, and that there is no evidence in ancient philosophical sources of any argument in favour of the autonomy of intermediate associations. Moreover, a careful analysis of Aristotle's *Politics* reveals not only that the idea of subsidiarity is absent from that work, but that some

of its elements are contrary to the principle itself. I will also reject the claim that the Greek *polis* had a subsidiary organization.

In the second chapter, I will show that a more plausible source for the principle is rooted in the revolutionary second-temple Jewish idea that the one God had sent the "foreign sword" of the invading Empires to punish the Jewish people because they disobeyed the Law of God. And, therefore, that the power that these pagan empires held over the Jews was legitimate, but only insofar it was not used against the Law of God. This, I think, is the birth of what I will call "Jewish intermediacy": the organization of the Jewish people as an autonomous religious organization between the Empire and the individual, which claimed a full spiritual authority but recognized, at the same time, the political authority of the Empire, therefore creating a negative obligation of non-intervention for the higher power. Jewish intermediacy is also characterized by the eschatological waiting for the coming of the Kingdom of God, which promises that, in the future, the Jewish people will regain an autonomous political form under the direct command of God.

These notions, as we will see in the third chapter, are reproduced in the thought of Philo of Alexandria, Jesus of Nazareth and Paul of Tarsus. But the Christian kind of intermediacy that they helped to develop was different from the Jewish one in two main aspects: first, in that everyone could become a Christian, so everyone could be part of the community elected by God. And, second, it assumed that the Kingdom of God was not from this earth, but it was already present on earth, growing amidst the powers of this world but unnoticeable for them as it was not built with the same materials as earthly kingdoms. Universalism and apocalyptic expectation, then, modified Jewish intermediacy, creating an expansive religious community of salvation which had an ambivalent relationship with this world and its authorities.

In the fourth chapter, I will describe the growth of Christian intermediacy in the practice and thought of the first Christians and the Fathers of the Church, who developed an ambivalent political doctrine to deal with the Roman Empire, which considered it both as a providential instrument of God and as a new Babylon. We will also see how this ambivalent thought was inclined towards a totally providential vision of the Empire by the conversion of Constantine, who inaugurated subsidiarity by combining the "negative"

obligations of intermediacy with the “positive” obligations of a Christian Emperor to help the Church. Finally, in this chapter we will study how Constantinian subsidiarity evolved over the life of the Emperor into an overreaching and controlling doctrine of divine kingship, as Constantine used political power to secure consensus inside the Church, while assigning himself a central role in the salvation economy.

In the fifth chapter we will explore the reactions against the Constantinian divine kingship doctrine. From Athanasius of Alexandria to Augustine of Hippo, through Hilary of Poitiers and Ambrose of Milan, I will explain the political dispute about the proper form of subsidiarity that lay behind the Arian controversy, and also how the struggle to submit the emperor to the Church in spiritual matters ended up in the theoretical detachment of Church and Empire. I will close by showing how subsidiarity was turned into a general ethical principle which was independent of the contingent relationship between the Roman Empire and the Christian Church by Augustine of Hippo, who philosophically reinstalled ambivalence at the centre of Christian political theory and denied any special role for Rome and his emperors in the divine economy of salvation.

Finally, in the sixth chapter, I will compare on a theoretical level Augustine’s idea of subsidiarity and Thomas Aquinas’ concept of subsidiarity. I will show that Aquinas’ concept of subsidiarity, which has been frequently presented as the first formulation of the principle, is strongly attached to Augustine’s one, and also that his innovation consisted in systematizing the principle as a principle of justice, starting from Augustine’s ethical formulation of it.

The title of my thesis, *A Tale of Two Civitates*, represents the conclusion that the formulation of subsidiarity as an ethical principle was derived from the political consequences of Christian ambivalence towards the world and its problematic encounter with the conversion of, first, the Emperors and, then, the Empire.

This research will fill important gaps into the literature concerning the history of the concept of subsidiarity, making it possible to understand better the context in which it emerges, and, therefore, its original significance and utility. And this new comprehension

of its origins will have, I hope, consequences for the present debate about its meaning and functions.

CHAPTER I

Intermediacy and its non Aristotelian origins

***Abstract**: in this chapter I will argue that the political and the spiritual domains were indistinguishable in Greek thought, and that there is no evidence in ancient philosophical sources of any argument in favour of the autonomy of intermediate associations. Moreover, a careful analysis of Aristotle's Politics will reveal not only that the idea of subsidiarity is*

absent from that work, but that some of its elements are contrary to the principle itself. I will also reject that the Greek polis had a subsidiary organization.

In his seminal work, *Christianity and Classical Culture*[60], Charles N. Cochrane helpfully illuminates how the first Christians denounced "with uniform vigour and consistency" the classical idea that "it was possible to attain a goal of permanent security, peace and freedom through political action"[61]. On the contrary, the Christian effort of political organization based on a spiritual framework gave "the political life merely a relative value".[62] And, indeed, this conviction guided subsequent European political thought "along lines which were sharply different from those of any other human society"[63].

These passages show the political effects of the coming into being of the Christian Church, and my contention is that intermediacy, understood as the capacity of intermediate associations to justify their resistance to political authority, and the principle of subsidiarity that defends it, are by-products of the ontological disruption produced by that process. This disruption consists in the proclamation of spiritual authority as an alternative source of authority to the political one. It was by opposing to political power a spiritual dimension in which the Church was the highest authority on earth, and therefore giving only a relative value to temporal political life, that an intermediate sphere was created and secured.

Nevertheless, a persistent misconception besets the scholarly literature surrounding subsidiarity; that the origin of the concept traces to Aristotle's *Politics* and the Greek *polis* more generally. My aim in this chapter is to examine the merits of this view and to offer arguments for rejecting it. I do not mean, of course, that once a theory of subsidiarity had been articulated, historical echoes could not be found in the works of Greek philosophers, like Aristotle, or even in some institutions of the ancient *polis*. My point simply is that intermediacy was absent from the Greek *polis*. Neither was it present in Aristotle's political thought. Demonstrating this will reveal the necessity of seeking its origins in other sources that have been largely ignored, such as the patristic Christian thinkers, which I take up in a subsequent chapter.

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60 Cochrane, Ch. "Christianity and Classical Culture". Oxford UP, New York, 1957.
61 Ibid. P.vi.
62 Ibid.
63 Ibid.

The most influential account espousing the Greek-Aristotelian origin of the principle of subsidiarity is found in Chantal Delsol's 1992 work, *L'État Subsidiaire.*[64] Initially unknown to Anglo-American readers, Delsol's thesis was made available to the English speaking world via Ken Endo's 1994 article about the principle.[65] Very quickly, Delsol's thesis garnered wide acceptance and most subsequent research, especially in legal studies, has repeated her view with little critical examination.

Antonio Estella is typical of this trend, devoting a paltry 6 pages of his trenchant study, *The EU principle of subsidiarity and its critique,*[66] to explaining subsidiarity evolution from Aristotle to the EU, citing as his central reference Delsol's work (as well as a footnote commending Endo's article). Neil MacCormick, too, acknowledges that "my own understanding of the historical development of this concept is owed to a brilliant historical essay by Professor Endo".[67] Paolo Carozza likewise praises the French philosopher: "Chantal Delsol, whose study of subsidiarity is one of the most comprehensive available and one of the first standard sources for any study of the concept traces its origins as far back as classical Greece."[68] This list of authors could be extended without difficulty.

Like Endo himself, these authors locate the "origins" of the principle in Aristotle or ancient Greece in an ambiguous and general way. Other followers of Delsol, however, like the Dutch sociologist Marinus Ossenwalde, go further, proffering historical claims like the following:

> The ancient city state is a subsidiary state… as Chantal Delsol said, 'the concept of subsidiarity is as ancient as Europe itself', ordering it and safeguarding its values in city-statehood. Subsidiarity can be defined as an ordering principle of city-states, which dictates that affairs that can be governed

[64] Delsol, Ch. "L' État subsidiaire", PUF, Paris, 1992.
[65] Endo, K. 'The Principle of Subsidiarity: from Johannes Althusius to Jacques Delors', *Hokkaido Law Review,* vol. 43, no.6, 1994. pp. 553-652.
[66] Estella, A. "The EU Principle of Subsidiarity and its Critique". Oxford UP. 2002
[67] MacCormick, N. "Questioning Sovereignty". Oxford UP, Oxford, 1999. P. 151.
[68] Carozza, P. "Subsidiarity as a Structural Principle of International Human Rights Law," The American Journal of International Law 97 (2003): 38-79. Pp. 40-41.

> by lower authorities in the state should remain under the latter's jurisdiction without the unnecessary intervention of higher authorities.[69]

All of this is to say, Delsol's wide and persistent influence justifies an attentive re-examination of the historical sources. One caveat immediately is necessary, however. Delsol is not alone in defending the Aristotelian roots of subsidiarity. Though cited less widely, John Finnis and Justin Anderson have also identified an Aristotelian source of the principle, though importantly not in his *Politics*, but in the *Ethics*. An examination of their arguments must also be undertaken, therefore, to fulfill the objective of this chapter.

Delsol's thesis

In *"L' État Subsidiaire"*, Delsol's objective is to show that subsidiarity forms an integral part of the western political tradition, one providing a valid logical alternative to the conceptual underpinnings of the modern welfare states. In her view, the opposition between the state founded on the principle of subsidiarity and the welfare state consists in the opposition between the "common good" in the first case, and "individualism" in the second. To sustain this argument, she constructs a genealogy illustrating its ubiquitous presence of this opposition in Western political philosophy down to Aristotle.

In Delsol's account, the concept of subsidiarity consists of three interrelated ideas. First, she holds that the authority of the state is not an end in itself. Its power is secondary to and in the service of, an overarching *telos*. She holds, second, that the authority of the state is supplementary, by which she means that its role is to "placate the insufficiencies of society, but without interfering where society can suffice itself"[70]. Third, Delsol argues that authority has a positive role, a duty to interfere in the correction of social insufficiencies, "not worrying only about guaranteeing the good of every member of society, but also looking forward to advancing the full development of society as a community."[71] This genealogical reconstruction takes its starting point from the social doctrine of the Catholic

[69] Ossenwalde, M. "Theorizing European Societies". Pal Grave MacMillan, New York, 2013. P.72.
[70] Delsol, Ch. "L' État subsidiaire", PUF, Paris, 1992.P.7. (All translations of this book are mine)
[71] Ibid.

Church developed in the late 19th and early 20th centuries, tracing back through Aquinas, and finally identifying ancient Greece as the birthplace of subsidiarity and Aristotle as its first proponent. Importantly, neither the Patristic tradition generally, nor Augustine in particular, receives any mention in her account. In Delsol's treatment, then, subsidiarity ends up looking like the medieval re-appropriation and further development of a fundamentally classical idea.

This genealogy is relevant for Delsol's thesis: she wants to show that the principle of subsidiarity is as old as Europe, and since she identifies the origin of Europe with ancient Greece, it becomes mandatory to find the origin of the principle there. In this way, her argument against both collectivism and individualism can be articulated in the name of Europe, instead of in the name of some particular tradition. Also, the attachment of subsidiarity to Athens and Aristotle, rather than to Jerusalem and Jesus, surrounds the concept with an aura of rationality, instead of linking it with faith, and therefore makes it more acceptable for a modern and secular audience.

Delsol's chapter on Aristotle begins with the observation that we have "the tendency to consider the Greek city as oppressive, because of the constraint they exerted over thought"[72] but that, despite the difference between the Greek conception of liberty and ours, "many of their political texts deny that power exists for any other purpose than to palliate the insufficiencies of society."[73] In other words, she regards the Greek conception of political power as essentially remedial, addressing shortcomings civil society cannot remedy for itself. And this fundamental insufficiency, Delsol argues, is considered the basis of subsidiarity as well as a central element of Aristotelian political thought.

In her reading, Aristotle's society "is composed by assembled groups, each one conducting their specific tasks, and providing for their needs"[74], but only the city, "the properly political organization, is capable of reaching autarchy, the full sufficiency of everything, and this sufficiency is its defining feature: a self-sufficiency that is a synonym of

[72] Ibid. P.15.
[73] Ibid.
[74] Ibid.

perfection."[75]What this means is that individuals, families, and villages are incapable of total self-sufficiency, but capable of "surviving in the domain of their own proper activities."[76] This requires that on every level, each group works "to fulfill the unsatisfied necessities of the sphere that is immediately inferior in importance."[77] Only the city, however, possesses a *telos* beyond mere survival. Its achievement is the good living. That is, it is not merely an association meeting utilitarian needs, but a reality that enlarges and expands the being of all its components. Only the city "gives more than it takes," she observes.[78] Yet, its support for other levels of society is not only negative, in supplying deficits, but positive, "providing qualitatively and orientating towards plenitude."[79] In this way, she concludes, we owe Aristotle the idea of "a common good which is superior to the summation of the particular goods that compound it."[80]

Now, for the Greeks, says Delsol, despotism meant the intervention of political power in governing the city in the same way as a patriarch intervenes in his household. For Aristotle, rather, the role of power "consists in accompanying social action for it to deploy its proper functions" [81]. And this implies, "in a society of free men, to assume those duties that exceed the capacity of individuals and smaller associations"[82]. These duties are, for Aristotle, "exterior defense, police and interior order, justice, common finances, and cult". And in all these areas, the power of the *polis* is exercised only to guarantee "justice and good order"[83]. At the same time, however, Greeks "considered individuals as parts of a great whole formed by the city, and they believed it to be natural for the part to sacrifice itself for the sake of the whole"[84]. Finally, Aristotle's justification of this kind of order, and the reason why, in Delsol's words, "power must guarantee social freedom and diversity"[85], is the natural freedom of the Greek people. "It seems like the Greeks would not know how to live

[75] Ibid.
[76] Ibid.
[77] Ibid. P.16
[78] Ibid.
[79] Ibid.
[80] Ibid.
[81] Ibid.
[82] Ibid.
[83] Ibid.
[84] Ibid. P. 20.
[85] Ibid. P.35.

otherwise"[86], says the philosopher.

The Greeks, concludes Delsol, consented to be governed "not because who governs holds force, nor because he represents divinity, but because we need an authority, and only to the extent that we need it".[87] In this, she thinks, "…we can identify in here the root of the principle of subsidiarity: the idea of non-intervention means an intervention limited to the utility defined by social insufficiencies".[88]

In sum, Delsol argues that even if the Greeks did not grant religious freedom or freedom of thought (as modern subsidiary theorists regard as key), they nevertheless had a conception of limited political authority, oriented at palliating the insufficiencies of society; and they held this notion of political intervention to be limited to utility, which she holds is likewise central to Aristotle's political philosophy and a touchstone of the modern principle of subsidiarity.

Objections to Delsol's thesis

Delsol's argument advances two distinct, yet interrelated, theses. One is that the Greek *polis* (read Athens) was organized under a conception of limited political authority, the justifying purpose of which was to alleviate the insufficiencies of society. In other words, she thinks the *polis* was articulated and justified under the principle of subsidiarity. Second, she argues that this conception is native to Aristotle's political thought as well. These two theses are expounded simultaneously in her exposition. To evaluate her argument, however, it is necessary to separate them, as, from a historical perspective, Aristotle's thoughts and descriptions are just one source of information among many others about the Greek *polis*.

Historical objections

I think that Delsol's argument underestimates the potential conflict between the absence of

[86] Ibid.
[87] Ibid. P.25.
[88] Ibid.

religious freedom combined with the absence of freedom of thought in the context of the *polis*, on the one hand, and the idea of limited political authority, on the other. She recognizes that the autonomy of the Greeks "is not that of an individual but that of the group"[89], and also that group autonomy in the context of the *polis* "does not result in a liberty to choose among final ends, but only a liberty for action and administration"[90]. But she fails to explain the attributions of political authority to enforce the indisputability of those ends and how those attributions affected the liberty of action and administration of the groups. At the same time, she is not clear about how the autonomy of the groups was affected by the absence of individual autonomy, and she also fails to explain the political theology of the *polis*, so the practical consequences of the absence of religious freedom remain unclear in her work.

Such considerations are at the heart of Numa Denis Fustel de Coulanges' classic, *The Ancient City*[91]. And, indeed, his conclusions seem opposed to Delsol's:

> The city had been founded upon a religion, and constituted like a church. Hence its strength; hence also, its omnipotence and the absolute empire which it exercised over its members… The citizen was subordinated in everything, and without any reserve, to the city; he belonged to it body and soul. The religion which had produced the state, and the state which supported the religion, sustained each other, and made but one; these two powers, associated and confounded, formed a power almost superhuman, to which the soul and the body were equally enslaved[92].

In other words, the lack of religious freedom and freedom of thought in a society where there is no distinction between religion and politics or even a distinction between society and the state has much more far-reaching consequences for the autonomy of intermediate associations than the consequences recognized by Delsol. The Athenian examples used by

[89] Anderson, J. "Aristotelian Groundings of the Social Principle of Subsidiary," *International Philosophical Quarterly*, 55, no. 1 (August 2014): 101-19

[90] Ibid.

[91] Fustel de Coulanges, N. "The Ancient City. A Study on the Religion, Laws, and Institutions of Greece and Rome". Dover Publications, New York, 2006 (1864).

[92] Ibid. PP.219-220.

Fustel constitute strong evidence for this thesis: compulsory military service for men until the age of 60[93], private fortunes "always at the disposal of the state"[94], compulsion to marry rather than remain single[95]; forced labour[96]; prohibition of neutrality concerning political discords under the menace of exile and confiscation[97]; state control of education[98] and arbitrary judicial procedures, including *ostracism* for those who became too affluent, and the possibility to be condemned for "incivism", meaning "want of affection toward the state"[99].

The idea of a political authority that only acts to palliate the insufficiencies of lesser groups languishes when it is confronted with a historical reality where that authority was able even to regulate, in the name of the "common good", the number of dresses that a woman could take on a journey[100]. As Ernest Baker wrote, "a society of this order, so entirely free and self-governed, expects and receives the last measure of devotion from its members… 'She is ours and we are hers': such is the attitude to the State… United by blood with his society, bone of its bone and flesh from its flesh, the individual does not think of a separate individual life or of separate individual rights"[101].

This point of view is reinforced by more recent research on the subject. Legal historian Adriaan Lanni, for example, argues that "the notion of a sphere of private conduct free from practical state interference was a myth", and that "while Athenian statutes did not directly regulate private matters, in practice Athenian courts enforced norms of private conduct through character evidence raised by the litigants."[102] In fact, as we could expect from a social order that does not distinguishes between society and government:

> The operation of informal means of social control (such as social sanctions and

[93] Ibid. P.220.
[94] Ibid.
[95] Ibid.
[96] Ibid.
[97] Ibid. P. 221.
[98] Ibid.
[99] Ibid. P.223.
[100] Ibid.P.220.
[101] Baker, E. "Greek Political Theory". Methuen, London, 1960. P.30.
[102] Lanni, A. "Public and Private in Classical Athenian Legal Enforcement" in Ando & Rupke, eds., "Public and Private in Ancient Mediterranean Law and Religion". De Gruyter, Berlin, 2015. PP. 37-52. P.37

> gossip) and the formal court system were so interdependent that the traditional dichotomy between "private" and "public" or "formal" and "informal" mechanisms of enforcing norms does not apply to the Athenian legal system[103]

The image of the *polis* these considerations reveal is very different than the one depicted by Delsol. Associations like families and villages did exist in Athens, of course. But they were not part of a world that distinguished between public and private spheres, between society and government, or between religion and politics. The *polis*, as J.L. Myres, remarked, reserved "the right to interfere in the most intimate affairs of any family which should exercise its 'private rights' in ways which threatened the free exercise of similar rights to other constituents, or endangered the security of them all"[104]. Therefore, political authority, even if not tyrannical, was nevertheless all-encompassing and not limited to palliating the insufficiencies of lesser groups. Greek political authority was, in other words, total. Greeks considered themselves free because of being self-governed, but there was no freedom against that government[105].

The best test for subsidiarity is not whether intermediate associations existed, but whether anyone could justify resistance to an intervention from the *polis*. Since that was clearly not the case in ancient Greece, we can reasonably conclude that the idea of subsidiarity was absent from that context.

I think that because Delsol wants to demonstrate that the principle of subsidiarity is as old as Europe, and therefore constitutes an always available alternative to any form of individualism or collectivism that could arise in the West, she ends up conforming the historical reality of the Greek *polis*, where she thinks Europe starts, to that modern narrative. In this way, instead of a world that "made sense in its own terms"[106] the *polis* is

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[103] Ibid.

[104] Myres, J.L. "The Political Ideas of the Greeks". Edward Arnold & Co., London, 1927. P.64.

[105] "Among the Greeks it was a tact assumption, which even Plato did not think worth proving, that death was genuinely preferable to slavery. But the freedom for which the Greek citizen would give his life ungrudgingly was a freedom severely limited. It was by no means anarchism and it certainly excluded the freedom not to serve the city". Morris, Ch. "Western Political Thought". Vol.1. Longmans, London, 1967. P.16.

[106] Jones, A.W., "Before Church and State". Emmaus, Ohio, 2017. P.5.

described through modern categories that ultimately distort its meaning, "like describing a grandfather as a conglomeration of his grandchildren's traits"[107].

Theoretical objections

It is true that Aristotle did believe the *polis* should not "simply replace or supplant the smaller associations and communities of which it is composed"[108]. The passages where Aristotle argues this idea are well known, and reside mainly in the context of his criticisms of Plato's political philosophy:

> Distinguishing his position from that of Plato (Republic, V, 449a-466d), Aristotle opposed an 'extreme unification' of the polis, and rejected the proposition that 'the highest unity of a state is its highest good' (Politics, II.2,1261b6-15). Rather, a plurality or multitude of persons (*plethos*) is of the very nature of a city-state and a 'lesser degree of unity is preferable to the greater' (Politics, II.2, 1260b 36-1261b 15). The polis should not, therefore, altogether displace smaller associations, such as the household, as through the community of wives and property that was suggested by Plato (Republic, III, 416d; V, 449a-466d). The city-state, the village, and the household are all species of community (*koinonia*), even though the polis is uniquely the community of which the lesser communities are but 'parts' (Politics, I.2, 1252b 15-16, 27–30, 1253a 15-18).[109]

Read carefully, however, Aristotle nowhere implies that these intermediate associations can claim priority over the political authority in their own spheres, as some subsidiarity theorists hold. In fact, whilst Aristotle considers these associations to be prior in time, he sees "the *polis* is prior to them in nature or essence, just as the whole is prior to the part (*Politics*, I.2, 1253a 18-29)."[110] Because it aims at 'the most authoritative and all-

[107] Ibid. P.6.
[108] Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27. P.14.
[109] Ibid.
[110] Ibid.

encompassing good', it follows that "the *polis* is 'the supremely authoritative community' (*Politics*, I.2, 1252a 1-7)".[111] And this means the *polis*, at least in the Aristotelian view, has pre-eminence over lower levels of organization. As Victor Muñiz-Fraticelli stresses, "once the *polis* is achieved, [the lower levels]... retain value only in being instrumental to the *polis*' preservation".[112] In fact, the polis is seen by Aristotle as the culmination and the very nature of the lower levels of organization, as the most famous passage of the *Politics* (1252b-1253a) clearly shows:

> When several villages are united in a single community, perfect and large enough to be nearly or quite self-sufficing, the state (*polis*) comes into existence, originating in the bare needs of life, and continuing in existence for the sake of a good life. And therefore, if the earlier forms of society are natural, so is the state (*polis*), for it is the end of them, and the nature of a thing is its end. For what each thing is when fully developed, we call its nature, whether we are speaking of a man, a horse, or a family. Besides, the final cause and end of a thing is the best, and to be self-sufficing is the end and the best. Hence it is evident that the state (*polis*) is a creation of nature, and that man is by nature a political animal.[113]

Once they achieve their own ends, these smaller associations keep their existence, as they are functional to perform some basic activities necessary for the maintenance of the *polis*, but they have no other value than that. They can claim no autonomy of ends in relation to the *polis*, as the *polis* is their very natural end. Thus it would be unnatural for these lower associations to resist its authority, like it would be unnatural for a hand to claim autonomy of ends in relation to the body it is a part of.

As Stephen Everson comments in his introduction to the *Politics*:

> It is one thing to maintain that the state is definitionally prior to its citizens but

[111] Ibid.
[112] Muñiz-Fraticelli, V. "The Structure of Pluralism". Oxford UP, Oxford, 2014. P.58.
[113] Aristotle, "Politics". Translated by B. Jowett. Oxford UP, Oxford, 1963. 1252b-1253a. (P.28).

> quite another to claim that it is prior to the people who are its citizens... Any club is prior to its members but this does not itself entitle it to direct their lives, and certainly not the lives of their children... The difference, for Aristotle, is that whilst it will be a contingent matter whether people are members of types of association such as clubs, they are naturally, and hence necessarily, such as to be citizens of a state[114].

This total priority of ends of the *polis* over smaller associations is incompatible with the very idea of intermediacy and to the principle of subsidiarity. And when we consider the situation of individuals, on the other hand, Aristotle diverges even further from Delsol's account of subsidiarity in Greece. As Aroney observes:

> As part of a political unity, it follows that no citizen should consider that he belongs to himself, for every individual in fact belongs to the city-state (Politics, VIII.1). In practical terms, this meant that the head of each household should not be allowed to educate his children as he thinks fit. The entire city-state has a single, all-embracing end, and to achieve this objective the education of children must be made public and uniform (Politics, VIII.1-2; Nicomachean Ethics, X.9).[115]

So, even if Aristotle did recognize the autonomy of intermediate associations as functional to the *polis*, this concession was merely descriptive. Indeed, he offered no normative reason supporting the idea beyond saying that the Greeks were 'naturally free'. The consequence, as Justin Anderson points out, is that Delsol's attempt to ground the principle of subsidiarity in Aristotle "fails to recognize that while a meso-level body's autonomy is a necessary condition for the principle, it is insufficient to count as the *raison d'être* of the principle of subsidiarity itself"[116]. "Meso-level bodies" are, in Anderson terms, intermediate level groups or associations, while "exo-level bodies" refer to higher level groups or

[114] Everson, S. "Introduction" in Aristotle. "The Politics and the Constitution of Athens", Cambridge UP, Cambridge, 1996. P.xix.

[115] Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27. P.14.

[116] Anderson, J. "Aristotelian Groundings of the Social Principle of Subsidiary," *International Philosophical Quarterly*, 54, no. 3 (September 2014): 333-351. P. 337.

associations.

The practical upshot of this "justification problem" (as Anderson calls it) is salient, if for no other reason than because the real test of subsidiarity, as we have said, is not whether intermediate associations exist, but if they can justify their resistance to an intervention from above. And there seems to be no justification for this kind of resistance within Aristotelian political philosophy. As Anderson states:

> Practically, this problematic is made especially conspicuous when, in a conflict situation between an interventionist exo-level body and a resistant meso-level body, the latter wishes to justify the reason for its autonomy in the face of a potential act of intervention by an exo-level body. If Delsol is correct, then the only Aristotelian grounding to which one could appeal is that such an exo-level intervention would be an interruption of the meso-level group's autonomy, which is naturally its own. The problem with this response is that it indicates that which is typically already acknowledged by the exo-level body. Yet, the exo-level body also typically discerns an insufficiency in the meso-level body's capacity and so judges itself warranted to intervene in order to attain some greater social good. Consequently, any meso-level body in such a situation wishing to remain autonomous faces a serious need to justify the need for that autonomy beyond the response that Delsol identifies. In short, neither group autonomy nor the liberty that springs from it seems capable of justifying itself[117].

In sum, even if Aristotle does describe a sphere of autonomy for intermediate associations as functional to the *polis*, the normative grounding he provides for this autonomy derives from its being 'natural', which as a justification for that autonomy, is manifestly under-developed. On the other hand, Aristotle's conception of the 'common good', which is the *telos* of the *polis*, gives absolute priority to political unity over individuals and intermediate associations. Their autonomy is considered valuable only insofar as it aids and supports the

[117] Ibid. PP. 337-338.

polis. Delsol's argument is thus completely backward: in the *polis* political intervention was not limited by any need to respect the development of individuals and intermediate organizations (as would be consistent with the principle of subsidiarity), but the reverse - the autonomy of individuals and intermediate organizations was limited precisely to the extent that they were useful for the *polis*. The insufficiencies of the *polis* were palliated by society, not the other way around. In practice, the *polis* was not subsidiary to intermediate associations, but intermediate associations were subsidiary to the *polis*, as their autonomy seems to be justified by Aristotle only by its utility to the supreme end of the *polis*, which was its autarchy. We could reasonably conclude, then, that Aristotle had a perspective which was contrary to the principle of subsidiarity.

Other theses concerning the Aristotelian roots of subsidiarity

Delsol's attempt to ground subsidiarity in the thought of Aristotle is inadequate, as has been shown. But hers is not the only attempt to do so. John Finnis and Justin Anderson also try to root the principle of subsidiarity in Aristotelian thought. But the reasons to do so are implicit, according to them, and are not entailed by Aristotle's *Politics*, but based on his *Ethics*.

Finnis's Thesis

On John Finnis' reading, the principle of subsidiarity can be deduced from the Aristotelian distinction between practical reasonableness (doing something, *phronesis*), which is related to activities that constitute an end in themselves, and technical ability (making something, *techné*), which is related to instrumental activities[118]. Following the *Nicomachean Ethics* and its theory of human flourishing, he describes:

> Only in action (in the broad sense that includes the investigation and contemplation of truth) does one fully participate in human goods. One cannot —no one can—spend all one's time, in all one's associations, leading and

[118] Finnis, J. "Subsidiarity's roots and History: Some Observations". *The American Journal of Jurisprudence*. Vol. 61, N°1, 2016. PP. 133-141. P. 135.

> taking initiatives; but anyone who is never more than a cog in big wheels turned by others is denied participation in an important aspect of human well-being.[119]

In other words, Finnis recognizes Aristotelian ethics as implicitly regarding our participation in intermediate associations as a basic human need, a condition of human flourishing, and not a merely as an instrumental action. To live a human life means, at least in part, to participate in such associations. And this suggests the necessity of respecting a domain of freedom and authority over and against political authority.

Anderson's thesis

The first part of Anderson's account differs from Finnis' argument. He proceeds by identifying eight facets of the Aristotelian account of practical reason which he then links with the principle of subsidiarity. His conclusion is that, using Aristotelian categories taken from his *Ethics*, it can be defended that, in dealing with the particularities of everyday life, meso-level bodies, compared to the exo-level ones[120], will always possess a better practical knowledge, a better emotional grasp of the situation, and also a better knowledge about how that particular situation "relates to the past events and issues that have been raised in and by these particular subjects"[121]. On the other hand, like Finnis, he proposes that it also follows from Aristotelian *Ethics* that deliberation in the context of intermediate bodies is an end in itself, which is necessary for human flourishing.[122] This *phronesis*-based philosophical justification of the principle is seen by Anderson as more robust and loyal to the meaning of subsidiarity than the mere appeal to autonomy based on the *Politics* deployed by Delsol.

What both Finnis and Anderson convincingly show is that the principle of subsidiarity can be justified from themes native to Aristotelian *Ethics*. Their project, however, is one of interpolation and reconstruction, not of exegesis and interpretation. This is very different to

[119] Ibid.

[120] Meso-level bodies, according to Anderson, are intermediate organizations or associations. Exo-level bodies, on the other hand, are higher organizations and authorities.

[121] Anderson, J. "Aristotelian Groundings of the Social Principle of Subsidiary," *International Philosophical Quarterly*, 54, no. 3 (September 2014): 333-351.P.345.

[122] Ibid. 348.

the proposition that subsidiarity was articulated and espoused by Aristotle himself, which is Delsol's proposal. In fact, Finnis and Anderson show that the principle was not formulated by Aristotle, but it could be justified from the point of view of some of his propositions. Given this, I see no need to contest Finnis and Anderson's position presently, as they do not contradict my thesis in this chapter, which is that subsidiarity is not an idea traceable to Aristotle himself.

And actually, Finnis clearly admits that the principle really only finds clear articulation in the thought of Aquinas, who rejects the Aristotelian *autarkeia* (self-sufficiency) as the final end of the *polis*. As Finnis states: "what the principle of subsidiarity both emerges from and points to is a conception of the political community's common good as a wellbeing in which is *included*... the flourishing of individuals and families and their appropriate associations."[123] This difference between Aristotle and Aquinas is important, as it points to a possible origin of the principle in the Christian tradition, rather than in the classic world.

Conclusion: after Aristotle, before Aquinas

In his article *Subsidiarity Roots and History: Some Observations*[124], Finnis elaborates on the main difference between Aristotle and Aquinas regarding subsidiarity. He states that:

> Against Aristotle's ambiguous "self-sufficiency" of the political community, we should therefore hold that common enterprises are to be regarded, and practically conducted, not as ends in themselves but as means of assistance, as ways of helping individuals to "help themselves" or, more precisely, to constitute themselves. And in all those fields of activity, including economic activity, where individuals, or families, or other relatively small groups, can help themselves by their own private efforts and initiatives without thereby injuring (either by act or omission) the common good, they are entitled in justice to be allowed to do so, and it is unjust to require them to sacrifice their

[123] Finnis, J. "Subsidiarity's roots and History: Some Observations". *The American Journal of Jurisprudence*. Vol. 61, N°1, 2016. PP. 133-141.. P. 137.
[124] Ibid.

> private initiative by demanding that they participate instead in a public enterprise. It remains unjust even if the material dividend they receive from the public enterprise is as great as or even somewhat greater than the material product of their own private efforts would have been. The principle of subsidiarity is a principle of justice.[125]

On this view, in Aquinas' thought politics is no longer the overarching, architectonic activity to which all other human activities are ordered. Rather, it is subordinated to individual freedom. In his article, *Subsidiarity in the Writings of Aristotle and Aquinas*,[126] Nicholas Aroney, makes a parallel point, proposing that "for Aristotle, the *polis* presented a comprehensive context in which what is good for human beings is secured", while for Aquinas, "the state certainly has this function, it is itself put into a wider theological context, and its good are understood relative to that framework... this enabled Aquinas to take a view of the 'state' that was relative –not only 'upwards' and 'outwards' as regards its wider context, but also 'downwards' or 'inwards' as regards those forms of human sociality that are 'smaller' than the state."[127]

But where does this new perspective come from? How has subordination of intermediate associations to political authority been turned upside down? Does the idea of subsidiarity start with Aquinas? If we discard Aristotle as the father of the principle of subsidiarity, the next candidate seems to be Aquinas. He comes directly after Aristotle in both Delsol's and Finnis' accounts. But this historical leap seems at once overly hasty and conceptually implausible. Consider, for example, that in addition to being an attentive reader of Aristotle, Aquinas was a recipient to more than a thousand years of Christian political thinking, not to mention that his intellectual work is synthetic in nature, and strongly influenced by the reading of Augustine of Hippo and other Fathers of the Church[128]. If the principle of

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125 Ibid.

126 Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27.

127 Ibid. P.19.

128 "It is well-known that a central motif in Aquinas's thought concerned his attempt to synthesize the deliverances of natural human reason with the propositions of Christian revelation in a manner which admitted the findings of reason as regards those matters falling within the proper scope of each of its sciences, but which preserved the ultimate unity of the truths known by both reason and faith, while insisting that revealed truths exceed those truths that can be known by reason (…) in large part, this

subsidiarity does not come from Aristotle, then an exhaustive search in the Jewish-Christian tradition must be followed before concluding that it starts with Aquinas.

My objective in the next chapter, therefore, will be to start the unearthing of the development of Christian political thought from its origins in the Jewish tradition. We started this chapter stating that the first Christians denounced "with uniform vigour and consistency" the classical idea that "it was possible to attain a goal of permanent security, peace and freedom through political action".[129] Now, we will explore the grounds of that denunciation, which are, as we will see, the real roots of the principle of subsidiarity.

CHAPTER II

The Jewish Origins of Intermediacy

***Abstract**: In this chapter, I will show that the more plausible source for the principle of Subsidiarity is rooted in the revolutionary second-temple Jewish idea that the one God had sent the "foreign sword" of the invading Empires to punish the Jewish people because they disobeyed the Law of God. And, therefore, that the power that these pagan empires held over the Jews was legitimate, but only insofar it was not used against the Law of God. This is the birth of "Jewish intermediacy": the organization of the Jewish people as an autonomous religious organization between the Empire and the individual, which claimed a full spiritual authority but recognized, at the same time, the political authority of the Empire, therefore creating a negative obligation of non-intervention for the higher power.*

Introduction

In the last chapter, we saw that the roots of subsidiarity do not seem to reach ancient

involved for Aquinas a synthesis of the thought of Aristotle (whom Aquinas called simply 'The Philosopher') with the interpretations of the Bible and developments in philosophy that had been initiated by a whole host of Patristic and Medieval writers, preeminent among them, Augustine of Hippo". Ibid. PP. 18-19.

[129] Cochrane, Ch. "Christianity and Classical Culture". Oxford UP, New York, 1957. P.vi.

Greece. This is because subsidiarity demands the ability of intermediate associations to claim autonomous authority in the face of political power, and no such source was available in classic Greece, nor was envisaged by the Greek philosophers, including Aristotle. These facts lead us to think that the true origins of the concept as it is found in the work of Thomas Aquinas might be in the Christian Patristic tradition, which is the other main influence present in Aquinas' synthetic work. To carry on that research, it is neither possible nor reasonable to completely isolate Patristic thought from its Jewish and, more generally, Hebraic background. Otherwise, it would be easy to end up attributing Christian originality to conceptions that have a much longer history. And that is exactly the case with subsidiarity, as we will see in the next pages, where I will demonstrate that the Israelite specific tension between temporal and spiritual authority made possible intermediacy as a political and intellectual reality and, therefore, is the real historical root of the principle of subsidiarity.

The idea of subsidiarity, as most political ideas, developed through dialectics of action and reflection. As we saw in the introduction, intermediacy is the practice behind the idea of subsidiarity. And a basic requisite for intermediacy is the existence of an intermediate organization (one between the individual and the "state"[130]) with autonomous authority. If any political actor can claim absolute or total authority over the complete social unit, intermediacy is not possible.

Athens or Jerusalem

All ancient societies, which were polytheist societies, conceived their political order as an analogy of cosmic order. Polytheism, affirms Jan Assman, "is cosmotheism… the divine cannot be divorced from the world"[131]. In this kind of society, as Eric Voegelin remarked, "there is no flow of historical time articulated by an originating event… The foundation of government is rather conceived as an event in the cosmic order of the gods, of which the earthly event is the analogous expression"[132]. The world of gods of the ancient world, in this way, "does not stand opposed to the world made up of the cosmos, humankind and

[130] Here the term "state" is used in a loose way to name any kind of stable centralized political organization.
[131] Assman, J. "The Price of Monotheism". Stanford UP, Stanford, 2010. P.41.
[132] Voegelin, E. "Israel and Revelation" (Order and History, Vol.I). Lousiana State UP, Baton Rouge, 1958. P.25.

society, but endows them with meaning as a structuring and ordering principle"[133].

This kind of order is total, but not "totalitarian". The idea of "totalitarianism" supposes an effort of arbitrary expansion or encroachment of political power over areas of life that are considered normally and naturally out of its reach. Such a description implies a degree of social differentiation that is not present in a total order, where these "areas of life" are not distinguished: the ancient city is "the type of the political community that is inseparably a religious community because the gods are the gods of the city"[134]. A total order is "compact": it has no external point of view from where it can judge itself. The political community, in this kind of society, is not capable of second-order or reflexive observations.

Intermediacy and total orders are, therefore, incompatible. An autonomous intermediate association is impossible where total unity is a given fact. It is only made possible by differentiation: a part of the whole has to develop an autonomous perspective. But not any differentiation makes intermediacy possible: the part differentiated from the whole has to be also an association. This is the reason why intermediacy was born in Jerusalem, where the religious community achieved autonomy, but not independence, from the political order, and not in Athens, where the philosopher, as an individual committed to the search of truth through the use of reason, separated himself from the *polis*, but the *polis* remained a total order.

The main difference between Athens and Jerusalem, according to Pierre Manent, is that in the first case the political community was also a religious community ("where the gods are the *gods of the city*"[135]), while in the second case the religious community was also a political community (where "the community of Jews is defined as the people *of God*"[136]). The Jewish theopolitical case is exceptional, as it is "in reality the only one example in the Euro-Mediterranean region before the development of Christianity and Islam"[137] of a community where a universal God precedes the city, instead of the city preceding its gods:

> In the Jewish experience, the people come to be as a people, is fashioned as a

133 Assman, J. "The Price of Monotheism". Stanford UP, Stanford, 2010. P.40.
134 Manent, P. "Metamorphoses of the City". Harvard UP, Cambridge (Mass.), 2011. P. 227.
135 Ibid.
136 Ibid.
137 Ibid.

> people, by the loving and provident design, the Providence, of the one God. If, in the Greek experience, the political community is in the foreground and the gods are many (in reality, their number is indefinite), in the Jewish experience God, as the one and only true God, comes first, and it is as a consequence of this oneness of God that the people, his people, is unique, that is, 'chosen' or 'elect'. It is elected among the 'nations'[138].

The Greek philosophers were able to ask themselves what kind of political order was better attuned with rational truth. That is how political philosophy started. They "tried to find out what the good life was, and act upon it"[139]. And one of the effects of this effort was "an ambiguous relationship to the theological-political order of the city", as "philosophy as an activity is transmoral and transpolitical, but the philosopher is a political being subject to the authority of the city and its laws"[140]. The idea of nature, then, emerged as "that which is independent of both human artifice and divine power"[141]. But, as we already said, this tension between the philosopher and the *polis* was not able to open up a political space for intermediacy.

In the case of Israel, the question about the "good life" was already answered, as their lawgiver and their true ruler was God himself and, therefore, the only remaining problem was how to organize to live according to that law and in obedience to God (Yahweh). As William Cavanaugh puts it, "Israel's election (by God) calls a body that does not fit neatly into any existing political order, because obedience to God trumps all other kinds of obedience"[142]. The covenant of Israel with God is between Him and "a people ... that stands in a unique relationship to all the nations of the earth"[143], and not with any particular kind of political organization[144]. In order to live under God's direct rule they had to avoid divinizing earthly political authority, but they needed some kind of earthly authority in order to survive. In this way, "the relationship between the life of the spirit and the life in

138 Ibid.
139 Bowle, J. "Western Political Thought". Johnathan Cape, London, 1948. P.45.
140 Janssens, David. "Between Athens and Jerusalem". SUNY UP, Albany, 2008. P. 193.
141 Ibid.
142 Cavanaugh, W. "Migrations of the Holy". Eerdmans, Grand Rapids, 2011. P. 105.
143 Ibid.
144 "As we survey the texts which speak of Yhwh's kingship, we notice a reluctance to make direct connexions with any concrete form of political order" O'Donovan, O. "The Desire of the Nations". Cambridge UP, Cambridge, 1998. P. 35.

the world is the problem that lies unsolved at the bottom of the Israelite difficulties"[145].

