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Rethinking the School of Salamanca

Rafael Domingo

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Abstract: The School of Salamanca is attracting the attention of researchers from very different branches of knowledge and from a very wide variety of countries around the world. Broaching this subject invites one to reflect on the unity of knowledge as well as on the important role that theology plays in a secularized world. In this short essay, I refer to four recently published works that show the global scope of interest in Spanish Scholasticism in general and the School of Salamanca in particular. The first, titled *The School of Salamanca: A Case of Global Knowledge*, has been edited by Thomas Duve, Jose Luis Egío, and Christiane Birr under the coordination of the Max Planck Institute (2021). The second work, *¿Qué es la Escuela de Salamanca?*, has been edited by Simona Langella and Rafael Ramis-Barceló (2021). The third work consists of the recent thematic compendium on Spanish Scholasticism edited by Harald E. Braun, Erik De Bom, and Paolo Astorri (2022). Finally, I will refer to the monograph by David Lantigua, titled *Infidels and Empires in a New World Order: Early Modern Spanish Contributions to International Legal Thought* (2020).

Keywords: School of Salamanca, Francisco de Vitoria, Domingo de Soto, Spanish Scholasticism, Thomas Aquinas, Thomas Duve

1. Introduction

Recent years have seen a reemergence of studies about the so-called Second Spanish Scholasticism and more specifically a variant of it: the world-famous School of Salamanca. Legal historians, theologians, economists, philosophers, and thinkers in general are striving to conduct a detailed analysis of this intellectual movement of the sixteenth and early seventeenth centuries that originated at the University of Salamanca under the impetus of the masters

Francisco de Vitoria and Domingo de Soto, among others.¹ The school is usually said to have come into being in 1526, when the Paris-educated Dominican Francisco de Vitoria, steeped in a resurgent Thomism open to humanism and nominalist criticism, took up the chair of theology at the University of Salamanca.

This source of intellectual light that we now call the School of Salamanca soon spread to many European, American, and even Asian cultural centers. The School of Salamanca was born when the Spanish Empire was in the midst of a major geographical expansion, which facilitated the globalization of knowledge and, consequently, the common study of legal, moral, anthropological, political, and theological questions related to the occupation and colonization of the Americas, as well as to the Protestant Reformation, among other matters. Although most of the members of the School of Salamanca were university professors who belonged to religious orders, many of them played an important role in public life, not only as preachers and confessors but also as advisers and counsellors to kings and nobles, merchants, and public and private institutions on subjects as varied as the slave trade, the justice of war and tyrannicide, the election of the pope, the morality of interest and usury, the validity of clandestine marriages, and the defense of the Canary Islands against pirates.

Many of the issues addressed by the School of Salamanca also affect us today—the globalization of interdependence, colonialism, the exercise of power, human rights, cosmopolitanism, just war, Eurocentrism, and the rules of the market. That is why this study of the School of Salamanca is prompted not by a whimsical intellectual interest, but by a real need to gain proper insight into what top-quality scientific intellectuals thought and did in circumstances that, not infrequently, closely resemble our own. It is no surprise that the influential Austrian-American economist and Harvard professor Joseph A. Schumpeter recognized that the School of Salamanca played a central role in the development of modern economic thought and placed Spanish thought at the pinnacle of science.²

¹ For a biographical approach to these thinkers, see Rafael Domingo and Javier Martínez-Torrón, *Great Christian Jurists in Spanish History* (Cambridge: Cambridge University Press, 2018).

² Joseph A. Schumpeter, *History of Economic Analysis* (London: Routledge, 1954; reprint, 1996), 95.

One major project to reevaluate the School of Salamanca is being led by the Max Planck Institute for the History of Law and Legal Theory in Frankfurt am Main under the guidance of the German professors Thomas Duve and Christiane U. Birr. As part of the project, this center is also coordinating a digital collection of sources and a dictionary of the legal-political language of the School of Salamanca.³ However, there are plenty of other outstanding initiatives, especially in Spain, like the ones launched by the University of Salamanca, especially to mark its eighth centenary, or the ones of the Balearic Islands-based Instituto de Estudios Hispánicos en la Modernidad (IEHM), to name but a few.

