

**LEGAL LESSONS ON LIBERTY
FROM SAINTS THOMAS THE APOSTLE, THOMAS AQUINAS, AND THOMAS MORE**

**Address to the St. Thomas More Society of Greater St. Louis
Crowne Plaza Hotel**

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**+ Most Reverend Thomas John Paprocki
Bishop of Springfield in Illinois**

Dear brothers and sisters in Christ, one of the advantages of having received a name common in the Christian tradition is that you automatically have a number of heavenly intercessors. With the given name of Thomas, I have many patrons from whom to choose.

Naturally, since we are gathered this morning as the St. Thomas More Society of Greater St. Louis, I would like to consider today the life of Saint Thomas More, but I also want to reflect on the lives of two others of my namesake: Saint Thomas the Apostle and Saint Thomas Aquinas. My goal in reflecting on these three Thomases is to learn a few lessons from this trio on the nature of liberty, for which we have joined together in prayer throughout the recent Fortnight for Freedom, which concluded on the two hundred and thirty-six anniversary of the signing of the Declaration of Independence.

Our Founding Fathers sought to establish these United States of America as a nation founded on what they described as the self-evident principle that “all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.”¹

President Lincoln once said, “The world has never had a good definition of the word liberty.”² By this, he meant to say that absolute liberty devolves into a sort of anarchy as one person’s liberty trumps another. But this only happens, I would suggest, because of a false understanding of liberty. Studying the lives of our three Thomases will show us another way forward, the way to true liberty.

Liberty and Saint Thomas the Apostle

At first glance, you might ask, “What does the Apostle Thomas have to do with liberty?” It is a fair question, and the answer to this question we will come to shortly.

After foretelling his betrayal and giving us the new commandment of love, the Lord Jesus said to the Twelve gathered in the Upper Room,

In my Father's house are many rooms; if it were not so, would I have told you that I go to prepare a place for you? And when I go and prepare a place for you, I will come again and will take you to myself, that where I am you may be also. And you know the way where I am going (John 14:2-4).

Perplexed, Thomas says to Jesus, "Lord, we do not know where you are going; how can we know the way?" (John 14:5).

Do we not also ask this same question of the Lord? Where have you gone, Lord? Why have you left us? How do we reach you? To our questions the Lord responds with the same words he answered Thomas: "I am the way, and the truth, and the life; no one comes to the Father, but by me. If you had known me, you would have known my Father also; henceforth, you know him and have seen him" (John 14:6).

Earlier in Saint John's Gospel, Jesus "said to the Jews who had believed in him, 'If you continue in my word, you are truly my disciples, and you will know the truth, and the truth will make you

free... So if the Son makes you free, you will be free indeed” (John 8:31-32, 36). Our first lesson on liberty comes from the Apostle Thomas’ confusion and his courage to ask the Lord a difficult question: We see that true freedom, authentic liberty, is found in following Jesus.

Liberty and Saint Thomas Aquinas

Some centuries after the death of the Apostle Thomas, Saint Thomas Aquinas placed two sayings of Jesus side by side. The first, Jesus said after revealing his wounds to that first Thomas: “Have you believed because you have seen me? Blessed are those who have not seen and yet believe” (John 20:29). The second, Jesus said to the seventy-two disciples upon their return: “Blessed are the eyes which see what you see” (Luke 10:23).

The friar from Aquino recognized in these two sayings an apparent contradiction: Both those who see and those who have not seen are called blessed by the Lord. How can these opposite groups both be blessed?

Pope Saint Gregory the Great sought to reconcile this paradox, suggesting that both sayings are true

Because what [Thomas] saw and what he believed were different things. God cannot be seen by mortal man. Thomas saw a human being, whom he acknowledged to be God, and said: “My Lord and my God.” Seeing, he believed; looking at one who was true man, he cried out that this was God, the God he could not see.³

Going perhaps one step further, Saint Thomas Aquinas arrived at a similar conclusion: “Those who believe without seeing are more meritorious than those who, seeing, believe.”⁴

What does it mean to believe? Saint Gregory reminds us that these words of Jesus are also addressed to us, “...but only if we follow up our faith with good works. The true believer practices what he believes.”⁵

We might say that believing means doing the good works the Lord commanded we do, namely: “You shall love the Lord your God with all your heart, and with all your soul, and with all your mind. This is the great and first commandment. And a second is like it, You shall love your neighbor as yourself” (Matthew 22:37-39). To

believe is to act, and to act is a choice; in order to believe, a person must have liberty.

Saint Thomas Aquinas took up the question of freedom in the eighty-third question of the first part of his *Summa Theologiae*. He first asked - what seems to us - to be a rather obvious question: "Whether man has free will?" While we see that this question is obviously answered affirmatively, there are many today who argue that man is not free, that we do not have free will.