A political authority that is only instrumental to the subsistence of a people and which is ultimately subordinated to spiritual authority is not, and cannot be a total authority. But it has, on the other hand, a priority in matters related to its limited function. And in these matters, the spiritual community has to be subordinated to its commands, as an intermediate association.

The specificity of the Hebraic tension between the political and the spiritual dimensions of life and the consequences of the development of that tension for Western political history have not been ignored by political theory. Carl Schmitt, following Hobbes, called this process of differentiation the "typically Judeo-Christian splitting of the original political unity"[146], which was defined by "the original and natural heathen unity of politics and religion"[147]. In the same way, Eric Voegelin affirmed that the tension between the political and the spiritual focuses in Israelite history is the precedent of the later Christian development of "sacred and profane history" and, therefore, of the distinction between Church and State[148].

José Villacañas considers that the Jewish prophetic monotheism that was made possible by the "ancestral mosaic constitution" is the primitive origin "of the European division of powers"[149]. David C. Flatto also believes that modern separation of powers can be traced back to the emergence, during Second Temple and rabbinic periods of Jewish history, of an autonomous sphere of law translated into juridical schemes "that aim to secure norms from the damaging intervention of powerful leaders"[150]. And, finally, Pierre Manent believes that "the Christian communion is made on the Jewish model" [151]; and that communion, assuming the form of the Church, will "in a decisive way set in motion the very complex

[145] Voegelin, Eric. "Israel and Revelation" ("Order and History", Vol.1). The Collected Works of Eric Voegelin, Vol.14. UM Press, Columbia, 2001. P. 164

[146] Schmitt, C. "The Leviathan in the State Theory of Thomas Hobbes". Chicago UP, Chicago, 2008. P. 10.

[147] Ibid.

[148] Voegelin, E. "Israel and Revelation" (Order and History, Vol.I). Lousiana State UP, Baton Rouge, 1958. P.180.

[149] Villacañas, J.L. "Teología política imperial y comunidad de salvación cristiana". Trotta, Madrid, 2016. P.14. (All translations of this book are mine).

[150] Flatto, D.C. "The Crown and the Courts: Separation of Powers in Early Jewish Imagination". Harvard, Cambridge (Mass.), 2020. P.16.

[151] Manent, P. "Metamorphoses of the City". Harvard UP, Cambridge (Mass.), 2011. P. 223.

interplay of divisions, unifications, and re-divisions that is proper to Europe and the West"[152].

It seems clear, then, that it is not a novelty to trace the germ of Western social and political differentiation back to Israel. But, until now, the ideas of intermediacy and subsidiarity have not been part of that reflection. And that is the gap which we will try to close in the next pages.

Athens and Jerusalem, in sum, represent two different views of the better life[153], one of which separates the philosopher from the *polis*, and another one which separates the people of God from the rest of the nations. And the claim that I want to defend in this chapter is that only this second path, which generates a distinctive kind of tension between temporal and spiritual authority, can create the conditions for the emergence of intermediacy as a political and intellectual reality. It is, therefore, the real historical root of the principle of subsidiarity.

Hebraic exceptionality and the birth of intermediacy

The tension between temporal and spiritual authority was produced by three main beliefs which developed alongside Israel's concrete historical experience[154]:

a) God's direct Kingship over Israel: God has chosen the people of Israel as his own people. He has given them a Law through Moses (who was a prophet and not a king). He (God) is the King of Israel[155]. All other authorities have limited power over the people, and

[152] Ibid. P.228.

[153] "Man cannot live without light, guidance, knowledge; only through knowledge of the good can he find the good that he needs. The fundamental question, therefore, is whether men can acquire that knowledge of the good without which they cannot guide their lives individually or collectively by the unaided efforts of their natural powers, or whether they are dependent for that knowledge on Divine Revelation. No alternative is more fundamental than this: human guidance or divine guidance. The first possibility is characteristic of philosophy or science in the original sense of the term, the second is presented in the Bible" Strauss, L. "Natural Right and History". P.74.

[154] These beliefs, as we will see, are grounded in the pre-exilic tradition, but come into full maturity only in the context of second-temple Judaism. And, for that reason, is safer to speak about "Jewish intermediacy" instead of "Hebraic intermediacy".

[155] "The covenant at Sinai signifies, according to its positive content, that the wandering tribes accept JHWH 'forever and ever' as their King… According to its negative content, it signifies that no man is to be called king of the sons of Israel… JHWH does not want, like the other kingly gods, to be sovereign and guarantor of a human monarch. He wants himself to be the Leader and the Prince" Buber, M. "Kingship of God". George Allen and Unwin, London, 1967. P.136.

the authority of the rulers depends on their obedience to God's will[156]. Most of the rulers of Israel have failed because they pretended to divinize themselves. The mere pretence of an earthly king "to be like the other nations" shows a lack of faith on the side of the people of Israel, who have, as a punishment, suffered under the tyranny of earthly rulers.

b) God's universal rule: God is one and rules the whole universe. All power on earth, including the power of heathen empires, has been trusted by him with some objective in mind. The trustees of these powers are obligated to respect God's will or otherwise they will be severely punished. All these entrusted powers are limited and, therefore, all pretension of divinity from an earthly ruler is strictly forbidden. The political rule of the empires that have conquered Israel is legitimate as far as the rulers respect and support the Jewish way of life under God's Law. Otherwise, it is illegitimate and does not have to be obeyed. The function of these empires is to punish Israel for its lack of faith and observance of the Law and to create the conditions for its correction on these matters.

c) Eschatology: Human history is salvation history[157]. God will redeem the world, starting from Israel. He will come and finally judge and reign at some point in the future. All temporal powers will be cancelled once the One who is the fountain of those powers irrupts into history. There is no human way to know the time of his coming or to precipitate it. The coming of God's kingdom is totally in his own hands. The pretension of "preparing the kingdom" by looking for political independence through earthly means is wrong, sinful, and dangerous.

These beliefs were also developed alongside a practice of self-administration of religious matters that, ultimately, made Jewish people see themselves more as a religious community with a political eschatological horizon (the coming of the Kingdom) than as a political unit. In other words, they started to conceive that their historical life as a people, until the final coming of the Kingdom, would assume the form of an intermediate association ("holy

[156] "The man to whom He addresses His will in order that he carry it out is not only to have his power in this connection alone; he can also exert no power beyond his limited task… Above all, since he rules not as a person acting in his own right, but as an 'emissary', he cannot transmit power". Ibid.

[157] "The Kingship of God is a paradox, but a historical one: it consists in the historical conflict of the subjected person against the resisting one… It is the most visible appearance of that kingdom-dialectic of an asking divinity and an answering-refusing but nevertheless an answering-attempting humanity, the dialogue whose demand is an *eschaton*".Ibid.PP.64-65.

community") and not the form of a sovereign political body (or empire). Pharisaic doctrines and the consolidation of synagogues as spaces of study, gathering, and worship reinforced this tendency, as also did the traumatic experience of political rebellion against the Roman Empire that ended up in the destruction of Jerusalem and its temple.

Josephus (Josef ben Matityahu) was a Jewish priest and general who was captured during the Jewish revolt of 66-70 A.D. and ended up living the rest of his life in Rome, writing about the history of the Jewish people. He famously used the word "theocracy" to name this way of living as a peaceful religious community under the law of God:

> Some legislators have permitted their governments to be under monarchies, others put them under oligarchies, and others under republican form; but our legislator had no regard to any of these forms, but he ordained our government to be what, by a strained expression, may be termed a Theocracy, by ascribing the authority and the power to God, and by persuading all the people to have a regard to him, as the author of all the good things enjoyed either in common by all mankind, or by each one in particular, and of all that they themselves obtained by praying to him in their greatest difficulties[158].

This "theocracy" makes the Jewish people to "esteem God to be the governor of the universe, and permits the priests in general to be the administrators of the principal affairs, and withal trusts the government over the other priests to the chief high priest himself"[159]. Its government, therefore, is not driven by political ambitions, but only by religious considerations, and it does not seek to expand its influence in the spiritual realm, as Jewish custom is "to keep our own laws but not to accuse the laws of the others"[160]. Its political constitution defends only the law and does not seek political independence, military power, or material wealth:

> Neither hath the fear of our governors, nor a desire of following what other nations have in so great esteem, been able to withdraw us from our laws; nor have we exerted our courage in raising up wars to increase our wealth, but only

[158] Josephus. "Against Apion". 2. 164-6. ("The Works of Josephus". Hendrickson, New York, 1987. PP. 803-804).
[159] Ibid. 2.185 (805)
[160] Ibid. 2.237 (808)

> for the observation of our laws; and when we with patience bear other losses, yet when any persons would compel us to break our laws, that is when we choose to go to war, though it be beyond our ability to pursue it, and bear the greatest calamities to the last with much fortitude[161].

In other words, Jewish theocracy is a kind of organization in between worlds. It encompasses a religious community waiting to be transformed, in an indeterminate future, into a political community by an act of God (this eschatological element is suppressed for political reasons in Josephus' account, but that does not mean that eschatological expectation had disappeared). The Jewish people is a people that, because it has been called for something greater than all the empires of the earth, cannot exist in the way that those empires exist, but has to remain subject to them, living separately, but among heathens. And Jewish theocracy is a kind of organization that claims an autonomous authority in relation to the imperial authority, but that, nonetheless, recognizes the empire as a legitimate political power.

This religious community existing "in-between worlds" is the Jewish precedent of the Augustinian "pilgrim nation", in the same way as Jewish intermediacy is the direct precedent of Christian subsidiarity. But how did this way of existence develop? In the next part of this chapter, we will sketch this process.

Overview of Hebraic history

The history of ancient Israel is usually divided into three main periods:

1) The pre-exilic, earlier period (20th to 6th century BC), from the tribal confederation, through the united monarchy (10th century BC[162]) and the divided monarchy (10th to 6th century), "up to the end of the independent states[163] of Israel (732 BC) and Judah (587 BC), and so to the effectual end of the Israelite nation"[164].
2) The transitional period, which starts right after the destruction of the temple of

[161] Ibid. 2.271-273 (811)

[162] "We simply do not know the exact numbers of years that David and Solomon each ruled… The most we can say with some measure of security is that they both probably reigned sometime in the tenth century BCE". Finkelstein, I. & Silberman, N.A. "David and Solomon". Free Press, New York, 2007. P. 20.

[163] Here the term "state" is used in a loose way to name any kind of stable centralized political organization.

[164] Noth, M. "The Laws of the Pentateuch and Other Studies". Oliver & Boyd, Edinburgh, 1966. P.12.

Jerusalem by the Babylonian ruler, Nebuchadnezzar (587 BC)[165], and goes through exile to the restoration of Jerusalem and its temple (537-516 BC) under the rule of Cyrus, king of Persia.

3) The post-exilic, later period, "in which, within the framework of the successive world powers, there was no more than a small community in and about Jerusalem, with a widely scattered Diaspora"[166]. This period starts after the return to Jerusalem (around 500 BC) and ends with the destruction of the city by the Romans (70-132 AC), encompassing both the Hasmonean (164-63 BC) and the Herodian rules (37 BC-44 AC).

"To govern us like all the nations"

The historical process through which Jewish intermediacy as a way of political existence was shaped was not, and it could not have been, smooth and peaceful. As we have seen, it grew up from a tension, as a provisional equilibrium between the demands of the world and the demands of the spirit. And this equilibrium has always been threatened by internal and external forces[167].

Direct theocracy, then, is a specific point of view oriented to explain and justify the practice of Jewish intermediacy. And Jewish intermediacy is not the obvious and straightforward desideratum of Hebraic history, but one interpretation of that process that finally became dominant among Jews. Therefore, the history of that interpretation is not the same as the history of Israel, but trying to distinguish between them is a difficult, and sometimes impossible, task.

Hebraic historiography can be divided into two periods, with different focuses. It started

[165] Destruction which implied "the removal of the foundation upon which the old institution of the sacral twelve-tribe confederacy had rested –the covenant relationship between God and nation". Ibid. P.63.

[166] Ibid. P.12.

[167] That is why Voegelin describes Israel as a people that "tries to exist in the historical form centered in the Covenant, though at the same time the cosmological myth creeps back wherever the exigencies of pragmatic existence assert themselves". Voegelin, E. "Israel and Revelation" (Order and History, Vol.I). Lousiana State UP, Baton Rouge, 1958.P.186. Buber also describes this situation as "the real dilemma of Jewish existence… On the one hand, it was our task not to let our nature limit us in our relations to the absolute, lest we replace the divinity facing us with a God bearing our national character; on the other, it was our duty to maintain the organic and national character of this relationship, and not to let the living Divine in our midst evaporate into a lofty idea". Buber. M. "The Gods of the nations and God" in "Israel and the World" Syracuse UP, Syracuse, 1997. PP197-213. P. 199.

alongside the monarchy and its main objective was to legitimate it, unifying in a single story the traditions of the different tribes and territories that were now part of the new kingdom. Nonetheless, "the assumed primary motive of written history contradicts the contents of the historiographic work in so far as, according to the narrative itself, the focus of Israelite history was not the rise of the monarchy but the constitution of the people through the events of the Mosaic period"[168]. Of course, this contradiction was only apparent: Israel's prehistory "was a work of purposeful construction, and the primary motivation of this component in the larger historiographic work must be sought not in the events of the Mosaic period, but in the political situation created by the success of the monarchy"[169]. In other words, the objective of the narrative during this first historiographic period was to reach a retrospective justification of the monarchy. Reasonably, this historiographic work came to an end alongside the monarchic institution that was its "motivating political existence"[170].

The second period of Hebraic historiography, which starts with the destruction of the Kingdom and lasts for 250 years, is the most surprising one. It is marked by a shift of motivation: instead of the foundation of the Kingdom, the Mosaic Covenant becomes its main focus, and the experience of the fallen kingdom is reinterpreted from that point of view:

> In the situation of the 'conquest', under the threat of extinction at the hands of the Philistines, the organization of the people under a monarchy was understood as the fulfillment of the task imposed by the Covenant. But as soon as the monarchy was established, and had adjusted itself to the internal and external exigencies of politics, it became obvious that the new social order did not correspond to the intentions of the Covenant at all. Hence, only with the reaction to the monarchy began the intense interest in Moses and the Instructions which ultimately caused the Kingdom to appear as a great aberration[171].

[168] Voegelin, E. "Israel and Revelation" (Order and History, Vol.I). Lousiana State UP, Baton Rouge, 1958. P.176.
[169] Ibid. P.178.
[170] Ibid.
[171] Ibid. P.180.

This whole process is reflected in the Jewish Bible narrative about the monarchy, in which two voices called by modern scholars "monarchical" and "anti-monarchical" are juxtaposed[172]. One of the peaks of the tension between these two voices is reached in 1 Samuel 8[173], where God finally allows monarchy, but only after warning that the request for a king was "a rejection of his divine kingship"[174].

These two voices project into history, until our days. For example, a contemporary alternative tradition to direct theocracy, political Zionism, considers the age of Kings as the golden one, defends the rebels as national heroes, and maintains that intermediacy was just a survival strategy developed by a defeated nation that had to cope with imperial domination[175]. From this perspective, theocracy is not just non-political, but anti-political[176], for it is considered incompatible with loyalty to any kind of earthly authority[177], to the point of not being compatible with earthly political existence[178]. On the other hand,

[172] See Buber, M. "Kingship of God". George Allen and Unwin, London, 1967.PP.66-84.

[173] This chapter reads: "When Samuel became old, he made his sons judges over Israel... Yet his sons did not walk in his ways, but turned aside after gain; they took bribes and perverted justice... Then all the elders of Israel gathered together and came to Samuel at Rahma, and said to him, "Behold, you are old and your sons do not walk in your ways; now appoint us a king to govern us like all the nations. " But the thing displeased Samuel when they said, "Give us a king to govern us." And Samuel prayed to the Lord. And the Lord said to Samuel, "Hearken to the voice of the people in all that they say to you; for they have not rejected you, but they have rejected me from being king over them. According to all the deeds which they have done to me, from the day I brought them up out of Egypt even to this day, forsaking me and serving other gods, so they are also doing to you. Now then, hearken to their voice; only, you shall solemnly warn them, and show them the ways of the king who shall reign over them."... So Samuel told all the words of the Lord to the people who were asking a king from him. He said "These will be the ways of the king who will reign over you: he will take your sons and appoint them to his chariots and to be his horsemen, and to run before his chariots; and he will appoint for himself commanders of thousands and commanders of fifties, and some to plow his ground and to reap his harvest, and to make his implements of war and the equipment of his chariots. He will take your daughters to be perfumers and cooks and bakers. He will take the best of your fields and vineyards and olive orchards and give them to its servants. He will take the tenth of your grain and give it to his officers and to his servants. He will take your menservants and maidservants, and the best of your cattle and your asses, and put them to his work. He will take the tenth of your flocks, and you shall be his slaves. And in that day you will cry out because of your king, whom you have chosen for yourselves; but the Lord will not answer to you in that day."... But the people refused to listen to the voice of Samuel; and they said, "No! But we will have a king over us, that we also may be like all the nations, and that our king may govern us and go out before us and fight our battles." And when Samuel had heard all the words of the people, he repeated them in the ears of the Lord. And the Lords said to Samuel, "Hearken to their voice, and make them a king."

[174] Launderville, Dale. "Piety and Politics". Eerdmans, Grand Rapids, 2003. P.41.

[175] "The institutional arrangements necessitated by Persian suzerainty became hallowed and unchanging religious institutions, which, with time came to constitute the defining characteristics of historic Judaism" Weiler, G. "Jewish Theocracy". E.J. Brill, Leiden, 1988. P. XIV.

[176] Ibid.

[177] "He who sees himself as the subject of God owes no loyalty, for its own sake, to any earthly authority". Ibid. P.22.

[178] "It is impossible for a state, which is Jewish in its essence, to exist at all" Ibid. P. XIII.

interpretations of the Jewish Bible as a radical rejection of kings and kingship are also available. The biblical scholar Robert Gnuse, for example, considers that "even the positive imagery about good kings, and above all, the hopeful image of the future messiah, were further indictments of the real-life institution of kingship as it was commonly practiced in the ancient world"[179]. Finally, Daniel J. Elazar has built a complete political theory around the Jewish covenantal tradition, affirming that "extending the pervasive covenantal relationship between God and man, presented as the only proper one, the Bible necessarily holds that the covenantal relationship is also the only proper basis for political organization"[180], and also proposing that the covenant idea "is one of the two or three fundamental political concepts illuminating the origins and basis of political life"[181].

The history of the development and triumph of the "covenantal" perspective over the "monarchical" one is, in a way, the history of Jewish intermediacy. Therefore, a closer look to the most important moments in that development seems like an adequate next step for our research.

The development of intermediacy

The seeds of Jewish intermediacy pre-exist second temple Judaism, in the uneasy relationship between political authority and spiritual authority during the early periods of Hebraic history. As the bond of the twelve tribes was sustained by a covenant made directly with God (the Sinai covenant), no temporal authority had a basis to claim divine powers over them, and even the mediation of divine rule became a complicated task, as the primary earthly link of God was with the people of Israel and not with any of their representatives[182]. On the other hand, they needed a political authority to secure their earthly existence as a people. The practical effect of this situation was not only the relative

[179] Gnuse, R. "No tolerance for Tyrants. The Biblical Assault on Kings and Kingship". Liturgical Press, Collegeville, 2011. P.5.

[180] Elazar, D.J. "Covenant as the Basis of the Jewish Political Tradition". In Elazar, D.J. "Kinship and Consent: The Jewish Political Tradition and its Contemporary Uses". Transaction Publishers, New Brunswick, 1997. PP. 9-45. P.12.

[181] Ibid. P.15.

[182] "The relationship of God and people, which forms the basis of the substantially pre-monarchic Pentateuchal tradition, and which consists of Israel's bond with God within the framework of the divine plan of salvation, does not require the mediatorial office of a cult-ritually active divine king". Noth, M. "The Laws of the Pentateuch and Other Studies". Oliver & Boyd, Edinburgh, 1966. P.166.

weakness of the monarchy[183], once it came into the scene, but the relative weakness of any kind of political authority. It also explains why the ideology of divine kingship never took root in Israel[184]. The failure of King David's attempt to secure his dynastic power by claiming that he and his house had a personal covenant with Yahweh, and by transferring the "Ark of Yahweh" to "a state sanctuary belonging to the Davidic dynasty"[185], is the best proof of this weakness.

Nonetheless, the perspective of Jewish intermediacy was strengthened by the experience of military and political defeat of the people of Israel. It worked as a way to understand and adapt to those circumstances. The destruction of the Temple of Jerusalem by the Babylonians (587 B.C.) and the further exile of part of its people was considered by the inhabitants of the city as a punishment of God because "the same social unrighteousness and immorality, condemned by the eight-century prophets, where condemned by the prophets of this period"[186]. The tension between temporal and spiritual authority reaches its height with prophet Jeremiah, "who threw its authority into a head-on collision with the authority of the institutions and forced each member of the community to make a choice"[187]. In this way, the prophet has "taken over the mediatorial role, a sign that the monarchy, which was to mediate Yhwh's rule to his people, has been set aside"[188]. As Max Weber put it:

> Yahwe alone would ordain everything according to his will. And for the immediate future his intents, in view of the behaviour of his people, were threatening and terrible. The great kings and their armies were God-ordained... For Jeremiah, Nebuchadnezzar is "God's servant"[189].

The experience of the exile, on the other hand, consolidated the idea that God was beyond any kind of political organization. And it also made clear that the triumph of God's will was not the same as the political success of Israel. From then on, the cult of Yahweh adapted to

[183] "In the various forms of government which evolved in Israelite soil, the monarchy was here not so free to develop its functions as usually happens in monarchies" Ibid. P.15.
[184] Ibid. P.163.
[185] Ibid. P.31.
[186] Schofield, J.N. "The Historical Background of the Bible". Thomas Nelson & Sons, London, 1938. P.199.
[187] O'Donovan, O. "The Desire of the Nations". Cambridge UP, Cambridge, 1996. P.78.
[188] Ibid.P.77.
[189] Weber, M. "Ancient Judaism". The Free Press, New York, 1967. P.319.

survive under any kind of circumstance, even slavery, and eschatology took an apocalyptic form: the Kingdom of God was conceived, for the first time, as a reality beyond history. The spiritual existence of Israel was, in this way, detached from its political existence as an independent organization. Intermediacy, the existence of an intermediate institution whose authority does not depend on its recognition by political authority, became a clear reality during this period.

The restoration of Jerusalem and its temple (537-516 B.C.) by Cyrus, the Persian ruler who defeated the Babylonians (539 B.C.), was seen by the Jews, during this transitional period, as an opportunity for separation, "a moment in which Israel can withdraw from the idolatrous society in which it has dwelt"[190], initiating the restoration of Zion that would lead to world peace under God's rule. But soon the post-exilic community realized that the world-wide conversion from idolatry was not going to happen soon, and they "therefore understood themselves to be living in a state of preparation, charged to maintain the purity of their own life in readiness for the dawning of that later day"[191]. As the main objective of the community became a spiritual one, "Judaism gradually started to define itself more as a religion than as a nationality" [192].

Eschatology, understood, following R.E. Clements, as "the ideas and beliefs concerning the end of the present world order, and the introduction of a new order"[193], then, became a central feature of the post-exilic period. But there was also a change in the conception of that ending. The pre-exilic prophets were concerned about events that would "take place within history and not beyond it", while the post-exilic ones developed ideas "of the end of the cosmos and the cessation of history"[194]. In other words: apocalyptic ideas. This eschatological turn happened, as both O'Donovan and Clements remark, after the return to the Promised Land, "when the promises (of a new Israel expressed by Deutero-Isaiah) were not immediately fulfilled (and) disappointment gave way to a more patient anticipation of the coming of Yahweh"[195].

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190 O'Donovan, O. "The Desire of the Nations". Cambridge UP, Cambridge, 1996. .P.85
191 Ibid. P.86
192 Cohen, S.J.D. "From Maccabees to the Mishnah". The Westminster Press, Philadelphia, 1989. P.21.
193 Clements, R.E. "Prophecy and Covenant". SCM Press, London, 1965. P.105.
194 Ibid.P.104.
195 Ibid.P.118.

This transition from national to religious identity, on the other hand, was accompanied by the development of "a regimen of private worship unknown to pre-exilic Israel"[196]. In Babylon, during exile, spiritual authority was held mainly by the prophets and also by a new institution: the synagogue. H.C. Kee explains that the precise origin of the synagogue is not known, but "a commonly held view is that the institution originated during the exile of the Jews in Babylon, during which time the practice developed to meeting regularly for the reading and study of the Law of Moses"[197]. From this point, "gradually, it is supposed, the meeting place became a centre of worship and instruction and then a place of prayer"[198]. The religious service focused on "the reading and exposition of the Law"[199]. It was only this institution and "the observance of particular requirements from the old law (that) linked together the Jews of the dispersion"[200].

Second Temple Judaism, in sum, tended to consolidate a political structure where the Jewish community organized itself more as a religious institution within a political unity than as a political unity within an Empire. In Judea "the Jews of the country were citizens of two parallel political systems... the first was the 'civil' administration of the state, which was implemented in the local level by cities and villages, and on the provincial level by governors or vassal kings... the second was the 'national' or 'religious' administration of the Jewish polity, which for most of the second temple period was implemented by the high priest"[201]. The jurisdiction of each government was related to the objective of their authority: 'civil' matters were in hands of the imperial state, while 'religious' matters were in hands of the religious administration. Of course, especially considering the extent of what was regulated by the Law, "in some matters the two systems overlapped, creating a degree of confusion and uncertainty"[202].

The transit from national identity to religious identity was interrupted, nonetheless, by a major political event. The corruption of the spiritual authorities (degeneration from "direct theocracy" or government of God, to "hierocracy" or government of the priests, according

196 Ibid. P.22.
197 Kee, H.C. "The Origins of Christianity". SPCK, London, 1980. P.58.
198 Ibid.
199 Ibid.
200 Ibid.
201 Cohen, S.J.D. "From Maccabees to the Mishnah". The Westminster Press, Philadelphia, 1989. P.105.
202 Ibid.

to Buber's terminology[203]) and the imperial abuses generated a series of national rebellions led by a group of brothers known as Maccabees or Hasmoneans. This rebellion ended up in Jewish political independence in the year 142 B.C., which lasted until 63 B.C., with a brief period (135-104 B.C.) of Syrian dominion in between. But the history of the Hasmonean dynasty members, who ruled as High Priests of Jerusalem, ended up just reinforcing the decline of the national identity. A tendency to self-divinization and Hellenization started to grow among the high priests, and it was accompanied by a brutalization of politics similar to that of the heathen kingdoms. Eventually, the house of Hasmon came to a shameful end: Roman conquest stopped the civil strife that infested the last years of Jewish independence, and this change was welcomed by many Jews who preferred the imperial government to political autonomy under any of the last Hasmonean claimants[204].

During all this long period, since before the Maccabean revolt, an alternative perspective to the search for earthly power developed among some Jews. The spirit of the "Hasidim", "the tendency to concentrate all interest and energy upon the Law, the pursuit of righteousness, and to regard political and military ambitions with more or less indifference"[205], was carried on by two important groups: the Pharisees and the Essenes. Pharisees were "those whose preoccupation was to realise in the fullest way the ideal of legal purity, absolute separation from everything that defiled"[206]. This group fostered the synagogues as a place of study and worship, claiming that God could be reached not only through the Temple of Jerusalem and its priests. They also considered that the Torah had to be interpreted under the light of tradition and that the results of this interpretation changed through time. The Essenes, on the other hand, were a Hasidic priestly movement that decided to leave Jerusalem and break with the temple, as they considered that "the whole temple worship appeared to be defiled"[207]. They moved out to live as a community, thinking that the coming of the Kingdom of God was near and that they were chosen by God "to be the community of the final age which is summoned to the final struggle against the hosts of Belial, and because

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203 See Buber, M. "Kingship of God". George Allen and Unwin, London, 1967. PP.59-60.

204 "Pompey was approached not only by deputations representing these two claimants, but also by a body of Jews who rejected both and desired leadership by a priesthood which had no pretensions to royalty" Griffiths, D.R. "The New Testament and the Roman State". The John Penry Press, Swansea, 1970. P. 11.

205 Bevan, E. "Jerusalem under the High Priests". Edward Arnold & Co., London, 1904. P. 117.

206 Ibid. P.121.

207 Foerster, W. "From the Exile to Christ". Oliver & Boyd, Edinburgh, 1964. P.50.

so summoned, must seclude itself and follow the prescriptions for a monastic way of life"[208]. The progressive political corruption of the high priesthood of the temple during the Hasmonean period made the Pharisees ever more popular, putting into question the authority of their aristocratic theological adversaries, the Sadducees, who embraced a literalistic interpretation of the Torah, denied any religious value to tradition and considered that the Temple was the sole centre of divine worship.

What Sadducees, Essenes, and Pharisees had in common was that they did not represent an open political challenge to the imperial powers that occupied Israel. We could say, using a modern political concept, that Sadducees were collaborationists: they did not care who was in control, as long as their privileges, which were mainly the privileges of the aristocratic class attached to the Temple, were respected. Essenes were secluded monks. And Pharisees, on the other hand, considered religious liberty as the main and most important possession of the people of Israel; no opposition would arise from them as long as that feature was respected. Romans noticed this and saw a great utility in being on good terms with the Jews, especially considering the important extension of the Diaspora throughout the Roman Empire[209]. In this way, during the first decades of the occupation of Israel, Romans granted significant privileges and immunities to the Jews[210].

The diaspora communities also subsisted during the Hellenistic and Roman periods under the government of a dual political structure: "first, like everyone else, they were subject to the local municipal and provincial administration...Second, they were members of their

[208] Ibid.P.62.

[209] "A people who had little interest in the political rights of the cities wherein they sojourned –so long as they were left in peace to practice their religion and follow their business- who were loyal upholders of the powers that be, because order and security were what they chiefly needed in this world, and who, finally, though diffused through the cities, to some extent kept in touch with each other as a single community- such a people offered just the kind of cement which the ruler of a realm without national coherence wanted... in every city of the real there would be this element on the side of the government" Bevan, E. "Hellenistic Judaism" in "Bevan, E. & Singer, ch. (eds.) "The Legacy of Israel". Oxford UP, Oxford, 1928. P.35.

[210] "Julius Caesar and the early Roman Emperors followed the policy of the Hellenistic kings in patronizing and protecting the Jews, insisting that Alexandria and other Greek cities should grant the Jews in their midst liberty to follow their religion and their customs unmolested. Expressions of loyalty to the kings and emperors on the part of the Greeks cities regularly took the form of rendering them divine honours. The Jews were specially dispensed from sharing in these public acts, and allowed to express their loyalty in ways which did not offend their conscience –praying and offering sacrifice for the human ruler, no to him" Ibid. P.36.

own ethnic communities, which enjoyed a good measure of autonomy"[211]. As autonomous communities, they were "a body that was *in* but not *of* the city", a situation that generated local distrust about them, and made them even more dependent on imperial protection[212]. Where these communities didn't exist, synagogues operated independently as local associations for the faithful.

This duality of authorities represents the definitive consolidation of intermediacy as a way of organizing existence for Jews of the second-Temple period, who, as we have already said, started to conceive themselves more as members of a religious institution, than as members of a political unity. Of course, this tendency was stronger between the Jews of the dispersion than between Palestinian Jews, as the cosmopolitan and eclectic political philosophy of Philo of Alexandria, who we will study in our next chapter, shows[213]. But even in Palestine, including Jerusalem, this separation had a good number of adherents after the traumatic and consecutive experiences of Hasmonean and Herodian rules.

Nonetheless, the Roman Empire failed to have a stable policy towards the Jewish people[214]. The history of the Jews under Roman dominion, then, is a succession of peaceful periods followed by revolts, protests, and, finally, wars. And as Rome shifted its policy towards Jerusalem, most of its inhabitants shifted their political position between two opposite points of view based on different interpretations of eschatology. The first, which we can call "quietist", was the belief that it was sinful to try to build –through human means- the Kingdom of God on earth. The Kingdom, according to this position, would not be a human, political creation, so only defensive action against the Empire was justified. The second position, which we can call "messianic", maintained that simply waiting for God to bring his Kingdom was not a sign of faith, but a lack of it. It also held that only direct offensive action against the enemies of Israel would precipitate the final judgement. This was the

[211] Ibid. PP.108-109.

[212] "In some parts of the Diaspora, such as Asia Minor, Jews relied on the intervention by Rome to uphold their rights as members of a minority group in a gentile society… Elsewhere Jews came to an accommodation with their neighbors and might be grateful for the imperial peace that helped to preserve the status quo, which it was in their interest to defend". Goodman, M. "Rome & Jerusalem". Penguin, London, 2008. P.418.

[213] See Villacañas, J.L. "Teología política imperial y comunidad de salvación cristiana". Trotta, Madrid, 2016.

[214] "(The situation was originated) not merely from some procurators who were particularly greedy for power or money, but from Rome itself... No clear line had been consistently laid down and pursued from there" Ibid. P.107.

position of the Zealots, a radical branch of the Pharisees[215].

The reason for the absence of a clear Roman policy in Palestine was the instability of the imperial authority. As imperial administration increasingly relied on charisma, military prestige, and brutal force, the emperors tried to secure their position by divinizing their authority, as most of them had little military experience[216].

The final destruction of Jerusalem during the three major Jewish revolts at the beginning of the new millennia, and the subsequent intermittent Jewish persecutions all around the Empire, were generated by the Roman crisis of imperial authority. Jews could not accept imperial divinization. It was against the most fundamental beliefs cherished by all of their internal factions. And the more Emperors insisted on imposing their cult, the more radical groups found themselves in a better position to lead the Jewish people. The result was a clash with Rome that ended in disaster once Emperor Vespasian realised that he could gather military prestige by exaggerating in Rome the might of the Jewish enemy and then trample it down[217]. In this way, the equilibrium of dual authority finally collapsed when imperial political power tried to claim spiritual authority for itself.

But the end of Jerusalem and its temple was neither the end of the Jewish people nor the end of the Jewish religion:

> The effect of these events on Judaism was that it consciously abandoned the messianic hope and concentrated even more upon the Law. Its three pillars were now the Canon together with the Law, the synagogue, and rabbinic learning which preserved Judaism as an entity... Even apocalypticism was now completely

[215] "(Zealots)who produced prophet after prophet who spoke of the imminent fulfilment of the Old Testament prophecies, and gave rise time and again to men who believed themselves called to lead the Jews against the pagan world power of Rome" Foerster, W. "From the Exile to Christ". Oliver & Boyd, Edinburgh, 1964. P.90.

[216] "Almost all Claudian emperors suffered a violent death. They showed themselves incapable of a clear patrimonial inheritance, they showed to the world that everything depended on the dominion of provincial legions and they showed themselves incapable of administrating the inheritance that only an experimented and legitimated military champion like Augustus had been able to handle. Charisma showed itself nontransferable and the essay of imperial religion couldn't help that fact". Villacañas, J.L. "Teología política imperial y Comunidad de salvación Cristiana". Trotta, Madrid, 2016. P.84

[217] "The cause was less the strength of the Jewish resistance than a series of coups d'état in Rome which culminated in the decision of Vespasian to seek supreme power for himself. The total defeat of the Jews was needed to provide him with the aura of a victorious general which might justify its rise to power". Goodman, M. "Rome and Jerusalem". Penguin, London, 2008. P.580.

suppressed as it distracted one's gaze from concentration upon the Law[218]

Jewish intermediacy, theocracy as explained by Josephus, was the only viable political option that survived. And it evolved afterward, through the consolidation of rabbinic authority, into a form of existence around the Law (*halakha*) that lasts to our days:

> *Halakha* is the legal code of a community living under the political rule of others, from whose hands the administration of *halakha* receive such powers as are necessary for the enforcement of *halakha*... the ideal form of social existence, from a *halakhic* point of view, is a limited Jewish self-government in a state of gentiles, where the powers necessary for the administration of this self-government are exclusively conferred on the *halakhic* authorities themselves or on such institutions that recognize themselves to be subject to *halakhic* authorities[219].

Conclusion: the roots of subsidiarity

As we have seen, the Hebraic tradition was profoundly political from the beginning: God almighty, who had chosen the people of Israel, is conceived as a King whose kingdom will eventually come. In the meantime, and to achieve this objective, he will try to direct them by different means, such as speaking through prophets, sending plagues, or using "the foreign sword" against them.

This universal King that is yet to come is the foundation of any kind of human power or authority. Any powerful member of the Jewish community is simply a guardian of something that is not his property, and he has to choose between using that power according to God's plans and using it sinfully, to deify himself. This understanding of human authority made, as we saw, Hebrew monarchy feeble, and popular resistance to government something common.

The Kingdom of God became, with time, a more and more eschatological notion. Instead of a temporal reality, it ended being imagined as other-worldly and eternal. At the end of time, God would judge everyone, delivering justice and instituting His reign. The belief in eternal life after death grew hand to hand with eschatological hopes. The messianic element, based

[218] Foerster, W. "From the Exile to Christ". Oliver & Boyd, Edinburgh, 1964. P.118.
[219] Weiler, G. "Jewish Theocracy". E.J. Brill, Leiden, 1988. PP.144-145.

on the Davidic covenant, had to accommodate itself into this new scenario, becoming a kind of anticipatory action towards the coming of the Kingdom.

In this context, external intervention into Israel was accepted by most of the Jews as a punishment for the sins of the community. But the limit of that intervention was the Law. God was using the foreign sword to punish them for not obeying the Law, so it was contradictory to His will if invaders tried to prevent the Jews from delivering their religious obligations. Invaders, the same as Jewish leaders, were mere stewards of a power conferred by God with a specific objective in mind, and the legitimacy of their actions ceased where that objective was no longer being pursued. It is no wonder that Romans considered the Jewish people to be complicated and rebellious.

Intermediacy, as a practice, emerged in relation to this doctrine about power. The temples, and eventually the synagogues, were essential to accomplish the religious duties commanded by God. Therefore, their authority as institutions was independent of political power. And political power was obligated to respect, protect, and promote their prosperity, or at least not to interfere with their functions.

The dramatic and eventful political history of Israel also became a serious warning against valuing political independence as an absolute good. Davidic, Hasmonean, and Herodian experiences showed clearly that power was a strong temptation, and that sometimes it was better to be governed by aliens who cared mainly about taxes, than by Jews looking for grandeur and self-divinization. Maybe the building of the Kingdom was, after all, a work reserved to God alone, while His chosen people had to concentrate their efforts on the Law. The brutal final experience with the Zealots and the Bar-Kochba rebellion confirmed this point of view, which was the one adopted by the pharisaic rabbis who kept the faith of Israel alive after the destruction of both the city of Jerusalem and its temple.

The Diaspora experience, on the other hand, reinforced that conclusion. Jews outside Israel depended on the pagan state protection to "uphold their rights as members of a minority group in a gentile society"[220]. After the final rebellion and the destruction of Jerusalem they were able to keep their religious privileges but had to suffer the humiliation of paying a

[220] Goodman, M. "Rome & Jerusalem". Penguin, London, 2008. P.418.

special tax to Rome.

We can see the roots of the idea of subsidiarity in the second-temple era doctrine of political quietism conditioned by the respect and legal support of the Jewish religious institutions by the Roman Empire, under the assumption that God had given different powers with different ends to both the Empire and those institutions. Jewish religion and its institutions could be seen, then, as intermediate associations whose legitimacy was considered by their members as independent of the recognition of the Roman Empire, but that at the same time recognised the political authority of the Empire, and their place as intermediate institutions, as long as the Empire did not interfere with their functions and operations. The basis of this split of authority was the conviction that God was behind both Jewish religious institutions and Roman Empire, but that the objective given by God to each of them was different: Jewish religious life was a medium to salvation, and the Empire was both a punishment for sin and a public order keeper. So long as each institution respected and supported the functions of the other, there would be peace. And this kind of peace was the rarest, precious, and most desirable political settlement that the Jewish people could look for before the final coming of the Kingdom.

Finally, it is important to remark that this split between political and spiritual authorities is not the same as “secularization”. There is no “Church and state” from the Jewish perspective, but only different institutions with different objectives commanded by God.

All these ideas, of course, influenced an obscure Jewish sect that developed during the first half of the first century around the charismatic figure of a Nazarene called Jesus, and which would eventually become the official religion of the Roman Empire. Our next chapter will be dedicated to that matter.

CHAPTER III

Towards Christian Intermediacy: Philo, Jesus, and Paul

Abstract*: In this chapter we will study the presence of Jewish intermediacy in the thought of Philo of Alexandria, Jesus of Nazareth and Paul of Tarsus, and the particular characteristics of the Christian kind of intermediacy that they contributed to develop. This was different from the Jewish one in two aspects: universalism and apocalyptic expectation, creating an expansive religious community of salvation which had an ambivalent relationship with this world and its authorities.*

Introduction

In our last chapter, we studied the development of Jewish intermediacy. In this chapter, I would like to show the presence and evolution of intermediacy in the message of Philo of Alexandria, Jesus of Nazareth, and Paul of Tarsus. My objective is to demonstrate that despite the dogmatic differences between first-century Jews and Christians, there is a clear continuity in their political points of view about how to relate to the Roman Empire's political authority. In other words, the object of this chapter is the study of the evolution from Jewish intermediacy to Christian intermediacy.

The main difference between Jewish and Christian intermediacy, as we will see, comes, on the one hand, from the universal character and the missionary vocation of the Christian

Church and, on the other, from the Christian conviction about the immediate presence of the Kingdom of God, growing without being noticed by earthly powers. Jesus of Nazareth mainly reproduced the Jewish political tradition in his preaching (all earthly authorities exist by the will of the one God and have a function in divine economy), but also he introduced some new elements to it. These new elements are the idea of a present presence of the Kingdom of God and a radical openness of the calling to be part of it, which went beyond social status. Jesus' political stance, in this way, denationalized, personalized, and demilitarized the Jewish vision of the coming of the Kingdom of God.

Political innovations introduced by Jesus were also attuned to some developments made by the Diaspora Jewish communities, especially with those made by the Hellenized Jews of Alexandria, who had developed a comprehension of the Jewish tradition which was more inclined to individualism and universalism. We know about these ideas mainly through the works of Philo of Alexandria, who envisioned the possibility of a Roman Empire inspired by Jewish wisdom and also promoted a missionary expansion of the Jewish faith.