In this short essay, I refer to four recently published works that show the global scope of interest in Spanish Scholasticism in general and the School of Salamanca in particular. The first, titled *The School of Salamanca: A Case of Global Knowledge*, has been edited by Thomas Duve, Jose Luis Egío, and Christiane Birr under the coordination of the Max Planck Institute and published by Brill (Leiden, 2021).⁴ The volume is the outcome of a conference titled “The School of Salamanca, an Example of Global Knowledge Production?,” held in Buenos Aires in 2018.

The second work, published in Spanish and Italian but not in English, is titled *¿Qué es la Escuela de Salamanca?* This study has been edited by Simona Langella and Rafael Ramis-Barceló and published in the collection of the Instituto de Estudios Hispánicos en la Modernidad (Institute of Hispanic Studies in Modernity) by Síndéresis (Madrid; Porto, 2021).⁵ The volume is a collection of the proceedings of a conference held at the Salesian Pontifical University in Rome on September 17–19, 2020.

The third work consists of the recent thematic compendium on Spanish Scholasticism edited by Harald E. Braun, Erik De Bom, and Paolo Astorri, and published by Brill (Leiden, 2022).⁶

Finally, in addition to these three collections of essays, I will refer to the monograph by the young American Latin scholar David Lantigua (Notre Dame University), titled *Infidels and*

³ For further information about the project, see <https://www.salamanca.school/en/project.html>.

⁴ Thomas Duve, Jose Luis Egío, and Christiane Birr, eds., *The School of Salamanca: A Case of Global Knowledge Production* (Leiden: Brill, 2021).

⁵ Simona Langella and Rafael Ramis-Barceló, eds., *¿Qué es la Escuela de Salamanca?* [What is the School of Salamanca?] (Madrid, Porto: Síndéresis, 2021).

⁶ Harald E. Braun, Erik De Bom, and Paolo Astorri, eds., *A Companion to the Spanish Scholastics* (Leiden: Brill, 2022).

Empires in a New World Order: Early Modern Spanish Contributions to International Legal Thought (2020) and published in the Law and Christianity Series of Cambridge University Press, edited by John Witte Jr.⁷ With these four volumes, I offer only a sample of the good scholarship being published right now on this highly interesting subject.

2. The Proposal of the Max Planck Institute Led by Thomas Duve

In *The School of Salamanca: A Case of Global Knowledge*, a multinational group of researchers led by Thomas Duve has tried to reconceptualize the School of Salamanca. I underscore Duve's role as opposed to that of any other editor or contributor because the volume is named after the introductory chapter written by Duve himself. In it, he lays out the methodological foundations for the revision of the School of Salamanca concept to be conducted throughout the volume.

Above all, Duve criticizes the classical view of the School of Salamanca that was advanced by, among others, the Spanish legal historian Eduardo de Hinojosa y Naveros (1852–1919), who, at the end of the nineteenth century, spread the term “School of Salamanca,” inseparably linking the school to the Dominicans of the Convent of San Esteban de Salamanca, to its founder Francisco de Vitoria, and to the development of international law. This classical concept, which has been qualified and improved, was widely accepted during the twentieth century by experts on the subject, such as Beltrán de Heredia and Melquíades Andrés Martín. It continues to be defended by professors of the stature of José Barrientos García, who differentiates those members of the School of Salamanca proper from others who were influenced by it and who projected the school in their writings and actions.

In his proposal for reconstruction, Duve prioritizes the *what* over the *who* and the *where*. And within the *what*, Duve gives precedence to knowledge over science. Rather than viewing the School of Salamanca as a scientific or scholarly enterprise, Duve views it as a phenomenon of regulatory, theoretical, and practical knowledge production, with a global scope that extends beyond the University of Salamanca, and even to Spain, to reach other European countries (such as the Netherlands), the Americas, and some regions of Asia (such as the Philippines).

⁷ David Lantigua, *Infidels and Empires in a New World Order: Early Modern Spanish Contributions to International Legal Thought* (Cambridge: Cambridge University Press, 2020).

