Review of Social Justice and Subsidiarity: Luigi Taparelli and the Origins of Modern Catholic Social Thought

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Luigi (born Prospero) Taparelli d’Azeglio (1793–1862) was a prominent Italian Jesuit social and political philosopher of the first half of the nineteenth century. Among Taparelli’s students were Gioacchino Vincenzo Pecci, later to become Pope Leo XIII, the author of the first modern social encyclical, *Rerum Novarum* (1891), and Matteo Liberatore, one of the final drafters of that document. Taparelli coined the term *social justice* and developed the idea, though not the name, of *subsidiarity*. These two concepts have had long and varied subsequent histories within and outside Catholic thought.

Thomas C. Behr, Professor of History at the University of St. Thomas, Houston, Texas, has now produced the first English-language volume on Taparelli. Behr’s two opening chapters address Taparelli’s life and context in nineteenth century social thought and his role in the revival of Thomism. The two central chapters examine the concepts of social justice and subsidiarity, which in Taparelli’s thought are intertwined. These will be the focus of most of this review essay. Behr’s concluding chapter offers a lucid summary of the book’s argument and might well be where a reader unfamiliar with Taparelli should begin.

**Luigi Taparelli**

Taparelli entered the Jesuits in 1814, when the order, suppressed in 1773 by Pope Clement XIV, was restored by Pope Pius VII. When the Collegio Romano seminary was returned to the Jesuits in 1824, Taparelli became its first rector. In 1829 he became provincial of the Naples province, and in 1833 he was sent to teach philosophy at Palermo. It was at Palermo that he wrote his great synthesis, *Saggio teoretico di dritto naturale appoggiato sul fatto* (*Theoretical Treatise of Natural Right based on Fact*), published in five volumes from 1840 to 1843 and in a revised, two-volume edition in 1855, reprinted with additions in 1949. The work consists of seven Books, comprising 1,685 numbered sections. It was translated into German, French, and Spanish in the nineteenth century, but never into English. In an appendix, Behr provides the first English translation of any part of the *Saggio*; that his translation of fifty-one of the *Saggio*’s 1,685 sections occupies thirty-two pages (pp. 201–231) affords some idea of the length of the original.

Taparelli was an early proponent of the neo-Thomist revival that began in the early nineteenth century and gained momentum throughout the century, especially in Rome. But when Taparelli began his career, Thomism was not popular, even among Jesuits. “Such was the decline of interest in Thomism, and in Scholasticism generally in the ‘Age of Enlightenment,’ in favor of Cartesian and Kantian philosophical perspectives, that when Taparelli sought to reintroduce Thomist studies at the Collegio Romano in 1827, he was obliged to form a clandestine study circle” (p. 178). Taparelli believed that the solution to the social and political disorder of Europe in the wake of the French Revolution and the Napoleonic era was a return to Thomistic metaphysics, a view later given authoritative expression in the encyclical *Aeterni Patris* of Leo XIII (1879).
But Taparelli was no slavish Thomist. He differed from Thomas on some important points, notably private property, where his position was closer to that of John Locke, and he was well-versed in modern political thought generally. After Aquinas, the greatest influence on him was Montesquieu. In *De l'esprit des lois* (*The Spirit of the Laws*) (1748), where “spirit” means something like “rationale” or “point,” Montesquieu worked from a natural law basis, but he believed that law could not be understood without a close examination of the various legal systems of past or present states. Likewise, though with a more abstract bent and fewer historical examples, Taparelli begins with Thomistic natural law theory (*dritto naturale*) but essays a theory *appoggiato sul fatto*, “based on fact.”

“Fact” for Taparelli does not mean “facts’ of the sort understood by modern experimental science” (p. 61). Rather, Behr identifies two senses of “fact” in Taparelli. One is “the broad range of data taken as starting points of abstract practical reasoning” (p. 61); this could include the opinions of wise men (as in Aristotle) and even facts of divine revelation (p. 60). The crucial sense, according to Behr, refers “to the actual concrete historical contexts within which the abstract conclusions actually operate” (p. 61). This sense underlies Taparelli’s use of the distinction between “thesis” and “hypothesis”: the thesis is an abstract principle that is universally valid, while the hypothesis is the practical, prudential application of the thesis within the concrete, historical context. “The abstract natural right … is always embodied in concrete historical facts and never exists only abstractly except as a concept used in speculation” (p. 63). This distinction in turn reflects Taparelli’s Aristotelian-Thomistic hylomorphic theory of the human person—the person as made up of matter and form, body and soul—which he saw as the best ground for countering the errors of modern rationalism and empiricism.