Hellenistic Judaism represented by Philo was defeated altogether by the traumatic experience of the Jewish wars that ended with the destruction of Jerusalem. But Philo remains important for us for three reasons. First because of the depth and extension of his political reflections which give a universalistic twist to Jewish intermediacy; second, because the early Christian Church considered him to be a Christian, and that means that his political ideas were thought of as proper Christian ideas by the fathers of the Church; and finally, because Hellenistic Judaism, without knowing it, prepared the ground socially and intellectually for the missionary expansion of the Christian church among the gentiles. This mission developed under the leadership and efforts of a former Pharisee named Paul of Tarsus.

Paul, the last apostle, vigorously expanded the Christian community of salvation to the gentiles, preaching a "new Israel" where everyone was welcomed. Paul's mission was centred in Diaspora synagogues where gentile followers of Judaism gathered alongside the Jews. What Paul promised to these "God-fearers" was full and equal membership to the people of God, without the full yoke of the Law. He also stressed that, through revelation, the Kingdom was already here, starting to grow on earth, and that the imminent second

coming of Christ would complete that growing process. Politically speaking, he expanded Jesus' perspective on intermediacy, calling Christians to willingly submit to temporal powers, but not to obey them if those powers overreached the limits of their authority and their assignment, which was to maintain order through delivering punishment to the wicked and protecting the righteous. The temporal peace obtained in that way was necessary to secure the existence and growth of the community of salvation and, in that way, rulers served the will of God.

Finally, the Pauline doctrines of mutual submission and of the gifts and functions allotted by divine grace, prefigures subsidiarity, as it opens the door to a comprehension of social order as a temporal superposition of interrelated limited powers with different jurisdictions, which accomplished their tasks in the economy of salvation only by serving each other, and not by expansion or domination.

According to Paul, then, Christians should submit to the Empire, but if the Empire overreached its proper function, they should be ready to die as martyrs giving testimony, in that way, of the limits of the Emperor's power. And this is exactly what they did, starting from Paul himself, in the years that followed. But another possibility was also opened by Pauline doctrine: the one of a Christian emperor who understood his exercise of authority as a service to God and respected the limits of that authority, a possibility that will become a reality with Constantine.

The kind of society constructed by Paul in this way, what would become the Christian Church, had no precedent. It was a community as wide and as universal as the Roman Empire, but which did not respect the social differences of the imperial society. It was not an ancient and delimited people, an ethnic community, with old laws and customs which could be tolerated by the conquering Empire in exchange for submission. It was a new and ever-expanding community that recognized no ethnic frontiers, which venerated a crucified Jew as their King and, more importantly, as King of Kings. Theologically speaking, it constituted a full and total rejection of Imperial political theology: earthly authorities and polities, from the Christian perspective, were all provisional and subject to divine providence. Rome was not eternal and the Emperor was no god.

But not only was the Roman Empire a provisional order from the point of view of the first Christians. It was also passing away in that very moment, being replaced by a new Kingdom which would have no end. A new and definitive era was beginning. Sooner, rather than later, the Messiah, the fountain of every temporal authority, would come back and unite heaven and earth under his command. Until that moment, the old world and the new world would need to find a way to live together. They would need to find a provisional political *modus vivendi* that made room and did justice to the powers that be, alongside the rising and definitive kingdom of God. That arrangement was Christian intermediacy, which grew up from Jewish intermediacy, and which is the historical basis of the principle of subsidiarity.

Philo

Philo lived approximately between 30 B.C. and A.D. 50[221]. He was a Biblical commentator, an apologist for Judaism, and a philosopher[222] from Alexandria. He came from a wealthy Jewish aristocratic family and received a thorough Greek education in a context where Jews had intense contact with other communities and the Empire, and were using Hellenistic philosophy to expand and sophisticate their religious tradition [223].

The Jewish community in Alexandria was one of the oldest and most important Jewish centres outside Jerusalem. The greatest symbol of their status is the Septuagint: the Greek translation of the Jewish bible[224], accomplished around the year 250 B.C[225]. This community was organized in a quasi-autonomous way inside the city, as a corporation of

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221 Ferguson, E. "Backgrounds of Early Christianity". Eerdmans, Grand Rapids, 1993 (2nd. ed.). P.450.

222 Ibid.

223 "Probably the most widespread theory proposed by the fathers to account for the truth in paganism was the suggestion that it had come from the Old Testament… Here they were following a precedent set by Jewish apologists… Aristobulus claimed that both Plato and Pythagoras had read Moses, Philo traced various Greek doctrines to a biblical origin; and Josephus maintained that the Jewish Bible was the source of many of the most profound insights in pagan thought". Pelikan, J. "The Emergence of the Catholic Tradition". Chicago UP, Chicago, 1971. P.33.

224 "As the first translation of a sacred book into another language, the Septuagint is one of the most significant events in all religious history. The putting of Hebrew religious ideas into another language was an important transitional step that prepared the way for Christian preaching. Moreover, most of the New Testament citations of the Old Testament follow the Septuagint". Ferguson, E. "Backgrounds of Early Christianity". Eerdmans, Grand Rapids, 1993 (2° ed.). P.410

225 "The Septuagint was written in the reign of Ptolemy Philadelphus… with the approval, if not the express request, of the king, and with the help of rabbis brought from Palestine to give authority to the work". Bentwich, N. "Philo Judaeus of Alexandria". TJPSA, Philadelphia, 1910. P.26.

aliens with the right of domicile[226]. This is why Goodenough describes Philo's political situation as "at once a citizen and an alien", remarking that "he was an alien in so far he had no share in the Greek organization of the city which the Romans had largely continued... but the relation of the Jewish community of Alexandria with his ruler, the Roman Prefect, and, in a sense, with its parallel, the Greek commonwealth of the city, were highly important for him"[227].

Alexandrian Jews, since the beginning, depended heavily on imperial protection to secure their way of living and preserve it from local hostilities[228]. Their relationship with imperial powers, both with the Ptolemaic[229] and the first Roman rulers[230], seems to have been better than the Palestinian Jewish experience with foreign empires[231]. The Spanish philosopher Juan Villacañas sees in the early works of Philo, which combine Greek philosophy and Jewish doctrines, an expression of the political situation of the Alexandrian Jewish community, which needed to be on good terms both with Rome and with Jerusalem, and also relied economically on the autonomy of the latter[232].

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[226] "For large Diaspora communities some kind of definite organization beyond division into synagogues was desirable if they were to retain their cohesion as a racial entity, and the Jews in Alexandria were constituted as a quasi-autonomous civic unit, generally known as a politeuma by modern, if not always by ancient, writers. A politeuma was a recognized, formally constituted corporation of aliens enjoying the right of domicile in a foreign city and forming a separate, semiautonomous civic body, a city within the city; it had its own constitution and administered its internal affairs as an ethnic unit through officials distinct from and independent of those of the host city". Smallwood, E.M. "The Jews under Roman Rule". Brill, Leiden, 1976. P. 243.

[227] Goodenough, E. "The Politics of Philo Judaeus". Yale UP, New Haven, 1938. P. 3.

[228] "The security of the Jews as a foreign minority depended on the maintenance of stable government and the retention of royal favor". Smallwood, E.M. "The Jews under Roman Rule". Brill, Leiden, 1976.P.223.

[229] "On the political side relations between the Jews and the Ptolemies seem to have been harmonious, as the intensive use of the Jews in the army testifies" Ibid.

[230] "During the checkered history of Egypt in the first century B.C…. the political and material prosperity of the Alexandrian Jews remained for the most part undisturbed. Julius Caesar and Augustus, who everywhere showed special favor to their Jewish subjects, confirmed the privileges… and limited self-government that the early Ptolemies had bestowed". Bentwich, N. "Philo Judaeus of Alexandria". TJPSA, Philadelphia, 1910. PP.20-21.

[231] "At the end of the third and the beginning of the second century Palestine was a shuttlecock tossed between the Ptolemies and the Seleucids; but in the reign of Antiochus Epiphanes (c.150 B.C.) it finally passed out of the power of the Ptolemic house, and from this time the Palestinian Jews had a different political history from the Egyptians". Bentwich, N. "Philo Judaeus of Alexandria". TJPSA, Philadelphia, 1910. P.17.

[232] "Philo is the witness of his time, the conscience of what was needed by the Alexandrian Jewish community: to keep a peaceful relationship both with the Roman emperor and with the king of Jerusalem, whose temple was their banking place. The emperor kept the peace which guaranteed the commercial traffic of the Jewish float, and the king of Jerusalem generated a trustable religious bond which was useful, among other things, to keep the surplus deposits under his protection. These two powers, the Roman one and the Jewish one, should not be mixed, as the independence of Jerusalem and its cult was

But with the ascension of Gaius to the Roman imperial throne, the situation took a dramatic turn: the Jewish resistance to the pretence of self-divinization of the emperor, fuelled by Hellenistic theories of divine kingship[233], was used by the local Greeks as an excuse to attack the Jewish community. And the Roman prefect of Egypt, Flaccus, supported the pogrom instead of protecting its victims. The riot ended at some point and Flaccus was executed by imperial order, but the relationship between Alexandrian Jews and Gaius was resented. At the heart of the dispute were two incompatible cosmopolitan political projects for the Empire: on the one side, the Hellenistic divine monarchy doctrine which proclaimed the emperor as the centre of the universe and the human incarnation of the law. On the other, the "cosmopolitan Jewish utopia", where the emperor represented only the natural law and his power was, therefore, not divine in itself, but subject to the divine law as revealed to the Jewish people[234].

To secure imperial protection and defend the Jewish cause, a delegation was sent to Rome. At the head of that delegation was Philo and they finally succeeded in winning from Gaius "a niggardly toleration for the Jews"[235].

What is interesting for our purposes, however, is how Philo defended the Jewish cause. It is evident that his political works are crossed by strategic considerations, and this fact has lead to a wide range of speculations about his real political standing point. The axis of this debate has been whether he was in favour of or against the imperial power of Rome. Goodenough, for example, considers that "Philo's hatred of the Empire is veiled in his flattery of a Roman who would respect Jewish 'rights'"[236]. Maren Niehoff, on the other hand, considers that Philo's writings "are the first detailed expression of a sustained pro-

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fundamental to maintain the efficacy of Jewish communities. The necessity to be in peace both with the Roman emperor and with the Jewish king, to fix some kind of theological pact whit the emperor which remained compatible to the religious bond with the God of Jerusalem, has its symbolic parallel in the theoretical alliance between Plato and Moses that Philo worked out". Villacañas, J.L. "Teología Política Imperial y Comunidad de Salvación Cristiana". Trotta, Madrid, 2016.P.101-102. The translation is mine.

233 "Through Philo's embassy to Caligula, we get to know not only what the Jewish people thought about Octavius, but also the political program in which the Hellenistic philosophers who competed with the Jews were working on… Julius Caesar's program of taking Rome into Alexandria had failed, and now the idea was to convince the prince of Rome to see himself as the old Alexandrian Egyptian monarch… Then we get to understand the reason for the resistance of Philo and his community, as the triumph in Rome of that imperial philosophy was incompatible with their religion" Ibid. P.102. The translation is mine.

234 Ibid. PP.103-104.

235 Goodenough, E. "The Politics of Philo Judaeus". Yale UP, New Haven, 1938. P. 1.

236 Ibid. P.19.

Roman attitude on the part of a Jewish intellectual"[237].

I think that most of the difficulties in understanding Philo's political standpoint can be cleared up when it is considered in light of Jewish intermediacy. In a way, this is what Kathell Berthelot does in her article, "Philo's perception of the Roman Empire", where she concludes that Philo "seems to have accepted the weak political situation of the Jews within the empire, as long as their religious and community rights were preserved, but nonetheless to have expected all nations to acknowledge one day the superiority and the perfection of the Mosaic laws"[238].

Philo's starting point is clearly Jewish: there is one God who rules the universe, and one law which has been revealed to the chosen people. This special relationship with God is reflected in the fact that horrible things happen to those who abuse the Jewish people. And it also justifies the claim that "the ruler, when he considers the interests of the state, must not consider the interests of the Jews along with and in the same way as he considers other interests but must give them special consideration"[239].

On the other hand, because the one God rules the universe, the imperial power of the Romans is legitimate, as long as used lawfully (this is, according to the revealed law). That is why Philo never recognizes the Romans as a divinely chosen people, nor does he accept the divinization of the Emperor. As Villacañas explains:

> The one God cannot be mixed with his inferior powers, which are already related to creation... these inferior powers can be named and represented by analogy to something created, as a governor, but is impossible to consent to the idea that the Emperor can represent the one God... [The] Jewish monotheistic God has created one world, the world of the cosmopolis, but he cannot be represented by a divinized emperor, because 'there is nothing equal or superior to God and nothing inferior can be added to him'... Between God and his inferior powers, there is a difference, and among them, there is a hierarchy...

[237] Niehoff, M. "Philo on Jewish Identity and Culture". Mohr-Siebeck, Tubingen, 2001. P.112. As cited by Berthelot, K. "Philos Perception of the Roman Empire". Journal for the Study of Judaism 42 (2011) 166-187. P.168.

[238] Ibid. P.187.

[239] Weiler, G. "Jewish Theocracy". Brill, Leiden, 1988. P.29.

> God is the monarch... and his monarchical status cannot be represented by anyone else... This title corresponds to him exclusively as the creator...The emperor cannot usurp the names of the powers that are exclusive to God... there is no possible analogy... These names belong exclusively to the superior powers of God[240]

Temporal powers are, then, plural. There is no possible direct analogy between heaven and earth: God cannot be directly represented, because he has no worldly equivalent. Imperial political theology is, from this point of view, impossible. The unity of God and his direct kingship makes all temporal powers mere functionaries and stewards of partial shares of power that they must use in accordance with the will of the one true master of the universe[241].

This is Jewish intermediacy at its best. But there is an important difference between the Palestinian and the Diaspora Hellenistic version of it. Philo not only defends the sphere of autonomy of the Jewish people, but he also proposes an imperial model for Rome. The translation of Jewish ideas into Greek categories, combined with the cosmopolitan Alexandrian perspective, have an individualistic and universalistic effect[242] on his political thought.

Through Hellenistic allegory[243], Philo was able to commend Judaism "as a rational religion and the source of the wisdom of the Greeks... finding cosmological information and ethical teaching in the law"[244].

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[240] Villacañas, J.L. "Teología Política Imperial y Comunidad de Salvación Cristiana". Trotta, Madrid, 2016. PP.108-109.

[241] "This is Philo's paradox: all of his doctrines imply a unity, but from the relationship between God and the created world emanates a plurality of powers. Some of them can be represented by the emperor, but others cannot. God is universal and his powers also are universal but in another way. One that is proportional to the relationship between the law of the creator and the law of the creatures. The analogy is the key to understand this matter: inferior powers are functionaries of God. They can be represented by the emperor, who also has functionaries under him. But Philo always places creative and beneficent power above royal, legislative and punitive powers". Ibid.P. 109.

[242] "As the Greek language, literature, education, and customs became known and to a degree accepted, Judaism felt the influence of universalism and individualism". Ferguson, E. "Backgrounds of Early Christianity". Eerdmans, Grand Rapids, 1993 (2° ed.). P.404.

[243] "In allegorical interpretation persons are transformed into ideas and their history into a system of philosophy". Bentwich, N. "Philo Judaeus of Alexandria". TJPSA, Philadelphia, 1910. P.35.

[244] Ferguson, E. "Backgrounds of Early Christianity". Eerdmans, Grand Rapids, 1993 (2° ed.). P.451.

Instead of a defensive philosophy, Jewish intermediacy is proposed by Philo as a political model for the Roman Empire. And, in the same way, he proposes his philosophical version of Judaism as a model of living for its inhabitants. Philo's apologetic work, then, is also a missionary one: it longs for the conversion of the Empire to Jewish ethics.

This expansionist approach was defeated altogether by the Jewish wars[245]. But it survived in a branch that finally severed itself from the Jewish tree: the primitive Christian Church formed by the followers of a Jewish prophet called Jesus of Nazareth.

Jesus the Jew

Jesus of Nazareth was a Palestinian Jewish prophet[246] from the province of Galilee who preached the imminent coming of the Kingdom of God. He was born around the year 4 BC and was executed by Roman soldiers under the command of the Roman prefect Pontius Pilate around the year 30 AD[247]. His followers formed a missionary movement that survived him. This movement, the early Christian Church, considered Jesus the Messiah (in Greek, *Christos*) and son of God. They also believed that Jesus had been resurrected after death and ascended into heaven and that his second coming, which implied the definitive coming of the Kingdom of God, would occur in a matter of a few years.

These early Christians, in their evangelistic and pedagogical work, "began to cite individual incidents from the lifetime of Jesus in set short forms"[248]. These small units are now called "pericopes"[249]. At some point, these pericopes were collected and organized thematically[250]. And these collections, finally, became the basic material for the synoptic gospels (Matthew, Mark, and Luke) included in the "New Testament"[251].

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245 "The destruction of the (Jewish) nation and the gradual severance of the Christian heresy compelled the abandonment of missionary activity and distrust of the work of its exponents". Bentwich, N. "Philo Judaeus of Alexandria". TJPSA, Philadelphia, 1910. P.72.

246 "(Jesus) would have appeared to his contemporaries as a prophet… Again and again, what Jesus does resembles what others did who claimed to be prophets during the period of the second Temple... He proclaims the imminent coming of God's kingdom, he calls followers, he warns of judgement to come, and he feeds his followers in the wilderness". Bryan, C. "Render to Caesar". Oxford UP, Oxford, 2005.P.40.

247 See Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. PP.282-290.

248 Ibid. P.59.

249 Ibid.

250 Ibid.

251 The gospel of John, on the other hand, is not contemporary to the other three, and it seems to represent a testimony of how the early Church saw Jesus, rather than a recollection of original testimonies about the

As with Philo, the range of political interpretations of Jesus' message covers the whole spectrum of possibilities: from a revolutionary Zealot calling people to revolt against the Roman Empire[252], to a pacifist Essene calling to abandon political life and concentrate on the salvation of the soul[253]. This wild variation of interpretations is explained, to some extent, because the Bible was organized decades after Jesus death, so it is always possible to blame the compilers for those passages that do not fit very well within the ideology one wishes to project into the text[254].

But speculation can be kept at bay if we follow the much more reliable path of trying to understand Jesus in the context of the Jewish tradition that we have already explored. And by doing so we realize that Jesus' message, as is registered in the synoptic gospels, was not politically revolutionary, not in itself[255], nor in relation to the Biblical tradition[256]. He was "not primarily a social reformer with a revolutionary message; nor is he a religious innovator radically redefining the traditional ideas and practices of his native religion"[257]. The great symbolic acts of his life show that he stayed "within the general framework of Jewish restoration eschatology"[258].

This does not mean, however, that Jesus' teachings had neither political consequences nor a political dimension, but that he mainly followed the political tradition of previous prophets[259] which is mostly related to second-temple Judaism. In the words of Christopher

life of Jesus. That is why most scholars have concluded that "the teaching of the historical Jesus is to be sought in the synoptic gospels… John represents an advanced theological development" (Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. P.71).

252 See Brandon, S.G.F. "Jesus and the Zealots. A Study of the Political Factor in Primitive Christianity". Manchester UP, Manchester, 1967.

253 An account and critical evaluation of this idea can be found in Joseph, S.J. "Jesus, the Essenes and Christian Origins". Baylor UP, Waco, 2018.

254 For a debate on this topic, see Hengel, M. "Was Jesus a Revolutionist?". Fortress Press, Philadelphia, 1971.

255 "Jesus doubtless had views about the social, political, and economic conditions of its people, but his mission was to prepare them to receive the coming kingdom of God." Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. P.188.

256 "Jesus stood foursquare with the biblical and prophetic attitudes toward political and imperial power represented by Nathan, Jeremiah, Daniel, and Deutero-Isaiah: he would acknowledge such power, but he would also (and therefore) hold it accountable." Bryan, C. "Render to Caesar". Oxford UP, Oxford, 2005.P.42.

257 Fredriksen, P. "Jesus of Nazareth, King of the Jews". A.A. Knopf, New York, 2000. P.266.

258 Sanders, E.P. "Jesus and Judaism". SCM Press, London, 1985. P.340.

259 "To claim that Jesus was concerned with religion but not with politics bifurcates religion and politics in a manner alien to the ancient world, though such separation is very common in modern western societies. Of course, Jesus may have transcended the interrelationship of politics and religion, though he would

Bryan:

> There is nothing in the narrative of Jesus' ministry that sets him apart from the general theology of empire that was adumbrated by the traditions of Nathan, Jeremiah, Daniel, Deutero-Isaiah, and Ezra, and that is characteristic of the biblical tradition. The traditions of his words and works, in general, do not indicate the slightest interest in changing the forms or structures of temporal power, in replacing one system of government with another, or in questions as to whether those who ruled were believers or pagans. Those same traditions do, however, indicate a concern that those who have power understand it as God's gift to them, given for the sake of God's people and the world. This is the attitude that Jesus consistently maintains on every occasion where he is seen dealing with those who have temporal authority[260].

This idea is relevant for us, because it places Jesus, as a prophet, within the political tradition of Jewish intermediacy that we studied in our previous chapter. And it can be supported by a careful analysis of the most openly political, and most politically disputed, passage of the New Testament: the inquiry of the Pharisees and Herodians to Jesus about the imperial head tax.

Render to Caesar

The passage of the inquiry is narrated in the three synoptic gospels:

Matthew:

> Then the Pharisees went and took counsel how to entangle him in his talk. And they sent their disciples to him, along with the Herodians, saying, "Teacher, we know that you are true, and teach the way of God truthfully, and care for no man; for you do not regard the position of men. Tell us, then, what you think. Is it lawful to pay taxes to Caesar, or not?" But Jesus, aware of their malice, said, "Why put me to test, you hypocrites? Show me the money of the tax." And they

virtually cease to be a first-century Jewish religious figure if he did". Borg, M. "Jesus: Conflict, Holiness and Politics". Edwin Mellen Press, Lampeter, 1984. P.6.

[260] Bryan, C. "Render to Caesar". Oxford UP, Oxford, 2005. P.50.

> brought him a coin. And Jesus said to them, "Whose likeness and inscription is this?" They said, "Caesar's." Then he said to them, "Render therefore to Caesar the things that are Caesar's, and to God the things that are God's." And when they heard it, they marvelled; and they left him and went away.[261]

Mark:

> And they sent to him some of the Pharisees and some of the Herodians, to entrap him in his talk. And they came and said to him, "Teacher, we know that you are true, and care for no man; for you do not regard the position of men, but truly teach the way of God. Is it lawful to pay taxes to Caesar or not? Should we pay them or should we not?" But knowing their hypocrisy, he said to them, "Why put me to the test? Bring me a coin, and let me look at it." And they brought one. And he said to them, "Whose likeness and inscription is this?" They said to him "Caesar's." Jesus said to them, "Render to Caesar the things that are Caesar's, and to God the things that are God's." And they were amazed at him.[262]

Luke:

> So they watched him, and sent spies, who pretended to be sincere, that they may take hold of what he said, so as to deliver him up to the authority and jurisdiction of the governor. They asked him, "Teacher, we know that you speak and teach rightly, and show no partiality, but truly teach the way of God. Is it lawful for us to give tribute to Caesar or not?" But he perceived their craftiness, and said to them, "Show me a coin. Whose likeness and inscription has it?" They said, "Caesar's". He said to them "Then render to Caesar the things that are Caesar's, and to God the things that are God's". And they were not able in the presence of the people to catch him by what he said; but marvelling at his answer they were silent.[263]

The question put forward by the interrogators in this passage is unequivocally political: if

[261] Matt 22:15-22
[262] Mark 12:13-17
[263] Luke 20:20-26

Jesus says that it is “permitted” to pay this tax, “he aligns himself with those who allow for at least a measure of cooperation with Rome”, which was the more traditional point of view[264]. If he says that is not permitted, “then he aligns himself with... those who refuse cooperation with Rome”[265], which was a new standpoint, associated with the Zealots[266].

The imperial tax had to be paid with Roman imperial coinage[267]: that is, silver coins which depicted the bust of Cesar. The representation of a human being was tolerated but repulsive to pious Jews[268] (and that is why a human person was never represented in the coins minted in Jerusalem). These silver coins, then, were obviously non-Jewish and, moreover, they were generally considered the property of the emperor[269]. When Jesus asks whose face appears in the coins he is implicitly pointing to all of these facts, and then he states the obvious: you have to pay what you owe[270]. As F.F. Bruce explains, the verb translated ‘render’ implies

> That the person to whom payment or repayment is made is the rightful owner or recipient of whatever is paid or repaid... the action amounts to give back to someone property to which he is entitled... Caesar, it is implied, is entitled to demand tribute; to pay him tribute is to give back to him what is in any case his... And the tribute money has just been acknowledged to be his[271].

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264 “When Israel and Judea in earlier days became tributary to foreign rulers, the general attitude of their religious leaders, and especially the prophets, was that this was Yahweh’s judgment on his people for their unfaithfulness, and must be endured until he lifted it; until then, the withholding of tribute from the foreign ruler was an act of rebellion against Yahweh”. Bruce, F. “Render to Caesar” in Bammel, E. & Moule, C. “Jesus and the Politics of his Day”. Cambridge UP, Cambridge, 1984. PP.249-263. P. 255.

265 Bryan, C. “Render to Caesar”. Oxford UP, Oxford, 2005.P.45.

266 “At the time of Quirinius’ census in A.D. 6, a new doctrine began to be taught in Judaea, so distinctive that those who held it could be classed as a separate school of religious thought… According to this new doctrine, the payment of tribute to the Romans was incompatible with Israel’s theocratic ideals”. Bruce, F. “Render to Caesar” in Bammel, E. & Moule, C. “Jesus and the Politics of his Day”. Cambridge UP, Cambridge, 1984. PP.249-263. PP.254-255.

267 Bruce, F. “Render to Caesar” in Bammel, E. & Moule, C. “Jesus and the Politics of his Day”. Cambridge UP, Cambridge, 1984. PP.249-263. P.258.

268 “So offensive, because of the breach of the Second Commandment involved, was a human image on a coin in the sight of some strict orthodox Jews that the exceptional holiness of a third-century rabbi, Nahum ben Simai, is illustrated by the fact that never in his life did he allow his eyes to look at the portrait on a coin” Ibid. P.259.

269 “‘Caesar´s money’ or ‘coin’ was probably a popular phrase, almost equivalent to ‘legal tender’” Hart, H. “The coin of ‘Render unto Caesar’” in Bammel, E. & Moule, C. “Jesus and the Politics of his Day”. Cambridge UP, Cambridge, 1984. PP.241-248. P.242 infra.

270 Bryan, C. “Render to Caesar”. Oxford UP, Oxford, 2005.P.45.

271 Bruce, F. “Render to Caesar” in Bammel, E. & Moule, C. “Jesus and the Politics of his Day”. Cambridge UP, Cambridge, 1984. PP.249-263. P.258.

This first part of the answer, then, recognizes the legitimacy of imperial taxation and, therefore, of the imperial regime. It would have constituted a disappointing point of view for any Zealot or Zealot sympathiser[272].

But the second part of the answer qualifies this judgement: you have to pay what you own to Caesar, but you also have to give to God what you owe him. The silver coin, which depicted the face of Caesar, is owned by them to Caesar. But human life, which is made into the image of God, is owed by them to God[273]. In this way, the obligation to Empire is legitimated, but, at the same time, limited and submitted to God's authority.

Jesus' answer, interpreted in this way, is consistent with the Jewish political tradition that we analyzed in our previous chapter. He is, in that sense, just one more of the prophets that contributed to the development of Jewish intermediacy. This conclusion is supported, outside synoptic gospels, by the dialogue portrayed in John 19:11 where Jesus tells Pontius Pilate that his power as governor comes from God[274]. But there are other features of his message and practice that distinguish him from those previous prophets, and that will gain an ever-growing political relevance after his death.

Jesus beyond Judaism

One of the elements of Jesus' ministry that distinguished him from the previous prophets was the inclusive and universal character of his calling. In the words of Geza Vermes:

> The prophets spoke on behalf of the honest poor and defended the widows and the fatherless, those oppressed and exploited by the wicked, rich, and powerful... Jesus went further... In addition to proclaiming these blessed, he actually took his stand among the pariahs of this world, those despised by the respectable. Sinners were his table-companions and the ostracised tax collectors

[272] As "nothing less than a categorical denial that Caesar had any right to tribute from the people of God would have been acceptable for them". Ibid. P.261.

[273] Bryan, C. "Render to Caesar". Oxford UP, Oxford, 2005.P.46.

[274] "The long centuries before the coming of Jesus saw many Jewish attempts to hold together the firm belief that their God, the creator, was in fact sovereign over the nations with the equally firm belief that the pagan nations, and often enough their rulers, were wicked, idolatrous, immoral and dangerous for Israel. It was precisely this tension which came to its head when, in John's story, Jesus stood before the Roman governor and declared that, even though he was about to execute him, the power by which he did it had come from God in the first place (John 19:11)". Wright, T. "Paul for Everyone: Romans, Part II". SPCK, London, 2004. P.87.

and prostitutes his friends.[275]

This radical openness, which also included women in general[276], is related to the fact that part of Jesus' message about the Kingdom of God[277] stated that it was near, but also, in a way, already here[278]. And this idea introduces another important variable concerning the message of previous prophets: Jewish apocalyptic faith about the coming of the Kingdom of God had "traditionally, almost always, been linked to the triumph over the heathens that oppressed Israel (...) But, according to Jesus, the Kingdom of God is already present in a hidden way, without the heathens being defeated"[279]. The present Kingdom of God on earth is, then, "invisible and non-coercive"[280]. And the now, therefore, becomes "the decisive point of history and no longer the future, as it was in apocalyptic or in the promissory history of the Old Testament"[281].

The political consequences of the idea of the "already here" hidden and pacific presence of the Kingdom cannot be minimized. It constitutes a reformulation of Jewish theocracy that made the Christian Church possible. Instead of a nation living as a religious community in the waiting to be reassembled into a definitive and triumphal political form by God, it permits affirmation of the existence of a special realm on earth "that consists of people who are dedicated to living according to God's will and that exists both in and side by side with normal human society"[282]. In this way, the national element of Jewish eschatology is

[275] Vermes, G. "Jesus the Jew". Collins, London, 1973. P.224.

[276] "It has long been recognized that Jesus' attitude to women was unusual. The extraordinarily low estate of women in Judaism and the generally reserved and critical estimate of them in early Christianity guarantee, at least in principle, that those traditions in which the 'religious equality of women' can be read do go back to Jesus". Merkel, H. "The opposition between Jesus and Judaism" in Bammel, E. & Moule, C. "Jesus and the Politics of his Day". Cambridge UP, Cambridge, 1984. PP.129-144. P.134.

[277] Jesus' sayings about the Kingdom of God are varied. The idea of it's "already here" presence is just one of the visions about the kingdom manifested during his ministry, but it seems for me to be the most politically relevant. A complete analysis of the different ideas about the kingdom of God expressed by Jesus can be found in Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. PP. 169-188. And a more skeptical proposition, that considers these sayings as "equivocal and indeed self-contradictory" can be found in Vermes, G. "The Authentic Gospel of Jesus". Allen Lane, London, 2003. PP. 266-342.

[278] "...the unprecedented phenomenon of the mission to Israel and the inclusion of Gentiles, suggest that Jesus had stepped up the Kingdom's timetable from *soon* to *now*". Fredriksen, P. "Jesus of Nazareth, King of the Jews". A.A. Knopf, New York, 2000. P.266.

[279] Theissen, G. "La religión de los primeros cristianos". Sígueme, Salamanca, 2002. P.44. (Translation is mine).

[280] Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. P.171.

[281] Schwarz, H. "Eschatology". Eerdmans, Grand Rapids, 2000. P.69.

[282] Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. P.174. This same idea is

removed, the Kingdom, in a way, is already here and everyone is invited, and intermediacy is consolidated as the proper way of existence of the people of God on earth, and not just as a provisional arrangement. The earthly Kingdom of God, then, could be presented as a universal religious community: a new Israel[283].

This community, nonetheless, is not the definitive form of the Kingdom. There would be a moment in the near future where the heavenly kingdom and the earthly kingdom will fuse into one[284]. But this full and final realization of the kingdom of God does not depend on human actions: in Jesus' message "it is God who does whatever has to be done, except that individuals who live right will enter the Kingdom (...) there is no evidence at all for the view that individuals can get together with others and create the Kingdom by reforming social, religious, and political institutions"[285].

In sum, Jesus of Nazareth's political standing is coherent with the tradition of Jewish intermediacy: he recognized the authority of the powers that be, but only to the extent that they respected the law and the people of God. His message about the kingdom of God, on the other hand, made it possible for the first Christians to think about themselves as a "new Israel": a universal religious community open to everyone, founded upon a new covenant with God (the last supper covenant) which replaced the previous one. In this way, the

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emphasized by Schwarz when he states that Jesus "did not want to be taken for a political liberator… Never do we hear that he conspired against the Roman occupation army or that he wanted to revolt against them. Though the charges against him were finally of political nature, he clearly denied them… He did not wanted to be a Judas Maccabaeus or a Bar Kochba or any of the many other political and religious messiahs that emerged in Israel before or after him". Schwarz, H. "Eschatology". Eerdmans, Grand Rapids, 2000. P.74.

283 "From the beginning the early Christians regard themselves as the true Israel, inheriting all the promises of God made through the prophets… It is the true Israel of God… the Messianic Age had already dawned and the last days were at hand. It is this conviction that makes the idea of a new Israel inevitable. It was new because it was founded on a fresh act of revelation, inaugurating the final era". Flew, R.N. "Jesus and his Church". The Epworth Press, London, 1938.PP.139-143.

284 "Apocalypticism had furthered a strong eschatological tension between the present conditions and the future expectations which partly resulted in an imminent expectation of the end. Jesus announced that what had been expected with fervent hope was already being fulfilled in the present. Yet both expectation and the tension connected with it made it possible that Jesus' proclamation of the coming of the kingdom of God was still related to the eschatological final disclosure. Jesus pointed to the present in which the kingdom of God had been realized as well as also announcing the future dimension of that kingdom" Schwarz, H. "Eschatology". Eerdmans, Grand Rapids, 2000. P.71.

285 Sanders, E.P. "The historical figure of Jesus". Penguin, London, 1995. P.179. The same idea is emphasized by Schwarz when he states that Jesus "did not want to be taken for a political liberator… Never do we hear that he conspired against the Roman occupation army or that he wanted to revolt against them. Though the charges against him were finally of political nature, he clearly denied them". Schwarz, H. "Eschatology". Eerdmans, Grand Rapids, 2000. P.74.

relationship between the early Christian church and the Empire would be based on the same grounds as the relationship between the Jewish community and the Empire, but with some differences that will have an enormous political impact. Jewish national tension, on the one hand, was left behind by the Christians: they renounce any form of the national-political horizon. But, on the other hand, they openly aspired to make everyone a Christian. The potential temptation of political independence was exchanged, then, for a form of spiritual expansionism that would transform, three centuries after, the very identity of the Roman Empire.

Jesus' standpoint is, in a way, narrower and more conservative than the one of Philo: it is encapsulated in the world of Palestinian Judaism. But it is also, at the same time, more radical in his treatment of converted strangers as equals. Both efforts will finally converge in the work of Paul of Tarsus, the last apostle, who will expand Christianity beyond Palestine, centring his mission in Diaspora synagogues where gentile followers of Judaism gathered alongside the Jews, and offering them full membership to the salvation community without the full yoke of the Law. This is why Henry Chadwick, when commenting on the relationship between Philo and Paul, says that "both men fished in the same pool"[286], referring to the fact that "both writers draw on a common stock of Hellenistic Jewish tradition" and that the principal interest lies "in the different ways in which they made use of it"[287].

Paul

According to Martin Hengel, a tension between Palestinian Jews and Diaspora Jews who had moved to Jerusalem started to grow as "the special concerns of the Diaspora Jews, ethical monotheism and the idea of universalist mission, met with only limited understanding"[288]. That made Diaspora Jews especially keen to accept Jesus' message, interpreting it from the point of view of their Hellenized background.

Saul was a Pharisee from Tarsus who had studied the law under Gamaliel at Jerusalem, and who was involved in the persecution of the first Hellenistic Jewish Christians. It is possible

[286] Chadwick, H. "St. Paul and Philo of Alexandria". Bulletin of the John Rylands Library. N 48 (2):286-307. 1966. P.292.
[287] Ibid. P.290.
[288] Hengel, M. "Between Jesus and Paul". Fortress Press, London, 1983. P. 57.

that he had witnessed or even participated in the stoning of Stephen, after which event most of the Christians of that branch abandoned the city in a hurry, "frightened of more violence"[289].

These Jesus followers who abandoned Jerusalem didn't hide but kept spreading the word among other cities and villages. In the words of N.T. Wright, "wherever they went they established groups, little revolutionary cells, and propagated this new teaching, putting Jesus in the centre of the picture and displacing the ancient Israelite symbols, up to and including the Temple itself"[290]. Saul was headed to Damascus in order to persecute these groups when he had a vision.

It is worth noticing, as Wright warns us[291], that what Saul experienced in the road to Damascus was not a conversion, at least not as we understand that concept nowadays. He did not leave Judaism to become a Christian: to describe his experience like that would be anachronistic, because there was no "Christianity" and "Judaism" at that moment[292], and people in those times did not understood "religion" as we do today[293]. The revelation was that Jesus was the true Christ, the Messiah, and that in him the old promises made by God to the people of Israel were realised. The promised Kingdom had started to come.

Here is when Saul ends and Paul begins.

Salvation community

Politically speaking, Paul's mission consisted of the proclamation that all earthly powers had been defeated by Christ. The Emperor had no authority other than the limited one bestowed on him by God. He was not a god. Rome was not eternal. And Jesus would return as ruler of a new world at any moment. Although in the meantime, the community of believers had to respect earthly powers, for their existence was still the will of God.

As we can see, this looks like Jewish intermediacy, with an important twist. On the one

[289] Wright, N.T. "Paul. A biography". SPCK, London, 2018. P. 38.
[290] Ibid.
[291] Ibid.PP.53-54.
[292] Ibid. P.54.
[293] "Neither Paul nor his communities were engaged in 'comparative religion.' They were not saying, 'We've tried one way of being religious, and now we think we have a better one.' Nobody thought like that in the first century, certainly no Jew". Ibid. P.54.

hand, the community of salvation is now universal: Jews, as well as gentiles, are invited to the table. On the other, the Kingdom has already come: it is here, growing on earth. And soon, heaven and earth will be united under a divine rule which will have no end. Meanwhile, Christians have to recognize imperial power, but only to the extent that it is compatible with the new Law. Otherwise, martyrdom, following the example of Jesus, is the best option. This twist has deep consequences.

As Villacañas explains, an internal tension develops in Paul's political message: on the one hand, salvation is at hand for the community that lives in Christ. This community needs to separate itself from "other important aspects of social life, such as the economy or political power as *imperium* (...) political authority and *empire* were not part of the internal *charismata* of the Christian community"[294]. Notably, the faculty of judgement among Christians is taken away from imperial authority and deposited inside the Christian community (I Corinthians: 6). On the other hand, this duality of jurisdictions cannot be kept as merely external, because the civil authority "attended to *deep necessities* of the own Christian community"[295]. The Church needs the aid of temporal power in order to achieve its salvation goals: "a *profane leftover* was *necessary* for the sacred body of the Church (...) so that leftover cannot be totally profane"[296]. Paul, then, seems to envisage "two quite distinct spheres of 'service' to God"[297]. Temporal preservation of the world was necessary for its salvation[298].

Villacañas claims that the origin of the doctrine of the division of powers can be found in this Christian paradox, which transforms the practice of what we have called "Jewish intermediacy" into something else:

> Facing the impossibility of considering political authority as totally external, but needing at the same time to leave political charisma out from the list of Christian charismas, Josephus's definition of Jewish theocracy as pure duality will be transformed into something more than mere autonomy and self-

[294] Villacañas, J.L. "Teología Política Imperial y Comunidad de Salvación Cristiana". Trotta, Madrid, 2016. P.195.
[295] Ibid. P.196
[296] Ibid.
[297] Bruce, F.F. "The Epistle of Paul to the Romans". Eerdmans, Grand Rapids, 1963. P.238.
[298] Ibid.

> government by a guest community... Christianity will debate about the way in which political authority, as *diákonos Theou*, needs to accomplish the functions of protection that the ecclesial community considered necessary for his expansion and visibility in the world... Far away from complete indifference, Christianity will try to regulate and norm the intersection between the political authority and Christian community[299]

To reach a better understanding of Paul's political message and its consequences, I will try, first, to show how the most politically controversial passage of his letters (Romans 13: 1-7) can more easily be understood from the point of view of Jewish intermediacy, and, secondly, how the doctrine of the different gifts and duties allotted by divine grace in the members of the Church distinguishes Christian and Jewish intermediacy and opens the way to the doctrine of subsidiarity.

Subject to the ruling authorities

The Epistle to the Romans is the most important text for understanding Paul's political position. And especially debated is its chapter 13, verses 1-7:

> Every person must be subject to the ruling authorities. There is no authority, you see, except from God, and those that exist have been put in place by God. As a result, anyone who rebels against the authority is resisting what God has set up, and those who resist will bring judgement on themselves. For the rulers hold no terrors for people who do good but only to people who do evil.
>
> If you want to have no fear of the ruling power, do what is good, and it will praise you. It is God's servant, you see, for you and your good. But if you do evil, be afraid; the sword it carries is no empty gesture. It is God's servant, in fact, to bring his anger to evildoers. That is why it is necessary to submit, not only to avoid punishment but because of conscience.
>
> That, too, is why you pay taxes. The officials in question are God's ministers, attending to this very thing. So pay each of them what is owed: tribute to those

[299] Villacañas, J.L. "Teología Política Imperial y Comunidad de Salvación Cristiana". Trotta, Madrid, 2016. P.196.

who collect it, revenue to those who collect it. Respect those who should be respected. Honour the people one ought to honour[300]

Some authors consider that the only reason why Paul demands respect for earthly authorities in this part of the letter is that he was convinced that the end of the world was extremely near[301]. Others think that the demand represents only a tactical consideration, due to the contingent political situation in Rome[302]. Finally, the third group of authors defends that the passage was not even written by Paul, but added afterward[303].

