

THE CATHOLIC ORIGIN OF DEMOCRACY

(By ARCHBISHOP REDWOOD.)

It is a favorable theme and a vain boast with many, in spite of history, which is dead against it, that "Modern Democracy is the child of the Reformation." The fact is that, even in Protestant England, as well as in America, the true historical source of democracy lies in the institution and doctrine of the Catholic Church. To prove this would only require us to consider representative political thinkers from Hooker, Buchanan, and Milton to Locke and Ageron Sydney, and to show how dependent they are on Catholic canonists, legists, and schoolmen. But it is even more interesting to note that widespread ideals such as were embodied in the Scottish Covenanters, the English Levelers, and the American Puritans were directly derived from pre-Reformation democracy. In the 17th century there came a reaction against the Protestant theory and practice of despotism by divine right, *jure divino*, and there was a return—unfortunately only partially successful—to the medieval ideas of natural rights, popular sovereignty, liberties of municipal and corporate bodies. And we are witnessing in the 20th century a further readaptation of those political ideas which the Reformation discarded. The only important factor in pre-Reformation political adjustment which the modern world has definitely refused to reintroduce, namely, papal international arbitration and guidance, nations are now attempting to recreate by a rather dubious League of Nations.

The assertion that democracy is the child of Catholicism sounds to prejudiced ears far-fetched and paradoxical. But just clear away the gathered clouds of prejudice created by anti-Catholic historians, and you will see at once that it is profoundly true. In the Middle Ages what corporate entity, any way like a modern State, was there but the Catholic Church? Even the holy Roman Empire was a shadowy ideal. What representative assembly was there? Only the ecclesiastical courts and chapters. What really political thinking was done? Only the discussions concerning Church government. Where do we find the forerunners and models of our democratic assemblies? In those mixed councils and conventions of ecclesiastics and laymen which determined religious discipline and social policy. They were a matter of course in Spain from the middle of the seventh century, and assumed a special importance in France towards the close of the eleventh century. The most famous of such assemblies was the Council of Clermont (1095), attended by archbishops, bishops, abbots, religious, and laymen of different countries. What councils established Pacts of Peace and enacted the Truce of God? Those great popular assizes which laymen and even women attended. Adequate acknowledgment has never been given to the Church for the social and political influence of such corporate action. These great diocesan meetings accustomed the people to joint action by mutual pact and deliberate agreement in defence of liberty and justice; but even the small resulting parish organisations, kept up by voluntary tribute, evolved into the system of local liberties which upheld the King against feudal chieftains, and thus founded what we know as the modern State. Before it came to designate a municipality, the word "commune" meant the diocesan or even parochial associations of peace; nay, in the 12th century, *pax* was often synonymous with *communia*. It is to the Church that we owe the commune, and consequently the House of Commons.

In another important way, too, the Church organisation served the cause of democracy—it introduced the idea of representation. As early as the 6th century we find disputes of chapters appearing in councils, and it was in Spain that the Church stood out most conspicuously as the pioneer of representative democracy.

What was the origin of the Cortes? Why the Councils of Toledo containing both nobles and clergy. And every student of history knows how powerful the Cortes was during the last century and a-quarter of the Visigothic rule, and how it survived even the shock of Moorish invasion. In the Christian Kingdoms of the north the purely ecclesiastical functions gradually passed to special clerical assemblies. And thus in 11th century Leon, Castile, and Aragon, emerged the first representative parliaments (based on the principle of States and orders) to replace the primary assemblies of antiquity. Nay, more, already in the 12th century, we find town-representatives in the assemblies of Spain, Sicily, and Gascony—whereas the English boroughs were first represented in the Parliament of 1265. So democracy is by no means a peculiar product of the Anglo-Saxon mind, except, perhaps, the idea of parliamentary absolutism. The *procuradores* of a Spanish city received credentials and letters of instructions (*poderes*), and for subjects outside these they were bound to refer again to their constituents; that is, they were merely delegates.

Democratic government, therefore, owes its inception to the Catholic Church; but it owes much of its perfection to the Friars. The Friars (this will be news to the average Protestant) exercised enormous influence on the public opinion of Europe, and threw their weight on the side of liberty. They were strong supports of Simon de Montfort. But they also carried the representative system to a development not attained even yet in the secular State. Ever since the 13th century the Dominican Order possessed an elaborate system of representative government which has left its mark on English constitutional history. (See Barker, *The Dominican Order and Constitution*, 1913.) It is in the Dominican Constitution of 1228 that we discover the first explicit assertion and enactment of constitutional principles, some of which waited six centuries before being adopted (or imitated) by secular States. Here are a few of them: (1) All authority is ultimately invested in representatives elected by local communities. (2) There is practically complete self-determination—the Convent elects its prior, the Province its provincial, the Order its general. (3) There is a clear distinction between constitutional and legislative enactments; any new constitutional measure must for validity be re-enacted by three successive chapters or else be passed in a special constituent assembly (*capitulum generalissimum* only held twice, in 1228 and 1236). (4) Federalism is combined with autonomy; the general, provincial, and conventual chapters and priors form a gradation of international, national, and local legislatures, and executives. There is nothing incongruous in translating a religious rule in terms savoring of Westminster or Paris, when we are dealing with a century when the friars were the great intellectual and moral force in Europe, and politics were not yet secularised and isolated. Thus William of Ockham, an Englishman, a political writer and a friar, juxtaposes Order and State: "The King is superior to the whole kingdom, and yet in certain cases he is inferior to it, for in the case of necessity the kingdom can depose and imprison him. This follows from natural law, just as force may be met with force. So also in many religious Orders the head is superior to all the brethren, and yet in certain cases the general chapter is superior to the head and can dismiss him." (*Octo Questiones*, ii., 7; Goldhart, *Monarchia*, ii., 341.)

To give a striking instance of the priority of Catholic democracy to modern, take Nicholas of Cusa, three and a-half centuries before America declared that Governments derive "their just powers from the consent of the governed." He says: "Every constitution is rooted in national law and cannot be valid if it contradicts it. . . . Since all are free by nature, all government, whether by written law or a prince, is based solely on the agreement and consent of the sub-

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