Behr describes Taparelli’s transfers to Naples in 1829 and to Palermo in 1833 as, respectively, a demotion and an exile (pp. 180–181), owing to his advocacy of Thomism. However, Taparelli’s fortunes changed in 1850, when Pope Pius IX asked him, together with Liberatore and Carlo Maria Curci, to establish a journal to address social and political issues, *La Civiltà Cattolica* (*Catholic Civilization*). From then almost until his death Taparelli wrote bi-weekly articles for the journal on politics, economics, and culture. A collection of these articles was published in 1854 under the title *Esame critico degli ordini rappresentativi nella società moderna* (*Critical Examination of the Representative Orders in Modern Society*). Pius’s encyclical *Quanta Cura* with its appended “Syllabus of Errors” (1864) “directly echo[es] Taparelli” in its “voice, arguments, and conclusions” (p. 72). Behr surmises that the unpopularity of Taparelli’s criticisms of liberal axioms, especially popular sovereignty, led to the eclipse of Taparelli’s name, though not his ideas, in subsequent Catholic thought (p. 184).

**Social Justice**

For Taparelli, social justice, as a species of justice, is primarily a *virtue*. Aquinas defines the virtue of justice as “a constant and perpetual will to render to each his right” (ST II-II, q. 58, a. 1, quoted, p. 86). What is distinctive to *social* justice is that it is “a will to render what is due to others in society simply on account of their participation in that society” (p. 86, emphasis in original). Behr, who exhibits libertarian sympathies (he is associated with the libertarian Acton Institute), expresses some agreement with the criticisms of “social justice” voiced by Michael Novak and Friedrich Hayek, who hold that a virtue can only be possessed by someone or something that has
a conscience, which societies lack, and thus that social justice is a “mirage” (Hayek) or “not what you think it is” (Novak).

Behr acknowledges, however, that for Taparelli, “social justice” has a secondary sense, which he calls “figurative” (p. 86) and “metaphorical” (p. 189) but more accurately labels “derivative” (p. 150):

Social justice is first and foremost a personal virtue with regard to the disposition to protect and promote the exercise of the rights and the fulfillment of the duties of others in society. Secondarily, the term can be meaningfully used as a characterization of a socioeconomic and political order, the actual arrangement of institutions, laws, and policies that operate to protect and promote the same exercise of rights and duties of individuals who make up that society (pp. 149–150).

“Social justice,” then, can refer not only to an individual virtue but to a state of affairs that embodies what virtuous people would do and that is conducive to the formation of personal virtue.

What are the rights and duties that social justice promotes? Behr is fond of citing the Jeffersonian rights of “life, liberty, and the pursuit of happiness,” which is not unfaithful to Taparelli but to a modern reader suggests rights to an unobstructed pursuit of individual satisfaction. Taparelli, however, like Aristotle and Aquinas, holds a social view of the human person. An opponent of all social contract theories, he “believes that the human person is by nature social and political; that is, characterized by unavoidable sociality” (p. 183).

Following Aquinas, Taparelli holds that the first principle of natural law is that “good is to be done and promoted, and evil is to be avoided” (ST I-II, q. 94, a. 2) and that “good” is to be specified in terms of that which perfects the human person. Since the human person is embodied and social, human perfection is to be sought on the material, moral or social, and intellectual levels, which leads to “duties of self-preservation, social order, and pursuit of the truth and happiness” (p. 152), where “happiness” is understood as the perfection of the natural powers of the human person. Correspondingly, each person has rights not to be impeded in carrying out those duties. Accordingly, “Man acting according to social justice seeks to enact the intentions of the creator who made all men equal in nature,” and social justice involves “the protection of rights favoring the material, moral, and intellectual perfection of individuals” (p. 153).