The reason for the extreme caution that all these three groups of authors show on the managing of Romans 13:1-7 is that its content seems to run against the contemporary radical political interpretations of Paul, which, on the other hand, are a response to some politically reactionary interpretations of him of the last centuries[304], sometimes also accepted by thinkers who see Christianity as an opium of the masses[305]. The problem is that the fight to rule out this last kind of readings of Paul has produced an enormous variety of radical creative responses that seem equally plausible, as they are equally detached from the object of analysis. Some academics, aware of this problem, have even called for a relativistic truce between radical interpreters[306].

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300 Romans 13 (1-7). N.T. Wright translation in "Paul for Everyone: Romans, Part II". SPCK, London, 2004. PP.82-83.

301 "…and 13 –well, we're living in the evil Roman Empire, so how are we living there? What, should we still be rising up against something that's going down anyway? There's no point in raising a finger; it's going to disappear anyhow. Not worth mentioning, quietistic, as Mr. Troeltsch says". Taubes. J. "The Political Theology of Paul". Stanford UP, Stanford, 2004. P.40.

302 "This (Romans 13:1-7) is not an abstract theology of civil authority that can be generalized to all Christian situations, but rather concrete and prudent advice for Roman Christians, presumably the *weak* ones, not to rebel against civil authority for what happened to them under Claudius and for what awaited them when they returned a decade later under Nero (…) there is a time and a way to obey, a time and a way to disobey" Crossan, J.D. and Reed, J.L. "In search of Paul". SPCK, London, 2005. P.394.

303 Kallas, J. "Romans 13:1-7: An Interpolation". NTS 11, 365-74.

304 "The omnipresence of liberation as the preferred agenda of our age, colliding with the traditionally conservative use so often made of the *Haustafeln* in defense of patriarchal structures… made it hard for readers to entertain the case made in this chapter… On grounds of their own modern ideology some readers had decided that the apostolic generation had to be wrong about 'subordination' since the autonomy of the independent individual is the center of the modern liberal vision" Yoder, J.H. "The Politics of Jesus". Eerdmans, Grand Rapids, 1994 (2nd edition). P.188.

305 "Paul's universalism is a two-edged sword. On the one hand, it asserts the equal moral value of all human beings. On the other hand, it leaves completely unchallenged, indeed supports, the social inequalities of the temporal sphere, enjoining their acceptance, and emphatically asserts the absolute authority of the secular state". Wood, E.M. "Citizens to Lords: a History of Western Political Thought From Antiquity to the Middle Ages". Verso, London, 2008. PP.148-149.

306 "In the nature of the case, since we are reading texts so far removed from our own time and culture, texts not addressed to us, there will always be an irreducible multiplicity of plausible interpretations of such

As with Philo and Jesus, present political conceptions have been aggressively projected into the past until Paul's message has become disfigured, and few authors recognize in the words of Paul the clear presence of the tradition of Jewish intermediacy, which seems to be the most obvious and historically accurate point of view to understand Romans 13:1-7. As N.T. Wright puts it:

> In saying this Paul was standing within a particular Jewish tradition, and developing it in the light of the gospel. The Old Testament had denounced pagan nations and their rulers –but some of the very prophets whose denunciations were fiercest also told Israel that God was working through the pagan nations and their rulers for Israel's long-term good (Assyria, in Isaiah 10; Cyrus, in Isaiah 45; Babylon itself, in Jeremiah 29). The long centuries before the coming of Jesus saw many Jewish attempts to hold together the firm belief that their God, the creator, was in fact sovereign over the nations with the equally firm belief that the pagan nations, and often enough their rulers, were wicked, idolatrous, immoral and dangerous for Israel. It was precisely this tension which came to its head when, in John's story, Jesus stood before the Roman governor and declared that, even though he was about to execute him, the power by which he did it had come from God in the first place (John 19:11)[307]

Paul is, then, following the path of Jesus[308] in his call to political submission (or subordination[309]), but also developing it further.

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matters". Jennings, T.W. "Outlaw Justice. The Messianic Politics of Paul".Stanford UP, Stanford, 2013. P.190.

307 Wright, N.T. "Paul for Everyone: Romans, Part II". SPCK, London, 2004. P.87.

308 "Paul believed (as even Jesus had acknowledged at the most unlikely moment) that the ruling powers of the world exercised their rule at the good pleasure of the One God, who would hold them into account... part of his belief in divine providence included the belief that the One God had strangely but surely established the Roman world, with all its pagan wickedness, for which it would be called to account, as a means by which, however paradoxically, he and others could proclaim Jesus as Lord". Wright, N.T. "Paul. A biography". SPCK, London, 2018. PP.200-201.

309 "What Paul calls for, however, is subordination. This verb is based upon the same root as the ordering of the powers of God. Subordination is significantly different from obedience. The conscientious objector who refuses to do what government demands, but still remains under the sovereignty of that government and accepts the penalties which it imposes, or the Christian who refuses to worship Caesar but still permits Caesar to put him or her to death, is being subordinate even though not obeying". Yoder, J.H. "The Politics of Jesus". Eerdmans, Grand Rapids, 1994 (2nd edition). P.209.

Gifts of grace

Paul thinks, as Karl Barth explains, that "the one grace has been bestowed in the Church in the form of many gifts, which are not separate and competitive, but diverse, and in their diversity coherent and harmonious"[310]. In the Church, "every individual lives as a member of the body in the fullness of the whole so that he is faithful to his particular place and function, which he has not chosen and fixed, but which has been allotted to him"[311].

This vision of divine grace allotting gifts and functions to different members of the Church can easily be expanded into a way of understanding society as an organization sustained by different functions performed by specialized institutions according to the will of God. But it is through faith and participation in the Church that every man understands "his purpose in common with that of all the others"[312], and also his own limitations. The problem with pagan authorities, then, is that they don't understand the purpose and limits of their power, so "they rely on the power and the right of their own vitality, and stray without limitation"[313]. Christians, in consequence, should respect pagan authorities "as a way of serving God"[314], but they also have to show them the limits of their power:

> When Caesar claims divine honours, the Christians' answer must be 'No'. For then Caesar... is going beyond the authority delegated to him by God, and trespassing a territory which is not his. But Christians will voice their 'No' to Caesar's unauthorized demands the more effectively if they have shown themselves ready to say 'Yes' to all his authorized demands.[315]

Temporal authority, then, has a function commanded by God ("the repression of crime and the encouragement of righteousness"[316]). It is a different function than the one bestowed on the Church, but it can only be discovered and fully comprehended through faith (which implies participation in the Church). The "foreign sword", in this way, can be converted, and became righteous. The idea of a Christian Empire (or, at least, of a Christian emperor),

310 Barth, K. "A Shorter Commentary on Romans". SCM, London, 1959. P.152.
311 Ibid.
312 Ibid.
313 Ibid.
314 Bruce, F.F. "The Epistle of Paul to the Romans". Eerdmans, Grand Rapids, 1963. P. 233.
315 Ibid.P.234.
316 Ibid.P.233.

as a different thing than the Empire of the Church, has then become available.

The distinctive idea of subsidiarity, the priority of autonomous intermediate associations over the will of the central political authority, has not emerged yet in Paul, but we can see that all its most relevant components are already at hand. The intermediacy of the Christian Church, as a community of salvation, is an expansive one: everyone is invited to be part of it and serve God by accomplishing "the task... given and set by God's will, exactly as God has given and set it"[317]. The authority of temporal powers, in this way, is not instantly abolished because of the immediate presence of the Kingdom. On the contrary, these powers have the opportunity to understand their origins, direction, and limits, and to start performing their limited duties according to the will of the one true God. It is through mutual service in Christ, at the individual but also the institutional level, that the diversity of gifts given by divine grace can become coherent.

Finally, these services to others in Christ, as some individuals are stronger in the faith than others, demand "mutually caring for and supporting each other"[318]. Christian service, then, implies helping others to accomplish their duty as has been commanded by God, without pretending to supplant or dominate them.

Conclusion

There is a clear continuity between Jewish and Christian intermediacy. In both cases, the powers that be are recognized as legitimate and willed by God, as long as they respected and guarded the autonomy of the community of salvation in those matters related to its spiritual mission. The apparent contradictions or ambiguities in the political thought of Philo of Alexandria, Jesus of Nazareth, and Paul of Tarsus are dissolved under the light of the second temple political tradition, and most of their present radical interpretations show themselves as anachronistic efforts.

Christian intermediacy differs from Jewish intermediacy in two things. The first is the universal character of the Christian community of salvation. This element of radical integration of the "others" is already present in Jesus of Nazareth but will be the axis of the

[317] Barth, K. "A Shorter Commentary on Romans". SCM, London, 1959. P.153.
[318] Ibid. P.163.

Pauline mission. Everyone, according to Paul, is invited in equal standing to share the gifts of grace deposited in the Church.

The second difference is related to the presence and nature of God's Kingdom: according to Christians, the Kingdom is already here, growing without being noticed by the earthly powers, which are passing away. The Empire, then, is necessary for the moment, but that moment is already starting to end.

This difference opens the door to new kinds of political problems. The first and more important for us is the possibility of Christian political authorities. If everyone is welcomed in the Church, and political authority is willed by God, then there should be no objection to the conversion of political authorities to Christianity. But how should these authorities relate to the Church and *vice versa*? This problem would have seemed only theoretical in the times of Jesus or Paul, but it will become one of the most pressing subjects for the Church a couple of centuries later. And it will be facing this issue that subsidiarity will develop as a distinctive doctrine.

The second problem is what we would call "millenarianism": if the Kingdom is already here, and if Jesus will come back soon, then why should Christians respect or tolerate pagan authorities? Why not defeat their power and advance the power of God's Kingdom? The answer to this problem will normally be found in the nature of God's Kingdom: temporal power is not one of the gifts of grace bestowed to the Church. And as the political authority has no legitimate right to interfere in the duties of the spiritual authority, the spiritual authority has no right to trespass on the field of temporal authority assigned by divine providence. The Kingdom of God is not being built with the materials with which earthly kingdoms are made (it is "not of this world"), and that is why its growth is not noticed by the earthly powers.

Finally, as we said at the end of our previous chapter, there is no trace of "secularization" in this process. Imperial political theology is indeed shattered by the Jewish-Christian doctrine about temporal power, but that does not mean that temporal power is conceived as not subjected to God's will. The main problem for pagan authorities is, indeed, to fail to recognize themselves as mere stewards of an authority bestowed on them by God in order

to achieve some goods which are necessary for the progress of human salvation. All authority, spiritual or political, is sacred, but only because it comes from God and only to the extent that it is used according to God's intention.

It is very important to keep this fact in mind, as it is central to understand how the doctrine of the Church about its proper relation with temporal powers evolved in the following centuries. There is no "Church and state" philosophy here: God has a plan for human salvation, and that plan is being executed. Everyone has a role to play in that plan, but we can fail to play it right. There is no field of pure human action, pure human power, or pure human self-determination. History is only salvation history: the events that occurred between the fall and the definitive coming of the Kingdom.

In the next chapters, we will explore the evolution of Christian intermediacy from Christian apologetics, through martyrdom, to the Christian emperors and the final fall of Rome. And, at that point, we will meet with the political ideas of the great synthesizer of patristic thought, Augustine of Hippo.

CHAPTER IV

From Christian intermediacy to Constantinian subsidiarity

Abstract: *In this chapter, I will describe the growth of Christian intermediacy in the practice and thought of the first Christians and the Fathers of the Church, who developed an ambivalent political doctrine to deal with the Roman Empire, which considered it both as a providential instrument of God and as a new Babylon. We will also see how this ambivalent thought was inclined towards a totally providential vision of the Empire by the conversion of Constantine, who inaugurated subsidiarity by combining the "negative" obligations of intermediacy with the "positive" obligations of a Christian Emperor to help the Church. Finally, we will study how Constantinian subsidiarity evolved over the life of the Emperor into an overreaching and controlling doctrine of divine kingship, as Constantine used political power to secure consensus inside the Church, while assigning himself a central role in the salvation economy.*

In our last chapter, we studied the beginnings of Christian intermediacy, as reflected in the thought of Philo of Alexandria, Jesus of Nazareth, and Paul of Tarsus. Now, in this new chapter, we will study how this notion of intermediacy was expanded and transformed by the Christian experiences within the Roman Empire into what we would call subsidiarity.

In the first part of the chapter we will see how the early Christians developed an ambivalent political disposition towards the Empire, as they saw it both as a divinely ordained power that brought order to the world and as an evil persecuting force that was passing away. The Church, then, constructed its relation with the Empire in a way which secured its own autonomy and distance, but that also called for respect and eventual collaboration with the higher powers. Power and money, under this perspective, were useful if well used, but also dangerous and frequent fountains of demonic temptation. Therefore, the Christian fathers were unanimous in pointing out that the Church should not rely too much in any of them.

This vision was profoundly affected by the Conversion of Constantine, which brought up new questions about the duties of a Christian Emperor and his place inside the Church. The clarification of these questions involved the growth and delimitation of a "positive" sphere of obligations by temporal authority towards the Christian salvation community combined with the "negative" ones implied by intermediacy.

I will argue in the second part of the chapter that subsidiarity emerged as the direct result of the encounter between Christian intermediacy and the conversion of Constantine, as it pushed forward the question about the duties towards the Church of a Christian Emperor, forcing the development of the "positive" side of the principle.

I will also show how this early development of the principle of subsidiarity was put under pressure by the Roman belief in a transactional economy between temporal authority and the divine, strengthened by some Christian eschatological theses about the unique role of Rome in the economy of salvation, which made Constantine drift during the second part of his reign towards a doctrine of divine monarchy.

Christian intermediacy and the ambivalence of power

Under the *Pax Romana* of the first two centuries of our era, the Mediterranean world went through an intense economic, military, and political integration process, and the resulting Mediterranean "globalization" created the conditions for the development of "middle-class" social groups composed of the humbler free classes of towns and cities[319]. Most members of the Christian communities that survived Paul of Tarsus came from this social background. These Christian communities were semi-autonomous groups (congregations) dispersed along the Empire[320] that met in private houses[321].

At some point, a group of these early traditions united and drew a line between what would be considered Christian and what was not. According to Robert Markus, "the achievement of this first phase was to bequeath to the church of the third century a doctrinal and ecclesiastical structure sufficiently defined and sufficiently homogeneous to demarcate the 'great church' from the sects"[322].This process was, institutionally, an organic, bottom-up maturation that tended to concentrate power in bishops. And it was combined with the

[319] Davidson, I.J. "The Birth of the Church". Monarch, Oxford, 2005. P.103.

[320] "The earliest Christianity is a bundle of divergent traditions...traditions of doctrine, of worship, of church-order, of sacramental practice and of Christian experience at large". Markus, R.A. "The problem of Self-Definition: from sect to Church" in E.P. Sanders (ed.) "Jewish and Christian Self-Definition". Vol.I. SCM Press, London, 1980. PP. 1-15. P.4.

[321] "Christians met in enlarged private houses or rooms... there might be several meeting places in a city, but the space of each congregation cannot have been large". Fox, R.L. "Pagans and Christians in the Mediterranean world from the second century AD to the conversion of Constantine". Penguin, London, 1986. P.269.

[322] Markus, R.A. "The problem of Self-Definition: from sect to Church" in E.P. Sanders (ed.) "Jewish and Christian Self-Definition". Vol.I. SCM Press, London, 1980. PP. 1-15. P.5

development of doctrinal boundaries reflected in the fixed canon of gospels and epistles that will evolve to become the New Testament[323].

Politically speaking, the Christian community of that time had to deal with a crucial consequence of Christian universalism: how it transformed the Jewish distinction between the salvation community and the *others*. Christians were not a nation: everyone could join the Church. Therefore, the Jewish *foreign sword* used by God to punish the people of Israel for their sins was not considered foreign in the same way by the Christians. Earthly government, according to them, had been everywhere instituted by God to punish and prevent human evil and corruption. It was "foreign" to humankind because it was an ad-hoc remedy for sin but not because it was an inevitable necessity. In the words of Irenaeus of Lyon (c.130-c.202):

> For since man, departing from God, reached such a pitch of bestiality as even to look upon his kinsman as his enemy, and engaged without fear in every kind of disordered conduct, murder and avarice, God imposed upon mankind the fear of man, as they did not acknowledge the fear of God; in order that, being subjected to the authority of men, and under the custody of their laws, they might attain to some degree of justice, and exercise mutual forbearance through dread of the sword suspended full in their view, as the apostle says: 'For hebeareth not the sword in vain; for he is the minister of God, the avenger for wrath upon him who does evil'[324].

In this way, according to Irenaeus, humans had to live under the custody of temporal powers because of their sins. This assertion implied that human sociability was natural and came before political hierarchies. Therefore, it also implied that social hierarchies existed to serve and protect social groups and not to subdue and exploit them. People lived in these temporal political structures as exiles from their true eternal home, which was the Kingdom of God, already growing on earth. But during that exile, they had to respect the authority of temporal power in everything included in its sphere of custody.

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[323] See Kaufman, P.I. "Church, Book and Bishop". Westview Press, Boulder, 1996. P.23.

[324] "Against Heresies". Irenaeus of Lyons. In O'Donovan, O. & Lockwood O'Donovan, J. "The Patristic Age" in O'Donovan, O. & Lockwood O'Donovan, J. (eds.) "From Irenaus to Grotius: A Sourcebook in Christian Political Thought". Eerdmans, Grand Rapids, 1999. PP 16-22. P.17.

Who was the *nemesis* of the Church? It was the force that tried to prevent universal conversion and the growth of the Kingdom: the Devil and his satanic powers. As God had instituted government to correct human conduct, it was one of the main targets of satanic temptation. So even if not evil in itself[325], temporal power would constantly be led astray by these temptations. And their bearers would be judged accordingly by God[326].

The Christian frontier, then, was always moving. The Kingdom of God was already here, growing on earth among the nations but facing the resistance and attacks of diabolical forces[327]. And this vision, when it came to earthly power, translated into an ambivalent doctrine: all earthly powers were assigned by God with a purpose, but they were also a locus for satanic temptation. Therefore, contingent temporal power should be used in favour of the expansion of the Church but never trusted, as it could shift swiftly into persecution. Earthly power could aid the growth of the Kingdom of God, but the Kingdom was not of it. All earthly powers were passing away because of being composed of perishable materials (coercion and wealth), unlike the eternal Kingdom of God (which was not from this earth).

This ambivalence, as we mentioned, also targeted wealth, which frequently accompanied political power. Riches could serve good purposes by helping others through the Church, but they were also a favourite instrument of the Devil to promote in the rich person, besides materialism and vanity, an illusion of individual self-sufficiency. And this illusion, by detaching the rich from the salvation community, could condemn his soul. Therefore, the Church proposed to their followers to keep for themselves only what they needed to live

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325 "Earthly rule, therefore, has been appointed by God for the benefit of the nations (and not by the devil, who is never at rest at all, nay, who does not love to see even nations conducting themselves after a quiet manner), so that under the fear of it men may not eat each other up like fishes; but that by means of the establishment of laws, they may keep down the great wickedness of the nations. And in this way they are 'God's ministers'". Ibid.

326 "And for this reason, too, magistrates themselves, having laws as clothing of righteousness, shall not be called in question for their conduct whenever they act in a just and legitimate manner. But whatsoever they do to the subversion of justice, iniquitously, and illegally, and tyrannically, in these things shall they also perish; for the just judgment of God comes equally upon all, and in no case is defective". Ibid.

327 It is interesting how the Luteran theologian Dietrich Bonhoeffer used this vision of an always expanding Church to criticize in his *Ethics* the thought of a world organized in two static spheres: "If one wishes to speak, then, of the space or sphere of the Church, one must bear in mind that the confines of this space are at every moment being overrun and broken down by the testimony of the Church to Jesus Christ. And this means that all mistaken think in terms of spheres must be excluded, since it is deleterious to the proper understanding of the Church". Bonhoeffer, D. "Ethics". SCM Press, London, 1963. P.175.

comfortably and give the rest to support the net of social services created by the Christian communities oriented to help the destitute, the sick, and the poor. In this way, the political autonomy of the Church was made stronger by a vast array of charitable institutions based on self-support and self-help, and several social duties and activities came to be considered part of the proper sphere of authority of the Church.

This doctrine of the ambivalence of earthly powers had two poles. Some Christians communities were more inclined to a collaborationist perspective, while others preferred a separatist one. Walter Pilgrim calls these two emphases "ethic of subordination"[328] and "ethic of resistance"[329]. There was a tension, but not a fracture, between these poles. The inclusion in the New Testament of the politically distant texts by Luke and the Book of Revelation by John of Patmos reflects this concordance[330].

A central issue in the definition of the attitude of the local Christian communities toward the Empire was the early persecutions against Christians. As a novel "third race"[331], a strange Jewish sect alienated from the Jews[332], with no national land[333] and no political influence, Christians made the perfect scapegoat[334] on which to blame for the anger of the

[328] See Pilgrim, Walter. "Uneasy Neighbors: Church and State in the New Testament". Fortress Press, Minneapolis, 1999. PP.7-36.

[329] Ibid. PP.145-180.

[330] The texts by Luke, written between the year 60 and the year 100, display what has been called the "political apologetic motive". In both narratives the Jews are depicted as the real troublemakers, who persecute the Christians by tricking and pushing the Roman authorities that are trying to deliver justice. This portrait of Roman authorities by Luke has a pedagogical objective, trying to show how they should behave according to the role that God has assigned them, as rightful deliverers of justice, and not necessarily how they actually proceed. In the case of the book of Revelation (Apocalypse) by John of Patmos, written around the year 96 during the hardships suffered under Domitian, the Roman Empire is represented as an instrument of the Antichrist, giving Rome a central role in the economy of salvation, but as a nemesis to the Church. The spiritual Babylon is confronted to the City of God, the New Jerusalem that descends from Heaven at the triumphal end of the vision of John. Rome, like Babylon, is a place of exile and hardship for the believers, but captivity will eventually come to an end, the people of God will be liberated by Christ, and the impious city will end in ruins. Pious separation, instead of pacific conviviality, is urged.

[331] "The pagans who in the second and third century referred to Christians as the 'third people' or 'third race' saw them as something alien and suspect, potentially sinister. 'Away with the third race' was a favourite shout of the crowds in the circus". Markus, R.A. "Christianity in the Roman World". Thames and Hudson, London, 1974. P.24.

[332] "What made this new sect difficult for a Roman to understand, when it appeared in the Roman scene, was its peculiar relationship with Judaism. It belonged to the Jewish milieu while trying, at the same time, to disown its ancestry, and being disowned by most of the race of its progenitors". Ibid. P.15.

[333] "The 'third race', in separating themselves from its Jewish milieu, had lost the benefit of antiquity, which alone had made the Jews traditionally acceptable in the Roman world". Ibid. P.25.

[334] About how the scapegoat mechanism works and how sacrificial violence can bring reconciliation to human groups, see Girard, R. "The Scapegoat". JHUP, Baltimore, 1989.

gods. Horrible rumours about these "atheists"[335] ran freely in the main cities[336] and to attack them had no foreseeable repercussion, as they were too weak to exert any form of retaliation. The persecution commanded by Emperor Nero in the year 64 CE blaming Christians for a great fire in Rome, and during which both Peter and Paul died, was considered by Christians as a shocking example of earthly power controlled by the Devil.

On the other hand, the Empire operated as a great facilitator for expanding the faith. The Mediterranean interconnection and the relative political peace secured among its borders were the perfect scenario for Christian missions to expand. And equally important, as natural and social calamities attributed to the anger of the gods were mainly local, also was the persecution of Christians during those years[337]. That mean that, just as in the Jewish Diaspora case, imperial power was more a warrant for Christians against other local groups than a direct menace. Christians were not a "public enemy" for the imperial centre[338], which had no set interest in persecuting them[339], but easy local scapegoats. Even persecution by Nero was a case of local scapegoating, exceptional only because of being led by an Emperor.

Ultimately, the ambivalence towards earthly power of the Christian communities and their intellectuals was reflected into two kinds of strategies: one apologetic, designed to tame it and guide it to its proper functions, and another sacrificial, oriented to denounce and resist

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335 Christians were considered "atheists" by most Romans because "they would not participate in the cults which averted the anger of the Gods" and, therefore, popular persecution against Christians would arise in towns and cities during social conflicts or after natural disasters. See Fox, R.L. "Pagans and Christians in the Mediterranean world from the second century AD to the conversion of Constantine". Penguin, London, 1986. PP.551-552.

336 "Christians were vulgarly thought to practice incest and cannibalism at their nocturnal meetings…(these charges probably arose from language about universal love and the Eucharist)". Chadwick, H. "The Early Church" (Revised edition). Penguin, London, 1993. P.26.

337 In fact, the local character of the early persecutions permits to suppose that they probably had the effect of expanding the influence of Christianity rather than the opposite, as a good number of Christians would move inside the Empire from one city to another to avoid danger, therefore spreading their faith.

338 By the year 112, under the rule of Trajan, we know for sure thanks to the famous letter by Pliny to the Emperor, that Christianity was outlawed and that "simply to confess to the name Christian was in itself and without reference to anything otherwise defined as crime, a capital offense", but we also know, by Trajan's response to Pliny, that it was not a public policy to seek for Christians, and that "no charges were to be pursued on the basis of anonymous testimony". See Wilson, S.G. "Related Strangers: Jews and Christians 70-170 C.E.". Fortress Press, Minneapolis, 1995. PP-16-17.

339 "When forced upon the attention of Roman officials, the outlook for Christians was grim, but the number so arraigned was relatively small and the majority seem to have been treated with an indifference that amounted to toleration". Wilson, S.G. "Related Strangers: Jews and Christians 70-170 C.E.". Fortress Press, Minneapolis, 1995. P.17.

its abuses. These strategies were not contradictory but complementary, and some Christian authors developed both depending on the circumstances. As Joan and Oliver O'Donovan explain:

> Faced with this situation, the defenders of Christianity could take the Apocalypse of John as their model and repudiate pagan thought with all its works and all its ways, just as they unanimously repudiated the imperial cult; or they could seek out, within classicism, analogies to the continuity-discontinuity which all of them found in Judaism... The theologians of the second and third centuries combined these two emphases, but in varying proportions[340].

The idea of Christians having on earth a double citizenship, temporal and spiritual, which is already present in the anonymous "Pastor of Hermas"[341], was to become a central feature of pre-Constantinian Christian political imaginary, as it offered an effective way to represent the balance between collaboration and separation that Christian theologians were searching.

Double citizenship and Roman genealogy

The apologists of the second and third centuries were Christian theologians who produced a specific kind of defensive and propagandistic literature. The main objective of these works was to demonstrate to the outside world that Christians were not a menace to public order,[342] while also trying to gain more adherents for the church, combat heresy and schism, and consolidate its intermediate institutional status. The apologists developed the idea of a double Christian citizenship against the Roman accusation of novelty.

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340 O'Donovan, O. & Lockwood O'Donovan, J. "The Patristic Age" in O'Donovan, O. & Lockwood O'Donovan, J. (eds.) "From Irenaus to Grotius: A Sourcebook in Christian Political Thought". Eerdmans, Grand Rapids, 1999. PP 16-22. P.17.

341 "He says to me, 'You know that you who are the servants of God dwell in a strange land; for your city is far away from this one'. If then, he continues, 'you know your city in which you are to dwell, why do you make expensive preparations, and accumulate dwellings and useless buildings? He who makes those preparations for this city cannot return again to his own… be ready, when the master of this city shall come to cast thee out for disobeying his law, to leave his city, and to depart to thine own, and to obeythine own law without being exposed to annoyance, but in great joy". Hermas. "The Pastor of Hermas". In "Ante Nicene Fathers, Vol. II. Fathers of the Second Century". Handrickson, 2004 (1885). PP.1-55. P.31.

342 "In defending themselves against the accusations of the pagan world, Christians presented themselves as supportive of due political order... in defending themselves against sectarian, antipolitical moralism, they presented themselves as a people oppressed, awaiting the judgement of God where the judgment of man had fail". O'Donovan, O. & Lockwood O'Donovan, J. "The Patristic Age" in O'Donovan, O. & Lockwood O'Donovan, J. (eds.) "From Irenaus to Grotius: A Sourcebook in Christian Political Thought". Eerdmans, Grand Rapids, 1999. PP 1-7. P.5.

The Roman accusation of novelty had to do with the characterisation of Christians as a "new people" (a so called "third race"), severed from the Jews and with no land or reign of their own. The early apologists developed two arguments to deal with these accusations: one was to present the Christians as a new philosophical school. Philosophers in Rome speculated about the most varied things, but they never were publicly persecuted. Why, then, persecute the Christians? Justin Martyr (c.100-c.165), in his *First Apology*, presents Christians to Emperor Antonius Pius as philosophers who were "good citizens and keepers of the commandments"[343]and who have been unjustly calumniated and persecuted by local powers[344].

The second early strategy to answer this question was to argue that Christians had a Kingdom of their own, but it was not from this earth. Here is where the "two cities" theme, developed later by Augustine, makes its appearance. The anonymous *Letter to Diognetus* (c.130-200) shows Christians as citizens of heaven dwelling in temporal cities not as "the advocates of any human doctrine as some men are" or distinguishing themselves by their clothes or manners, but "showing forth the wonderful and confessedly strange character of the constitution of their own citizenship"[345]. Christians, concludes the Letter, "dwell in their own fatherlands, but as if sojourners in them... they pass their time upon the earth, but they have their citizenship in heaven... they dwell in the world, but are not of the world"[346]. They obey temporal laws, then, but they go beyond them in their conduct: the laws of the heavenly Kingdom encompassed all just earthly rules.

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[343] Justin Martyr. "First Apology" in Karl F. Morrison (Ed.) "The Church and the Christian Empire". University of Chicago Readings in Western Civilization Vol.3. Chicago UP, Chicago, 1986. PP.7-28. P. 27.

[344] "And everywhere we, more readily than all men, endeavour to pay to those appointed by you the taxes both ordinary and extraordinary, as we have been taught by Him; for at that time some came to Him and asked Him, if one ought to pay tribute to Caesar; and He answered, "Tell me, whose image does this coin bear?" And they said, "Caesar's"; And again He answered them, "Render therefore to Caesar the things that are Caesar's, and to God the things that are God's". Whence to God alone we render worship, but in other things we gladly serve you, acknowledging you as kings and rulers of men, and praying that with your kingly power you be found to possess also sound judgment. But if you pay no regard to our prayers and frank explanations, we shall suffer no loss, since we believe (or rather, indeed, are persuaded) that every man will suffer punishment in eternal fire according to the merit of his deed, and will render account according to the power he has received from God, as Christ intimated when He said, 'To whom God has given more, of him shall more be required" Justin Martyr. "First Apology" in Karl Morrison (Ed.) "The Church and the Christian Empire".University of Chicago Readings in Western Civilization V.3. Chicago UP, Chicago, 1986.PP.7-28.P. 12.

[345] Anonymous. "Letter to Diognetus". in O'Donovan, O. & Lockwood O'Donovan, J. (eds.) "From Irenaus to Grotius: A Sourcebook in Christian Political Thought". Eerdmans, Grand Rapids, 1999. PP 12-14. P.12.

[346] Ibid. P.13.

These two perspectives were later combined and refined through a genealogical argument. Tatian (c.110-172) was a disciple of Justin who, like his master, considered that Christian and Greek philosophy had things in common. But he explained the connection in his book "Address to the Greeks" in a genealogical way: all that was valuable in Greek philosophy came from the Hebrews (just as almost everything "Greek" came from other barbarians). Moses, he asserted, "was older than the ancient heroes, wars, and demons... And we ought rather to believe him... than the Greeks, who, without due recognition, drew his doctrines [as] from a fountain"[347]. Greek philosophy, in this way, was born, according to Tatian, as an adulteration of Hebrew tradition made by sophists[348]. He also believed, with the "Letter to Diognetus", that the law of God stood above earthly legislation. But instead of considering that one encompassed the other, he derided pagan legislation, even if also calling to respect it, arguing that "there ought to be one common polity for all, but now there are as many different codes as there are states"[349].

This genealogical argumentation was complemented afterward with the idea that Christians were not a severed branch from Israel but the true Israel. The Jews had had a covenant with God, but they had shown themselves unworthy of it, so God had rescinded the contract, making a new covenant with humanity through Christ, whom the Jews had persecuted to death. The destruction of the Temple of Jerusalem, predicted by Jesus, was presented as the definitive proof of a divine change of allegiances. In the words of the apologist Minucius Felix (c.150-c.250): "the Jews, so long as they worshipped our God...so long as they obeyed his precepts of salvation, grew from a small people to a numberless, from being poor to rich, from being poor to kings...it was their own wickedness which brought them to misfortune, and nothing happened to them which was not predicted in advance, if they persisted in rebelliousness"[350].

Apologists argued, in sum, that Christians were not a new people. They presented them, instead, as the true Israelites, citizens of the heavenly Jerusalem, inheritors of the Hebrew tradition, which was anterior and superior to the classical one. In this way, Christians

[347] Tatian. "Adress of Tatian to the Greeks". In "Ante Nicene Fathers, Vol. II. Fathers of the Second Century". Handrickson, 2004 (1885). PP. 65-83. Ch. XL. P.81

[348] Ibid.

[349] Ibid. Ch. XXVIII. P.77.

[350] Minucius Felix. "Octavius". XXXIII, 2-5. Loeb Classical Library. Harvard UP, Cambridge (Mass.), 1931. P.417.

turned the Roman argument against itself: classical culture was, according to them, a decadent innovation from the original Christian tradition, which was, therefore, the true tradition of Rome. The expansion of Christianity, in this way, should be seen by Romans as a return to their true self.

The dialectics of temporal power

But if Christianity, as the apologists affirmed, was the real predecessor of *Romanitas*, was it also a providential opportunity for the renovation of the Empire? This question will govern the Christian political debate for centuries to come. And it was Melito of Sardis (110-180), in a letter he wrote to Emperor Marcus Aurelius (born 121, emperor 161-180), who introduced the idea that there was a link between the first coming of Christ and the prosperity of the Empire. In his apology, Melito remarks of Christianity that "since it sprang up among the nations under thy rule, during the distinguished reign of thy ancestor Augustus, it proved to be a blessing of most happy omen to thy Empire"[351]. And then he goes further to depict, also for the first time, the vision of a Christian Empire:

> My opinion is this: that in this way a kingdom may be governed in peace –when the sovereign is acquainted with the God of truth, and is withheld by fear of Him from doing wrong to those who are his subjects, and judges everything with equity, as one who knows that he himself also will be judged before God; while at the same time, those who are under his rule are withheld by the fear of God to do wrong to their sovereign, and are restrained by the same fear from doing wrong to one another. By this knowledge and fear of Him all evil may be removed from the realm[352]

Of course, not everyone agreed with this idea of a "happy connection" between Church and Empire. The African lawyer Tertullian (155-220), in his book *Apology* (197), deploys a

[351] Melito. "From the Apology addressed to Marcus Aurelius Antoninus", in "The Testament of the Twelve Patriarchs and Fragments of the Second and Third centuries". Ante-Nicene Christian Library. Vol. XXII. T&T Clark, Edinburgh, 1871. PP.130-132. P. 131.

[352] Melito. "A Discourse from Melito", in "The Testament of the Twelve Patriarchs and Fragments of the Second and Third centuries". Ante-Nicene Christian Library. Vol. XXII. T&T Clark, Edinburgh, 1871. PP.112-124. P. 121.

heavy and uncompromised rejection of both pagan religion[353] and philosophy[354], and a defence of the Church conceived as a civilian association[355] with no political pretensions[356]. As the author of the "Letter to Diognetus", Tertullian portrays Christians as strangers on earth (*peregrinam in terris*), whose true home is in heaven[357], rejecting the idea of Christianity as a philosophical school by adducing that philosophers have tended to search for glory through political treachery[358] and flattery[359]when a Christian "does not even aspire to be *aedile*"[360], which is a way to say that they had not the slightest political aspirations. As long as Christians are not after glory or dignity, they can't become a faction disruptive of public order, so the Church should be considered by the Roman Empire as a lawful association.

Another apologist, Minucius Felix, goes even further, explaining the origin of Roman imperialism by the city starting as a congregation of criminals:

> Yet, were they not a collection of criminals? Did they not grow by the iron of terror of their own savagery? The *plebs* first congregated in a city of refuge; thither had flocked ruffians, criminals, profligates, assassins and traitors. And Romulus himself, to secure criminal pre-eminence in office and rule, murdered his own brother. Such were the initial auspices of our religious commonwealth!... Thenceforward it becomes the practice of all succeeding kings and leaders to dispossess neighbours of their territory, to overthrow adjoining states with their temples and their altars, to drive them into captivity,

[353] "Those whom you had presume to be gods, you learn to be demons". Tertullian, "Apology". Loeb Classical Library. Harvard UP, Cambridge (Mass.), 1931. P.127

[354] "But then what have philosopher and Christian in common, -the disciple of Greece and the disciple of heaven, -the business of one with reputation and of the other with salvation, -the man of words and the man of deeds, -the builder and the destroyer, -the friend and the foe of error, -the man who corrupts the truth, and the man who restores it and proclaims it- the thief of truth and its guardian?". Ibid. P.205.

[355] "We are a society (corpus) with a common religious feeling, unity of discipline, a common bond of hope". Ibid. P.175.

[356] "…nothing is more foreign to us than the State… One State we know, of which all are citizens- the universe" Ibid.P. 173.

[357] Ibid. P.3.

[358] "If self-restraint is the issue, why, there is Pythagoras at Thurii, and there is Zeno in Priene, aiming at tyranny" Ibid. P.203.

[359] "The same Aristotle's shameful tutorship of Alexander is equivalent to flattery; Plato –no better- fawns upon Dionysius to gratify his belly. Aristippus in purple, with great affectation of seriousness, lives a wanton life; and Hippias is killed for plotting against his city –a thing no Christian ever attempted in revenge for his friends" Ibid.P.205.

[360] Ibid. P.203. *Aediles* were low rank municipal officials.

> to wax fat on losses inflicted and crimes committed... All that the Romans hold, occupy and possess is the spoil of outrage; their temples are all of loot, drawn from the ruin of cities, the plunder of gods and the slaughter of priests... The Romans have grown great not by religion, but by unpunished sacrilege.[361]

We can see, then, that even if apologists agreed that Classical culture was a degraded product of the Hebrew tradition, they divided themselves around the question of whether the Empire could be, as such, redeemed by Christianity or play a major providential role in the economy of salvation. On the one hand, the Roman Empire appeared as the main instrument for peace and justice among men on earth. Peace that facilitated the Christian missions and imperial justice that sometimes protected the Christian communities from local persecutions. Moreover, the Empire was an international organization, just like the Church, capable of submitting all the nations to a certain kind of temporal justice. In this sense, the idea of an imperial preparation of the world for the second coming of Christ sounded reasonable[362]. But the Empire also seemed, on the other hand, the privileged target of demonic forces. The temptation of self-deification and rebellion against its divinely appointed duties grew alongside the importance of those duties. Was it not, after all, an imbalanced combination of ambition and pride the fuel of the Roman imperial expansion?

The Christian political imagination and practice that resulted from these disquisitions were shaped by an acute conscience of the temporary (because passing away) and ambivalent (both an instrument of peace and justice and a constant locus of satanic temptation) character of earthly power. God instituted governments as a provisional remedy for sin based on human fear. They provided an imperfect but necessary kind of justice, establishing peace through force. But, as their function was, in a way, analogous to divine rule, the temptation of self-divinization of temporal rulers was also always latent. And the bigger the political unity gets the stronger and more dangerous that temptation grows.

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[361] Minucius Felix. "Octavius". XXV, 2-8. Loeb, Cambridge (Mass.), 1931. P. 389.

[362] The vision of the Roman Empire as the *katechon*, the restraining force against the iniquity that will be a prelude to the second coming of Christ, is based on Paul of Tarsus's Second Letter to the Thessalonians (2:6-7) where he says "And you know what is now restraining him, so that he may be revealed when his time comes. For the mystery of lawlessness is already at work, but only until the one who restrains it is removed" . *Katechon* is the Greek word for "he who holds back". Even Tertullian affirms that the Roman Empire will be the last one to rule the world, which will come to an end after that rule. For further reflection about the subject see Cacciari, M. "The Withholding Power: An Essay on Political Theology". Bloomsbury, London, 2018.

Government, and especially imperial government, was then seen by Christians as both a device of divine providence and an instrument of the Devil. Therefore, the Church had to deal cautiously with it, cooperating if possible but always keeping a safe distance.

This idea of maintaining a safe distance between Church and government crucially informs the principle of subsidiarity, for it was considering the ambivalent character of earthly power that the Church developed an institutional theory and practice oriented to secure its autonomy as an intermediate institution. Good earthly rulers could contribute to strengthening the temporal position of the Church to help it resist the abuses of the future, assuming that they would come. Power, used in a Christian way, had to be oriented to make the Church stronger in its autonomy instead of comfortably dependent, knowing that the political tides could change direction at any moment.

Expansion and persecution

The model of organization based on these premises consolidated during the first half of the third century when the Roman Empire experienced a series of economic and political crises[363]. During those hard times, the Christian community was able to promote itself, even amongst pagans, as a beneficial institution. The organization of the Church, fuelled by donations, provided social networks to its members and welfare to the sick and destitute in a context where the "Roman government lacked the bureaucratic capacity to handle broad-reaching social agendas, such as health service or a social security budget"[364]. This social element probably had two effects: relatively more Christians survived famine and plague, and the image of Christian communities improved among local pagans[365]. In the words of Peter Brown:

[363] These crises were caused by "a combination of massive barbarian invasions, the devastation of frontier towns, economic decline, and a serious plague that reduced the manpower ability to tackle down external threat". Bardill, J. "Constantine: Divine Emperor of the Christian Golden Age". Cambridge UP, Cambridge, 2012. P.58.

[364] Heather, P. "The Fall of the Roman Empire". PAN Books, London, 2005. P.107.

[365] "Christians nursed their sick and therefore saved far more lives than pagans, who more frequently abandoned theirs. That is to say, there was no imperative for non-Christians to nurse those to whom they had no close relationship… Of those who fell ill but were nursed, most, perhaps two-thirds survived. Of those who were abandoned, less than a third survived. Moreover, Christians did not nurse only their own but offered succor to sick pagans. Between those whom they saved and those who witnessed their greater rates of survival and selflessness, the Christians found many fresh converts. Furthermore, where pagan social networks were fractured or destroyed by death and displacement, new Christian networks emerged". Stephenson, P. "Constantine: Unconquered Emperor, Christian Victor". Quercus, London, 2009. PP.43-44.