To those who deny free will, the liberty to choose one thing over another, Aquinas answers that

...man acts from judgment, because by his apprehensive power he judges that something should be avoided or sought. But because this judgment, in the case of some particular act, is not from a natural instinct, but from some act of comparison in the reason, therefore he acts from free judgment and retains the power of being inclined to various things.⁶

For Aquinas, liberty is oriented towards the good; we are free to choose to do good and to avoid evil.

Even so, though we have free will, “it does not of necessity belong to liberty that what is free should be the first cause of itself, as neither for one thing to be cause of another need it be the first cause. God, therefore, is the first cause, Who moves causes both natural and voluntary.”⁷ But the fact that this liberty to choose does not come from ourselves is not to say that we are not free to choose. Aquinas argues that “by moving voluntary causes [God] does not deprive their actions of being voluntary: but rather is He the cause of this very thing in them.”⁸

Because our free will comes from God, it “is the subject of grace, by the help of which it chooses what is good.”⁹ Here our second Thomas reminds us that “to ‘choose’ is to desire something for the sake of obtaining something else: wherefore, properly speaking, it regards the means to the end.”¹⁰ God is always drawing us toward Himself; we are free to either reach out to Him as did the Apostle Thomas, or to walk away from Him.

The lesson we learn from Aquinas is simply this: that our liberty to pursue what is good is not given us by the state, but by God. Consequently, the state cannot legitimately curtail this liberty but should instead do everything necessary to foster it.

Liberty and Saint Thomas More

Having just concluded the Fortnight for Freedom, we are well aware of the many ways religious liberty is currently threatened in our nation and by our own government. Our present situation has come about largely through the false notion that freedom is simply the ability to do what we want when we want. With this view of liberty Saint Thomas More says “we deceive ourselves. Who is so free,” he asks, “as to be able to do whatever he wants?” He goes on to point out that

From many things God has cut us off by his high commandment – so many, in fact, that of all those things which we are inclined to do, I think it’s more than half. However, because (God forgive us) we are not much hindered by that, because we just do what we want as though we hadn’t heard him, we reckon our liberty not at all diminished by that.¹¹

And if we do happen to forget that the law of God restrains our liberty, our third Thomas further reminds us that

Our liberty is, in any case, much restrained by laws made by men for the quiet and politic governance of the people – though I think that these, too, would not much hamper our liberty were it not for fear of the pains that follow upon breaking them. Do those in authority over us never command us to do things we wouldn't dare refuse to do? And don't we, most often, therefore do those things most grievously against our will?¹²

Given these two common restrictions on our liberty, he suggests that those who think they are free to do what they want when they want “will then find their liberty to be much less than they have been taking it for.”¹³

But more to the point, More reminds us that our true liberty has not been bound by either the laws of God or of men, but by sin. The Lord Jesus says, “Truly, truly, I say to you, every one who commits sin is a slave to sin” (John 8:34). If we are already generally willing slaves to sin and thereby also of the Devil, why is it that we are so angered over the possibility of becoming a slave of another man or to a government?

To this question More suggests a rather simple but insightful answer:

The greatest grief associated with bondage or captivity is, I think, this: that we are forced to do labor that we are not doing with good will. For that grief, however, Seneca teaches us a good remedy: “Always try to do nothing against your will.”

Whatever we see we will have to do, let us get in the habit of always doing it with good will.¹⁴

This was the secret of More’s constant cheerfulness and the humor for which he was so well known. But this is not to say that we should do whatever is required of us if it goes against what is truly good. That this is so is seen from the example of More’s death.

Though commanded to take the Oath of Supremacy that declared King Henry VIII supreme head of the Church in England, the one-time Chancellor of England refused to do so. For his silent refusal in defense of the liberty of the Church, More was beheaded, and in this we see the role of conscience in law. As Sir Thomas said after he was condemned to death, “...I am not bound (my Lords) to conform my conscience to the council of one realm against the

General Council of Christendom.”¹⁵ This is the lesson that we learn from St. Thomas More.

Conclusion

Together with Sir Thomas stood only one bishop in England in defense of the Church, Bishop John Fisher, and he, too, was beheaded. What was it that gave these two men the courage to keep to their consciences, to refuse to follow an unjust law? It was, it seems to me, the simple recognition that we are not as free as we think we are.