The ten chapters that follow the introductory chapter support Duve's thesis by showing the School of Salamanca's presence and repercussions in Portugal, Mexico, Peru, and the Philippines on subjects as varied as government, marriage, dominion over the indigenous peoples, and more. In particular, they look at the cases of Alonso de la Vera Cruz, a disciple of Francisco de Vitoria and one of the most outstanding philosophers of the Viceroyalty of New Spain in the sixteenth century, and the Alava-born and Salamanca-educated Domingo de Salazar, a companion of Bartolomé de Medina and Domingo Báñez, who was an evangelist in the Americas and first bishop of Manila (Philippines). Domingo de Salazar's fierce defense of the indigenous people against the *encomenderos*⁸ led to his nickname "Las Casas Filipino"—the Philippine Bartolomé de las Casas, after the influential Spanish bishop and theologian.

Duve's volume features a detailed analysis of the scientific dynamism of the School of Salamanca, which was not only theoretical but essentially practical, and directed toward the care of souls (*cura animarum*), a fundamental principle for understanding the scope of the school. The school affected the way judicial decisions were written, the way opinions were drafted, the way bishops' statements were prepared, and, of course, university teaching in its broadest sense. In essence, the School of Salamanca, according to Duve, created a global language of normativity and normative practices (p. 5). Duve also highlights interdisciplinarity as a hallmark of the school, whose members dealt with theological and canonical issues, of course, but also with legal, philosophical, economic, political, and scientific ones.

Duve's perspective is correct, as long as it does not contradict the classical perspective but is integrated into it. In history, lying behind rules and documents are facts and, beyond them, people. The *who* of the person always prevails over the *what* and the *how*. Hence, the importance of not losing sight of the biographical nature of this family called the School of Salamanca, and not clinging exclusively to the global normative phenomenon. The struggles between orders and the lack of leadership were decisive factors in the school's disappearance (just as the lack of procreation leads to the demise of a family), and this fact cannot be explained or understood solely from a merely normative approach.

⁸ Owners of *encomiendas*, which were large estates in colonial Latin America under the control of Spaniards.

3. Simona Langella's and Rafael Ramis-Barceló's Response to Thomas Duve's Proposal

The second book to which I refer—*¿Qué es la Escuela de Salamanca?*—is, in essence, an implicit response to Duve's new proposals, led by the Italian professor Simona Langella and the Spanish professor Rafael Ramis-Barceló. The volume has been published by a young but prestigious publishing house, in Spanish and Italian, making it difficult to disseminate and read in international environments, where English predominates as the language of academic communication. The volume, however, is excellent, both for its content and for the intellectual quality of the professors who contribute to it.

The book brings together the views of more than a dozen leading experts on the Salamanca School (some of them from the University of Salamanca itself, such as José Barrientos García, María Martín Gómez, and José Luis Fuertes Herreros) on what they consider to be the most defining features of this school. Undoubtedly, Duve's proposal is latent in every page of the book. In fact, the German professor is quoted more than fifty times.

In fact, the fifteen contributors to the volume agree only that there would be no School of Salamanca without a Dominican named Francisco de Vitoria teaching at the University of Salamanca. From this point of agreement onward, each author offers a more restricted or broader vision of the School of Salamanca, with limits and contours that they try to justify. Some restrict the school to the Dominican disciples of Vitoria; others extend it to Franciscans, Augustinians, and Jesuits, not only Salamancans to the point of practically identifying the school with sixteenth-century Hispanic thought. Some consider the school to have ended in the sixteenth century; others prolong its existence through the seventeenth century and even up to the present day. Some emphasize the role that teachers from Salamanca played prior to Francisco de Vitoria's arrival; others are convinced that the school came into being the year that Vitoria joined the university. All of them, however, provide data, arguments, and assessments that are very worthy of consideration.

Juan Belda Plans, author of one of the most important works on the School of Salamanca,⁹ amends his own classical vision and, to a certain extent, joins forces with Tomas Duve's

⁹ Juan Belda Plans, *La Escuela de Salamanca* (Madrid: Biblioteca de Autores Cristianos, 2000).

renovating movement, trying to create a sort of symbiosis between the two extremes. Belda even goes so far as to offer the following integrative definition of the School of Salamanca:

A scientific community of thinkers, theologians, canonists, and philosophers, with a (proper) common attitude toward the knowledge of their time, initially rooted in the University of Salamanca (whose main representatives were Francisco de Vitoria and his disciples), who created their own scientific methods, and who had a universal (transnational) influence on a multitude of authors from all over the world (Europe, America, and Asia); and who, at the same time, were creators of a focus of global production of theoretical-practical knowledge, whose intellectual work made original contributions in diverse fields of knowledge (interdisciplinarity). (p. 50; My translation))

In his clarifying study, Rafael Ramis-Barceló, a great expert in the history of universities, distances himself more than other authors from defining the school in terms of the Dominicans and the University of Salamanca and focuses instead on the theological method of the school. Thus, for him, the Salamanca school could be defined as a “corporate system of doing theology in the chairs of the university, following Thomistic scholasticism, whose most remote origins can be found in Diego de Deza, and which was definitively implanted by Vitoria and Soto” (p. 113; again, note translator).

Ramis-Barceló points out that the School of Salamanca marks the beginning of practical theology, which later led to the dismemberment of theology and the birth of moral theology as an autonomous discipline. The advantage of studying the school from the point of view of method is that this perspective explains the ending of the school very well. The school died because of the rigid attitude of the Thomists when confronted with all other theological currents.

All attempts at explanatory definition seem to me laudable and meritorious, but I prefer to understand the School of Salamanca as what Ronald Dworkin refers to as an “interpretive concept.”¹⁰ Interpretive concepts are those that we human beings accept and use as part of our language, but without agreeing completely on their content, scope, and interpretation (for example, freedom, dignity, nature). Interpretive concepts are in a constant process of enrichment,

¹⁰ Ronald Dworkin, *Justice for Hedgehogs* (Cambridge, MA: Harvard University Press, 2011), 160–70.

thanks to new assessments, approaches, and debates about why they should not be defined, because any definition limits the very effectiveness of the concept. In this sense, it is appropriate that the editors of *Qué es la Escuela de Salamanca* have not wanted to offer a final definition, the result of everyone's efforts, but have preferred to leave the door open to multiple meanings and definitions proposed by each of the contributors.

Basically, setting limits to the School of Salamanca is like setting limits to some influential family or other, like the Kennedys or Rockefellers, as to how their surname is used, their persistence over time, their lifestyle, or their local, national, or transnational commercial or cultural activities. The idea of family can be understood in a restricted way, that is, as parents and children living in a given household. But in a broader sense, the family can also encompass more distant relatives and can include their homes. The idea of family can even be expanded to include everyone who shares the same surname. A family can also be recognized or identified with a brand, a way of life, a corporation, or a specific sector (for example, the Rockefellers in finance; the Kennedys in politics). It all depends on the perspective with which we analyze the family.

The same can be said of the School of Salamanca. This intellectual family, which radiated light to the world, can be restricted to the Dominicans of the convent of San Esteban de Salamanca who had Francisco de Vitoria as their teacher, or it can open to include all those influenced in some way by a method and a way of thinking that was born, or at least consolidated, in Salamanca. One can ascribe more or less prominence to Francisco de Vitoria or include others, such as Domingo de Soto and Martín de Azpilcueta. One can restrict the school to the Dominicans or add other religious orders, such as the Jesuits (Luis de Molina and Francisco Suárez), the Augustinians (Luis de León), or the Franciscans (Luis de Alcalá). One can apply the literal sense of the expression and restrict the school to the University of Salamanca or extend it to other universities (for example, the University of Coimbra, where Martín Azpilcueta, Luis de Molina, and Francisco Suárez taught). The school can also be considered from the point of view of the novel theological method it developed, as Mauro Mantovani or Rafael Ramis-Barceló do, or identified by its theoretical and practical results, as Thomas Duve prefers. The same applies to the school's extension in time. A restrictive vision ends the school with the death of Domingo

Báñez (1618), a Dominican from the convent of San Esteban; a broader view extends the school through the seventeenth century, or even to the present.