> The churches had created systems for the care of unprotected and afflicted fellow-believers that grew like thick layers of bark around every Christian community... By placing so much emphasis on the act of giving to persons on the very margins of their own community, Christian almsgiving implied, at least in theory, that the Church might reach out to embrace an entire local society –strangers, beggars, and all.[366]

The Church, then, expanded its intermediate position and consolidated its social prestige[367] by providing social services to the local communities, prioritizing fellow Christians and the poor. This Christian expansion of the intermediate sphere also included families: Christian families had more children, specifically more female children, as abortion and exposure were prohibited to them[368]. Mainly through women, then, the number of Christian families grew. It was a demographic triumph but also a cultural one: the Christian family seemed to fit better with Roman familial ideals[369], thus reinforcing the vision of Christianity as the better version of *Romanitas*.

Finally, the Christian takeover of the intermediate sphere also coincided with a retreat of local elites to imperial capitals, cutting private pagan munificence short in towns and cities of lesser importance. All these aspects are relevant to our thesis: they explain why the idea of subsidiarity will eventually become a defence not only of the autonomy and priority of the Church but also of other intermediate associations, as the Church started to identify itself with society, in opposition to the apparatus of power and its authorities.

The clash with a new Roman political theology

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366 Brown, P. "The Rise of Western Christendom". Blackwell, Oxford, 1996. P.32.

367 "By 300, Christians had been around for many years... the livelier stories of vice and crime were now known to be false, and in recent crises, some of their church memberships had really been most helpful and sympathetic... it was harder, now, for a city to feel that these people should be killed if they would not honour the gods".Fox, R.L. "Pagans and Christians in the Mediterranean world from the second century AD to the conversion of Constantine". Penguin, London, 1986. PP.598-599.

368 See Stephenson, P. "Constantine: Unconquered Emperor, Christian Victor". Quercus, London, 2009. PP.40-41.

369 "Marriage was viewed, therefore, as the proper vehicle for continuing citizenship and serving the state into the next generation, for maintaining an individual family or a particular order. It was also viewed, both privately and officially, as a partnership in which each side supported the other and which was ideally harmonious and long-lasting". Dixon, S. "The Roman Family". JHUP, London, 1992. PP.70-71.

The backlash of the advances of the Church came quite soon. While the Church was growing strong, the imperial political authority was at its lowest, not controlling but being controlled by an enormous and fragmented army. As Paul Stephenson makes clear:

> Through the third century, the army was the only instrument of state that could rise up and strike down emperors. To retain power, therefore, third-century emperors struggled with only limited success to maintain control over their errant soldiers. In the half century between the end of the Severan dynasty (193-235) and the foundation of the Tetrarchy (in 284)... more than fifty men claimed the title emperor. Twenty-two of these were universally recognized, of which the vast majority were both acclaimed and later murdered by troops under their command.[370]

This militarization of imperial authority was not good news for the Christians, since Church growth was mainly urban, distant from the camps and the borders. Moreover, the military mostly remained pagan, as Christians were reluctant to participate, not mainly because of aversion to war but of the imperial cult attached to army life[371]. The consequence was that when political power started to regain shape, it did so, among other things, by persecuting the Church.

The fragility of imperial power pushed third-century imperial political theology towards ever more ambitious claims. The need to maintain political unity in the vast and diverse empire, alongside troop subordination, called for a more general, abstract, and total ideology. As Jonathan Bardill describes:

> The concept of divine election became particularly popular as a method of sanctioning rule in the troubled period after the assassination of Alexander Severus... In the unstable political climate, no emperor lived long enough to establish a dynasty, and it was the armies that tended to choose the emperor with the expectation that he would serve their purposes. Emperors, however, preferred to believe that their authority was granted by a higher power...

[370] Stephenson, P. "Constantine: Unconquered Emperor, Christian Victor". Quercus, London, 2009. P.62.

[371] "All versions (of the "Apostolic Tradition") forbid confirmed Christians and catechumens from enrolling voluntarily in the army (which would require them to swear an oath)". Ibid. P.59.

> Another reason for these increasing shifts towards divine election is found in the decreasing credibility of the emperor as a recipient of worship... The lack of dynastic continuity in the mid-third century severely undermined the status of emperor worship... its decline meant that an alternative religious focus needed to be found to fill the gap[372].

Unity and consensus around the imperial figure became the main objective of public policy, and Christians looked like the perfect scapegoat to attain that sacrificial consensus. Their first official and systemic imperial persecution came under the reign of Decius (249-250), and it resumed between 257 and 260 under Valerian and Gallienus.

The vision behind these imperial persecutions, as Allen Brent shows, was "the eschatological project of pagan political ideology that experienced a fresh revival in the general imperial chaos of the mid-third century"[373]. A context in which each of the contenders for rule "regarded the nature of the conflict between themselves and their rivals in terms of who could claim to be the agent of Fate bringing back the golden age to replace their world now degenerate into the age of iron"[374]. Restoration of the golden age demanded sacrificial and ritual consensus, and such enterprise was going to be, under Decius and for the first time, centrally directed: "Decius was the first to organize such a universal *supplicatio*" and, to attain such objective, "his edict ordered the setting up of commissions in every city"[375]. Rome had known local state cults for centuries, but this centrally directed cult of the state was something new.

A Christian Roman golden age

The Christian response to the eschatological imperial bid of Decius and his heirs was the production not only of martyrs, but also of an alternative Christian eschatology for the Roman Empire. Based on the apocalyptic tradition, Christians denounced the Imperial political theology of their persecutors as a work of the Devil, while proposing an alternative vision for the Empire, based on the Christian conversion of the Romans.

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[372] Bardill, J. "Constantine: Divine Emperor of the Christian Golden Age". Cambridge UP, Cambridge, 2012. P.58.
[373] Brent, A. "A Political History of Early Christianity". T&T Clark, London, 2009. P.252.
[374] Ibid. P.253.
[375] Ibid. P.258.

Origen of Alexandria (185-253) was the first promoter of the vision of a happy Christian Roman Empire. He argued that "if all the Romans... embrace the Christian faith, they will, when they pray, overcome their enemies; or, rather, they will not war at all, being guarded by that divine power which promised to save five entire cities for the sake of fifty just persons"[376]. The Christians, he remarked, "are assuredly the salt of the earth: they preserve the order of the world, and society is held together as long as the salt is uncorrupted"[377].

This depiction of a Christian Rome in complete peace[378] promised renovation, but through a Christian path; the logic behind it was that if God had given Rome peace and success at the beginnings of the Empire to spread Christianity swiftly among the nations, He would give peace and success again to a converted Rome. Christianity was presented as the path to the new golden age that Romans were longing for.

Writing just after Origen, Cyprian of Carthage (200-258) also developed an alternative answer to the eschatological proposal of Emperor Decius. In his book *Ad Demetrianum* (252-254), he started by conceding that the world was old and coming to its end but argued that there was no possibility of political redemption. The Kingdom of Christ, His second coming, was at hand, and the only remaining question was how to wait for it, considering that outside the Church there was no salvation. The official explanation of the decadence of the Empire, in this way, was inverted by Cyprian: decadence had been produced, according to him, not because Christians were not showing respect and making sacrifices to the traditional gods, but because Romans were failing to recognize and adore the one all-powerful and universal God[379].

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[376] Origen. "Against Celsus". VIII, 70. In "Origen contra Celsum". Ante-Nicene Christian Library. Vol. XXIII. T&T Clark, Edinburgh, 1872. P.553.

[377] Ibid.

[378] The most obvious reading of this passage is that it is the Christian Church the *Katechon*, the benevolent force that withholds the iniquity that will precede the end of times, but it could also be understood as affirming that a Christian Empire would become the *Katechon*.

[379] "Cyprian begins (his treatise *Ad Demetrianum*) with a reference to the aging of the world, which follows the law of deterioration and decay. It is only natural that the soil cannot produce as it used to do in the spring of creation. Thus it is not the fault of the Christians if the harvest is poor. But the real ills of the earth are due to the sins of immoral lives of the pagans. God has the right to punish the disobedience of mankind because we are only His slaves. The crimes and idolatry of the pagans, moreover, and the cruel persecutions of the Christians, have challenged the Almighty and brought down His anger. There is only one solution, 'to make satisfaction to God and to emerge from the abyss of darkling superstition into the bright light of true religion'". Quasten, J. "Patrology". Vol II. Spectrum Publishers, Utrecht, 1962. .P.355.

Christians, according to Cyprian, in order to resist inside the Church, had to strengthen their organization; And for this purpose, the chain of command, with the bishops at the top, had to be reinforced: "to be a member of the body of Christ, a layman must be in communion with a priest, who is in communion with a bishop, who in turn is part of the worldwide Episcopal college, whose consensus is the bond of unity"[380]. Cyprian was one of the first to envision a Roman Episcopal centre for the "web of mutually connecting dioceses and diocesans"[381], competing with the Roman centre of the imperial web.

At this point, the Church, according to Brent, started to look like a state within a state[382]. Persecution was no longer damaging, but strengthening its organization, as martyrdom attracted more people than the one it scared away. It even resisted an aggressive attack on its chain of command and its property, which ended the life of bishops such as Pope Stephen of Rome (257) and Cyprian himself, beheaded by order of Emperor Valerian in the year 258.

Syncretic peace and institutional consolidation

Finally, in the year 260, Shapur of Persia captured and humiliated Valerian[383]. Afterwards, Gallienus, his son and surviving Roman Emperor (253-268), stopped Christian persecution through an edict of tolerance that abrogated Valerian's edicts and returned confiscated Church property to the Bishops. There was peace, again, until the year 303.

During this long peace, both imperial and Christian eschatology changed their tone and started a syncretistic process that antedated Constantine's conversion to Christianity. In his *Letter to Hermammon* (262), as cited later by Eusebius of Caesarea, Dionysius of Alexandria (c.190-265) affirms that Gallienus is:

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380 Brent, A. "A Political History of Early Christianity". T&T Clark, London, 2009. P.272.

381 Ibid.

382 Ibid. P.278.

383 "Ardashir I began the process. Invading Roman Mesopotamia for the first time between 237 and 240, he captured the major cities of Carrhae, Nisibis and Hatra. Rome responded to the challenge by launching three major counterattacks during the first twenty years of the reign of Ardashir's son Shapur I (240-72). The results were as Shapur's inscription records. Three huge defeats were inflicted on the Romans, two emperors were dead (Gordian and Philip), and a third, Valerian, captured. Shapur proceeded to drag Valerian around with him, in chains, as a symbol of his greatness –an image preserved for posterity in the great carved relief of Bishapur. After his death, Shapur had him skinned and tanned as a permanent trophy". Heather, P. "The Fall of the Roman Empire". PAN Books, London, 2005. P.60.

> Both an old emperor and a new: he both preceded and followed them. For, in accordance with the message given to the prophet Isaiah: 'See, the earliest things have come about, and new things shall now rise'. You know how a cloud sweeps under the sun's rays and for a time screens and darkens it and is seen in its place; then when the cloud has gone by or melted, the sun reappears, shining as it did before... Gallienus is just as he was before and as if it had cast off its old age and purged away its former dross, the monarchy flourishes now as never before, is seen and heard over a wider sweep, and spreads in all directions[384].

The enthusiastic language of the Bishop of Alexandria, as Sordi points out, "blends naturally and harmoniously with the official propaganda heralding the return of the golden age"[385], therefore representing a unique period of peaceful coexistence between Church and Empire: a period during which "the Christian religion is, like the Hebrew religion before it, allowed to exist as a *religio licita* within the officially pagan state" and "the faithful can, and do, offer the state loyal cooperation without reservations, filling official positions and taking on responsibilities as fully accepted members of the community"[386]. The base of this imperial move was solar syncretism[387], which used "the *summus deus* of the many names to foster religious unity in a pluralistic empire"[388]. In this way, the vision of a pluralist imperial order based on the syncretistic cult to *Sol invictus* gained momentum.

The great persecution

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384 Eusebius. "The History of the Church". Penguin, London, 1965. P.306-307. (Book VII, 23-24).

385 Sordi, M. "The Christians and the Roman Empire". Routledge, London, 1994. P.118.

386 Ibid.

387 "The worship of Sol invictus Elagabal is of primary importance to understand the syncretistic nature of Roman religion. 'The epithet invictus seemed to convey to the Romans the idea of a god above all gods, a god omnipotent'. Such a concept did not, of course, eliminate the possibility of other deities, but rather suggested the primacy of one in association with the emperor. This thesis appears valid since Sol invictus tended to absorb rival solar deities from all corners of the empire. This, coupled with the apparent desire of many emperors to establish a state religion or pantheon, contributed to the growing strength of the cult in the third and fourth centuries… To the many worshippers of Sol invictus and Mithras, the worship of Christianity could not have appeared much different from the practices which they were involved. Thus, it would not have been difficult for many individuals to accept the rituals demanded as part of the early Christian service." Walker, J.E. "Solar Imagery and Early Christian Iconography". Athanor. Vol.1, 1981. P.P.5-12. P.6.

388 Sordi, M. "The Christians and the Roman Empire". Routledge, London, 1994. P.118.

But solar pluralism did not last: in the year 293, Diocletian became the sole ruler of the Empire, by the year 285, he had elevated Maximinian as Western Emperor, and by the year 293, he had created a college of four emperors. The main objective of this tetrarchical design was to consolidate imperial power by officially sharing it, preventing the local vacuums of political control over the army that constantly created new pretenders to the Imperial throne. And this new political design included a new political theology for a new Golden Age.

Diocletian presented himself, in this new theological scheme, as "under the special protection of Jupiter, and Maximian under that of Hercules... (and) relations between the two emperors were held to reflect the divine order"[389]: the first commanded and the second executed. Therefore, when the design expanded in 293, Constantius became *Herculean* and Galerius *Iovius*, even if they also had their own protective deities (*conservatores*): respectively, Apollo (or Sun) and Mars.

Political, military, monetary, legal, and religious uniformity was also part of the new design. The administrative reform was total, the last privileges of the Roman senatorial class were retired, and Christians were targeted, for the same old reasons, as public enemies, becoming the object of persecution between the year 303 and the year 311 (when Emperor Galerius revoked the persecution edicts).

Persecution, like other disasters, was interpreted by Christians as divine punishment for their sins, although, at the same time, they considered it motivated by the Devil. And, in a world where monotheism had become dominant among educated Romans, the whole design of the Tetrarchy could be criticized as an impious polytheistic innovation that would bring utter ruin to the Empire.

To present such an argument in a convincing style to the educated Roman public was the main effort of Lactantius (250-320), whose works are a hinge between the world of the Great Persecution and the world of Constantine, the first Christian Emperor. Lactantius saw at Nicomedia, the capital city of Diocletian, the growth of the new power regime, and afterward, he served directly under Constantine as a tutor for his first son, Crispus.

[389] Barnes, T.D. "Constantine and Eusebius". Harvard UP, Cambridge (Mass.), 1981. P.11.

The objective of *The Divine Institutes* (started by Lactantius in 304) was to defeat Roman opposition to Christianity on Roman grounds by defending his position relying more on classical authors than in the Jewish and Christian scriptures. He also argued that "Christian conceptions of rule, law, and theology were actually closer to those of the Early Roman Empire"[390]. This variation of the genealogical strategy, as Elizabeth DePalma convincingly demonstrates, was oriented to persuade other monotheists that the political theology of Diocletian and his policies were impious innovations against Roman tradition, and that "returning to the old constitution would allow all people to exercise their citizenship without impediment"[391]. Toleration and conviviality, in this way, were at the centre of the defence of Lactantius.

Most of the political argument of *The Divine Institutes* can be found in Book V, in which Lactantius concentrates his attack against the Tetrarchy and his political defence of Christianity. Lactantius opens by saying that once there was full justice on earth, when Saturnus, who was a king of old and not a god, reigned: those were the "golden times" about which the poets sang, when "the religious worship of the gods not having been instituted, nor any race being as yet set apart in the belief of its divinity, God was manifestly worshipped... and therefore there were neither dissensions, nor enmities, nor wars"[392]. Moreover, there was no poverty, "nor did avarice intercept the divine bounty, and thus cause hunger and thirst in common; but all alike had abundance since they who had possessions gave liberally and bountifully to those who had not"[393].

But then Saturnus was expelled by his son, Jove (Jupiter). And Jove was afterward worshiped like a god by the people because of their fear and corruption. The new king "introduced among men hatred, and envy and stratagem; so that they were poisonous as serpents and rapacious as wolves"[394]. Of course, this is a reference to Diocletian, who fashioned himself, in the context of the new imperial political theology, as *Jovii* (while Maximian presented himself as *Herculean*)[395]. Lactantius even makes the connection

[390] Ibid.P.12.
[391] Ibid.
[392] Lactantius. "The Divine Institutes". V, 5. In "The Works of Lactantius". Vol.I. Ante-Nicene Christian Library. Vol. XXI. T&T Clark, Edinburgh, 1871. P. 302.
[393] Ibid. P.303.
[394] Ibid. P.304.
[395] "Where are now the surnames of the *Jovii* and the *Herculii*, once so glorious and renowned amongst the nations; surnames insolently assumed at first by Diocles and Maximian, and afterwards transferred to their

explicit: “and they truly do this who persecute those who are righteous and faithful towards God, and give to judges the power of using violence against the innocent... Perhaps Jupiter may have done something of this kind for the overthrow and removal of righteousness”[396].

The divinization of the new emperors, usurping the names of old gods, was considered by Lactantius a shameful innovation[397], an opportunistic mixture of polytheism and oriental divine monarchy that would bring ruin to the Empire. Like Tatian, he argued that if there was only one God, there should be only one emperor. And no emperor should be worshipped as a god. Lactantius’ solution was to move back to the Augustan principate, suggesting “that it would be a more appropriate regime not only for Christians but for all Romans, especially other monotheists”[398].

In Book VI Lactantius equated Cicero’s conception of natural law with divine law and defined human beings as social animals who were naturally endowed with a feeling of affection (*pietatis affectum*) for each other. “The preservation of society, he affirms, is a mutual sharing of kind offices... that is, the affording of help, that we may be able to receive it”[399]. Therefore, “it is contrary to nature to injure a man... it is the duty of humanity to succour the necessity and peril of a man”[400]. And he concluded by affirming that the nature of justice consisted “in affording strangers through kindness, that which we render to our own relatives through affection”[401].

Finally, in book VII of the *Institutes*, Lactantius deployed a full apocalyptic picture, relating how the world would end, mostly following the descriptions in the Book of Revelation, with an important exception: the Antichrist and Rome had no connection in his story. An evil ruler, prophet, and imitator of Christ will come, in the future, from Syria[402].

succesors? The Lord has blotted them out and erased them from the earth”. Lactantius. “The Manner in which Persecutors Died”. LII. In “The Works of Lactantius”. Vol.II. Ante-Nicene Christian Library. Vol. XXII. T&T Clark, Edinburgh, 1871. P. 211.

396 Lactantius. “The Divine Institutes”. V, 5. In “The Works of Lactantius”. Vol.I. Ante-Nicene Christian Library. Vol. XXI. T&T Clark, Edinburgh, 1871. P. 304.

397 See DePalma, E. “The Making of a Christian Empire: Lactantius and Rome”. Cornell UP, Ithaca, 2000. P.43.

398 Ibid. P.45.

399 Lactantius. “The Divine Institutes”. VI, 10. In “The Works of Lactantius”. Vol.I. Ante-Nicene Christian Library. Vol. XXI. T&T Clark, Edinburgh, 1871. P. 377.

400 Ibid. VI,11.P.378.

401 Ibid. VI, 12. P.386.

402 Lactantius. “The Divine Institutes”. VII, 17. In “The Works of Lactantius”. Vol.I. Ante-Nicene Christian Library. Vol. XXI. T&T Clark, Edinburgh, 1871. P.467.

Meanwhile, the Roman Empire appeared, like in Tatian, as just another earthly world power that would meet the same end as the previous ones, "for it is related that the Egyptians, and Persians, and Greeks, and Assyrians had the government of the world; and after the destruction of them all, the chief power came to Romans also... and inasmuch as they excel all other kingdoms in magnitude, with so much greater an overthrow will they fall"[403]. In this way, Roman history was presented by Lactantius as totally secular, with no eschatological signification. But then, almost at the end of the whole book, an important caveat is put forward: "the fall and ruin of the world will shortly take place; except that while the city of Rome remains it appears that nothing of this kind is to be feared... It is that city, that only, which still sustains all things"[404]. Rome, as in Tertullian, was the *katechon*, the withholder of the end of the world, and Lactantius urges Christians to pray to God for the preservation of the city.

It makes sense, then, that Lactantius interpreted the triumph of Constantine, the first Christian Emperor, as the heavenly answer to the Christian prayers for the preservation of Rome. Lactantius considered him a truly Christian champion elected by God, "whom we supplicate with daily prayers, that He may especially guard thee whom He has wished to be the guardian of the world"[405].

Was God, then, siding with the Christians against their pagan enemies? Later works by Lactantius expanded the vision of the Christian God as a jealous and mighty protector and provider of triumphs for the faithful. This vision fitted well with henotheistic and monotheistic beliefs, which had ground in the Roman army, and particularly with the solar cult (directed to *Sol Invictus*) observed by Constantine.

In his book *The Anger of God* (313-314), Lactantius argued that the correct meaning of divine providence was that God rules the world and that that rule supposes that he loves those who do good and hates those who are evil[406]. Later, in *The Death of the Persecutors* (316-321) he "sets forth the tremendous effect of divine anger and the punishment of the wicked persecutors... it was written after peace had been granted the Church and intends to

[403] Ibid. VII, 15. P.464.
[404] Ibid. VII, 25. P.481.
[405] Ibid. VII, 26. P.483.
[406] Quasten, J. "Patrology". Vol II. Spectrum Publishers, Utrecht, 1962. .P.400.

prove that all its oppressors met with a terrible end"[407]. The Christian God, stressed Lactantius, could be the best ally of an Emperor and his army, or their worst enemy, depending on their faith.

In this way, the syncretistic process between Christian and pagan eschatology that had sustained the pluralist order during the second long peace could move forward, this time including the military and, more importantly, the Emperor himself. But this new vision of a Christian Golden Age challenged previous Christian ambivalent convictions about temporal power. Empire and Church had never been so close, and some urgent questions about their relationship needed to be answered. What would be the place of a Christian Emperor inside the Church? What would be the obligations of a Christian Emperor to the Church? What would be the place of the Church inside an Empire with a Christian Emperor? The answers to these questions, for the first time, added a clear "positive side", one of the actual obligations of political authority regarding intermediate institutions, to the "negative side" of intermediacy, permitting the transit from Christian intermediacy to the principle of subsidiarity.

Constantinian subsidiarity

Emperor Constantine (lived 272-337, emperor from 306) was a former follower of the Sun-god who converted to Christianity, convinced by his military triumphs under the banner of the Christian God that such God was the true, only, and all-powerful divinity, and that all earthly power came from Him[408]. The Emperor also believed that he had been chosen by God for a mission: to protect the Church and convert the world to Christianity.

Of course, if all earthly power came from God, all temporal authorities were, in a way, chosen by Him to fulfil certain duties. But Constantine considered that his case was different in that he had been called directly by God, mainly through dreams, not only to fulfil the regular duties of temporal authorities but to transform the world. The Kingdom of God, through Constantine, was to conquer the temporal sphere. The Emperor had a special role in the salvation economy.

[407] Ibid. .P.401.
[408] Stephenson, P. "Constantine: Unconquered Emperor, Christian Victor". Quercus, London, 2009. PP.71-87.

The main aspect of this mission, Constantine believed, was to help the Church to expand inside the Empire. And he followed this objective through legal and economic reforms that transferred an enormous amount of power to the Christian Church. The legal situation of the institution was secured and bishops strengthened their position as local spiritual authorities. The clergy, thanks to the help of the government, expanded the organizations that the Church had inherited from the third century: "shelters for the poor, hostels, almshouses, orphanages, hospitals, and other philanthropic foundations"[409]. As Susan Holman remarks:

> Once Christianity was legal, Christians could engage more openly with their neighbours, and establish charitable institutions without fear of losing their property or their life by admitting that they were Christians. The fourth century was thus an age in which church leaders and wealthy believers began to establish variants of the traditional Greek *xenodocheion*, 'guesthouses' that are already called "poorhouses" (*ptochotropheion*) in the 350s, some years before Basil would choose to build one[410].

Constantine, as Peter Brown explains, brought to the Christian churches "peace, wealth and, above all, the ability to build up, at a surprising rate, a strong local position"[411]. His donations transformed the churches into the most powerful local institutions, growing beyond municipal power and encompassing most of the public sphere of the communities:

> In each city, the Christian clergy became the one group to expand rapidly, at a time when the strain of empire had brought other civic associations to a standstill. Bound by oath to "their" bishop, a whole hierarchy of priests, deacons and minor clergy formed an *ordo* in miniature, as subtly graded as any town-council, and as tenaciously attached to its privileges. Constantine expected that the bishop would act as exclusive judge and arbiter in cases between Christians, and even between Christians and non-Christians. Normal civil litigation had become prohibitively expensive. As a result, the bishop... became the Ombudsman of an entire local community. Imperial supplies of

[409] Burckhardt, J."The Age of Constantine the Great". Routledge & Kegan Paul, London, 1949. P. 310.
[410] Holman, S.R. "God Knows There's Need". Oxford UP, Oxford, 2009. P.57.
[411] Brown, P."The Rise of Western Christendom". Blackwell, Oxford, 1996. PP.38

> food and clothing turned the ferociously inward-looking care of Christian believers that had characterized an earlier age, into something like a public welfare system, designed to alleviate, and to control, the urban poor as a whole.[412]

This "*ordo* in miniature" is the direct precedent of the growing identification between Church and society that will reach its most intense point during the Middle Ages. And, in turn, that identification explains why the idea of subsidiarity was easily expanded to support different kinds of intermediate associations (sometimes called "civil society organizations"), as most of those organizations were at some point linked to the Church.

But the most important thing for our thesis is that Constantine was very careful to facilitate this expansion of the Church without intervening directly in it, nor trying to force conversion among the inhabitants of the Empire through imperial coercion. The so-called Edict of Milan is a declaration that heralded religious tolerance as the official imperial policy[413], and that attitude was maintained by Constantine until late in his reign[414]. Meanwhile, his way of dealing with the Donatist controversy inside the Church[415] shows how reluctant was his intervention in Church matters, something that has too often been ignored by those who have employed "constantinianism" as a synonym for unrestricted domination of the Church by imperial power.

Donatus and his followers broke the Christian tradition of resolving the conflicts among Christians inside the Church by summoning an imperial judgement for their case in 313. These claims were first handed by Constantine to Miltiades, the bishop of Rome, who convened a synod that same year and decided against Donatus and his followers. But the Donatists did not accept that decision, appealing again to the Emperor, who in return summoned in 314 a full council of the Western Church in Arles, which confirmed the previous judgement. This second pronouncement was again appealed to the Emperor by the

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412 Ibid. PP.38-39.

413 Leithart, P.J. "Defending Constantine". IVP Academic, Downers Grove, 2010. PP.98-102.

414 Ibid. PP.110-112. See also Stephenson, P. "Constantine: Unconquered Emperor, Christian Victor". Quercus, London, 2009. PP.174-182.

415 Donatists were a North African Christian movement that rejected to be in communion with bishops who had surrendered copies of Scripture to the authorities during Diocletian´s persecution. They also considered that the sacraments imparted by these priests were invalid.

Donatists, and Constantine's letter to the bishops of the Arles Council explaining the situation shows not only frustration but a clear understanding of Christian political doctrine, distinguishing between temporal and spiritual authority:

> I have found afterwards that they demand my judgement! What a force of wickedness persists in the hearts of these men… They demand my judgement, when I myself await Christ's judgment. For I say, and this is the truth, that the judgment of priests ought to be regarded just as the same as if the Lord himself were presiding in judgment. For it is not permitted to them to think otherwise or to judge otherwise than in the way which they were taught by the instruction of Christ… While seeking after worldly things, they abandon the heavenly; O what a raging audacity of madness! Just as is accustomed to happen in the cases of the pagans, they introduce an appeal…[416]

Accordingly, the Emperor gave legal force to the decisions of councils of bishops, establishing that "even the emperor lacked the right to countermand them"[417]. Through this innovation, the bifurcation of authority introduced by Christian intermediacy was incorporated inside the institutional structure of the Empire, breaking with its political tradition. For, traditionally, the Emperor could have the last word in any dispute between his subjects, but "Constantine denied himself the right to try bishops, who could be condemned and deposed only by a council of their peers"[418], while the decisions of these councils were automatically enforced by the imperial authorities[419]. This decision marks a breaking point in the political history of the Empire.

The Constantinian reformation implied in these policies, argues Timothy Barns, severed the "immemorial nexus of religious authority, social status, and political power… the officially recognised and designated mediators between the human and the divine were now the Christian bishop and the holy man"[420]. In this way, we can trace the precise emergence of

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[416] Constantine. "Epistle to the Bishops at the Council of Arles" (314). As cited in Odahl, C.M. "Constantine and the Christian Empire". Routledge, London, 2005. P.138.
[417] Barnes, T.D. "Athanasius and Constantius: Theology and Politics in the Constantinian Empire". Harvard UP, Cambridge (Mass.), 1993. P. 172.
[418] Ibid.
[419] Ibid. PP.172-173.
[420] Ibid. P. 179.

the principle of subsidiarity to the moment when Constantine legally recognized the autonomous sphere of the spiritual authority of the Christian Church, while, at the same time, engaged the help of the temporal authority in the protection and promotion of the Church, and in the enforcing of the conciliar decisions that demanded interventions of temporal power. In this way, for the first time, a "positive" political obligation was attached to the "negative" demands of Christian intermediacy.

In other words, we can identify the full content of the principle of subsidiarity in the Constantinian policy of recognition of the autonomy of the Church combined with the Imperial engagement to protect and promote the Church, including the enforcement of the conciliar decisions that required a temporal intervention.

These reforms have often been interpreted as merely strategic, assuming that the real objective of Constantine was to finally subject the inhabitants of the Empire to the Church, and the Church to the Emperor[421] (or that he always remained a pagan, just manipulating the Church to neutralize its political influence or gain ascendance over the faithful[422]). I disagree with these views, mainly because if we observe the conduct and words of Constantine in the light of what we have learned about Christian intermediacy, it is easy to note that he is trying to follow that doctrine, which was presumably transmitted to him by the Christians at his court such as Ossius of Cordoba (c.256-359) and Lactantius (c.240-325).

We have already studied the thought of Lactantius and his relationship with Constantine, but the influence of Ossius over the Emperor was probably even greater. And Ossius was a strong defender of Christian intermediacy, as his letter to the Emperor Constantius of the year 354 clearly shows:

> Cease, I implore you, from these activities. Remember that you are but mortal; and fear the day of judgement and keep yourself pure with that day in view. Do not interfere in matters ecclesiastical, nor give us orders on such questions, but learn about them from us. For into your hands God has put the kingdom; the

[421] See Kee, A. "Constantine versus Christ". SCM, London, 1982. PP.128-140.
[422] See Burckhardt, J. "The Age of Constantine the Great". Routledge & Kegan Paul, London, 1949. PP.292-306.

> affairs of his Church he has committed to us. If any man stole the empire from you, he would be resisting the ordinance of God; in the same way you on your part should be afraid lest, in taking upon yourself the government of the Church, you incur the guilt of a grave offence. "Render unto Caesar the things that are Caesar's and unto God the things that are God'". We are not permitted to exercise an earthly rule; and you, Sire, you are not authorized to burn incense.[423]

The fact that Ossius was the main religious adviser to Constantine from 312 to 326 has not been usually considered as relevant to understanding the Emperor's approach to the Church during that period, but it certainly should be. The problem is that Ossius seems to be as historically elusive as he is important: all that is left from his writings are two incomplete letters[424], complemented by a good number of testimonies. Nonetheless, that little information is enough to give us a clear impression of his profound importance during one of the most decisive moments for Christianity.

In sum, I think that Constantine took seriously that his first duty as Emperor was to secure temporal peace and justice, and that the Christian missionary, charitable and evangelical roles were in the jurisdiction of the Church, and not of the temporal authority. But the intention of using political authority to help the spiritual authority to achieve its proper goals, considering those goals as fundamental for the well-being of the temporal city but respecting the different jurisdiction of each kind of authority, was, from the beginning, something easier to believe than to do.

The first problem was that, from a Roman perspective, part of securing the temporal realm was to be at peace with the gods (or the one God, in this case). And Constantine promoted that *pax deorum* in the same way as his predecessors on the throne: by making sure that the rites oriented to win divine favour were dispensed routinely and correctly, in places of adoration fitted to the divine majesty. That explains the great number of churches he

[423] Ossius of Cordoba. "Letter to the Emperor Constantius" (354-355). As cited in "The History of the Arians" by Athanasius. In Phan, P.C. "Message of the Fathers of the Church: Social Thought". Michael Glazier, Delaware, 1984. PP.107-108.

[424] See Ayán, J.J., Crespo, M., Polo, J. & González, P. "Osio de Córdoba: Un siglo de la historia del Cristianismo". BAC, Madrid, 2013.

ordered to built[425], and also his pressure on the Church to standardize texts, rituals, and festivities[426]. In the same way, his fight against dissension inside the Christian Church is related to the imperial duty to preserve the favour of God through sacrificial consensus. His fears about losing that favour, repeated constantly in his documents related to the Donatist and the Arian controversies[427], give testimony of that.

Then there was the problem that the Church itself, as we saw in the Donatist case, often demanded more from the Emperor, showing incapable of solving some of its internal dissensions without some direct intervention of temporal authority. And each new intervention involved the Emperor more deeply into the organization and definition of spiritual authority, as he became a sort of arbiter between religious factions.

At the same time, many of the privileges assigned to the Church backfired in different ways, as they attracted people interested in the economic and political benefits of having an ecclesiastical position, with the consequence that more imperial legislation was passed to filter them. And, in this way, imperial power started to influence even the recruitment of clerics.

Finally, and maybe most importantly, there was no clarity about the proper place of the Christian Emperor inside the Christian Church. As David Dungan remarks, he was "constantly trying to figure out just how he fit into the Catholic hierarchy… as emperor, he was clearly in charge; but insofar as he was neither ordained nor officially installed into any church office, he repeatedly invented his own ad-hoc offices: "common bishop" (*koinos episkopos*) or "bishop of all those outside" (*episkopos ton ektos*)"[428]. This matter was enormously important to Constantine and, as time passed and the Emperor learned more about Christian doctrine, a messianic explanation of his figure seemed the fittest. He started

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[425] Bardill, J. "Constantine, Divine Emperor of the Christian Golden Age". Cambridge UP, Cambridge, 2012. PP.230-251.

[426] Dungan. D.L. "Constantine's Bible". SCM, London, 2007. PP.114-115.

[427] "For since I am sure that you too are a worshiper of the Highest God, I confess to your Dignity that I think that it is not at all right that contentions and altercations of this kind be ignored by us, by which perhaps the Highest Divinity may be moved to wrath no only against the human race but even against myself, to whose care by his celestial will he has committed the management of all earthly affairs, and having been angered, might determine things other than before". Constantine, "Espistle of Constantine the Augustus to Aelafius, Vicar of Africa" (314). As cited in Odahl, C.M. "Constantine and the Christian Empire". Routledge, London, 2005. P.135.

[428] Dungan. D.L. "Constantine'sBible". SCM, London, 2007. P.117.

to believe that he had been chosen by God not only to expand the Church inside the Empire but to rule on earth as viceroy to God, builder, and head of a "universal, Christian Roman empire of peace, in which the world enjoys its long old-age, in preparation finally for Christ's second coming"[429].

Such an explanation would make Constantine a sort of Christ. As Jonathan Bardill argues, "if Constantine was the earthly representative of the supreme solar Deity, and if that Deity could be assimilated to the Christian God, then it followed that Constantine was analogous to Christ and was therefore… one with Divinity"[430]. The analogy with Christ would explain Constantine's conviction about having a direct line of communication with God, not mediated through the Son (and, some would say, his final inclination towards Arianism, which gave the Son a subordinate role to the Father).

These kinds of ideas and considerations made Constantine's original prudence toward the Church changed into a much more directive and decisive role during the second half of his reign. Empire and Church, in his mind, started to merge. His religious tolerance declined visibly by 324, after he won what he saw as a sacred crusade against Licinius, but more intensely after he ordered the death of his son Crispus and his second wife Fausta in 326[431]. Ossius of Cordoba left his side that same year and went back to Spain[432]. The vision of a Christian imperial theocracy started to haunt the Emperor, and traditional Christian political theory seemed insufficient to develop it. The political theology of Eusebius of Caesarea was going to fill that gap.

Eusebius and the Christian Empire of the last days

[429] Brent, A. "A Political History of Early Christianity". T&T Clark, London, 2009. P. 285.

[430] Bardill, J. "Constantine, Divine Emperor of the Christian Golden Age". Cambridge UP, Cambridge, 2012. P.9.

[431] "However, his feelings of guilt and his desire for atonement from the tragedies in Italy made him all the more anxious to promote the religion of the Redeemer in the last decade of his rule… After 327 his propagation of Christianity grew ever stronger while his toleration for paganism wore ever thinner" Odahl, C.M. "Constantine and the Christian Empire". Routledge, London, 2005. P.231.

[432] "The emperor's actions in the years after Nicaea were inconsistent, although his purpose was consistent: he remained committed to the unity of faith and worship of the greatest god, but lacked a clear idea of how to achieve it. No longer was there a dominant voice at court, for by the end of 326 Ossius of Cordoba had departed for Spain. Constantine's Christian adviser for more than a dozen of years, he was recognized at Nicaea as 'the most famous one', and remained an implacable opponent to Arrianism in his diocese… Without Ossius's guidance, Constantine floundered from council to council, accepting and rejecting suggestions from those who wished him to coerce opponents" Stephenson, P. "Constantine: Unconquered Emperor, Christian Victor". Quercus, London, 2009.

Eusebius of Caesarea has been maligned as a servile courtier of Constantine, providing the Emperor with an ad-hoc political theology to fit his political interests. That caricature is false: not only Eusebius was not very close to the Emperor (he only met him a handful of times), but his interpretation of the eschatological role of the Empire and Constantine was not devised to especially fit the Emperor. It was an older conviction, based on Eusebius's understanding of the history of salvation.

In *The Proof of the Gospel* (written around the year 316) Eusebius, following previous apologetic ideas, argued that the expansion of the Roman Empire was arranged by God to be coordinated with the coming of Christ, to facilitate the later work of the apostles[433] and to prepare the subjection of all the nations to Christ, the son of God[434]. The diabolical pagan powers[435] of the multiple nations had been subdued by Rome, hindering them from brutal local persecutions against Christians, so the apostles could "take possession"[436] of the Empire under the direction of divine providence. This empire, according to Eusebius, was to be the last earthly empire before "the final triumph of the Kingdom of God of the Universe"[437].

The conversion of Constantine, in this context, announced the proximity of the Kingdom of God, and his efforts to favour the Christian Church were being answered by God "by putting all the barbarian nations beneath his feet"[438]. God and Constantine "are reaching out to each other... the plan of the Christian ruler and the plan of the Christian God are in unison, and since they have common objectives, God and Constantine are working toward

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433 "No one can deny that the synchronizing of this with the beginning of the teaching about our Saviour is of God's arrangement, if he considered the difficulty of the disciples taking their journey, had the nations been at variance one with another, and not mixing together because of varieties of government. But when these were abolished, they could accomplish their projects quite fearlessly and safely, since the Supreme God had smoothed the way before them, and subdued the spirit of the most superstitious citizens under the fear of a strong central government". Eusebius. "The Proof of the Gospel". Baker, Grand Rapids, 1981. P.161.

434 "The holy Scriptures prophesy that one and the same Being, Christ by name, Who is also Son of God, is to be plotted against by men, to receive the nations for His inheritance, and to rule over the ends of the earth, shewing His dispensation among men by two proofs: the one being the attacks upon Him, and the other the subjection of the nations to Him". Ibid. Vol. I. 205.

435 "(The Devil) ruled all men with deceit, and the evil daemons were arrayed under their king in every place and city and land. And thus the whole of human life was enslaved by earthly powers and evil spirits instead of the early ministers of God". Ibid. Vol. I.P.179.

436 Ibid. Vol. I. P.130.

437 Ibid. Vol.II. P.237.

438 Eusebius. "Life of Constantine". Oxford UP, Oxford, 1999. P.88.

common goals"[439]. Moreover, Constantine was both "a friend of the Word and his copy, imitating his wise order and defeat of impiety"[440]. The King of the Universe was acting through the Christian Emperor in the last preparations for the coming of his Kingdom[441].

Eusebius's *Oration on the Thirtieth Anniversary of Constantine's Reign* (335) leaves no room for doubt on this point:

> But he, the emperor, like the rays of the sun whose light illuminates those who lives in the most distant regions, enlightens the entire empire with the radiance of the Caesars as with far reaching beams reflected from his own brilliance... Thus he is present everywhere, transversing the earth, being in all places and surveying all events... Having been entrusted with an empire, the image of the heavenly kingdom, he looks to that ideal form, and directs his earthly rule to the divine model and thus provides an example of divine monarchic sovereignty. The King of the universe grants this to human nature alone of all other beings on earth. For the law of imperial power has been defined by the establishment of one sole authority to which all beings are subject. [442]

Eusebius, then, saw the bifurcation of spiritual and earthly authority coming to an end, as the Kingdom of God started to take over the temporal sphere. It was not that the Church was being absorbed by the Empire, but the other way around. The Christian Emperor had won the favour of God through his piety, working to secure and expand the Church around the whole world and, in this way, anticipating the second coming of Christ. "The evils of old were forgotten, and there was no memory of any impiety, while the people enjoyed

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439 Schmidt, S.P. "Church and World". Pickwick Publications, Eugene, 2020. P.41.

440 Johnson, A.P. "Eusebius". I.B.Taurus, London, 2014. P.148.

441 "(Eusebius, in one passage of his *Oration*) presents the emperor very much in the guise of a quasi-messianic figure, the 'invincible warrior and Attendant' of God the 'Supreme Sovereign' and 'the image of the One Ruler of All' who was finally vanquished the manifold forces of evil… In terms of even the most positive strand of the New Testament thinking about politics, comparisons of this sort are really quite startling. What renders them understandable is a recognition of the degree to which Eusebius was indebted to Philo's theopolotics and of his own evident sympathy with the type of logos-theology espoused (under Philonic Influence) by the Alexandrian church fathers. His familiarity with Philo's judaized version of Hellenistic sacral kingship is not open to question, and it has been asserted, indeed, that his 'imperial ideal and Philo's conception of the monarchy coincide entirely'". Oakley, F. "Empty Bottles of Gentilism: Kingship and the Divine in Late Antiquity and the Early Middle Ages". Yale UP, New Haven, 2010. PP.92-93.