Social Justice in Relation to Legal Justice and Distributive Justice

According to Behr, Taparelli’s “social justice is not the same as legal justice; that is, acting in accordance with duly enacted laws” (p. 149). That is what “legal justice” had come to mean by Taparelli’s time, and Normand Paulhus argues that this very atrophy of the term led Taparelli to coin “social justice” to replace it (Paulhus 1987: pp. 262, 268). However, for Thomas Aquinas, “legal justice” is a synonym for “general justice,” which “directs the actions of all the virtues to the common good” because “it belongs to the law to direct to the common good” (ST II-II, q. 58, a. 5). “Law” thus is not limited to human law but extends to the natural law and to the eternal law by which God governs the universe, and hence it is identical with “right reason.” Taparelli limits his focus to human society, but his “social justice” is close in meaning to Thomas’ “legal justice” in that context.
Behr rightly distinguishes social justice from distributive justice, which Thomas defines as “justice ... which distributes common goods proportionately” (ST II-II, q. 61, a. 1). Behr strongly opposes “rhetorical uses of the term social justice as another name for distributive, or redistributive, justice” (p. 104). But when the term “social justice” first appeared in a magisterial document of the Catholic Church, namely sections 57 and 58 in the 1931 encyclical *Quadragesimo Anno* of Pope Pius XI, it was closely associated with distributive justice:

57. But not every distribution among human beings of property and wealth is of a character to attain either completely or to a satisfactory degree of perfection the end which God intends. Therefore, the riches that economic-social developments constantly increase ought to be so distributed among individual persons and classes that the common advantage of all, which Leo XIII had praised, will be safeguarded; in other words, that the common good of all society will be kept inviolate. By this law of social justice, one class is forbidden to exclude the other from sharing in the benefits. …

58. To each, therefore, must be given his own share of goods, and the distribution of created goods, which, as every discerning person knows, is laboring today under the gravest evils due to the huge disparity between the few exceedingly rich and the unnumbered propertyless, must be effectively called back to and brought into conformity with the norms of the common good, that is, social justice.

Behr speaks of these references to social justice as “altogether un-Taparellian” (p. 84), but in fact for Taparelli social justice both as a virtue and as a state of affairs incorporates distributive justice. Taparelli holds that “social justice must equalize in fact all men in that which belongs to the rights of humanity” (Taparelli 1949, quoted, p. 151). While equal in nature, however, humans are unequal in their individuality, Taparelli argues, so he does not advocate an equality of outcomes. But social justice does require something like an equality of opportunity in rights pertaining to the perfection of human nature: “Social justice seeks to equalize actual persons, as well as their various associations, with respect to the freedom to fulfill their duties of self-preservation, social order, and pursuit of the truth and happiness, in light of the natural finite, temporal goods available in society” (p. 152). Social justice therefore requires equal access to goods and services necessary for the pursuit of perfection, including education (p. 168) and healthcare (p. 169). Although Behr does not say so, and perhaps Taparelli does not either, this is a matter of distributive justice.

Behr ascribes the near-identification of social justice with distributive justice to Oswald von Nell-Breuning, SJ, the primary drafter of *Quadragesimo Anno*. Nell-Breuning, who had been a student of Liberatore, was familiar with Taparelli but was influenced by subsequent developments in European Catholic social thought. Paulhus sheds light on these developments, focusing on the members of the Fribourg Union, a group of European Catholic social thinkers that met annually in Fribourg, Switzerland, from 1885 to 1893. These thinkers were, understandably, chiefly concerned with the gross inequalities of resources that characterized late nineteenth century European industrial society. Although some of them were careful to distinguish legal or social justice from distributive justice, others “especially René de la Tour du Pin, defined ‘social justice’ in language that reminds one of Thomas’ notion of distributive justice” (Paulhus, 1987, pp. 272–273). However, Paulhus continues, “The Fribourg Union was correctly calling upon ‘social justice’ to
command the acts of distributive justice in the name of the common good” (Paulhus, 1987, p. 273)—a position entirely compatible with Taparelli’s conception.

**Subsidiarity**

Behr treats subsidiarity as “complementary” to social justice in Taparelli’s thought. “Subsidiarity defines the contextual requirements and modes of social justice” (p. 93). Like “social justice,” the term “subsidiarity,” or rather one of its cognates, is introduced into magisterial teaching in Pius XI’s *Quadragesimo Anno*, drafted by Nell-Breuning:

79. As history abundantly proves, it is true that on account of changed conditions many things which were done by small associations in former times cannot be done now save by large associations. Still, that most weighty principle, which cannot be set aside or changed, remains fixed and unshaken in social philosophy: Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organizations can do. For every social activity ought of its very nature to furnish help (*subsidium*) to the members of the body social, and never destroy and absorb them.