To me, all of these views seem appropriate, provided that they are based on verified data, and the content of the research is determined when speaking of the School of Salamanca. Barrientos is not mistaken when he uses a more restricted version of the school, limiting it to those Dominican or non-Dominican theologians of the University of Salamanca who, in their explanations of Aquinas's work, followed the lines laid down by the convent of St. Stephen. Nor is Duve wrong when he tries to expand the range of the school's influence to the maximum and finds the farthest corner of the world that its light reached. Moreover, the school itself was changing and had its ups and downs: the fresh and open Thomism in Vitoria, which bore such tasty fruits as Melchor Cano's *De locis theologicis*, with its clear Renaissance characteristics (published posthumously in 1563), but also sometimes an unwavering scholasticism in response to the principle of *sola scriptura* defended by the Protestant reformers. What really matters is not to reject other meanings offhand, not to delimit without first contextualizing, nor to delimit by excluding dialogue with other perspectives.

All in all, it seems that without the cultural power of the University of Salamanca, established by Emperor Charles V, without Thomism and a scholastic method of its own, without a group of masters of the stature of Vitoria and Soto, and without the cultural context of the time, open to so many intellectual challenges, this intellectual family that is usually called the School of Salamanca would not have come into being. As Juan Cruz Cruz rightly states in his brilliant contribution, we should not speak of the School of Salamanca in an unambiguous way, but in an analogous way (p. 129). Analogy opens the door to the symbol and allows us to consider Vitoria and his followers as a "symbolic light" that leaves a trail in space and time (p. 129).

4. A Companion to Spanish Scholasticism

A review of Spanish scholasticism, including the School of Salamanca, is also the aim of the third book reviewed in this essay. It is *A Companion to the Spanish Scholastics*, edited by Harald E. Braun, Erik De Bom, and Paolo Astorri, and published by Brill. Twenty-seven researchers from the broadest range of disciplines—philosophers, theologians, philologists, historians,

economists, and jurists—have come together to contribute to this book and analyze the contribution of Spanish scholasticism to different areas of knowledge in the sixteenth and seventeenth centuries. Spanish researchers' contribution is excellent yet limited, a fact that highlights the need to overcome language barriers. The editors have taken into account Duve's book, but not the one edited by Langella and Ramis-Barceló, probably because the latter was published at the same time as the *Companion*

To avoid any issues in identifying the School of Salamanca, the editors have opted to refer to "Spanish Scholasticism of the sixteenth and seventeenth centuries," although it is true that, as they themselves point out, this expression also poses problems, since it may seem to exclude the important Portuguese contribution. The compendium is fundamentally thematic. After a lovely introduction by Harald E. Braun and some contextual reflections on theology, law, and scholastic method, each part of the book, in turn divided into two or three chapters, addresses a broad topic: theology, philosophy, ethics, politics, law, economics, and science.

The problem with this structure is that there are partial titles that match chapter titles: "Theology" is the title of the first chapter of part two, but it is also the title of part three. "Law" is the title of the second chapter of part two, as well as the title of part seven. Furthermore, some topics cannot be limited to a specific area. For instance, marriage is addressed in the fifth part on ethics, alongside casuistic doctrine and probabilism and final causation, thus marginalizing the rich legal aspect of marriage. The same is true of taxes, fair market value, and interest, which are dealt with in the part on economics, but which touch on legal relationships at their very core.

In addition to Thomas Duve's chapter in the second part, the strictly legal aspect is confined to a chapter on international law (Andreas Wagner), another on contract law (Wim Decock), and a third on restitution (Nils Jansen). Taken as independent pieces, all of these chapters are brilliant, but overall the legal aspect is poor. The book certainly lacks a broader view on law, justice, political legitimacy, property, natural law, obedience to authority, and so many other central themes that Spanish scholasticism addressed so extensively, especially if one takes into account that Spanish scholasticism, as is well explained in the compendium, sought a creative symbiosis between law and moral theology. There is no doubt that the limited space is the main reason for these drawbacks.

As tends to happen in this kind of compendium, each chapter is different from the next, but despite this structural problem the final product is excellent. Reading it one part after another, the reader notices the depth and thematic variety of the scholastic debate, always illuminated by theology, which acts as the true mother of all sciences.

For the purposes of this essay, the contextual chapters of the second part of the *Companion* are the most interesting. Christophe Grellard, in his view of the theology of the School of Salamanca, follows the same line as Duve. Grellard insists that the path followed by Salamancan theology is the result of a flexible and dynamic network of institutional and personal relationships based on the thought of Thomas Aquinas, but strongly influenced by the experience of the Parisian environment in which Vitoria and Soto both studied. In Paris, the two Spanish theologians were influenced by moderate nominalists who tried to harmonize the nominalist and Thomist doctrines, motivated by a strong desire to search for truth and to build together. This influence explains why the nominalist Jacques Almain is one of the authors mentioned most often by Vitoria, together with Cardinal Cajetan, whose opinions Vitoria also criticizes.