442 Eusebius of Caesarea. "Oration on the Thirtieth Anniversary of Constantine's Reign". In Cunningham, A. (ed.) "The Early Church and the State". Fortress Press, Philadelphia, 1982. PP.50-51.

their present goods and expected more to come"[443]. The conversion of the Empire showed that the end of the world was near, but it also delayed that end. In the words of Allen Brent:

> Eusebius conceived… a new phase in salvation history where the persecutions end, but the second coming does not immediately ensue. Instead there arises a universal, Christian Roman empire of peace, in which the world enjoys its long old-age, in preparation finally for Christ's second coming.[444]

In this way, the first version of Christian subsidiarity became obscured, first, by a transactional idea of the relationship between Christian rulers and God by which temporal triumphs and prosperity were supposed to be assigned by God to the rulers that helped the Church. And, secondly, by an eschatological expectation about the Roman Empire that tended to close the duality of authority in which intermediacy was founded, as the Emperor was now presented, in the tradition of sacral kingship, "as an agent and instrument of the Logos, the ground plan of the cosmos, mediating cosmic order in Christian, imperial political order"[445]. This development, nonetheless, was not the necessary outcome of the conversion of Constantine, as the first part of his reign showed.

Conclusion

In this chapter, we surveyed the transition from Christian intermediacy to Constantinian subsidiarity. Early Christians saw temporal power and wealth as beneficial and assigned by God, but also as a locus of satanic temptation. Therefore, they developed an ambivalent approach to them: they should be used, when possible, to strengthen the community of salvation, but the Church should not be made dependent on those unstable resources. The Kingdom of God, which is not from this world, was not built on those earthly materials. Such an approach was reinforced by local and imperial persecutions, which normally were preceded and succeeded by peaceful times. Temporal power could not be trusted but could be strategically dealt with.

The idea of Christians having double citizenship, temporal and eternal, was an expression of distance from temporal power. The community of salvation was in this world, but not

[443] Eusebius. "The History of the Church". UCP, California, Oakland, 2019. P.491.
[444] Brent, A. "A Political History of Early Christianity". T&T Clark, London, 2009. PP.284.
[445] Ibid. PP.284-285.

from this world. They were respectful citizens of the temporal city, but only insofar as it didn't enter into conflict with the eternal one, as the final allegiance of every Christian had to be with the Kingdom of God, and not with the temporal city.

Under the pressure of persecution and as part of their missionary effort, Christians developed a set of arguments oriented to promoting the Church among the Romans. One of them was that Christianity was older than Judaism and Hellenism, as it was the original religion of the old Hebrews, who taught their wisdom to the Greeks, and therefore Christianity was the best version of *Romanitas* itself. Another was that the Christian God had punished the persecutors of Christians. These arguments built a bridge between Christianity and *Romanitas*, which was finally fully crossed by Emperor Constantine when he converted.

Alongside these arguments, Christians developed a network of social services that expanded even outside the margins of the Church, providing help to the poor and needy of the Roman Empire.

Constantine was, at first, and under the influence of Lactantius and Ossius of Cordoba, respectful of the spiritual authority of the Church. He thought that his mission was to expand the Christian influence inside the Empire by helping the Church legally and materially to better achieve its ends, which by now included the already mentioned net of social services. Under his reign, this network of social services grew alongside the local power of bishops, transforming the Church in the most important local organization, and anticipating the identification of society and Church that would come into full bloom during the Middle Ages.

Nonetheless, Constantine still thought about God in a transactional fashion: the Emperor had to protect and secure the unity of the Church to maintain divine favour. This belief, mixed with other circumstances, pushed Constantine, in his final years in power, to assume a more directive approach towards the Church, and also a more aggressive attitude against paganism.

Subsidiarity was born in this period from the encounter between Christian intermediacy and an Emperor who became a Christian and had to define his positive relation to the Church.

The two faces of the principle, negative and positive, were combined by Constantine's early approach to the Church. But the negative element of intermediacy tended to be obscured by the confusion between Church and Empire pushed forward by Constantine's transactional conception of religion, on one side, and the new imperial political theology, influenced by the tradition of sacral kingship, developed further by Eusebius of Caesarea, on the other.

CHAPTER V

From Constantinian subsidiarity to the principle of Subsidiarity

Abstract: *In this chapter we will explore the reactions against the Constantinian divine kingship doctrine. From Athanasius of Alexandria to Augustine of Hippo, through Hilary of Poitiers and Ambrose of Milan, I will explain the political dispute about the proper form of subsidiarity that lay behind the Arian controversy, and also how the struggle to submit the emperor to the Church in spiritual matters ended up in the theoretical detachment of Church and Empire. I will close by showing how subsidiarity was transformed into a general ethical principle which was independent of the contingent relationship between the Roman Empire and the Christian Church by Augustine of Hippo, who reinstalled ambivalence at the centre of Christian political theory and rejected any special role for Rome and his emperors in the divine economy of salvation.*

In chapter IV, we studied the growth and clarification of a "positive" sphere of obligations of temporal authority towards the Christian salvation community combined with the "negative" ones implied by intermediacy, showing how subsidiarity finally emerged as the

direct result of the encounter between Christian intermediacy and the conversion of Constantine.

In this chapter, we will see how the Constantinian conception of subsidiarity was subsequently transformed by the "Arian" dispute, which engendered a faction (the "trinitarian" or "Nicaean") that questioned the relationship between Imperial power and Christian Church. This struggle evolved in three different phases: first, with Athanasius of Alexandria, Hilary of Poitiers, and Lucifer of Cagliari, the idea of the Emperor as "bishop of those outside the Church" or "bishop of bishops" was strongly contested; moreover, the economic and political dependence of the Church towards the Empire was questioned, and the idea of an Imperial new "Christian Golden Age" for Rome was rejected.

A second moment of the "Arian"[446] conflict, which has Ambrose of Milan as a central figure, reshaped the relationship between Emperor and Christian Church: the Emperor, according to Ambrose, had no special mediatorial role with divinity. Inside the Church, he was just one more layman. The promise of a new Christian Golden Age for Rome is also transformed by Ambrose, who situated the Christian people at the centre of the regenerative promise instead of the imperial figure. A new society, similar in its virtues to the old republican Rome, would emerge from a bottom-up process of Christian renovation. The idea of subsidiarity, in this context, involved the Emperor as a servant of that process.

Finally, with Augustine, we will reach a vision of subsidiarity which made the idea independent from the Roman Empire, as he discarded any special relationship between the Christian God and any temporal political community. Divine providence, the sometimes harsh pedagogy of God, could not be controlled by human actions. The best that can be expected from temporal authority is its constitution as a power that lovingly serves others. And, in the Augustinian definition of "loving service", we find the first sketch of subsidiarity as a general principle.

Athanasius of Alexandria

[446] I use here quotation marks because Orthodox Christians called almost all their theological adversaries "Arians", even if some of them had no clear connection with Arius or his doctrines.

Constantine had made "the emperor and his officials responsible for enforcing conformity to one form of Christian belief over another"[447], but his search for unity of practice and unity of belief inside the Church had been shown to be sterile. Instead of looking for unity, Christian factions started to compete for imperial favour, confronting each other with growing ferocity, and pushing Constantine to assume a more directive and leading role in Church matters. This move by the Emperor encountered fertile ground in Eusebian political theology and the Arian party, somehow more inclined to theories of sacral kingship.

This late Constantinian theological-political design finds many opponents. One of them was bishop Alexander of Alexandria, who defied the Emperor by not receiving Arius back into communion, even after receiving two letters from Constantine himself. Alexander died in 328 in the middle rounds of this controversy and was succeeded by a young priest of humble origin named Athanasius (299-373).

Between 328 and 373 "the balance of political power changed constantly as a series of Emperors ruled and divided the Roman Empire… (and) Athanasius' vicissitudes… were throughout closely linked to these political changes"[448]. In 335, because of constant conflicts with the "Arian" party, he was exiled to Trier by the order of Constantine. The Emperor, nonetheless, did not depose him as bishop of Alexandria, as he considered that such a decision could only be taken by a valid council of bishops.

His first exile, in conjunction with the exile of other Trinitarian bishops, had a deep impact on the formation of a specifically Western theological and political tradition. He arrived in Trier and was welcomed there by bishop Maximinus. Athanasius stayed there for two years and four months between 336 and 338 and forged a powerful alliance not only with Maximinus, but also with the bishop of Rome, Pope Julius I, and Ossius of Corduba (or Córdoba).

What followed after the death of Constantine in 337 was a hard lesson about the dangers of the intervention of Imperial power in Church matters. Athanasius and the Western exiles were seen with sympathy by Constantine II (emperor of Gaul, Hispania, and Britain 337-

[447] Kulikowski, M. "Imperial Tragedy: From Constantine's Empire to the Destruction of Roman Italy". Profile, London, 2021. P.23.

[448] Barnes, T.D. "Athanasius and Constantine: Theology and Politics in the Constantinian Empire". Harvard UP, Cambridge (Mass.), 1993. PP.19-20.

340) and Constans (emperor of Italy and Africa 337-350 and also of Gaul, Hispania, and Britain 340-350). But not by Constantius II (Emperor of the East 337-361, sole Emperor 353-360), who followed his father in trying to achieve Church unity through imperial power. He went further in Church intervention, directly persecuting the Nicaean dissidents, deposing bishops and promoting a new generation of "pro-Arian" priests. He considered Athanasius a ruffian and a troublemaker.

Because of this situation, Emperor Constans wrote to Athanasius in 342 requesting a Council to solve the religious differences between East and West. Such Council occurred in 343 at Serdica, but the two parties never met. Each side, instead, anathematized and severed communion with the other. The western bishops finally sent a private letter to Emperor Constantius, defending Constantinian subsidiarity by remarking that temporal power should not interfere directly in matters inside the jurisdiction of the spiritual authority:

> Let your clemency provide and decree that all magistrates everywhere, who have been entrusted with the governing of provinces, whose sole care and concern should be for public businesses, refrain from surveillance of religion, and in future cease to presume, encroach, claim to decide the cases of the clerics, and to vex and harry innocent men with various harassments, threats, violence, or acts of intimidation.[449]

Afterward, in 346, Constans directly menaced Costantius II with war if he did not accept Athanasius back to his see in Alexandria, and Constantius grudgingly consented to the exigencies of his brother. But when Constans was killed by the usurper Magnentius in 350, Athanasius ran out of friends in power.

In 351, two years before defeating Magnentius and becoming sole ruler of the Roman Empire, Constantius II called a council at Sirmium that reiterated the Creed of Antioch of 344 and condemned and deposed Athanasius, among others. In response, Athanasius in 352 called a bigger council of bishops in Alexandria that absolved him and claimed that the Creed of Antioch contained heretical views already condemned by the Council of Nicaea of

[449] Corpus Scriptorum Ecclesiasticorum Latinorum (CSEL) 65.181.13-182.2. Cited by Barnes, T.D. "Athanasius and Constantine: Theology and Politics in the Constantinian Empire". Harvard UP, Cambridge (Mass.), 1993. P.80.

325. Constantius II, then, called two more councils (Arles in 353 and Milan in 355) to reaffirm the conclusions of the Council of Sirmium, and afterward, he launched a full-scale campaign of extortion against those who resisted signing those conclusions. Imperial intervention in Church matters went far beyond what Constantine I ever did:

> Orders were sent again to the outlying districts, and *notarii* and *palatini* were dispatched to each city with threats against the bishops and local officials. The officials were told to apply pressure and the bishops had to hold communion with the Arians and write against Athanasius or else themselves suffer the penalty of exile. The laity who followed them was threatened with chains, violence, beatings, and confiscation of their property. This order was not neglected: the envoys were accompanied by the clerics Ursacius and Valens to urge them and to report uncooperative officials to the emperor… Moreover, instructions were sent to *decuriones* in each city, and they were threatened with financial penalties if each of them did not force the bishop of his own city to subscribe. Every place and every city was completely filled with fear and upheaval, with bishops being dragged away and officials witnessing the groans and lamentations of the laity[450].

Even Liberius of Rome and Ossius of Corduba, by 357, had been forced to attach their names to the Sirmium declaration. And it is in the context of these pressures that Ossius sent the Emperor a letter where he reaffirmed the bifurcation of temporal and spiritual authority:

> Do not involve yourself in ecclesiastical matters and do not give us instructions. God gave the empire to you: he entrusted church affairs to us. And just as a man who usurps your empire opposes God, for He established your rule, so you ought to be afraid in case, by appropriating church affairs to yourself, you become guilty of a great crime. It has been written, Render unto Caesar the things which are Caesar's; and unto God the things that are God's. Therefore

[450] Athanasius of Alexandria. "History of the Arians" in Flower, R. (Ed.) "Imperial Invectives Against Constantius II". LUP, Liverpool, 2016. PP.39-114. PP.64-65. (31.1)

> we are not permitted to rule on earth, and you, emperor, do not have the authority to burn incense. [451]

A new awareness of the dangers of the Constantinian imperial theocracy that had developed during the last years of the reign of Constantine started to grow among Athanasius and other theologians as the Christian imperial power persecuted them, and they used apocalyptic and early-Christian concepts to identify those dangers. Constantius II is compared by Hilary of Poitiers (c.310-367)[452] to the persecutors Nero, Decius, and Maximinian (who was his grandfather), but considered even worse because of being "a wolf in sheep's clothing"[453]. And this characteristic of falsehood is related to the Antichrist or the "precursor of the Antichrist" by both Athanasius and Hillary, who, alongside Lucifer of Cagliari (died 371), concluded that "if the eastern emperor was a persecutor, he was a *tyrannus*, and a *tyrannus*, by definition, was unworthy to rule the Roman Empire, whether it was Christian or not"[454].

It is true, on the other hand, as Timothy Barnes points out, that it is not clear in the practice and writings of Athanasius and his allies whether they opposed and denounced imperial intervention in Church matters in principle, or only because it did not support the "Orthodox" party[455]. Anyone who has been involved in party politics knows how strongly opportunistic are the clashes between factions. But it also remains true that once a principle is displayed or a posture taken, it becomes obliging, even if not always followed.

In this case, we should agree with Charles Cochrane when he says that "if it is true that Nicaea put teeth into Christianity, it is equally fair to say that, with Athanasius, the Church

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451 Ibid. P.79. (45.1)

452 Hilary of Poitiers "Against Constantius" (360) in Flower, R. (Ed.) "Imperial Invectives Against Constantius II". LUP, Liverpool, 2016. PP.115-140. P. 123. (8).

453 Ibid. P.125 (10).

454 Barnes, T.D. "Athanasius and Constantine: Theology and Politics in the Constantinian Empire". Harvard UP, Cambridge (Mass.), 1993. P.151.

455 "Constantine bound himself in advance to accept and enforce the condemnation of a bishop by his peers meeting in a council. In practice, that did not prevent a deposed bishop like Athanasius (and perhaps Eustanthius of Antioch before him) from attempting to persuade the emperor to reconsider his case, but there is only one example between 324 and 361 when a synodical condemnation was openly reversed by imperial fiat -in 337, when Constantius issued an edict restoring all the bishops exiled under his father. Significantly, the Council of Antioch in 338/9 regarded this restoration as canonically invalid". Barnes, T.D. "Athanasius and Constantine: Theology and Politics in the Constantinian Empire". Harvard UP, Cambridge (Mass.), 1993. P.173.

showed how she could bite the hand that fed her"[456]. The political and theoretical repercussions of the Orthodox resistance against imperial power will loom large in Church history.

For starters, the pretension of Constantius II to operate as head of the Church or "bishop of bishops"[457] was everywhere contested by Athanasius and his allies, and the legal autonomy of the Church was strongly defended. Moreover, the early-Christian ambivalent vision of earthly power and wealth was reintroduced in a Christian imperial context, dismantling any proposition of identity between temporal and spiritual authority and observing the institutional and moral perils of the Church becoming too dependent on imperial power and money (it is no coincidence that there was mutual admiration and affinity between Athanasius and the monks of the Egyptian countryside, like Antony and his followers and the Pachomian monks of the Thebaid[458]).

Hillary of Poitiers[459] is particularly clear in pressing this point, stressing that Constantius had dominated the Church mainly through imperial gifts and honours, destroying "the soul with gold" and fawning "in order to dominate"[460]. The dark side of imperial patronage, which had the power, in the words of Lucifer of Cagliari, to "make us first your clients and then your fellow lackeys"[461] was exposed. And the potential dangers of the Constantinian model of subsidiarity were exposed with it.

In this way, Eusebian eschatology started to crumble. It became clear that a Christian Emperor was a danger to the Church either as "bishop for those outside the Church" or as "bishop of bishops", and that the "Christian Golden Age" managed and directed by the Empire was a myth that exposed the Church to being dominated by temporal power. These

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456 Cochrane, Ch.N. "Christianity and Classical Culture". Oxford UP, New York, 1957. P.257.

457 "Constantius, you whom the bishops of your Arian dogma frequently acclaim as bishop of bishops". Lucifer of Cagliari, "The Necessity of Dying for the Son of God" (360). in Flower, R. (Ed.) "Imperial Invectives Against Constantius II". LUP, Liverpool, 2016. PP.141-186. P. 178. (13).

458 Barnes, T.D. "Athanasius and Constantine: Theology and Politics in the Constantinian Empire". Harvard UP, Cambridge (Mass.), 1993. P.97. About the monastic movement see Lietzmann, H. "A History of the Early Church, Vol.IV: The Era of the Church Fathers". Lutterworth Press, London, 1953. PP.124-202.

459 For more on Hilary of Poitiers, see Wickham, L.R. (Ed.) "Hilary of Poitiers: Conflicts of Conscience and Law in the Fourth-Century Church". LUP, Liverpool, 1997.

460 Hilary of Poitiers "Against Constantius" (360) in Flower, R. (Ed.) "Imperial Invectives Against Constantius II". LUP, Liverpool, 2016. PP.115-140. P. 120. (7).

461 Lucifer of Cagliari, "The Necessity of Dying for the Son of God" (360). in Flower, R. (Ed.) "Imperial Invectives Against Constantius II". LUP, Liverpool, 2016. PP.141-186. P. 166. (9).

conclusions gained even more weight thanks to the brief but relevant reign of Julian II, called "the apostate" (Emperor of the West from 361 to 363), who tried to restore Roman paganism from the Imperial see, and the reign of Valens (Emperor of the East from 364 to 378), who used imperial power to exclude and expulse Nicene bishops (including, again, Athanasius), systematically favouring the Homoian party.

What, then, was the proper place of a Christian Emperor concerning the Church, and what would a Christian political order look like? How, in other words, should the positive side of subsidiarity be shaped if not in the Constantinian way? These questions haunted the next generation of Western theologians and bishops, among whom Ambrose of Milan (c.340-397) stands out as the most politically relevant.

Ambrose of Milan

In 374, less than a year after the death of Athanasius, a young Roman Governor of Aemilia-Liguria was acclaimed in Milan by the population as their new bishop. His name was Aurelius Ambrosius, now Ambrose bishop of Milan. His family was from Rome and they were strongly Christian: his sister Marcellina was a virgin consecrated by Pope Liberius of Rome[462] in the time of the clashes between the bishop of Rome and Constantius II. Ambrose, moreover, had been born in Trier around the year 340, when the city was the gathering centre for Trinitarian exiles, and he afterward became the greatest successor of the struggle of Athanasius and his allies.

Ambrose's public life as a bishop can be divided into three stages: the first, of preparation, embraces the last years of the rule of Valentinian I (Emperor of the West from 364 to 375)[463] and the reign of Gratian (Valentinian's eldest son, Emperor of the West as *Augustus*

[462] McLynn, N.B. "Ambrose of Milan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. P.35.

[463] Valentinian followed Jovian (Emperor of the West from 363 to 364) in trying to avoid middling in ecclesiastical faction fighting, arguing that "I am a but one of the laity, and have therefore no right to interfere in these transactions; let the priests, to whom such matters appertain, assemble where they please" (Sozomomen. "Ecclesiastical History". Book VI, Ch.VII. 3-10. In Schaff, P. and Wace, H. (Eds.) "A Select Library of Nicene and Post-Nicene Fathers of the Christian Church. Second Series. Vol. II.". Eerdmans, Grand Rapids, 1997. P.350.). On the other hand, he also showed during his reign no intention of enforcing the decisions of the councils of bishops through imperial power, and much less of interceding with Valens in favour of the Eastern Nicene faction. See Lietzmann, H. "A History of the Early Church, Vol.IV: The Era of the Church Fathers". Lutterworth Press, London, 1953. P.55. Also see Kulikowski, M. "Imperial Tragedy: From Constantine's Empire to the Destruction of Roman Italy". Profile, London, 2021. P.46. And McLynn, N.B. "Ambrose of Milan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. P.80.

under his father from 367 to 375, and as senior Emperor from 375 to 383); the second, of confrontation, starts with the death of Gratian and the ascent of Valentinian II (*Augustus* under Gratian from 375 to 383, senior Emperor of the West from 383 to 392, but only nominally after 387) and ends with the invasion of Maximus to Italy (387); and the third one, of consolidation, occurs during the intervention and control of Theodosius in the Western Empire (388-395).

During the first period of Ambrose's life as bishop of Milan, and until 385, his efforts were oriented to secure the favour of the Milanese population through an ambitious charity program and the building of a ring of churches around the city. This careful gathering of a popular power base for his church may well have been inspired by the Alexandrian example of Athanasius. The building program, on the other hand, directly recalls the one overtaken by Constantine I around Rome, though it probably inspired most by the plans for Rome of bishop Damasus (c.305-384), who was an important influence on Ambrose[464].

From the beginning, then, we can see Ambrose developing a political strategy for the Church based on social support rather than on official backing. The previous Nicaean generation of bishops had shown the dangers for the Church of depending too much on imperial power and patronage. After the experience of the last years of Constantine I and the shocking reigns of Constantius II and Julian II, and with Valens still persecuting Nicaean bishops in the East, a Christian society seemed much more reliable for defending the autonomy of spiritual authority than a Christian Empire.

Ambrose still considered that "the empire originally provided the requisite conditions for the diffusion of the Christian religion"[465] and that "living under one imperium over the nations, all men learned to confess the imperium of the one almighty God, in faithful eloquence"[466]. But he also thought that the Empire had emerged as a consequence of sin, as "a declension from the ideal" that was necessary only because "foolish people need wise rulers, who will keep them under discipline and compel them to obey the laws"[467]. The

[464] Fox, R.L. "Augustine: Conversions and Confessions". Penguin, London, 2016. P.186.
[465] Homes Dudden, F. "Saint Ambrose: His Life and Times". Clarendon Press, Oxford, 1935. Vol. II. P.538.
[466] Ambrose. Patrologia Latina 14: 1142f. As cited by Peterson, E. "Theological Tractates". Stanford UP, Stanford, 2011. P.98.
[467] Homes Dudden, F. "Saint Ambrose: His Life and Times". Clarendon Press, Oxford, 1935. Vol. II. P.539.

vision of the Golden Age of Rome could hardly be attached to an Empire which was conceived only as a remedial institution.

As a consequence, Ambrose, as we can learn in his *De Officiis* (388), transformed the ideal of a New Golden Age, looking back, with Cicero, not to the Principate, but to the virtues of the old republican Rome[468]. Social renewal depended, in his view, on the constitution of a well-integrated Christian society more than on the consolidation of a Christian Empire. The Church had to rely more upon the ruled than on the rulers. The Christian renewal of society had to be a bottom-up program, not a top-down one. In the words of Ambrose:

> Thus, in accordance with the will of God and the union of nature, we ought to be of mutual help one to the other, and to vie with each other in doing duties, to lay all our advantages as it were before all, and (to use the words of Scripture) to bring help one to the other from a feeling of devotion or of duty, by giving money, or by doing something, at any rate in some way or another; so that the charm of human fellowship may ever grow sweeter among us[469].

Even so, between 377 and 383, the Nicaean cause was greatly advanced by temporal authority. Valentinian I died in 375. He had two sons: Gratian (with his first wife Marina Severa), and Valentinian (with his second wife Justina). With the death of the Emperor, Gratian, a convinced Nicene, became ruler of the West. In 376 a Gothic rebellion broke out in Thrace and Valens (brother of Valentinian I, Emperor of the East from 364 to 378) had to call Gratian for help. In reciprocity, in 377 Valens "abolished the pains and penalties imposed on the opposing clergy"[470]. But, driven by impatience while waiting for Western troops in 378, he attacked the Goths near Adrianople. The defeat was total, Valens was killed and his body was never found.

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[468] "Ambrose… concentrated on Cicero the politician and the theorist of cohesion. He did so in order to create within the church a new republic for modern times". Brown, P. "Through the Eye of the Needle". Princeton UP, Princeton, 2012. P.130.

[469] Ambrose. "Duties of the Clergy". In Schaff, P. & Wace, H. (Eds.) "Ambrose: Select Works and Letters". Select Library of The Christian Church Nicene and Post-Nicene Fathers. Second Series. Vol. 10. Hendrickson, Peabody, 1995. PP.1-89. P. 23 (Book I, 135).

[470] Lietzmann, H. "A History of the Early Church, Vol.IV: The Era of the Church Fathers". Lutterworth Press, London, 1953. P.33.

Gratian, who had to care for the whole Empire now, named Theodosius, an outstanding young military commander, as supreme commander in the East to deal with the Goths. He also issued a decree (known as the "edict of tolerance") permitting exiled bishops to return home and also proclaiming the freedom of worship for all except Manicheans, Sabellians, Arians, and the followers of Photinus[471]. Finally, he got Theodosius named Augustus by 379.

Theodosius, though, was not a military success: after being defeated in 380 by the Goths, the best he could get was a diplomatic pact of peace with them in 382. But he did succeed in a radically ambitious religious reform of the Eastern Empire. In 380 he pushed forward the edict of Salonica, declaring that:

> It is our will that all the peoples ruled by the administration of Our Clemency shall practise that religion which the divine (sic) Peter the Apostle transmitted to the Romans… that is the religion followed by Bishop Damasus (of Rome) and by Peter, bishop of Alexandria, a man of apostolic sanctity: that is, according to the apostolic discipline of the evangelical doctrine, we shall believe in the single Deity of the Father, the Son and the Holy Ghost under the concept of equal majesty, and of the Holy Trinity… We command that persons who follow this rule shall embrace the name of Catholic Christians. The rest, however, whom We judge demented and insane, shall carry the infamy of heretical dogmas. Their meeting places shall not receive the name of churches, and they shall be smitten first by Divine vengeance, and secondly by retribution of Our hostility, which We shall assume in accordance with the Divine Judgement[472].

In this way, Theodosius turned the close relationship between the throne and altar that existed in the East against the Christian faction that had made the most of it during the reigns of Constantius II and Valens.

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[471] Ibid. P.36.

[472] Theodosius, "Edict of Salonica". Codex Theodosianius 16, I,2. As cited by Williams, S. & Friell, G. "Theodosius: The Empire at Bay". B.T. Batsford Ltd, London, 1994. P.53.

Meanwhile, in the West, Gratian moved his court from Trier to Milan in 381, allowing Ambrose to gain important political influence "through sheer proximity to the government and access to its personnel"[473]. In 382 Gratian also "withdrew the state funding of the ancient priesthoods and cults of the city of Rome, and he ordered altar and the statue of Victory to be removed from the senate-chamber"[474], and finally resigned the title of *Pontifex Maximus*, severing the link "between the Roman state and its ancestral religion"[475]. Ambrose, it seems, had nothing to do with these decisions, but he was, of course, favourable to them.

The political tide will start to change for the Nicene party with the death of Gratian, who was dethroned in 383 by Maximus, a rebel general supported by most of the Western army. Ambrose remained loyal to the Valentinian dynasty and supported the claim of Valentinian II to the Western throne. But this support was not disinterested. Valentinian was a weaker Emperor than Maximus and would remain with his court in Milan (Maximus was in Trier). In this way, the direct influence of Ambrose would be greater over him than over his competitor, even if Maximus trumpeted himself as a Nicaean, while the religious attachments of Valentinian were less clear and his mother, Empress Justina, was a convinced Homoian.

Some historians have seen this move of Ambrose as just a pragmatic political manoeuvre from a cynical politician. But it is important to remember, when considering this particular moment and the events that followed, that Ambrose already thought imperial patronage to be less valuable for protecting the autonomy of the Church than popular support and direct access to the Emperor. On the one hand, as we have already said, the reigns of Constantius II, Julian II, and Valens had shown how dangerous it was for the Church to rely too much on imperial favour. On the other, since Constantine, most of the Emperors had been playing one Christian faction against the other, and with Jovian and Valentinian I it had become clear that nominal imperial support could amount to very little in the absence of means to pressure the Emperor's will. In other words, Ambrose's political action is coherent with his

[473] McLynn, N.B. "Ambrose of Milan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. P.80.
[474] Liebeschuetz, J.H.W.G. "General introduction". In Liebeschuetz, J.H.W.G. "Ambrose of Milan: Political Letters and Speeches". LUP, Liverpool, 2005. PP.3-46. P.13.
[475] Ibid. P.14.

thesis about how the Church should deal with the Empire, and not just a stratagem to maintain and increase his influence.

Back in the East, Theodosius shared Ambrose's indignation over the assassination of Gratian, and also the political calculus over the convenient weakness of Valentinian II, so he opted to recognize the latter and treat Maximus as a usurper. In reality, this amounted only to securing Valentinian's dominion over the Italian and African provinces, leaving Gaul, Hispania, and Britain in the hands of Maximus, as Theodosius had not the military capacity to dethrone the usurper.

The clashes between Ambrose and Empress Justina, along with the mainly "Arian" court of Valentinian II, started almost immediately, inaugurating a new phase for the public life of the bishop of Milan. The popular power base that he had built during the last decade was tested and put under pressure by imperial power.

In 384 Ambrose was capable of convincing Emperor Valentinian to reject the petitions of some Roman senators for returning the altar of Victory retired by Gratian to the Senate in Rome[476]. But between the years 385 and 386, it was Ambrose who became the main enemy of the imperial court. According to Paulinus, his deacon and biographer, they wanted him out of Milan, but the clash was mainly recorded as a dispute about the use of basilicas during two successive Easter festivities. The "Arian" imperial court demanded Ambrose surrender one of his churches to have their eastern services. But the bishop refused and launched instead a campaign of popular resistance that included amazing feats, like masses celebrated in a church surrounded by troops, people chanting inside a basilica during whole nights to defend it, Nicene soldiers deserting for the cause of the bishop, and a good measure of street tension, not to mention the convenient finding of the supposed relics of the martyrs Protasius and Gervasius by Ambrose himself.

[476] The letters related to the altar of victory 72, 72a and 73 have some interesting passages about the relationship between Church and Empire. The most relevant one occurs in letter 72, when Ambrose tells Valentinan that "As all people that are under the dominion of Rome serve you, emperors and princes of this world, so you yourselves serve almighty God and the holy faith. There is no way that salvation can be assured other than that everyone worships the true God, that is the God of the Christians, by whom all things are governed" (Liebeschuetz, J.H.W.G & Hill, C. "Ambrose of Milan: Political Letters and Speeches". LUP, Liverpool, 2005. P.63 (72,1). A connection between public worship and God's favour is clearly implied by Ambrose in this passage.

The letters of Ambrose to his sister[477] and the Emperor[478] written during this period, besides documenting these impressive events, give us a clear understanding of his political beliefs and agenda. At the heart of the dispute, as Michael Stuart Williams has recently argued, was not a theological point about the nature of the Trinity, but a political issue: the place and scope of imperial authority concerning the Church, understood as the people of God[479].

The first crisis was near the Easter celebrations of 385:

> Finally, the order comes: 'Surrender the basilica!' I reply: 'Emperor, it is not lawful for me to surrender the basilica, nor is right for you to receive it'. No law entitles you to violate the house of a private individual, and do you think that you may seize the house of God'. The argument put forward is that everything is permitted to the emperor, that the world is his. I reply: 'Do not make trouble for yourself, emperor, by thinking that you have any sort of imperial right over things that are God's. Do not exalt yourself. If you wish to rule for any length of time, be subject to God. It is written: What is God's to God, what is Caesar's to Caesar. Palaces belong to the emperor, churches to the bishop. The jurisdiction entrusted to you is over public buildings, not over sacred ones.[480]

The Emperor is here declared by Ambrose to be below the law and entrusted with only a limited jurisdiction, which includes exclusively civil matters[481]. These ideas are afterward expanded during the crisis of 386, which started with a law passed by Valentinian that "gives freedom of assembly to the Arians and threatens with capital punishment anyone who interferes with that freedom"[482]. This was followed with an imperial summon to Ambrose to explain and defend his faith in front of a jury elected half by Ambrose and half

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[477] Letters 76 & 77

[478] Letters 75& 75A

[479] On the predominance of political motives over theological ones and the unlikeness of the existence of a real "Arian" faction in Milan during Ambrose's times, see Williams, M.S. "The Politics of Heresy in Ambrose of Milan". Cambridge UP, Cambridge, 2017.

[480] Letter 76, 19. Liebeschuetz, J.H.W.G & Hill, C. "Ambrose of Milan: Political Letters and Speeches". LUP, Liverpool, 2005. PP. 168-169.

[481] In another part of the letter Ambrose remarks the same idea "I replied that if he was after what belongs to me, that is my land, my money, any right, no matter what, that was mine, I would not resist -even though everything of mine really belongs to the poor. But the things that are God's, I insisted, were not subject to the power of the emperor". Ibid. P.164. (76,9).

[482] Ibid. P. 127.

by a bishop of the court called Auxentius. Ambrose responded by refusing to appear in front of a court that was not composed of peer bishops, declaring again that the Emperor had no authority to judge in matters of faith[483] and arguing that by raising the debate on this subject the Emperor was going against his law, which was reprehensible conduct, "for as the emperor issues laws, he must be the first to observe them"[484].

But Ambrose went further, declaring that he "feared the Lord of the universe more than the emperor of this world", that he was ready to suffer "if the emperor were to act as it is customary for holders of kingly power to act"[485] and that by offering himself to be punished he was reaffirming that he was ready to "show respect to our emperors, but not to yield to them"[486]. Moreover, he argued that it was the people of God who should judge "in whose heart there resides a law that is divine and not human, written not with ink but with the spirit of the living God, not inscribed in paper but stamped on the heart, the law of grace not of blood"[487]. It was the Christian people of Milan, then, who should have the last word in the confrontation between Ambrose and the court.

Finally, Valentinian had to choose between carrying out a massacre, which would have confirmed him as a tyrant, or renounce to his pretensions. He did the last. But Valentinian's government, according to Neil McLynn, "never recovered from the shock dealt it by the clash with Ambrose"[488]. In 387 the military situation in the Danube turned complicated, and Valentinian asked for help from Emperor Maximus, who did come but to invade Italy. Valentinian and his court fled to Thessalonica and that was his end, politically speaking. He was still nominally an emperor, but he never returned to Italy. In 388, Theodosius attacked Maximus by land and sea and won. The head of the usurper "went on a tour of the provinces"[489]. Theodosius then proceeded to establish himself in Milan. Empress Justina died around that time, and Valentinian II committed suicide in Vienna in 392, after asking Ambrose, who was on his way when the Emperor died, to baptize him.

[483] "When have you heard, most clement emperor, that in a case involving the faith laymen have sat in judgement over a bishop? … in a case involving the faith, it has been usual for bishops to pass judgement on Christian emperors, not emperors on bishops". Ibid. P. 137. (75,4)

[484] Ibid. P.138. (75,9).

[485] Ibid. P. 144. (75 A, 1).

[486] Ibid. (75 A, 2).

[487] Ibid. P.156. (75 A, 28).

[488] McLynn, N.B. "Ambrose of Milan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. P.80.

[489] Williams, S. &Friell, G. "Theodosius: The Empire at Bay". B.T. Batsford Ltd, London, 1994. P.63.

The residence of Theodosius in Milan between 388 and 391/392 gave occasion for Ambrose's final political battle against unbounded political authority. The Emperor was, no doubt, a Nicaean, but his conception of the proper relationship between temporal and spiritual authority was much closer to divine kingship than to the views of Athanasius, Hilary, or Ambrose.

The first encounter occurred during mass, probably at the first time they met each other. At the time of communion, "Theodosius attempted to join the presbyters at the altar to receive the sacrament, only to be ordered back to his place among the faithful by Ambrose"[490]. The second round occurred in 388/389 after a synagogue in Callinicum was destroyed by Christians, and Theodosius ordered the local bishop to compensate the Jews and rebuild the building. Ambrose, at that point, intervened and asked the Emperor to desist, arguing that Christians should not be involved in building a Jewish place of worship because that would amount to apostasy, and trying to force them to comply would be persecution. In a letter to the Emperor, he warned him that only being merciful with the Christians would earn him "the mercy of the Lord God towards the Roman Empire"[491]. And later, at mass, he touched on the subject in his sermon and told Theodosius that he would not give him communion unless he forgave all the Christians involved in the destruction of the synagogue. The Emperor finally consented, but he also imposed a severe punishment on anyone in his court who acted as an informant of Ambrose. Theodosius had had enough of the bishop's interferences.

Nonetheless, the final encounter between Ambrose and the Emperor is the most famous one. It happened in 390 because of a massacre commanded by Theodosius against the people of Thessalonica, in retaliation for the murder of a Roman general. Under the influence of Ambrose, the Emperor reconsidered and annulled the first order, but the new directions arrived too late. Ambrose, then, wrote a letter to Theodosius[492] saying that he would be unable to give him communion unless he made public penitence for the sin he had committed, following the example of King David. The Emperor, again, yielded: for the first time in Roman history the head of the Empire showed himself publicly as a repentant

[490] McLynn, N.B. "Ambrose ofMilan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. P.298.
[491] Liebeschuetz, J.H.W.G & Hill, C. "Ambrose of Milan: Political Letters and Speeches". LUP, Liverpool, 2005. P.110 (74, 31).
[492] Ibid. PP.262-269 (EEC 11).

sinner. It was not humiliation, however, but a way to turn a horrible deed into something better. The result, in any case, involved showing Theodosius to everyone as a son of the Church, and not as someone above the laity or the bishops.

The imperial throne had, in this way, been tamed by Ambrose, who came back to that moment of public penance when he gave Theodosius a funerary speech[493] in 395. The Emperor had acted like King David, who had been humble and asked God for forgiveness. He imitated Christ's humility, so he was now resting in the Kingdom of God, along with Gratian and Constantine. He had been a just, faithful, orthodox, and merciful ruler, and God had favoured the Empire during his rule because of this. Theodosius had replaced Constantine, whom Ambrose represented in the speech as a troubled ruler rescued mainly by the devotion of his mother Helena, as the standard for a Christian Emperor.

Ambrose died in 397. His political legacy, in sum, was the subjection of temporal power, in spiritual matters, to spiritual authority. He effectively moved the figure of the Christian Roman Emperor concerning the Church from "the bishop outside the Church" or "the bishop of bishops" to the position of a regular layman. But this also had consequences in the temporal sphere: the Emperor was not almighty nor had a superior or special role in the salvation economy. He had a limited power bestowed upon him by God, and he had to use it to serve and protect the people of God with justice and charity. That was his sacred duty[494].

The Church, in this context, is identified by Ambrose with the Christian society. That is the people of God. In this way, the autonomous sphere of authority of the Church is expanded to include all Christian associations. The New Golden Age of Rome will come, according to the Ambrosian perspective, from a bottom-up spiritual renewal of society that would lead to a reign of justice. Emperors have to facilitate and help that process, but they do not play the central role in it. When Ambrose transfers the ideal age of Rome from the beginnings of the Empire to the old times of the Republic he also breaks away from the argument of a "special relationship" between imperial Rome and Christianity. The Emperor, in his new

493 Ibid. PP.174-203.

494 For the characteristics that Ambrose expected in a good Emperor, see Homes Dudden, F. "Saint Ambrose: His Life and Times". Clarendon Press, Oxford, 1935. Vol. II. PP.540-541.

vision, has a role that seems analogous to the Davidic monarch: a server of God, who is the real King, instead of a divine monarch.

In this same period, during the second half of the fourth century and the beginnings of the fifth, Christian charitable organizations had grew and consolidated, and they started to rely heavily on private almsgivings by the rich Christians, besides imperial donations. As Susan Holman remarks, "social justice and relief activities were soon operating on a large scale... By the early fifth century, in a claim famous for its fantastic statistics, John Chrysostom boasted that his Church in Constantinople was daily supporting at least 3000 widows and virgins, not to mention prisoners, those in the guesthouses, healthy travellers, the crippled, and people serving the church in return for food and clothing"[495]. Basil of Caesarea, Gregory of Nazianzus, Gregory of Nyssa and Ambrose of Milan, among other bishops of the time, shared the conviction that "both rich and poor also take on the face of the divine... the rich do this by imitating God's mercy and justice, God's model of patronage... the poor do this by their basic needs for food and water, thereby imaging Christ"[496]. Therefore, for them, "service to the poor is treated as a liturgy...in other words, it is just as important for true worship as going to church"[497]. This conviction is well reflected on their letters and sermons[498].

The Constantinian vision of subsidiarity, then, was importantly transformed by Ambrose, who promoted Theodosius as the true standard for a Christian Roman Emperor. The negative side of the principle is strengthened: the Christian Emperor is subjected in spiritual matters, as a layman, to the Church. And, at the same time, the positive side of the principle becomes more demanding: as a temporal ruler, the duty of the Emperor is to help and serve the people of God, which is the Christian society. That is: the Church and the associations of the Christians. In this way, Church and society are strongly identified: an idea that will have an important projection through the Middle Ages[499].

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[495] Holman, S.R. "God Knows There's Need". Oxford UP, Oxford, 2009. P.57.

[496] Ibid. P.69.

[497] Ibid.

[498] For a systematic treatment of this point, see Brown, P. "Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West". Princeton UP, Princeton, 2012.

[499] "Theocratic monarchy only made sense as a form of government over Christians. The society in which it existed could therefore be seen as being identified with the church". Canning, J. "A History of Medieval Political Thought: 300-1450". Routledge, London, 1996. P.25.