80. The supreme authority of the State ought, therefore, to let subordinate groups handle matters and concerns of lesser importance, which would otherwise dissipate its efforts greatly. Thereby the State will more freely, powerfully, and effectively do all those things that belong to it alone because it alone can do them: directing, watching, urging, restraining, as occasion requires and necessity demands. Therefore, those in power should be sure that the more perfectly a graduated order is kept among the various associations, in observance of the principle of “subsidiary function” (*servato hoc « subsidiarii » officii principio*), the stronger social authority and effectiveness will be [and] the happier and more prosperous the condition of the State.

These passages are Taparellian, though they do not capture the full meaning of subsidiarity in Taparelli.6 “Subsidiarity” (*subsidiaritas*) is a Latin term, perhaps coined by Nell-Breuning (p. 102), to represent what Taparelli, who was fond of Greek-based neologisms, calls “hypotactical right” (*dritto ipotattico*). “Hypotactical” is from the Greek *hypotaxis*, which is used in grammatical and military discourse to refer to something that “follows after” or “is subordinate.” The verb stem is *tassein*, “to order” or “to arrange,” which is the root of both *tactics* and *syntax*. “Hypotactical right,” then, “conveys the idea of the cooperative ordering of parts in society, and the duties and rights pertaining to the interdependent, necessarily coordinated integrity of social relations” (p. 103).

Beginning from the social nature of the human person, Taparelli speaks of individuals as naturally belonging to associations, or *consortia*. A larger society, governed by a political state, he calls a *protarchy*. The protarchy is composed of *deutarchies*,7 associations intermediate between the individual and the state. These come in many forms, from the family to workers’ associations to business corporations to prisons. Each has its own common good, but all must serve the common good of the protarchy. (An analogy today might be a university. It is composed of many smaller communities—classes, departments, clubs, athletic teams, musical ensembles, dining hall staff,
and so on—each of which has its own common good, but all of which must in some way serve the overall common good of the university as a community of teachers and learners.)

Above the protarchy, in theory, would be the *ethnarchy*—“a brotherhood of nation-states characterized by their own orientation and authority in support of the common good (that is, protecting and facilitating the exercise of inalienable human rights) of the whole of humanity, subject to the principles of subsidiarity” (p. 94). While no such ethnarchy existed in Taparelli’s time or exists now, it is remarkable how closely Taparelli anticipates the “universal [global] public authority” advocated by Pope John XXIII in sections 136–141 of the encyclical *Pacem in Terris* (1963), the first major papal document to speak of a “universal [global] common good.”

Associations or consortia exist for the sake of *sussidio sociale* (“social help”), which means that “they facilitate the fuller exercise of the rights and fulfillment of the duties of individuals and their subsequent associations” (p. 104). Behr emphasizes that social help is not one-directional; it is not primarily either the help that the larger society provides to individuals or the help that individuals provide to the larger society. It is the mutual support of the network of individuals and associations that make up the society.

*Quadragesimo Anno*’s account of subsidiarity correctly represents it as a principle of decentralism. This reflects Taparelli’s antipathy to centralism. Taparelli deplored “the rise of the absolutist, centralizing, bureaucratizing modern state” (p. 131), which he had seen at work in Revolutionary and Napoleonic France. “Intermediary associations of all sorts are the first casualties of the centralizing state. Such associations are the first to be regulated, instrumentalized, or absorbed into state functions” (p. 138). He lamented the destruction of the old guilds as well as of the units of local government that had previously existed (pp. 131–132).

Behr thinks Taparelli would have agreed with Thoreau’s dictum that “government is best which governs least” (p. 164, quoting “Civil Disobedience”), but government for Taparelli could do too little and fail to carry out its responsibilities. “Government fulfills its one essential duty when it works to order society according to justice, including social justice, and by ensuring that all rights are secure and all duties fulfilled, especially the duties and rights of the weakest” (pp. 166–167). Taparelli prefers that government discharge this duty by empowering private efforts, but he acknowledges that “public beneficence” (p. 171; the term is Taparelli’s) may be needed to supplement private charity and that government must supply education when “private educational associations” are unable to do so (p. 168).