While being held in the Tower of London, More occupied himself by writing *A Dialogue of Comfort Against Tribulation*. In this prison he remained joyful, because he saw the earth itself as a sort of prison and that a death sentence would come to him sooner or later. He said:

Even those who seem to have the most liberty in this prison – those who consider themselves great lords and possessors of very great pieces of it, and who through self-indulgence become so oblivious of their true condition that they think they stand in great wellbeing – those individuals actually

stand, for all that, by reason of this imprisonment in this large prison of the whole earth, in the very same condition as do the most unfortunate inhabitants of those small prisons which are the only ones more people would call prisons. For every one of us is in that most fearful and odious condition of being already condemned to death.¹⁶

Rather than make himself free in the prison of this earth only to become a prisoner in the life to come by denying the truth – and thereby lose his eternal salvation - More sought to remain a prisoner on the earth to be free in the life to come. He did so by making himself always the king's good servant, but God's first.

As we look to what lies ahead in these United States of America, let us seek to do the same by following the example of these three Thomases. From St. Thomas the Apostle, let us remember that true liberty is only found in faithfully following Christ. From St. Thomas Aquinas, let us remember that our free will comes from God and is directed to God. From St. Thomas More, let us remember that we must always seek to form our consciences in accordance with the truth of Jesus Christ and then remain faithful to our consciences.

A life lived faithfully following Jesus leads us to the Father, to the Beatific Vision, to the inexpressible and ever-lasting happiness of being forever in the presence of God with his angels and saints. The purpose, the end, the goal, of life is to follow the Lord. Hence, we might say that these inalienable rights articulated in the Declaration of Independence of life, liberty, and the pursuit of happiness are really one and the same. Life is given us that we might know, love, and serve God and be happy with him in this life and in the next. Liberty has as its chief purpose a life spent in search of – and in service of – God. And our pursuit of happiness finds its fulfillment in God alone.

It is the example of these three saints – and others like them – that led His Eminence Francis Cardinal George, O.M.I., Archbishop of Chicago, to write in regard to the federal mandate of the Department of Health and Human Services: “We cannot – we will not – comply with this unjust law.”¹⁷

With such laws, we cannot comply because they would force us to against our consciences by requiring us to act in opposition to what we know to be good and true. Such laws would lead us away from God and keep us from following him.

Let us, then, look to these heavenly intercessors as our guides in this life. Let us ask Saint Thomas the Apostle to teach us how to bring our questions to Jesus. Let us ask Saint Thomas Aquinas to lead us in the pursuit of what is good. And let us ask Saint Thomas More to be both faithful citizens of the United States of America and of heaven.

May God give us this grace. Amen.

¹ *The Declaration of Independence.*

² In *The Wit and Wisdom of Abraham Lincoln: A Treasury of Quotations, Anecdotes, and Observations.* James C. Humes, ed. (Nashville: Beckon Books, 1996), 25.

³ Pope Saint Gregory the Great, *Homily 26*, 7-9.

⁴ Saint Thomas Aquinas, *In Johann. XX lectio VI 2566.* In Pope Benedict XVI, *General Audience Address*, September 27, 2006.

⁵ Pope Saint Gregory the Great, *Homily 26*, 7-9.

⁶ Saint Thomas Aquinas, *Summa Theologiae* I, Q. 83, Art. 1.

⁷ Saint Thomas Aquinas, *Summa Theologiae* I, Q. 83, Art. 1, ad. 3.

⁸ Saint Thomas Aquinas, *Summa Theologiae* I, Q. 83, Art. 1, ad. 3.

⁹ Saint Thomas Aquinas, *Summa Theologiae* I, Q. 83, Art. 2.

¹⁰ Saint Thomas Aquinas, *Summa Theologiae* I, Q. 83, Art. 4.

¹¹ Saint Thomas More, *A Dialogue of Comfort Against Tribulation*, 3.18. Mary Gottschalk, ed. (Scepter Publishers, 1998), 246.

¹² Saint Thomas More, *A Dialogue of Comfort Against Tribulation*, 3.18. Mary Gottschalk, ed. (Scepter Publishers, 1998), 246.

¹³ Saint Thomas More, *A Dialogue of Comfort Against Tribulation*, 3.18. Mary Gottschalk, ed. (Scepter Publishers, 1998), 246.

¹⁴ Saint Thomas More, *A Dialogue of Comfort Against Tribulation*, 3.18. Mary Gottschalk, ed. (Scepter Publishers, 1998), 247.

¹⁵ In William Roper, *The Life of Saint Thomas More: The Mirror of Vertue in Worldly Greatness*, 4. (Oxford: Benediction Classics, 2007), 54.

¹⁶ Saint Thomas More, *A Dialogue of Comfort Against Tribulation*, 3,19. Mary Gottschalk, ed. (Scepter Publishers, 1998), 261.

¹⁷ Francis Cardinal George, Letter of February 12, 2012.