The New Golden Age, though, never arrived. Theodosius departed from Milan back to Constantinople in 391, after passing some of the most severe laws against pagan practices[500], but leaving behind a crippled western Empire. In the last years of his reign "membership of the Catholic Christian church was almost coextensive with Roman Citizenship"[501], but half of the Empire had been left in a political vacuum[502] and almost unable to defend itself[503]. In 392 barbarian raiders crossed the Alps into Italy and Valentinian was called to defend his lost reign. He, instead, committed suicide. Arbogast, the tutor of Valentinian that Theodosius had designated, saved the day by defeating the raiders, but he also understood that the West needed a proper new government. As he could not aspire to be Emperor himself because of being a Frank[504], he created Emperor Flavius Eugenius and sent amicable embassies to Constantinople to have him recognized. Theodosius, nonetheless, elevated his ten-year-old son Honorius in 393 to the rank of Augustus and prepared for a war against Arbogast and Flavius Eugenius that he framed as a religious crusade against paganism. By 394 Theodosius had won, but the Western Empire was doomed. From that point to 476, when the boy emperor Romulus "Augustulus" ("little Augustus") was deposed by Odoacer (also called Odovacar), who then "sent the western imperial vestments, including, of course, the diadem and cloak which only an emperor could wear, back to Constantinople"[505], the history of the West was one characterized by constant invasions, struggle and decay.

What had happened? How was it that the most Christian era of the Empire had become also, apparently, its worst era? Where had the New Christian Golden Age promised for Rome and sung by the poet Prudentius[506] gone? Why did the Christian God show no favour

[500] "A radical new law… reiterating the ban of all sacrifice, public or private… forbidding all access to shrines and temples… followed by three others, even more repressive and aimed to erasing every vestige of pagan ritual, custom or gesture". Williams, S. & Friell, G. "Theodosius: The Empire at Bay". B.T. Batsford Ltd, London, 1994. P.119.

[501] Ibid. P. 125.

[502] "Theodosius, who aimed only to prevent Valentinian to exercising his legitimate rights in Italy, deliberately created a political vacuum there, seeking to bind those who profited from this situation to himself by self-interest". McLynn, N.B. "Ambrose of Milan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. PP.333-334.

[503] "(Theodosius), by tying Valentinian to the army in Gaul… had effectively demilitarized Italy". Ibid. P. 335.

[504] Williams, S. & Friell, G. "Theodosius: The Empire at Bay". B.T. Batsford Ltd, London, 1994. P.127.

[505] Heather, P. "The Fall of the Roman Empire: A New History". Pan Macmillan,, London, 2005. P.430.

[506] "For the time of Christ's coming, be assured, was the way prepared which the general good will of peace among us had just built under the rule of Rome. For what room could there have been for God in a savage

for his people? Something in the mechanics of the transactions between heaven and earth seemed to have failed. Augustine of Hippo, a former Manichaean who had converted to Nicene Christianity in Milan and had been baptized by Ambrose, stepped forward with an answer that reformulated Christian political thought, including subsidiarity.

Augustine of Hippo

When the usurper Maximus took control of a good part of the Western Empire in 383, the "links between the schools of Gaul and the Valentinianic dynasty" were severed[507]. The court of Valentinian II, then, had to look elsewhere to recruit its functionaries. That opened the door for an obscure and ambitious provincial rhetorician to become the public rhetor of Milan in 384, under the recommendation of the pagan aristocrat Symmachus[508]. The name of the new courtier was Augustine. He was born in 354 in the city of Thagaste (northern Africa), and he had spent the last year in Rome, trying to become a teacher, with almost no success[509].

The role of the public *rhetor*, besides teaching, was to publicize the programmes of the court through official panegyrics, acting as a sort of "Minister of Propaganda"[510]. In this way, Augustine became acquainted with the realities and fictions of imperial politics, even if his real interests were philosophical[511]. He started to attend Ambrose's sermons to apprehend the rhetorical style of the bishop, but the content of the preaching, especially the allegoric interpretations of the Old Testament that contradicted the Manichean vision, had a deep impact on Augustine[512]. He had started a new process of conversion, back into his first religious beliefs, taught to him in his youth by his mother Monica.

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world and in human hearts at variance, each according to its different interest maintaining its own claims, as once things were? ... Come thee, Almighty; here is a world in harmony; do Thou enter it. An earth receives Thee now, O Christ, which peace and Rome hold in a bond of union". Prudentius "Contra Symmachum" (385-388 AD). II.609-36 (As cited by Gilson, E. "The Metamorphoses of the City of God". CUA UP, Washington, 2020 (1952). P.24).

507 McLynn, N.B. "Ambrose of Milan: Church and Court in a Christian Capital". UCP, Berkeley, 1994. P.169.

508 See Brown, P. "Augustine of Hippo" (Revised edition). Faber and Faber, London, 2000. PP.58-60.

509 "Augustine spent a miserable year in the Eternal City. He fell dangerously ill on his arrival… As for the students, they were in the habit of cheating their teachers, simply by abandoning them when the time came to pay their fees". Ibid, P.58.

510 Ibid. PP. 58-59.

511 "Every day he was teaching rhetoric and declaiming half-truths, even lies, but what fascinated him was philosophy, or the love of wisdom". Fox, R.L. "Augustine: Conversions and Confessions". Penguin, London, 2016. P.200.

512 Ibid. PP.187-188.

In 384, it was Monica who arrived in Milan. While his son experienced an existential crisis, she became a devoted follower of Ambrose, to whom she attributed the religious transformation of Augustine. She was present during the whole political conflict of 385-386, singing and praying for long nights inside the basilica, and rejoicing with the Christian people of Milan once the Emperor Valentinian II had to recognize his defeat by Ambrose in the struggle for the basilica.

In 386, a good number of courtiers presented their resignation to Valentinian II. Among them was Augustine, who in 387 was baptized by Ambrose[513] before returning to Africa to pursue "wisdom" through monastic life, inspired mainly by Antony of Egypt[514], whose life he knew through the biography of the monk attributed to Athanasius[515]. But in 391 his monastic retirement came to an end when he was, in his own words, "grabbed"[516] in the city of Hippo to be prepared to become the successor of an old bishop. That happened in 395 when he officially became Augustine of Hippo. As a bishop of a new Christian Empire, after the Theodosian reforms, Augustine had to perform several secular administrative duties, "called to exercise judicial functions and much else"[517]. Politics, in this way, came back into his life, but in the form of the toilsome duties of provincial administration.

That is, until the year 410 when barbarians (in fact, "Arian" Visigoths led by Alaric) hit Rome. "The hope was beautiful, but the Roman Empire was to perish at the exact moment when the Christians intended to utilize it"[518]. The sack of Rome materialized a pagan fear that had been warned many times: the revenge of the old gods. "The empire had become Christian and under the reign of a Christian emperor, Rome had just been conquered and sacked for the first time since the remote origins of its history... How could one not understand the meaning of such a tragically evident lesson?"[519]. Augustine spent from 413 to 427, with continuous interruptions, writing a book to combat these accusations. That book is *The City of God*, which is a comprehensive review of the relationships that the

[513] See Wills, G. "Font of Life: Ambrose, Augustine, and the Mistery of Baptism". Oxford UP, Oxford, 2012.
[514] See Hollingworth, M. "Saint Augustine of Hippo: An Intellectual Biography". Bloomsbury, London, 2013. P.236.
[515] See Weinandy, T.G. "Athanasius: A Theological Introduction". Ashgate, Farnham, 2007. PP.129-132.
[516] See Hollingworth, M. "Saint Augustine of Hippo: An Intellectual Biography". Bloomsbury, London, 2013. PP.236-237.
[517] Ryan, A. "On Augustine: The Two Cities". Liveright, New York, 2016. P.42.
[518] Gilson, E. "The Metamorphoses of the City of God". CUA UP, Washington, 2020 (1952). P.25.
[519] Ibid. P.26.

Church had been cultivating with the Empire. And just three years after finishing it, in 430 at age 76, he died "with Hippo a besieged city full of refugees from the surrounding country... it was sacked and burned the following year"[520].

The political message of *The City of God* can be summarized in eight points:

1) God is the King and master of the universe, and therefore the natural order of the universe, as created by him, is good. Pride and sin rebel against order and nature, but do not destroy them[521]. Peace is the tranquillity of order that brings happiness[522]. Eternal peace is heavenly peace. Earthly peace can only be attained by using earthly goods in a way that looks forward to heavenly peace[523].

2) There are two everlasting societies: the everlasting city of God and the society of those who will suffer unending punishment. Both societies are composed of angels and human beings, so each society has a temporal, purely human, reality[524]. The earthly part of the city of God is the Christian Church (a penitent and sacramental community), which seeks salvation through faith; while the city of the damned is the earthly city that only seeks power and dominion[525]. Both cities are mingled in the intermixed earthly city, and they will only be properly separated in the final judgement. The intermixed earthly city brings together people who seek earthly goods as ends in themselves, and also those who use them looking forward to the city of God. They both need and use the same earthly goods, but with different ends.

3) Temporal goods cultivated and guarded by the intermixed earthly city are not corrupt in themselves. Original sin implies a partial corruption of creation, not a total one (no nature is bad). Temporal peace, order, and justice are like a shadow of true peace, order, and justice[526]. They are not valueless things, and they are also necessary means for the earthly

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520 Ryan, A. "On Augustine: The Two Cities". Liveright, New York, 2016. P.43.

521 "There is, then, a nature in which there is no evil and in which in fact it is impossible for evil to exist, but it is not possible for there to be a nature in which there is no good... not even the nature of the devil himself is evil, insofar as it is nature". P.369. Augustine. "The City of God". V.2. New City Press, Hyde Park, 2012. P. 369. (Book XIX,13).

522 "The peace of all things is the tranquillity of order, and order is the arrangement of things equal and unequal that assigns to each it's due place". Ibid. P. 368. (Book XIX,13).

523 Ibid. P.371. (Book XIX,14).

524 Ibid. P. 67. (Book XII,28).

525 Augustine. "The City of God". V.1. New City Press, Hyde Park, 2012. P. 2. . (Book I, Preface).

526 Augustine. "The City of God". V.2. New City Press, Hyde Park, 2012. P.142. (Book XV,4)Augustine also

quest of the pilgrim Christians. The great mistake of the earthly city is to consider these imperfect and fragile goods as the highest and most perfect ones, searching for glory through their conquest. And this mistake is directly related to another one: the classical idea that perfection and glory are temporal goals attainable through politics. Political corruption, then, consists of a disordered desire and admiration for temporal goods combined with the pretension to satiate that ambition through political action. The antidote to this corruption is the subordination of temporal goods to the transcendent end of salvation and eternal glory[527].

4) Temporal goods can be oriented to transcendent ends by following the command of God and the example of Jesus Christ. That means that humans have to love God and love their neighbours. And that, in turn, implies that they have to use their share of earthly goods and authority to serve others, starting from the nearest ones: family and friends. Good authority is the one that serves others by enabling them to serve those within their reach[528].

5) Divine providence gives and takes economic prosperity and political freedom to show that these are not ultimate goods. All authority comes from God. Therefore, Christians dwelling in the intermixed earthly city should be good and obedient temporal citizens, as long as they are not commanded to sin. In that case, they have to disobey and accept the consequences[529].

6) There is no temporal political organization that can be properly called "Christian". The spiritual Jerusalem sought by Christians, the city of God, is not of this earth. All earthly kingdoms, empires, and principalities are variations of Babylon. Christians dwell in these earthly cities like pilgrims, without belonging to any of them[530]. The Second Covenant (instituted by Christ in the Last Supper) implies that no people or kingdom on earth has any special status when it comes to salvation history. The Christian Church is universal –it's

considers temporal beauty a lesser good (a "minimal good") which is God gives to good and evil people alike, so good people restrain from considering it "a good of any great consequence" (Ibid.P.173; Book XV,22). In chapter XIX he speaks about "primary goods of nature" to refer to these "minimal goods" (Ibid. P.354; Book XIX,4).

527 Ibid. P.143. (Book XV,4).

528 "He will be at peace with all men, so far as it is in his power, with that peace among men which is the properly ordered concord of man with man; and this concord's order is, first, to harm no one, and, second, to help anyone that one can". Ibid. P.370. (Book XIX,14).

529 Ibid. P374. (Book XIX,17).

530 Augustine. "The City of God". V1. New City Press, Hyde Park, 2012. P.1. (Book I, Preface).

everywhere, says Augustine- and everyone is invited to join. Earthly kingdoms can and will come and go, and all of it is part of the economy of salvation administered by divine providence. None of them can claim any special relationship with God. Therefore, the Roman Empire can claim no special status in salvation history: it is just a new version of Babylon, and it shall pass as every other temporal power[531].

7) Christ is the only truly just human being that has ever existed and will ever exist, and He is the sole mediator between humanity and God. He is the prince of the city of God. Earthly authorities can individually identify themselves as Christians, but they are unable to fully imitate Christ. Instead, they can imitate saints and martyrs. A good Christian in authority will promote true religion by giving the personal example, using the law to favour it and by helping the Church. That is, by using his position to love and serve others in a way oriented to enable them to do the same[532]. King David, as a penitential King, is an example to earthly authorities of humility and godly devotion[533].

8) The Church is the body of Christ and the only temporal organization that can be truly called "Christian"[534]. As a penitent community, it is the temporal expression of the city of God, its sacrament. It is the "already here" of the Kingdom of God[535]. But not all its members are citizens of the city of God. Some of them have become members of the Church for base motives. Moreover, "many true members of the City of God lie outside the bounds of the institutional Church"[536]. Nonetheless, the institutional Church plays a central role in the economy of salvation.

The City of God is, as we can see, primarily a demolition work that attacks all the illusions about the economy of salvation that the contemporaries of Augustine had[537]. It destroys the fantasy of *Romanitas*, the dream of Rome as being divinely elected, and severs it from the

531 Augustine. "The City of God". V2. New City Press, Hyde Park, 2012. P.280. (Book XVIII,2).
532 Augustine. "The City of God". V.1. New City Press, Hyde Park, 2012. PP.177-178. (Book V, 24)
533 Augustine. "The City of God". V.2. New City Press, Hyde Park, 2012. P.265. (Book XVII,14).
534 "Christ himself… is the head of the Church… his body and members are his people". Ibid. P.259. (Book XVII,9).
535 Ibid. P.337. (Book XVIII,51).
536 Milbank, J. "Theology and Social Theory: Beyond Secular Reason". Blackwell, Oxford, 1993. P.402.
537 "Augustine perceives… the hand of God working in history to visit the sins of the fathers upon their children from generation to generation. Those visitations they may indeed escape, but upon one condition only; viz. that they cease to dope themselves with illusion and make up their minds to face the facts. This, however, was precisely what Classicism stubbornly and persistently refused to do". (Cochrane, Ch. N. "Christianity and Classical Culture". Oxford UP, New York, 1957. P.496).

destiny of the Church[538]. The realist description of earthly politics is, in Augustine's work, a therapy against the pretension, moved by secular pride, of controlling, perfecting, or correcting nature through human action[539]. In that way, the search for autarchic or independent perfection that had, until that point, guided political thought is presented by Augustine as mere folly.

Augustine, henceforth, rejected the very rules of the power game of Rome[540] that men like Eusebius or Ambrose had tried to win for the Church, because he had realized those rules were pagan. Against the illusion of control, he argued that there was no transactional relationship between heaven and earth. Divine providence, the sometimes very severe pedagogy of God, could not be inclined in one way or another by human will. Humans could only try to learn from it. To think that they could win or lose God's favour through sacrifices and offers was in itself a pagan idea.

Moreover, no earthly political organization could be properly called "Christian": the only Christian political body was the Church. Therefore, the Roman Empire could not claim any special status in the divine economy of salvation. Christians, as citizens of the godly City, were mere pilgrims on this earth. *Romanitas* had nothing to do with Christianity. Rome was just another Babylon, and all temporal cities were a mixture of the people of God and the damned. In the same way, Jesus the Christ was the only perfectly just human being that had and would ever exist, and He was the sole mediator between God and humanity and the

538 Charles Norris Cochrane's lecture of Augustine is notable, among other things, for realizing this point: "For actually what Augustine had to say in the "*De Civitate Dei* was so far reaching as to threaten the very foundations of organized society itself, so far at least as these were determined by 'classical' political principles… Its publication was thus, quite naturally, to be interpreted as a challenge to all the material and spiritual values for which civilized man had struggle throughout the millennium or more which had elapsed since the ´springtime of classical song' on the Ionian coastland". (Cochrane, Ch.N. "Augustine and the Problem of Power". David Beer ed. Cascade Books, Eugene [OR], 2017. P. 85.)

539 "To Augustine the point of real significance is not so much the goods of secular life as the attitude which secularism adopts towards them… one of 'possessiveness'… the distinctive mark of the *civitas terrena* is greed or the lust for possession (*libido dominandi*)… to possess in this sense is also to divide; its ideal of independence is at the same time an ideal of isolation, the isolation of economic and moral self-sufficiency…Furthermore, the greed for property in temporal goods is inevitably exclusive and monopolistic. 'For he who desires the glory of possession would feel that his power was diminished, if he were obliged to share it with any living associate'". (Cochrane, Ch. N. "Christianity and Classical Culture". Oxford UP, New York, 1957. PP.491-492).

540 "Secularism… gives rise to a characteristic effort of understanding which, as an attempt (a) to rationalize, and (b) to justify its activity, may properly be described as an ideology of power" (Cochrane, Ch. N. "Christianity and Classical Culture". Oxford UP, New York, 1957. P.497).

sole Prince of the City of God. Therefore, no earthly king or emperor could claim to resemble Him or to be a depositary of His authority.

Forget, then, about a New Golden Christian Age for the Empire. Forget, also, about the divine monarchy. The nature and objectives of temporal order were, according to Augustine, much less spectacular. Every temporal kingdom was a mixed city, compounded by members of the city of God, who were only pilgrims on this earth, and members of the earthly city, addicted and lost to the desire for dominion. And there was no way to clearly distinguish between them until the final judgement.

All the earthly goods were just a dim and pale version of the real goods of God's Kingdom. Augustine thought that the distance between the earthly version of a good and the heavenly version of it was so extreme, that sometimes they are presented by him as not truly comparable. Nonetheless, rhetorical exaggerations aside, what Augustine was really doing was to bring back into play the ambivalent political thought of the early Church. Power and money were not to be trusted, but they could be used wisely by orienting them to God.

The City of God, then, was not only a demolition effort. Its idea was not, as the young Robert Markus thought, to liberate "the Roman state, and by implication, all politics from the direct hegemony of the sacred"[541] in order to found a secular realm of politics with a "pluralistic, religiously neutral civic community"[542]. Neither was Augustine trying, as Ellen Woods affirms, to find "a new way of buttressing imperial authority without appealing to an implausible divine election"[543] or to provide "a powerful, and Christian, justification for both ungodly rule by non Christian rulers and ungodly or unchristian behaviour by Christian emperors and kings"[544]. Augustine did want to liberate Christianity from Rome, but he did not want to liberate Rome from Christianity.

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541 Markus, R. "Saeculum". Cambridge UP, Cambridge, 1970. P. 173.
542 Ibid.
543 Wood, E.M. "Citizens to Lords: A Social History of Western Political Thought From Antiquity to the Middle Ages". Verso, London, 2008. P. 156.
544 Ibid. P. 161.

Augustine thought that the Christian revelation offered a new path to human action[545] which could transform earthly politics[546]. The problem, of course, was that this adjustment could not be devised by Augustine as some kind of clear political program. To do so would have incurred the same errors as the political grammar that he was trying to reform. If politics is based on Christian revelation, Augustine thought, the main player in the field will always be God and his divine grace. And that fact demanded recognition of the dramatic limitations of earthly political government devices[547]. But that did not render human action irrelevant, at least on Augustine's account. Even if temporal life was affected by sin, it was not purely chaos: there was a temporal order organized by God, which provided temporal goods. The hard part, for human beings, was to recognize that order and try to obey God. As Michael Lamb remarks, Augustine assumed a participationist ontology which implied that:

> If everything has its being because it participates in God's being, which is ultimately good, then, everything that exists also participates in God's goodness... Augustine suggests a more fundamental continuity between heaven and earth, time and eternity... Temporal goods are still goods... and they are without doubt gifts of God... in loving temporal goods properly, human beings also love God; the two loves are not mutually exclusive... the primary problem is not with the metaphysical status of temporal goods, but with human beings who love them in an inordinate or disordered way[548].

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[545] "The error of Classicism may be summarily described as a failure to identify the true source of power and, therewith, its true character and conditions. The error thus indicated is original, and to it may be ascribed the whole tissue of fallacies which frustrate the secular aspirations of men. These fallacies Christianity explodes in a sentence: all power cometh from on high… for the Christians, the antithesis is not between 'benevolence' and 'power'; it is rather between the love of power and the power of love. From this standpoint the *pax caelestis*, the order of the divine society, constitutes at the same time the order of love". (Cochrane, Ch. N. "Christianity and Classical Culture". Oxford UP, New York, 1957. P.501).

[546] "What it prescribes is… adhesion to God, the source of truth, beauty, and goodness, the supreme reality, as the fundamental principle for individual regeneration and for social reformation, the point of departure for a fresh experiment in human relationships, on the acceptance of which rests the only real hope for fulfilling the promise of secular life. This is the Christian alternative to the pagan proposition that correct action presupposes correct thinking; and it may accurately be described as 'justification by faith'". (Ibid.)

[547] "The role of the state is purely formal…as such, it can 'reconstruct' or 'renovate', but it cannot possibly 'regenerate'. In these terms Augustine marks a sense of the limitation of political action which dissociates him, not merely from the claims of classical idealism, but also from much of the ill-conceived legislative activity undertaken by the nominally Christian empire". (Ibid. P.510).

[548] Lamb, M. "A Commonwealth of Hope: Augustine's Political Thought". Princeton UP, Princeton, 2022. PP. 37-38.

Augustine, in chapter XIX of "The City of God", explains that God, who is our teacher, has ordained two chief precepts: love of God and love of neighbour. That implies that we should want our neighbours to love God. As a result, the Christian "will be at peace with all men, so far as it is in his power, with that peace among men which is the properly ordered concord of man with man; and this concord's order is, first, to harm no one, and, second, to help anyone that one can"[549]. Earthly peace comes from avoiding harming others, and lovingly helping them instead. In the words of Eric Gregory, it comes from practicing an ethic of love which has important political implications[550].

But who shall be helped first? First of all, the care of any human being "will be for his own people, for, by the order of nature of human society itself, he obviously has a readier and more immediate opportunity to care for them"[551]. Domestic peace grows from "the properly ordered concord, with respect to command and obedience, of those who are living together"[552]. And that concord can only be attained if "those who exercise care" give commands that "are at the service of those whom they appear to command"[553]. The pilgrims of the earthly city of God, in fact, "do not give their commands out of any desire for domination but rather out of dutiful concern for others, not out of any pride in ruling but rather out of compassion in providing for others"[554].

Domestic peace is, according to Augustine, the fundament of civic peace, as the households are the main components of a city[555]. The "properly ordered concord" of each social level of organization is interconnected to the other[556]. "So it is that the father of a family should

[549] Augustine. "The City of God". New City Press, Hyde Park, 2012. V2. P.371. (Book XIX,14).
[550] Gregory, E. "Politics and the Order of Love". Chicago UP, Chicago, 2008. P. 38.
[551] Augustine. "The City of God". New City Press, Hyde Park, 2012. V2. P.371. (Book XIX,14).
[552] Ibid.
[553] Ibid.
[554] Ibid.
[555] "In each of the three instances: soul/community, *oikos*/*polis*, and polis/world, there is, therefore, for Christianity, a kind of micro/macrocosmic relationship. However, that is not quite all: this internal correspondence is only possible because the soul, household and city from the outset place their 'internal' organization in an entirely external (in other words, public, visible) continuity with other souls, households, cities, according to the laws of the city and of the world (Augustine explicitly says that the paterfamilias must arrange his household according to the laws of the city). Souls, households and cities can only be 'internally' right insofar as this apparently 'internal' order is really part of an entirely 'external' sequence within it must be correctly placed". Milbank, J. "Theology and Social Theory: Beyond Secular Reason". Blackwell, Oxford, 1993. P.404.
[556] "Augustine makes it plain... that the *pax* of the household is to be 'referred' *ad pacem civicam*, even that the paterfamilias should derive its standards from the law of the city… The *civitas* is itself, like the household, ideally a creative and pastoral community, educating the *paterfamilias* as to his priorities as he

draw his precepts from the law of the city, and he should so rule his household by those precepts that it is fully in accord with the peace of the city"[557]. Of course, a household oriented to the city of God will be different than one oriented to the earthly city. The first will use temporal things like a pilgrim, and the other will put them above all else. But both kinds of families will make use of the peace of the earthly city. The pilgrim city of God "must of necessity make use of this peace as well, at least until this mortal existence, for which that peace is necessary, passes away"[558]. Therefore, it "does not hesitate to obey the laws of the earthly city, by which the things needed for sustaining this mortal life are administered ... for, since this mortal existence is common to both cities, its obedience serves to maintain a concord between the two with regard to the things that pertain to our mortal life"[559].

The limits of that obedience are religious. It is impossible for "the heavenly city to have laws of religion in common with the earthly city"[560], even if dissenting from temporal laws that go against divine laws ends in persecution. The pilgrim city "cares nothing about any difference in the manners, laws, and institutions by which earthly peace is achieved or maintained... it preserves and follows them, provided only that they do not interfere with the religion which teaches that we are to worship the one supreme God"[561]. In this way, the pilgrim city "defends and seeks for accommodation among human wills in regard to the things that pertain to humanity's mortal nature... however, it directs this earthly peace towards the heavenly peace"[562].

For Augustine, then, a society or a city could be truly just only if it was governed by God, and each one loved God and his neighbour as he loved himself. Therefore, if true justice was a condition for being considered a people (as Cicero seems to believe) then the

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educates his own subjects. The family has become, in some sense, the paradigm political community; but instead of this meaning either that family is opposed to large-scale *civitas*... or that the polis is conceived in organic and totalizing ways, the implication here is that both the small and the large-scale community are essentially purposive, existing so as to nurture a particular kind of human life: in both, authority is determined in relation to a specific goal". Williams, R. "On Augustine". Bloomsbury, London, 2016. P.119.

557 Augustine. "The City of God". New City Press, Hyde Park, 2012. V2. P.374.(Book XIX,16)

558 Ibid. (Book XIX,17)

559 Ibid.

560 Ibid. P.375. (Book XIX,17)

561 Ibid.

562 Ibid.

Romans had never been a people, and, in consequence, they had never been a republic either. But if a people was defined, instead, as "a multitude of rational beings joined together by common agreement on the objects of their love"[563], which is an earthly political standard, then Romans could be considered a people and a republic. Their justice was just in the same sense that the peace of Babylon was peaceful. They loved earthly things, and they attained earthly peace to enjoy them. And that peace, even if not inspired by the love of God, is useful for the heavenly City while its inhabitants are on their pilgrimage in this world. That is why Paul admonished the Church to "pray for its kings and for all in high position", and also why Jeremiah told the captive people of Israel to "pray for Babylon, because in its peace, is your peace"[564]. That is, "the temporal peace which, in this meantime, is common to the good and evil alike"[565].

If good Christian rulers and peaceful earthly political arrangements are better for the people, as Augustine establishes, then some political arrangements put people under more pressure to sin than others (too much adversity, as he says, can break the pilgrims[566]). Therefore, a good Christian ruler seems preferable to a non-Christian one[567]. There has to be some connection, then, between earthly politics and salvation, even if a pale and secondary one. And Augustine, in fact, directly implies a connection of the sort when he affirms that "any mortal who makes right use of such (temporal) goods, which are meant to serve the peace of mortals, will receive fuller and better goods, namely, the peace of immortality and the glory and honour appropriate to it"[568]. In the words of Michael Lamb:

> While eternal goods are the ultimate objects of hope, Augustine does not exclude hope for temporal goods... He identifies temporal goods as proper, if proximate, objects of hope in the four last petitions of the Lord's Prayer ... Since these goods are necessary for pilgrimage toward the heavenly city, they

[563] Ibid. P.385. (Book XIX,23)
[564] Ibid. P.386. (Book XIX,26)
[565] Ibid.
[566] Ibid. P.337 (Book XVIII, 51).
[567] "*Imperium* is necessary, and power is not in itself either bad or good; the question is whether the holder of earthly power worships the true God, rather than loving inferior earthly power. It is possible to serve, or to be a ruler of Babylon and still be a citizen of the city of God". Clark, G. "Imperium and the *City of God*" in Brown, S.J; Methuen, Ch & Spicer, A. "The Church and Empire". Studies in Church History, Vol. 54. Cambridge UP, Cambridge, 2018.
[568] Augustine. "The City of God". New City Press, Hyde Park, 2012. V2.P. 370. (Book XIX, 13).

> do not necessarily conflict or compete with eternal goods... Rather, hoping for these goods can be a proximate part of realizing the ultimate end[569].

Proper earthly authority was defined by Augustine as loving help, or service, and he remarked that our first duty was to serve those who are most near to us. This idea is developed and stressed by Augustine in *On Christian Teaching*[570], where he says:

> All people should be loved equally. But you cannot do good to all people equally, so you should take particular thought for those who, as if by lot, happen to be particularly close to you in terms of place, time, or any other circumstances… since you cannot take thought of all men, you must settle (rather than by lot) in favour of the one who happens to be more closely associated with you in temporal matters… Of all those who are capable of enjoying God together with us, we love some whom we are helping, and some who are helping us; some to whom we give no benefit and some by whom we do not expect any benefit to be given to us. But it should be our desire that they all love God together with us and all the help that we give to or receive from them must be related to this one end.[571]

Following that logic, we can affirm that, for Augustine, the correct use of power on each level is to help others to achieve their proper ends (including helping those nearer to them). That is the path to a measured, harmonic arrangement of the diverse social reality. And it constitutes the first clear sketch of subsidiarity as a general ethical principle instead of an ad-hoc political arrangement, which Augustine illustrated with a pedagogical example:

> As long as he, the student, is slow, he learns from you. You seem to be superior, because you are the teacher; he the inferior, because he is the learner. If you do not wish him to be your equal, you wish to have him always as a learner. But if you wish to have him always as a learner you will be an envious

[569] Lamb, M. "A Commonwealth of Hope: Augustine's Political Thought". Princeton UP, Princeton, 2022. P.49.

[570] Augustine started to write this book around the year 400, but he completed it in 427, just three years before his death.

[571] Augustine. "On Christian Teaching". Oxford UP, Oxford, 1999. P.26/ Book I, XXVI27-XXIX30, 61-64.

> teacher. And if you are an envious teacher, how can you be described as a teacher at all?[572]

Each organizational level of a society oriented toward God, according to Augustine, would coordinate his relations with other organizational levels through love, which implies an enabling kind of authority, not based on the desire for dominion. This new social ontology is what Donald Burt has called the "friendly society", arguing that Augustine "did not believe that authority and friendship were mutually exclusive and it was possible, at least in some degree, to make every society based on friendship"[573] and also that "the authority that is exercised in the context of such levelling love seeks to remedy the accidental inequality of the inferior and therefore is more a service to the ruled than a privilege of the ruler"[574].

This same idea is stressed by Rowan Williams when he discusses the significance of the link between *imperare* and *consulere* that Augustine makes in chapter 14 of the book XIX of "The City of God". *Consulere*, according to Williams, is "spiritual nurturing", and "because it is itself an activity based on a lively apprehension of the true meaning of *ordo* and of the indivisibility of peace, it does not run the risk of slipping over into *libido dominandi*"[575]. And this is, in turn, because "the exercise of authority as *consulere* takes it for granted that the body's peace must serve the soul's, and that the soul's peace is in the love of God and neighbour"[576].

Finally, pressing the same point, John Milbank brings back into the scene the Augustinian concept of harmony as a reconciliation between the whole and the parts, as "the part echoes the... whole because it defines itself between the whole, but it also includes the whole... because the whole is only a series, and is thereby itself entirely effaced in favour of the differentia of the parts, where each particular difference is defined by the position of all the other differences"[577]. The goal of the city of God, then, is not collective glory, but to be "the

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[572] Augustine. "Commentary on the Letter of John to the Parthians", 8,8. (As cited by Burt, D. "Friendship and Society: An Introduction to Augustine's Practical Philosophy". Eerdmans, Grand Rapids, 1999. P.75).
[573] Burt, D. "Friendship and Society: An Introduction to Augustine's Practical Philosophy". Eerdmans, Grand Rapids, 1999.P. 68.
[574] Ibid. P.74.
[575] Williams, R. "On Augustine". Bloomsbury, London, 2016. P.119.
[576] Ibid.
[577] Milbank, J. "Theology and Social Theory: Beyond Secular Reason". Blackwell, Oxford, 1993. P.405.

differential sequence which has the goal beyond the goal of generating new relationships, which themselves situate and define 'persons'"[578].

Augustine's Christian ontology, concludes Milbank, implies that "the part belongs to the whole, and that each part transcends any imaginable whole because the whole is only a finite series which continues indefinitely towards an infinite and unfathomable God"[579]. And this series is "nothing but a sequence of mediations between individuals, households, and cities... the 'whole' is Christ, the mediator, and he articulates his body and conveys this mediation as an endless series of new mediations which interrelates human 'persons'"[580].

This is what Charles Cochrane called *ordo amoris,* Eric Gregory calls "theological ethics of love"[581] and Michael Lamb calls "A commonwealth of hope"[582]. And such structural logic, marked by loving mediations between higher and lower powers oriented to regeneration instead of dominion, comes very close to the complete idea of subsidiarity as, first, a recognition of the specific dignity and autonomy of human persons and their associations, and, second, a duty to display an habilitating and enabling kind of help towards those persons and associations, instead of an expansive and domineering effort oriented to replace them. That is Augustine's legacy.

Conclusion

In this chapter, we studied the transition of subsidiarity from a doctrine about the place and duties of a Christian Roman Emperor towards the Christian Church, to a general principle

[578] Ibid.
[579] Ibid.
[580] Ibid.
[581] Gregory, E. "Politics and the Order of Love". Chicago UP, Chicago, 2008. P. 38.
[582] "Rather than counseling pessimism, Augustine commends hope – not the false hope that assumes politics is the ultimate source of happiness, nor the shallow optimism that presumes positive thinking will solve all our problems, but the virtue of hope that supplies the motivation and resolve to hope properly for difficult political goods and in fellow citizens in ways that avoid presumption and despair. While Augustine suggests hope must be ordered ultimately to God, he does not train his hope solely on heaven. He believes the heavenly city is being inaugurated here and now and not only in the institutional Church. In the secular age, earthly commonwealths play an essential role in securing common goods for members of both the "earthly" and the "heavenly" cities. While the City of God is the standard by which all earthly commonwealths are judged, the common objects that unite a commonwealth need not necessarily to be theological, even if Augustine may have preferred them to be. Rather, he encourages citizens of different religions, cultures and creeds to unite around common objects of love and hope, especially the good of civic peace. And in his life and work as a bishop, theologian, and citizen, he enacts the political hope he commends". Lamb, M. "A Commonwealth of Hope: Augustine's Political Thought". Princeton UP, Princeton, 2022. PP.203-204.

of social organization. Such process took around a hundred years and involved a progressive detachment of the Christian Church from the Roman Empire, first by refusing a special direct link between God and the Emperor; afterwards, by denying that the Empire had any special role in the economy of salvation; and, finally, by refuting the idea that divine providence could be controlled by human actions.

Alongside this process of detachment of Church and Empire, a process of identification between Church and society occurred: the people of God, and not the governing authorities, were started to be relocated as the main protagonists of the salvation history. This process was strengthened by the institutional growth of the network of local social services of the Church during the fourth and fifth centuries.

The peak of this movement comes with Augustine of Hippo, who renewed early Christian political ambivalence with his doctrine of the two cities, which rejected any direct influence of Rome or the Emperors in the economy of salvation, and argued that the best that the earthly city could do was to orient itself to the heavenly city as much as it could.

Is in that context that Augustine reaches a clear conception of subsidiarity as an ethical principle based on the idea of authority as a loving service to others starting from the ones who are nearer. A service that is oriented to help others to achieve their proper ends, among which the most important is salvation.

CHAPTER VI

Subsidiarity in Augustine and Aquinas

***Abstract**: In this chapter I will compare, on a theoretical level, Augustine's conception of subsidiarity with the one of Thomas Aquinas (1225-1274), who is frequently credited to have originally developed the concept, under the influence of Aristotle's writings. We will see that Aquinas closely followed Augustine in his political orientation, but he organized that bulk of ideas, thanks to the Aristotelian influx, in a more systematic way. Subsidiarity, in the context of the Thomist system, appears more clearly distinguished as a principle of justice, but it is in no way at odds with Augustine's formulation of the principle.*

Our historical research has permitted us to follow the development of the principle of subsidiarity from its Jewish roots to its configuration as an ethical principle in the writings of Augustine. Now we can go back to the beginning of our work, and compare, on a theoretical level, Augustine's conception of subsidiarity with the one of Thomas Aquinas (1225-1274), who is frequently credited to have originally developed the concept, under the influence of Aristotle's writings.

The political differences between Augustine and Aquinas have been normally explained by referring them back to their different perspectives about the relationship between grace and nature. Janet Coleman, for example, explains this difference by affirming that, for Augustine, faith was the way to knowledge[583], while for Aquinas "faith presupposes natural knowledge, just as grace does nature"[584]. From the point of view of Aquinas, then, divine grace perfected nature instead of destroying it. Grace fortified human intellect and clarified

[583] "For Augustine and those medieval influenced by him, *credo ut intelligam*, I believe in order that I may know". Coleman, J. "A History of Political Thought: From the Middle Ages to the Renaissance". Blackwell, Oxford, 2000. P.92.

[584] Ibid.

the ends that it should pursue through his will and action. And this, in turn, suggests a certain distance from Augustine in relation to the effects of original sin in human nature[585].

The political consequences of this distance, as interpreted by Joan Lockwood, imply a strong political difference between Augustine and Aquinas:

> Whereas the older Augustinian tradition viewed sinful society as an inherently disjunctive organization of communities with disparate ends..., Thomas viewed sinful society as retaining the inherent harmony of a hierarchy of natural ends, of natural functions, in which each part has his appointed place, and all parts together constituted a real social totality, a common will directed toward a common good[586].

Aquinas, according to Lockwood, followed Aristotle in seeing political society as a *societas perfecta*. This meant that autarchy became, for Aquinas, the governing ideal of political communities, assigning government a much more directive and administrative role[587]. In other words, Lockwood considers that the use of Aristotle by Aquinas negatively altered the element of patristic ambivalence in his thought by reducing the distance between the earthly city and the eternal one, with the effect of starting an arms race between the Church and the temporal polities for securing their respective autonomies[588]. That is why the

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585 "Thomas had the sense that prior attempts to explain the transmission of original sin (his own, and Augustine's, included) were unable to explain how culpa could justly be attributed to this person, to you or to me, at all. And yet the constant practice of the Church in baptizing, built upon the texts of St. Paul, took for granted that there was some sort of fault, but a fault that of course was not from the proper will of the child to be baptized. The accounts of human unity deriving from Augustine in Lombard gave one the sense that, in the homogeneous whole that was humanity in Adam, the infection of original sin in any part of the entity was the same, the culpa the same. But Thomas sets aside his prior teaching and does not invoke Augustine (and, likely, the expected interpretations that his invocation would produce). Instead Thomas's alia via makes Adam the primary motive power, by will, in the whole human body. In this body we are not just members materially, but members such as can be moved by his will in performing that original sin. The sin is his, primarily, and ours only through origin. His was the mortal sin, calling for damnation; ours is a fault of our nature, calling for the cleansing and rebirth in the Lord, but for which no one is liable to the fires of hell." Johnson, M. "Augustine and Aquinas on Original Sin: Doctrine, Authority and Pedagogy" Ch. 6 in Dauphinais, M. David, B. & Levering, M. (Eds.) "Aquinas the Augustinian". TCUAP, Washington D.C., 2007. PP. 145-158. PP.157-158.

586 Lockwood, J. "Subsidiarity and Political Authority in Theological Perspective" in O'Donovan, O. & Lockwood, J. "Bonds of Imperfection: Christian Politics, Past and Present". Eerdmans, Cambridge, 2004. P.240.

587 Ibid. P.243.

588 Ibid.

present ambiguity of the principle of subsdiarity, in Lockwood's view, can be traced back to Aquinas's combination of patristic tradition and Aristotle.

Is Lockwood right in her interpretation? She may be right about the general effect that the reintroduction of the political work of Aristotle had in the late medieval world. Nonetheless, it is debatable how much of that effect can be legitimately traced back to the thought of Aquinas. As with "political Augustinism", there is an important distance between what Aquinas in fact wrote and the ideas latter attributed to him.

For starters, it is important not to exaggerate the distance between Aquinas and Augustine concerning the relationship between grace and nature. Augustine, as we saw, insisted in *The City of God* that there was a natural, temporal, order of things which was good, and he even recognized that there was some kind of good which was attainable through earthly politics. Aquinas, on the other hand, researched, with the help of Aristotle, the natural order of temporal things, without denying the superiority of the eternal good, and tried to understand how human intellect, will and action could contribute to harmonize natural order with supernatural order. There is, in this way, a difference of emphasis between both authors, but not a contradiction. This fact has been recently stressed by Eric Gregory and Joseph Clair when commenting on the content of Augustine's letters to imperial officials:

> The analogue to Augustine's account of virtue and happiness in these letters to public officials is Aquinas's account of the way the infused theological virtues of faith, hope, and love orient human beings to the eternal common good and thereby help direct their use and experience of temporal goods. Although we must pay attention to the relationship and differences between Augustine's and Aquinas's understanding of the limited natural and temporal qualities of the common good achieved in political life (especially through law), they are in agreement in their description of how the gifts of the theological virtues are necessary to orient human beings toward eternal happiness.[589]

[589] Gregory, E. & Clair, J. "Augustinianisms and Thomisms". Chapter 9 in Hovey, C & Phillips, E. (Eds.) "The Cambridge Companion to Christian Political Theology". Cambridge UP, Cambridge, 2015. PP. 176-196. P. 190.

In what follows, I will argue that Aquinas systematized the Augustinian idea of authority as "loving service". Moreover, he largely agreed with Augustine in relation to the principle of subsidiarity, developing further the Augustinian notion of it. Therefore, I will affirm that Aquinas did not contradict the political philosophy put forward by Augustine, but made an analytical effort to understand better how it worked and how could it be put to work for the best in the temporal sphere. I agree with Lockwood in that, by doing this, Aquinas did run the risk of moving back into "creative politics", but he seemed constantly aware of that risk and manoeuvred to avoid it.