When Taparelli speaks of securing rights, he adds, “Please note that ‘all rights protected’ means in substance to say each [person] protected in his reasonable liberty, there being no liberty if not in rights that are reasonably determined. (A liberty not intended by right would be license)” (quoted, p. 165). He does not understand liberty as unrestricted ability to satisfy personal preferences. Such a view of liberty he labels “Epicurean utilitarianism,” thinking especially of Jeremy Bentham’s notion that the aim of human action should be to maximize pleasure and minimize pain, but extending the term to incorporate all views that see the purpose of society as that of satisfying material appetites.
Taparelli saw such Epicureanism as the root of both modern individualism and collectivism, which differ chiefly in who is the agent for satisfying such appetites. Unrestrained pursuit of material self-interest leads, in Hobbesian fashion, first to anarchy and then to the creation of a powerful central state to impose order (pp. 139–140). The alternative is to recognize that the human person has basic motivations not only for material well-being but also for social order and justice and for truth and happiness (p. 157), and to secure persons’ rights and duties to pursue these ends. Civil law curbs liberty only to enhance it; “It takes from man the liberty of solitude, harmonizing him in a social being, where nature calls him to share a greater good. … A just law that leads man where nature calls him does not diminish but changes the species of liberty” (Taparelli 1949, no. 619, translated in Behr’s appendix, p. 230). Taparelli’s understanding of liberty is thus more nearly communitarian than libertarian.

**Taparelli Today**

Behr has rescued Taparelli from the oblivion into which he had fallen, but is Taparelli of more than historical interest?

The early uses of a term do not control its subsequent meaning; if they did, “social Darwinism” might connote an emphasis on mutual aid and group solidarity, as in Emile Gautier’s *Le Darwinisme social* (1880) (Hodgson, 2004, p. 434). Still, I believe that Taparelli can help us in at least three respects in understanding social justice, which today can seem, as it did to a writer in the *Chronicle of Higher Education*, “a catch-all term that blinds us to different political and ideological conceptions of it” (Zimmerman, 2019).

First, even in Catholic thought, the meaning of “social justice” has been, as Philip Land said, “somewhat fluid” and “ambiguous” (Land, 1987, p. 551). It is not likely that in the 1930s Charles Coughlin and John A. Ryan meant the same thing by the term. Some interpretations, such as Land’s own, hold that “social justice” is a replacement for “legal justice.” Others treat it chiefly as distributive justice, and a third interpretation emphasizes “contributive justice,” as in the US Bishops’ pastoral letter *Economic Justice for All*:

> Social justice implies that persons have an obligation to be active and productive participants in the life of society and that society has a duty to enable them to participate in this way. This form of justice can also be called “contributive,” for it stresses the duty of all who are able to help create the goods, services, and other nonmaterial or spiritual values necessary for the welfare of the whole community (National Conference of Catholic Bishops 1986, no. 71, emphasis in original).

Taparelli’s notion of social justice, as argued above, is close to the original meaning of legal justice and incorporates acts of distributive justice. It could easily absorb contributive justice, given Taparelli’s emphasis on duties as well as rights. A revisiting of Taparelli could enable contemporary thinkers to develop a more comprehensive, less “fluid” and “ambiguous” understanding of social justice. It could even be extended to include *commutative justice*, defined by Thomas Aquinas as “justice which is concerned with the mutual dealings between two persons” (ST II-II, q. 61, a.2), which is neglected in most treatments of social justice, including Behr’s. Commutative justice can be applied to groups and institutions as well as to individuals, which would fit well into a Taparellian framework; for example, if a university engages a band to perform a concert, commutative justice obliges the band to perform, the university to pay it the fee agreed
upon if they do, and the band to fairly distribute the payment to the musicians and staff. Distributive justice and commutative justice, when referred to the common good, belong to social justice.

Second, Taparelli’s treatment of social justice as a virtue as well as a state of affairs enables a bridge between contemporary social ethics and virtue ethics. Social justice as a state of affairs depends on persons who habitually will the common good in society and creates the conditions in which such virtue can be formed, “a society in which it is easier to be good,” as Peter Maurin, the co-founder of the Catholic Worker movement, was fond of saying.