The next contextual chapter is by Thomas Duve, who again reflects on the scope and limits of the school as well as the term “School of Salamanca,” along the lines noted in the second section of this essay. María José Vega, professor of literature, has written another highly interesting chapter about managing dissent. Vega analyzes the ways, criteria, and instruments with which the scholastics fixed the degrees of truth in the subject matter (orthodoxy) or of deviation from it (heterodoxy), the most serious offense of which was heresy. Vega argues that offenses that did not qualify as heresy (for example, minor censorship) require further analysis by scholars.

5. A Sample of the American Contribution

Finally, as an example of the work being done in the United States on Spanish scholasticism, I refer to the book by David Lantigua: *Infidels and Empires in a New World Order: Early Modern Spanish Contributions to International Legal Thought*. A young theologian at the University of Notre Dame, Lantigua argues in this monograph for the important role played by Iberian scholasticism in the development of international law. The European humanists and philosophers who laid the foundations of the international law that emerged from the Treaty of Westphalia

(1648) relied on the debates, arguments, and elaborations of the Spanish scholastics on the consequences of the colonization of the New World, and in particular on the School of Salamanca.

Lantigua emphasizes the important historical significance of the so-called Junta de Valladolid (the Valladolid Debate, 1550–51), led by, among others, Fray Bartolomé de Las Casas and his opponent, Juan Ginés de Sepúlveda. Among other issues, they debated the morality of the colonization of the New World, the forced conversion of the indigenous peoples to Christianity, and the way the natives were treated in the *encomiendas*.¹¹ Emperor Charles V decided to halt any expansion in America until these moral issues were resolved. The Valladolid Debate was the seed from which sprouted the *Leyes de Indias* (Laws of the Indies, 1542), the body of law regulating the Spanish Crown's imperial possessions in the Americas and Asia.

Lantigua attributes as much historical value to the Junta de Valladolid as to the Treaty of Westphalia, because Valladolid succeeded in placing indigenous Americans, who inhabited the peripheries of a transatlantic empire, at the center of the legal debate of the time. This fact forced a rethinking of the idea of natural rights, the meaning of war outside European borders, the relationship between evangelization and colonization, and so many other central issues that affected the development of legal, political, philosophical and theological thought in the following centuries.

6. Conclusion

The School of Salamanca is attracting the attention of researchers from very different branches of knowledge and from a very wide variety of countries around the world. Broaching this subject invites one to reflect on the unity of knowledge as well as on the important role that theology plays in a secularized world. The School of Salamanca encourages us to carefully analyze scientific method as an instrument in the quest for truth, and exalts universities' role in the development of nations, as well as intellectuals' role in the decision-making process of any political community. The decline of the School of Salamanca was due partly to the confrontation

¹¹ See note 8.

between members of different religious orders—in other words, due to the lack of unity of the intellectual class, often owing to the absence of leadership.

The School of Salamanca still sheds light on such current issues as human rights, the equality of all human beings, the autonomy of civil power, the existence of a global human community, and the need for understanding between peoples. What this current interest in the School of Salamanca lacks is a greater degree of international coordination among all initiatives. More work needs to be done to overcome certain cultural barriers, especially language barriers, and to improve the ability to integrate the various perspectives from which to approach this cultural movement.

In the study of the School of Salamanca, we are interested in the *who*, the *what*, the *how*, and the *where*. Hence the importance of the biographical genre (*who*), of the critical edition of the most relevant works and writings (*what*), of the study of the scholastic method and its different variants (*how*), and of the universities and institutions where this school flourished (*where*). Everything forms an indivisible whole. The School of Salamanca must be studied holonically, that is, as a part and as a whole: as a part of a wider movement called scholasticism, which promotes a particular method of study, and as an autonomous whole emerging in Salamanca. To exclude any of the possible approaches, rather than leading to intellectual precision, is to put up barriers to science. The unity of reality demands unity in knowledge.