Subsidiarity in Aquinas

If we ran a test on Aquinas's thought searching for the elements of Jewish-Christian intermediacy, we will find them all: Aquinas affirmed that God was the only true King[590] and that he had a chosen people[591]. He also believed that people had to wait for God's Kingdom to come and they could not pretend to build it by their own[592]. All authorities and

[590] "Tota communitas universi gubernator ratione divina" ["the whole community of the universe is governed by God's mind"]. (Aquinas, Th. "Summa Theologiae", Ia2ae.91,I; Blackfrirars edition, Thomas Gilby translator, Cambridge, 1966. V.28, P.19.). Also: "Arguments of the kind indicated in the last section not only show the existence of God. They also make known the utter dependence of the entire universe on God's government of it and provision for its continuance. Only that government and that shaping and sustaining providence can explain the actuality, existence, specific reality, goodness, and orderliness of every being without exception". (Finnis. J. "Aquinas". Oxford UP, Oxford, 1995. PP. 304-305.)

[591] "I answer that it is fitting that God should predestine humans. For all the things are subject to his providence… Now it belongs to providence to direct things towards their end, as was also said… Hence, properly speaking, a rational creature, capable of eternal life, is led towards it, directed, as it were, by God. The reason of that direction pre-exists in God; as in Him the type of the order of all things towards an end, which we proved above to be providence. Now the type in the mind of the doer of something to be done, is a kind of pre-existence in him of the thing to be done. Hence the type of the aforesaid direction of a rational creature towards the end of life eternal is called predestination. For to destine, is to direct or send. Thus it is clear that predestination, as regard to objects, is part of providence". (Aquinas, T. ST I.23.1).

[592] "The entire natural order is in turn subject to the order of grace or divine law. Hence the simply best regime is not, as it was for Aristotle, the work of man or of practical reason guided by philosophy. It is synonymous with the Kingdom of God and is actual or attainable at all times through God's saving grace. Civil society ceases to be uniquely responsible for the totality of moral virtue and is itself judged by a higher standard to which human actions must conform universally. It becomes part of a broader whole embracing all men and all cities and is by that very fact deprived of its privileged status as the sole horizon limiting the scope of man's moral activity, setting the goals to which he may aspire, and determining the basic order of his priorities" (Fortin, E.L. "St. Thomas Aquinas" in Strauss, L. & Cropsey, J. "History of Political Philosophy" 3d. ed. Chicago UP, Chicago, 1987 PP. 248-275. P.258).

powers on earth, moreover, were given by God[593] with an objective in mind[594] so they had to be accepted and respected by the people of God, unless those authorities command something that went against the laws of God [595]. Everyone on earth was invited to join the Kingdom, which is not from this world[596] but also, in a special way, was "already here", growing on earth, through the sacramental action of the Church, which was the body of Christ, who mediated between God and humanity[597]. Finally, the penitential and sacramental salvation community, according to Aquinas, should make use of earthly power, if possible, to preserve and expand itself, but not have the pretension of controlling the temporal sphere[598]. The kingdom of God is not built with the same materials as the temporal kingdoms.

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593 "Some early Christians, he commented, urged that they were not subject to earthly power because of the liberty Christ had brought them. They were mistaken, however, for this liberty was of the spirit, a freedom from the law of sin and death. Our flesh was still in subjection; we can but await a freedom both of Spirit and Body, when Christ shall have delivered all the kingdoms to God, the Father, when he shall have brought to nought all principality and power. Until then, so long as we are clothed with corruptible flesh we must submit to bodily masters: servants, be obedient to them that are your lords according to the flesh. The 'higher powers' of the text were men constituted in power to whom we should be subjected according to the order of justice. St Paul spoke without qualification- the term higher should be taken unrestrictedly, and he meant that we were their subjects because of their high office, even if they were evil" (Gilby, T. "The Political Thought of Thomas Aquinas". Chicago UP, Chicago, 1958. P.157).

594 "Providence is, in short, God's distributive justice –God's acting in a virtuous or prudential manner for the good of all creation" (Young III, W.W. "The Politics of Praise". Ashgate, London, 2007. P.103.)

595 "For there were three ingredients in the power of a prince, or of any dignitary: the power itself, which was from God; the mode of acquiring it, which was from God when it was obtained in due form, but not otherwise; its exercise, which was from God when the precepts of divine justice were observed, but not otherwise. The subordination of lower to higher was permeated with divine purpose". (Ibid. PP.157-158).

596 "Aquinas develops this further: 'In man's present state of life, his ultimate perfection is in the activity whereby he is united to God, but this activity cannot be continual because we are human, not divine'. Hence, the good we can achieve by ourselves is mixed with sadness and worry that it will be disturbed. Humans cannot have complete and continuous happiness in this life because of what they are, souls 'in' bodies, mortal, rational animals. They have no choice as to their natures but they have a choice as to how they live." (Coleman, J. "A History of Political Thought: From the Middle Ages to the Renaissance". Blackwell, Oxford, 2000. P.102).

597 "The value of the single soul is sealed by the price of Redemption. No human authority can be absolutely binding in conscience. And a higher authority is given to man, which rises high above the authority of the State and of all other earthly power. It is the authority of the Church, which has its source directly from God and finds its justification not only in Scripture, but in that very progression of ends which inspires St. Thomas whole treatment of Ethics". D'Entreves, A.P. "Introduction" in "Aquinas Selected Political Writings". Blackwell, Oxford, 1978. PP.VII-XXXIII. P.XX.

598 "There is no mention of a *plenitudo potestatis*, of a direct sovereignty of the Pope In temporal matters. The subordination of *subiectio* of the civil to the spiritual power of which St. Thomas speaks, is such only in regard to the end… The spiritual and the temporal spheres are not independent. 'The temporal power is subject to the spiritual as the body to the soul', as philosophy is to theology, as the natural to the supernatural. It is all right to speak of an indirect power, inasmuch as 'the spiritual Prelate should interest himself in temporal affairs with respect to those things in which the temporal power is subject to him or in matters which have been left to him by the secular power'". Ibid. P.XXI.

The Augustinian lessons from the rise and fall of the Christian Roman Empire are also present in Aquinas. Patristic political ambivalence is easily recognizable in his writings. There is no room for the sacralisation of secular power in his political theory. Only Jesus is both *rex* and *sacerdos*[599]. Kings, meanwhile, should rule "with the moral guidance of the Church" while the church "should look to the salvation of souls with the earthly assistance of the state"[600]. Spiritual authority should be backed by temporal authority when the first needs material help to fulfil its ends.

Finally, friendship is as central in the political vision of Aquinas as it was on Augustine's perspective[601]. Peace, as in Augustine, was the horizon of his political vision[602], but, as William Young explains:

> The ethics are central to the Summa, precisely because God's salvation of humanity through the Incarnation intends to bring us to friendship, through participation in the good life of God. Following the order of charity demonstrates how each aspect of ethical reflection refers in its own way to God's governance of the world and love for humanity.[603]

This comprehension of charity as friendship, which was, as we saw, fundamental for the development of the notion of subsidiarity, is clearly a Patristic legacy and not an Aristotelian innovation. Thomas "is deeply committed to the Augustinian view of charity as love of God and love of neighbour"[604], and this "reshapes the obligations and responsibilities of the moral life, extending them beyond the Aristotelian *polis* in the love

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599 Ibid. P.XX.

600 Ryan, A. "On Politics". Allen Lane, London, 2012. P. 250.

601 "Particularly, there is nothing on this earth to be preferred before true friendship. For friendship unites those who are virtuous and helps them to preserve and strengthen their virtue. We all of us, whatever our task in life, have need of it; steadfast alike in good times and in bad. Friendship is the source of the greatest pleasures, and without friends even the most agreeable pursuits become tedious. Love makes things which are difficult easy and almost unworthy of note". (Aquinas, T. "On Princely Government" in D'Entreves, A.P. "Aquinas Selected Political Writings". Blackwell, Oxford, 1978. PP. 2-83. P.55.)

602 "The aim of the ruler should be to secure the well-being of the realm whose government he undertakes… But the welfare and prosperity of a community lies in the preservation of its unity; or, more simply, in peace. For without peace a communality losses all advantage: and, because of discord, becomes instead a burden. So the most important task for the ruler of any community is the establishment of peaceful unity" (Aquinas, T. "On Princely Government" in D'Entreves, A.P. "Aquinas Selected Political Writings". Blackwell, Oxford, 1978. PP. 2-83. P.11.)

603 Young III, W.W. "The Politics of Praise". Ashgate, London, 2007. P.101.

604 Ibid. P.100.

of enemies"[605]. The ideal type of man conceived by Aquinas, as F.C. Copleston explains, is not only a fully-developed natural man, as in Aristotle, but as one raised by divine grace, through the virtues of faith, hope and charity, to "the life of the supernatural union with God"[606].

Friendship according to Aquinas, had two main components. First, "one loves a friend as who the friend is, for the friend's own sake". And secondly, "one loves the good of the friend; that is: one loves that which the friend finds to be good, for the sake of the friend"[607]. But as the highest good and realization of each human being is salvation, true friendship has to be in God, through the mediation of Jesus Christ. As in Augustine, "God is the one loved, and the one in light of whom we love others".[608] Charity, in this context, is "the shared journey to friendship with God, through engagement with neighbours and the world... friendship with one another both seeks and enacts friendship with God"[609].

Human action, for Aquinas, "particularizes divine love... in charity one has an obligation to love more those to whom one is closer"[610]. Proximity, as well as in Augustine, plays a central role in Aquinas's economy of divine love:

> This greater love has two sources: on the one hand, one has an obligation to love some more dearly, namely parents; but one also has natural affection for some neighbours more than others (ST II-II.26.6)[611]. Charity's grace does not contradict the natural love of humanity, which attends more closely and strongly to some people than to others. It is to these individuals –family, friends, members of one's own community- that one most often and most fully acts as an agent of God's predestination and love, bringing them into the life of charity in a more complete, personal way[612].

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605 Ibid. P.119.
606 Copleston, F.C. "Aquinas". Penguin, London, 1988 (1955). P. 216.
607 Young III, W.W. "The Politics of Praise". Ashgate, London, 2007. P.119.
608 Ibid. P.120.
609 Ibid. PP.120-121.
610 Ibid. P.121.
611 "Ones obligation to love a person is proportionate to the gravity of the sin one commits in acting against that love. Now it is a more grievous sin to act against the love of certain neighbors, than against the love of others… Therefore we ought to love some neighbors more than others". (Aquinas, T. ST II-II.26.11 as cited by Young III, W.W. "The Politics of Praise". Ashgate, London, 2007. P.133)
612 Ibid. P.121.

But there is an important detail. According to Aquinas, in order to perfect the love to those closer neighbours, we need to learn to love our enemies, who are our most distant neighbours. Perfect charity "is impossible in this life"[613], but the virtue of charity is perfected by this "reaching out" of our love, which orders our soul and shapes our character. We can only learn to love in God those who are closer to us when we get to understand and participate in the nature of God's love. And loving our enemies is the closest we can get to that: "when one loves an enemy, as one who is ordered to God, one draws out the singularity of God's love for this one creature, participating as fully as one can in the *scientia Dei*"[614].

Finally, the perfection of charity is, for Aquinas, connected to practical action and, therefore, to distributive justice. That is because "when one acts externally, the habit is perfected" and this perfection reshapes "one's passions and how one relates to both friends and enemies, setting the stage for acts of charity"[615]. And that virtuous circle of charity, insofar as it "orders the passions and appropriates their activity towards a new end, thereby enacts the relationship between love of God and justice in the world"[616]. Charity, according to Young's interpretation of Aquinas, teaches us to "think globally, and the passions move us to act locally", allowing, thereby, "for a richer conception of distributive justice, as it integrates the multilayered and complex relationships of society within the love of charity"[617].

In this way, subsidiarity appears in Aquinas more clearly formulated as a principle of justice[618] which commands that, "save perhaps in occasional emergencies, the individual members of a community must be left to fulfil their responsibilities on their own self-directive initiative"[619], since "charity is to be friendship, and this requires voluntary action in the form of habits"[620]. To take away from a person or a community a task they can perform goes against the economy of salvation, as it ultimately damages their capacity to

613 Ibid. P.129.
614 Ibid. P.125.
615 Ibid.
616 Ibid. P.130.
617 Ibid. P.134.
618 "The principle of subsidiarity is a principle of justice" (Finnis, J. "Natural Law and Natural Rights". Oxford, Oxford UP, 1980. P.169).
619 Finnis, J. "Aquinas". Oxford, Oxford UP, 1998. P.121.
620 Young III, W.W. "The Politics of Praise". Ashgate, London, 2007. P.117.

perfect charity through action. There can be no friendship if the possibility and capacity to enact friendly acts is removed.

On the other hand, subsidiarity also demands, as part of the actions that perfect charity, the use of power and authority in the loving service of helping other individuals and communities "to help themselves"[621]. And, in the case of government, which is the most perfect, in the sense of complete, kind of temporal community, to provide directly for the political common good, which is different than the good of individuals or groups[622].

But what is this political common good? Aquinas' conception of it, under the light of what we just have read, is far from any totalizing vision of political power. This point is carefully treated by Alexander P. D'Entreves:

> The unity which is achieved through any form of human association is a unity of a very peculiar kind. 'It must be noted', we read in the first chapter of his Commentary on the Ethics, 'that this unity which is the political community or the unity of the family, is only a unity of order and not an unconditional unity'. Consequently the parts which form it can have a sphere of action which is distinct from that of the whole... At the same time the whole has a sphere of action which is not proper to any of its parts... This seems to exclude that the grouping together of men should be creative of a new and separate being, different in substance from the parts that compose it... the difference between the end of the individual and that of the whole does not imply a difference in the standards by which each of them can and must be judged. Ultimately these ends are one and the same[623].

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621 "The proper function of association is to help the participants to help themselves or, more precisely, to constitute themselves through the individual initiatives of choosing commitments (including commitments to friendship and other forms of association) and to realize these commitments through personal inventiveness and effort in projects (many of which will be cooperative in execution and even communal in purpose). And since in large organizations the process of decision making is more remote prom the initiative of most of those many members who will carry out the decision, the same principle requires that larger associations should not assume functions which can be performed efficiently by smaller associations" (Finnis, J. "Natural Law and Natural Rights". Oxford, Oxford UP, 1980. PP. 146-147).

622 "Power serves objectives which it does not define, but recognize. It defines the common good because only power can see it from above, but this common good has to consider the multiplicity of singular projects that conform, each one, a whole… the common good assumes and ordinates individual actions seeing them as irreducible facts". Delsol, Ch. "El Estado Subsidiario". IES, Santiago de Chile, 2021. (Translation is mine).

623 D'Entreves, A.P. "Introduction" in "Aquinas Selected Political Writings". Blackwell, Oxford, 1978. PP.VII-XXXIII. P.XIX.

Political common good, the common good of the "complete community" which constitutes a *respublica*[624], is, in fact, not the only common good. Rather, as there are different types of prudence, "there is also, for example, the common good of a household or family, a common good which is 'private' but still common (though less common that the public common good, the common weal [status communis])... and what is for some purposes complete can for other purposes be incomplete, less common'"[625]. In this way, the Aristotelian instrumentality of intermediate organizations regarding the *polis*[626] is substituted by Aquinas for a more pluralistic structure of interconnected common goods with different levels of organization[627].

In the words of Nicholas Aroney, "for Aristotle, the *polis* presented a comprehensive context in which what is good for human beings is secured", whereas for Aquinas, "while the state certainly has this function, it is itself put into a wider theological context, and its good are understood relative to that framework... this enabled Aquinas to take a view of the 'state' that was relative, not only 'upwards' and 'outwards' as regards its wider context, but also 'downwards' or 'inwards' as regards those forms of human sociality that are 'smaller' than the state"[628].

Finally, Aquinas "understands the order of the *civitas*, as an interrelationship between its parts and a co-ordination of those parts, in terms of its purpose or goal as moral association"[629]. And that goal is no other than salvation (or beatitude), the final end to which man is to be "actively involved in shaping and sustaining the polity as a means"[630].

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624 Finnis, J. "Natural Law and Natural Rights". Oxford, Oxford UP, 1980. PP. 122-123.

625 Ibid.

626 As Muñiz-Fraticelli explains, the *polis*, in the Aristotelian view, has pre-eminence over lower levels of organization, which, "once the polis is achieved... retain value only in being instrumental to the polis' preservation". See Muñiz-Fraticelli, V. "The Structure of Pluralism". Oxford UP, Oxford, 2014. P.58.

627 "Reflecting on the complexity of the society surrounding him, Aquinas acknowledged the many and various purposes for which various associations and forms of human community exist and are formed, giving rise to a whole host of familial, geographical, professional, mercantile, scholarly and other specialized societies. All of these groups and groupings, from the smallest to the largest, have their place and their proper function, according to Aquinas, and each should be allowed to make its unique and special contribution as means to integral human fulfillment, without interference from any other, including the state". Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27. P.9.

628 Aroney, N. "Subsidiarity in the Writings of Aristotle and Aquinas" in Evans, M. and Zimmermann, A. (eds.) "Global Perspectives on Subsidiarity". Springer, Dordrecht, 2014. PP.9-27. P.19.

629 Coleman, J. "A History of Political Thought: From the Middle Ages to the Renaissance". Blackwell, Oxford, 2000. P.116.

630 Ibid. P.117.

The Christian polity, according to Aquinas, "can do what no pagan polity could do... it can bring its citizens to as much understanding of the truths of the Christian religion as mortal minds can possess, and it can make them comport themselves so as to have a hope of grace and life eternal"[631]. This object can be pursued by the governing authority by ensuring "that the church is safeguarded against whatever evils assail it and by following the guidance of the church in moral matters"[632]. Both authorities are but offices instituted by God with the same ultimate end, towards which they have to collaborate.

We can see, then, continuity between the political doctrine of Augustine and that of Aquinas. All the elements of the patristic political tradition represented by Augustine are present in Aquinas. Nonetheless, these elements appear in Aquinas organized into a system that reaches beyond Augustine's insights.

Conclusion

We saw that the idea of subsidiarity was taken by Augustine to a new level, as he transformed it into an ethical principle. In that way, it stopped being a mere practical doctrine about how the community of salvation should relate to the powers that be and *vice versa*, without questioning the nature and logic of those powers. It became a new, Christian conception of how relations of power should operate and be organized according to charity. In other words, subsidiarity was transformed by Augustine into an ethical principle inspired by the vision of how power works when is transformed by divine grace[633].

Augustine's intellectual effort, if we understand it in this way, reorganized Christian ambivalence, the creative tension between the natural and the spiritual order, giving a new political meaning to the "already here" presence of the Kingdom of God. But this effort could also be interpreted, in the light of the logic of power he was trying to combat, as a

631 Ryan, A. "On Politics". Allen Lane, London, 2012. P. 249.

632 Ibid.

633 "Justice! There we have the central idea… of the twenty-two books of *De Civitate Dei*. It comes from faith; it is the sign of redemption, the plenitude of grace, origin of all the supernatural virtues and cause of salvation. At bottom, this idea is no other than the evangelical justice whose theology was developed by Saint Paul for applying it to the complications of the life of the first Christians. Saint Augustine, for the first time, applies it to the constitution of states". Arquilliére, H-X. "El augustinismo político". Universidades de Granda y Valencia, Granada, 2005. P.52. (Translation is mine).

dissolution of the natural order into the spiritual one[634], and, therefore, as an impulse to theocratic and sacral kingship doctrines. And that was exactly what happened[635].

The medieval theocratic reading of "The City of God" is known, thanks to the homonymous work of Henri-Xavier Arquilliére, as "political Augustinianism"[636]. Francis Oakley summarizes this doctrine as:

> An essentially theocratic pattern of thought, within the modalities of which there is a marked tendency to respiritualize politics, to absorb the natural order into the supernatural, the profane laws of civil society into the sacred laws mediated by the ecclesiastical order (whether under imperial, royal, or Episcopal/ papal leadership) and, as a result, to interpret kingship as a divinely ordained and essentially ministerial office incorporated within, and at the service of, the Christian church.[637]

As we have seen in this chapter, however, the political thought of Thomas Aquinas seems much more similar to the actual ideas of Augustine than to "political Augustinianism". Aquinas, like Augustine, rejected theocratic kingship and the spiritualization of politics; and they both looked for an order where spiritual and temporal authority helped each other without overreaching their respective limits. But this similitude is only made evident if we compare their works directly, instead of subsuming them into the ideology and movements that prospered under the banner of each one.

Aquinas, as we showed, closely follows Augustine in his political orientation, but he organizes it, thanks to the Aristotelian influx, in a much more systematic way. Subsidiarity, in the context of that system, appears more clearly distinguished as a principle of justice. The perfection of charity is, for Aquinas, connected to practical action and, therefore, to distributive justice. He considered that to take away from individuals or communities a task that they can perform goes against their transcendental good, and should be avoided.

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634 Ibid. P.25.

635 "The premises to all of Augustine's conclusions on man, society, and the state, were never taken up with any great enthusiasm after his death , and throughout the medieval period they continued to be studiously ignored… Rome cast a long shadow over the medieval period… long after she had ceased to be a meaningful political force, the language of her achievements continued to resonate in the minds of the barbarian conquerors". Hollingworth, M. "The Pilgrim City: St. Augustine of Hippo and his Innovation in Political Thought". T&T Clark, London, 2010. P.82.

636 Arquilliére, H-X. "El augustinismo político". Universidades de Granda y Valencia, Granada, 2005.

637 Oakley, F. "Empty Bottles of Gentilism". Yale UP, New Haven, 2010. P.141.

Authority, then, should operate, according to Aquinas, by helping individuals and communities to operate in their fullest capacity whenever that is possible, rather than by trying to displace them with the objective of accumulating functions, capacities and power.

CHAPTER VII

CONCLUSION

The main objective of this thesis was to explore the history of the principle of subsidiarity to obtain a better understanding of its meaning and shed some light on the problem of its present ambiguity. In what follows, I will first present the main historical conclusions of my research regarding the history of the idea of subsidiarity, and afterward, I will expose the theoretical consequences of those findings.

Historical conclusion

The main historical conclusions of my work can be summarized as follows:

1. Subsidiarity is a modern word that names a political principle that states that intermediate organizations (called “intermediate” because they are between the individual and the State) should have priority over higher authorities in taking care of their affairs, and that higher authorities should intervene in those affairs only when needed, and in a way oriented to restore the capacity of the intermediate institution to take care of them. This principle, therefore, has two sides: one “negative”, the prohibition of higher authorities from interference when they are not needed, and one “positive”, the obligation to intervene in a constructive way (that is, a way oriented to restore the organization’s capacity to deal with its own affairs) when needed. The idea conveyed by this modern word is older than the word itself, so to trace its history it is necessary to search for the context in which it became possible for some intermediate institutions to claim political priority over higher authorities.

2. Modern literature often confuses the principle of subsidiarity with a principle of descentralization or noncentralization of the state's administration. This is a mistake, because the principle exceeds and precedes the modern state. Therefore, while the state's decentralization or noncentralization can be an expression or extension of the principle of subsidiarity, it is not the definition of the principle.

3. The idea of subsidiarity presupposes an intermediary sphere constituted by institutions able to claim priority in the administration of their own affairs. This implies that the "negative" side of the principle (the capacity to demand that higher powers not interfere) precedes the "positive" side of it (the capacity to demand higher powers to help intermediate institutions to administrate their own affairs). Intermediacy, in this way, comes before subsidiarity.

4. Primitive and ancient societies were "total" organizations. That means that the authority that organized them was undifferentiated. Therefore, there was no institutional platform from which to defy or even challenge the authority of the collective, as there was no intermediate autonomous sphere. There is no trace of subsidiarity in the Greek *polis*, and no clear and purposeful articulation of the principle in the thought of Aristotle, who considered lesser organizations mainly from the point of view of their functional utility for the constitution of the *polis*.

5. Total authority was first subjected to differentiation by the Jewish people, as a consequence of their monotheistic interpretation of foreign invasions. They considered that the one God had sent foreign empires to invade them as a punishment for not obeying the Law. Therefore, they thought that the political authority of the invading powers was legitimate, but only insofar as it did not contradict the Law. In this way, an intermediate sphere, based on spiritual authority, emerged. Total authority was bifurcated into spiritual and political authority. This is not the same as "Church and state" differentiation. There was no political secularization implied.

6. Jewish intermediacy was the political background of Jesus of Nazareth and Paul of Tarsus. Passages like “Render unto Caesar...” and Romans 13 become clear when read from that point of view. The Christian message took up Jewish intermediacy and added two important elements: universalism and the idea of an already here presence of the Kingdom of God. Christian intermediacy, in this way, was more expansive than Jewish intermediacy and implied the possibility of converting the whole Roman Empire, including its authorities, into the faith. It also further limited the Empire’s authority, as it proposed that the Kingdom of God was already growing on earth, invisible to the powers that be.

7. The early Church developed Christian intermediacy into a whole set of practices and institutions oriented to consolidate a relative autonomy of the Church from the Empire, but it also recognized the legitimacy and necessity of the Empire. Thus an *ambivalent* Christian political theory grew from the experiences of persecution and public apologetics of the first three centuries. With the conversion of Constantine, intermediacy gave way to subsidiarity, as the debate revolved around the duties of a Christian Emperor towards the Church and his place inside it. The Constantinian turn started by reaffirming the autonomy of the Christian Church but evolved into a more intrusive and directive orientation that stressed the central role of Rome and Emperor Constantine in the economy of salvation. The idea of a Christian renewal of the Golden Age of Rome became prevalent. This new imperial political theology is reflected in the works by Eusebius of Caesarea, who thought that the Christian Roman empire was the apex and culmination of human history, and also the *katechon,* the force that restrained the apocalyptic tribulations that would precede the second coming of Christ.

8. Christian resistance to Constantinian political theology became embroiled in the Arian conflict. Ossius of Corduba, Athanasius of Alexandria, and Hilary of Poitiers, among others, affirmed the autonomy of the Church in the spiritual sphere, denying that the Emperor could have any special role in the economy of salvation. Ambrose

of Milan, finally, was able to establish, through his political struggles with Valentinian II and Theodosius I, that the Roman Emperor was just another layman towards the Church. Ambrose imagines a bottom-up Christian renewal of Rome, taking the Republican period as a reference, and not the first decades of the Empire.

9. During this process, the Church developed a network of local social services oriented to help those in need. That network was amplified and strengthened by imperial patronage, but as more rich Romans converted to Christianity, it started to rely more and more on their charitable donations. As the network of social services and organizations grew, the Church started to be identified with society, and the ideal of a Christian society started to replace the ideal of a Christian Roman Empire.

10. Augustine of Hippo fully detached the idea of subsidiarity from the contingent relationship between the Church and the Empire by affirming that neither Rome nor any Roman Emperor had any special role in the history of salvation. He also brought back early Christian political ambivalence and defended the view that there is no human way to control divine providence, so the vision of a Christian new Golden Age for Rome was delusional. Christians, according to Augustine, were pilgrims on this earth, and the best role that temporal politics could play was to secure, through temporal means, an imperfect peace that could make that pilgrimage less dangerous and harsh. Subsidiarity, in the context of Augustinian political thought, stops being a debate about Church and Empire and becomes a general ethical principle about how to materialize the love for God and neighbour. Augustine's vision of the principle is based on the idea of authority as a loving service to others starting from the ones who are nearer. A service that is oriented to help others to achieve their proper ends, among which the most important is salvation.

11. Thomas Aquinas closely followed Augustine in his political orientation, but he organized that bulk of ideas, thanks to the Aristotelian influx, in a more systematic way. Subsidiarity, in the context of the Thomist system, appears more clearly distinguished as a principle of justice. The perfection of charity is, for Aquinas,

> connected to practical action and, therefore, to distributive justice. He considered that to take away from one individual or a community a task that they can perform goes against their transcendental good and the economy of salvation, as it ultimately damages their capacity to perfect charity through action. There can be no friendship if the possibility and capacity to enact friendly acts is removed. Authority, therefore, should help individuals and communities to develop their capacities to the fullest, instead of trying to supplant them in their functions. In this way, Aquinas was able to translate the general ethical principle of subsidiarity delineated by Augustine into a specific principle of justice.

These historical conclusions substantially modify all the historical accounts that have been proposed for the principle of subsidiarity. Against Delsol, I have shown that subsidiarity has no direct Greek or Aristotelian origins. Against Finnis, I argue that Aquinas was not the first to articulate the principle. Against Barroche and Joyeux, I show that the principle has important roots that go back much further than the 19th century. And, finally, against Lockwood, I show that Aquinas should not be blamed for the present political ambiguities of the principle, as his formulation of it is consistent with the patristic tradition, and especially with Augustine's insight.

Theoretical conclusion

The most important theoretical conclusion of my work is that the idea of subsidiarity has its origins in the bifurcation of authority produced by the combination of monotheism and the eschatological belief in the coming of the kingdom of God. The first inhabitants of the intermediate sphere protected by the principle of subsidiarity were the members of the Jewish community of salvation, who accepted foreign domination as the will of God, but at the same time recognized foreign authority only in those matters which were not covered by the law of God. This intermediate sphere was afterwards expanded by the universal calling of the Christians, who considered that anyone could be a member of the salvation community (the Church).

The positive side of the principle, the one that commands higher authorities to protect and help intermediate institutions, enters into scene with the conversion of Emperor

Constantine, inaugurating a debate about the relationship between the Roman Empire and the Christian Church that Augustine concludes in "The City of God" by discarding any special role for Rome, or any other kind of temporal political authority, in the economy of salvation.

Starting with Ambrose of Milan, and during the whole "Middle Ages", society was identified with the Church and vice versa (the "Christian people" or the "people of God"). This phenomenon completed a process that started already during early Christianity, when the Christian community assumed some key social roles, first towards its members and then towards other people, building a network of social services that in later times was to be funded by the Empire and by wealthy Christian donors. In this way, key intermediate institutions grew as appendices to the Church, developing an internal structure that systematically grew in complexity and internal differentiation. Therefore, the period in the late "Middle Ages" that Jacob Levy proposes in *Rationalism, Pluralism and Freedom* as the beginnings of intermediacy[638] is, actually, the most intense historical moment of growth of a phenomenon that can be traced back to much earlier times. The identification of society with the Church is important, as the social sphere, as distinct from the political sphere, will remain the main focus of the principle of subsidiarity, even after society and Church were started to be considered as different things.

As we can see, the original version of subsidiarity was firmly attached to Christian ontology. The principle was ambivalent because it constantly reflected the distance between the present, temporal world, and the spiritual world which was overcoming it. The temporal reality, including temporal authorities, had one value considered from the point of view of present and urgent human needs, but that value was inverted when considered from the point of view of transcendent and eternal life. In the same way, spiritual authority according to the principle was considered to be rightly subjected to temporal authority, but only on temporal matters. In spiritual matters the situation was inverted and temporal authority was the one subjected to spiritual authority. The principle of subsidiarity, then, mediated between these two orders of value, preventing the reduction of either of them to the other,

[638] "I begin with what I will call the birth of intermediacy in the European eleventh to thirteenth centuries… A number of particular institutions that we now think as part of the intermediate sphere date to this era". Levy, J.T. "Rationalism, Pluralism & Freedom". Oxford UP, Oxford, 2015. P.88.

but always assuming that spiritual matters had ontological priority over temporal ones, as ultimately God's kingdom was in the process of overcoming this world. In this way, the ambivalence of subsidiarity did not become ambiguous, because it presumed an ultimate hierarchy between the orders of value.

From ambivalence to ambiguity

Modern and secular versions of the principle of subsidiarity are ambiguous because they assume no ontological hierarchy between the structures that they mediate. In modern liberal societies religious belief is considered to be a private matter, detached from the public sphere. Therefore, all the non-state groups and organizations are considered, from the point of view of the political authority, to be substantively equal; none of them can claim any form of autonomy or special rights against higher political authorities based on divine will or the spiritual order. It is up to the sovereign will to recognize and to decide how to organize intermediate institutions.

The modern conception of political sovereignty, then, is closed to Christian ambivalence: the temporal sovereign of a modern polity has the last word when it comes to the definition of the prevailing regime of value in the public space, even if morally bounded by human rights. Therefore, the question about the convenience and opportunity of the intervention of higher authorities can be legitimately resolved only in the temporal political sphere. That explains why many of the modern arguments in favour of subsidiarity are about the supposed benefits that the higher authorities could perceive in terms of efficiency or legitimacy if they "devolve", or otherwise accord authority to local communities, intermediate organizations, or lower administrative divisions of the state.

In fact, the idea of subsidiarity is most often used today in debates about the optimal allocation of powers within the administrative state, and less frequently in discussions regarding non-state organizations (like charities, unions and clubs). Some authors even exclude these kinds of associations from the very definition of subsidiarity, defining it as "the idea that matters should be decided at the lowest or least centralized competent level of government"[639]. This has led to a frequent overlap between subsidiarity and federalism,

[639] Calabresi, S.G. & Bickford, L.D. "Federalism and Subsidiarity: Perspectives from U.S. Constitutional Law". in Fleming J.E. & Levy, J.T. "Federalism and Subsidiarity". NOMOS LV. NYUP, New York, 2014.

making the first a kind of rule for the distribution of power inside the federal structure that gives priority to the "lowest feasible level" for the allocation of power, but which "tells us nothing of why power should be distributed in such a way as to satisfy the subsidiarity rule"[640].

State power in modern liberal democracies is not considered to be limited by the will of God; rather, it is the expression of free popular will, though protected by individual freedoms rooted in human rights (which, in turn, may come into conflict with popular will). Therefore, it is also common to justify subsidiarity on the ground of keeping power close to the people[641]. A good example of this justification can be found in the European Union treaties regarding subsidiarity. Freedom and self-government are also regularly invoked in favour of the principle, normally alongside pluralism. One of the arguments for decentralization or non-centralization is that local differences and diversity are legitimate and should be institutionally recognised and embraced by higher authorities.

The original idea of subsidiarity, then, seems to be philosophically in tension with the modern and secular notion of constitutional sovereignty, which does not recognize the ambivalence that is fundamental to the principle in its Jewish-Christian origins. In absence of that ambivalence, the principle becomes ambiguous, leaving the final decision about its concrete application to temporal authority, which recognizes limits derived from human rights but not a spiritual sphere of authority that could be opposed to temporal authority. This tension is described by Nick Barber when he identifies two versions of the subsidiarity principle, the Catholic and the constitutional, which he describes in this way:

PP.123-189. P.125.

640 Weinstock, D. "Cities and Federalism" in Fleming J.E. & Levy, J.T. "Federalism and Subsidiarity". NOMOS LV. NYUP, New York, 2014. PP. 259-290. P.261.

641 "Subsidiarity addresses the question of which sets of people ought to be included in decisions relating to the exercise of public power, and, allied to this, which legislatures and their associated executives should make these decisions. Subsidiarity speaks both to the constituency that votes for a legislature and, also, to the powers that the legislature should possess. It requires that the boundaries of democratic units be drawn in a way that connects public decision- making to those who are affected by the outcome of those decisions; the group of people who elect representatives to a legislature should also be the group of people whose interests are affected by the decisions of that body. As such, it is tightly intertwined with the principle of democracy". Barber, N.W. "The Principles of Constitutionalism". Oxford UP, Oxford, 2018. P.187.

> The constitutional principle focuses on the division of public power within the state, whereas, when it turns to the state, the Catholic principle focuses on the public–private divide, the boundaries of the proper reach of the state. In a number of respects, it is similar to the principle of civil society... Secondly, and allied to this, the Catholic principle is primarily concerned with protecting the position of existing private groups, presenting these as, in some sense, prior to the state. The constitutional principle, in contrast, does not regard the institutions it seeks to empower as having priority over the state, nor is it restricted to institutions that already exist: the constitutional principle can amount to an argument for the creation of new democratic units, as well as an argument for the empowerment of existing bodies[642].

Barber recognizes that these two versions of the principle are historically related, but he also stresses that they differ to the point that "support for one does not necessarily entail support for the other"[643].

Is the modern state total?

If there is a tension between subsidiarity and the modern philosophy of the state because the modern state does not recognize a bifurcation of authority based on the Jewish-Christian tradition, some may think that the modern state constitutes a total political unity, just as classical political unities. This kind of argument could be backed up by tracing the genealogy of the modern state to the French Revolution and its intense rejection of the intermediacy inherited from the medieval order. Robert Nisbet does just that in *The Sociological Tradition*, where he remarks how intermediate associations were abolished by the *Loi de Chapelier* (June 1791), inspired by Rousseau's dislike for "partial associations"[644]. The objective of that law, Nisbet shows, was not only "the abolition of the guilds" but forbidding "the establishment of any analogous form of new association"[645].

Nonetheless, as Jacob Levy shows in *Rationalism, Pluralism and Freedom*, that would be only one half of the story of the modern liberal state. The one is related to the intention of

642 Barber, N.W. "The Principles of Constitutionalism". Oxford UP, Oxford, 2018. P.188.
643 Ibid. P.205.
644 Nisbet, R. "The Sociological Tradition". Routledge, London, 1993. P.36.
645 Ibid.

using state power "to protect individuals from local group power"[646], which Levy identifies with the liberal rationalist tradition. The other half of it is the pluralist liberal tradition which sees "groups as the results of individual free choice and the protectors of freedom against state powers"[647]. This second tradition has as much weight as the rationalist one in the building process of the modern liberal state, which should be understood, according to Levy, as a dialectic with no possible synthesis between the two traditions.

The result of this dialectic, at least until now, is a secular state power that is neither divinized nor worshiped, and does not try to be. On the contrary, it is organized under the principle of division of powers to avoid their concentration and abuse. This secular state also guarantees basic political freedoms, including those of conscience, assembly, education, worship, and association, which together with the doctrine and law of universal human rights, provides an important sphere of immunity to religious communities against the arbitrary intervention of higher powers. And, finally, it is not the case in modern societies that the political system has claimed control over all the aspects of personal and social life, but mainly the opposite: modern society is characterized by complexity and differentiation into specialized social subsystems.

The distinction between society and state, which gained importance in the times when the Church was identified with society, survived the secularization of the social sphere, even if the justification for the distinction evolved into arguments about public freedoms and human rights that are supposed to be religiously neutral. This means, just as Nick Barber concludes[648], that the political form of the modern liberal order is not necessarily alien or inimical to the Christian political tradition, even if the Church is now considered to be, from the point of view of the state, just one other intermediate organization among others.

How long can such a political form endure in a world where Christian ontology is no longer dominant? I would not attempt even to hint at an answer to this important question about

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646 Levy, J.T. "Rationalismo, Pluralism & Freedom". Oxford UP, Oxford,2015. P. 27.

647 Ibid.

648 "The arguments that supported the Catholic principle could also provide support for the constitutional principle. The Catholic principle related to the powers that ought to be allocated to collective associations, and democratic bodies, exercising the power of the state, are a form of collective association. Once institutional qualifications are factored in, the constitutional principle of subsidiarity could, indeed, be presented as a subset of the Catholic principle". Barber, N.W. "The Principles of Constitutionalism". Oxford UP, Oxford, 2018. P.205.

the legitimacy of the Modern Age[649]. The relevant fact for my thesis is that the principle of subsidiarity, in its original formulation, is not practically incompatible with the modern political form.

Victor Muniz-Fraticelli is right when he argues in *The Structure of Pluralism* that the limits of the temporal and spiritual authorities and their proper duties depended, originally, on the public acceptance of the Christian Church's ontology and hierarchy, and that, therefore, the principle of subsidiarity is not philosophically compatible with modern secular pluralism[650]. However, such incompatibility operates at the level of public and philosophical justification, but not necessarily on a practical level, as secular pluralism can be actually compatible with the existence of Christian communities whose organization and action are guided by the principle of subsidiarity.

The fact that subsidiarity cannot be translated into the modern secular political sphere without becoming ambiguous, because that sphere is not open to the Christian ambivalence that gives direction to the principle, does not directly imply that the bifurcation between temporal and spiritual authority cannot be actualized at other levels of social organization. The relative autonomy of the salvation community can be achieved and reproduced without the need for a political sphere submitted to a Christian ontology and spiritual authorities, in so far as the mechanisms of reproduction and expansion of the salvation community can be secured using the available institutional frame. This means that the main political struggles of the Christian salvation community will be oriented to maintain the compatibility of the institutional frame to the needs of the community, and not to "convert" the political sphere. Therefore, these struggles will be pursued publicly by the Christians under the banners of "tolerance", "pluralism" or "freedom", all of which are reasons recognized as valid by the secular political system.

Such a strategy is easily recognizable in the Encyclicals that introduced the idea of subsidiarity into the modern debate: *Rerum Novarum* (1891) and *Quadragessimo Anno*

649 About this debate, see Löwith, K. "Meaning in History". Chicago UP, Chicago, 1949 and Blumenberg, H. "The Legitimacy of the Modern Age". MIT Press, Cambridge (Mass.), 1985.

650 "Subsidiarity can account for foundational plurality, but it presumes that there is an authority that can commensurate all the competing claims and allot competence accordingly. Now, this may be possible in a discrete association where purposes are shared and authority uncontested. But it is not the case in a society where different groups make competing claims to authority over overlapping field". Muniz-Fraticelli, V.M. "The Structure of Pluralism". Oxford UP, Oxford, 2014. PP. 73.

(1931). As Julien Barroche rightly remarks in *Etat, libéralisme et christianisme: Critique de la Subsidiarité Européenne*[651], both documents reflect a Catholic Church trying to cope with the modern order in moments of intense political danger. But Barroche mischaracterises both the novelty and the limited scope of the principle of subsidiarity when he describes it as "a discourse of adaptation and administration, without other ambitions beyond a simple and imperious necessity of survival"[652]. In fact, the idea of subsidiarity, as we have seen, is of central importance in the Christian political tradition. What is new about the encyclicals is that they use it in a secularized way, portraying the principle in a way which was compatible with the pretension of neutrality of the modern state.

In other words, the principle of subsidiarity is deployed in both encyclicals in an external or exoteric manner, oriented to achieve a temporal political objective for the Catholic Church by respecting the terms and conditions of the modern state. But the internal logic of the principle remained firmly grounded on a Christian ontology.

In this way, from the point of view of the Christian community of salvation, the modern political order seems open to the possibility of achieving subsidiarity at the level of results, even if the principle itself cannot be programmatically introduced in the political sphere without becoming ambiguous. Christian political action, therefore, becomes indirect action. Subsidiarity, then, seems to be compatible with modern political order, but only as an architectonical agenda (that is, an agenda about the form of the political order), and not as a political principle that can directly organize the state.

[651] Barroche, J. "Etat, libéralisme et christianisme. Critique de la subsidiarité européenne". Paris, Dalloz (Nouvelle bibliothèque de thèses), 2012.

[652] Ibid. P. 41. (Translation is mine)

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