Third, Taparelli keeps a focus on the common good, which he understands as “the good—the end—that persons in society seek in common, the common purpose for which society is formed: that is, the protection, at the very least, of those natural rights of each person to pursue particular goods, with natural social happiness as the end toward which all temporal societies aim” (pp. 89–90). Some contemporary academic discussions of social justice allow little room for such a conception. For instance, the introduction to a widely used anthology on social justice defines social justice in terms of the distribution of rights, duties, and advantages within a society and proceeds to treat social injustice almost entirely in terms of oppression. The task of social justice is “to dismantle the unequal and oppressive institutions and policies” (Adams, 2018, p. 2). We certainly need to pay more attention than Taparelli did to social structures that perpetuate unfair advantages, but to portray society primarily in terms of oppressors and oppressed obscures the prospect of a common project whereby each of us, from whatever group, could will the other’s good. It is true that attempts to define the common good can themselves be oppressive, as Novak says (cited, p. 89), but this happens when people try to impose a conception of the common good on others. In a pluralistic society, we can and should formulate conceptions of a good society (as, for instance, Smith, 2015, and Bellah et al., 1991) and seek to persuade others of them.

Behr’s book is not likely to reintroduce hypotactical right, protarchies, and deutarchies into the conversation about subsidiarity. Taparelli’s account does, however, remind us, as do all good accounts of subsidiarity, of the importance of intermediate associations in building what Robert Putnam calls “social capital,” which he defines as “the collective value of all ‘social networks’ (who people know) and the inclinations that arise from these networks to do things for each other” (Putnam, 2020), and which enables the formation of good citizens and a good society.

Taparelli’s hostility toward excessive centralism is still relevant, but his system allows room for centralization when necessary. Today, when the most powerful deutarchies, namely, large corporations, often act with neglect of or disdain for the common good in their policies toward labor and the environment, Taparelli, a strong supporter of “workers’ organizations,” might concede that government action is needed. Citizen action, e.g., the forming of unions at Amazon facilities, can go some distance, but without government support it will have little effect. Environmental issues, which were local in Taparelli’s time, are global now, and require action not only locally and by central governments, but at the level of the ethnarchy, or the closest we have to one, the United Nations and international agreements. On the whole, Taparelli can give support to the contemporary understanding of subsidiarity in Catholic social teaching, which Meghan Clark summarizes as “decisions should be made at the lowest level possible and the highest level necessary” (Clark, 2012, emphasis in original).
Behr’s interpretations of Taparelli are sometimes more libertarian than I think they need to be, but they are well grounded in Taparelli’s text. When I have tweaked or challenged Behr, I am relying on material which he has provided. Behr’s ample selections of Taparelli’s own words (often along with the original Italian) enable readers to form their own judgments. In all, in recovering Taparelli’s thought and making it available to English-speaking readers, Behr has performed a great service not only for historians of Catholic social thought but for those concerned with its implications in today’s world.

Endnotes

1 Except as noted, this essay is based on Behr’s book and page references in parentheses are to Behr.
2 Prior to Behr’s work, the only English translation of any work of Taparelli was “The Influence of Catholic Prayer on Civilization,” published in 1848.
3 I will include references to Thomas Aquinas’s *Summa theologiae* in the text, using the standard format of Part, question, article. Except where I am reproducing a text quoted by Behr, I am using the 1947 American edition of the 1920 English Dominican Fathers translation, which uses the title *Summa theologica* (see References).
4 To achieve this equality, individuals need social help (*sussidio sociale*), as will be discussed below.
5 Behr notes that the concept, but not the name, of subsidiarity is found in *Rerum Novarum*, section 51 (pp. 106–107).
6 Behr observes that in his explanation of the encyclical, Nell-Breuning shows familiarity with Taparelli’s thought but does not mention him by name, perhaps due to a lingering suspicion of Taparelli within the Jesuit order (p. 100).
7 Behr connects protarchy to the Greek prefix pro- (“before”) and deutarchy to Greek dys- (“bad, badly”), but I think it more likely that the roots are Greek *prōtos* (“first”) and *deuteros* (“second, secondary”).
References


