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**Francisco Suárez (1548-1617) and Rodrigo Arriaga (1592-1667) on
the state of innocence and community**

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I - The Aristotelian-Thomist heritage in later scholastic thought

It is commonly recognised that Aquinas assigned a space for political power as 'natural'. In the opening chapter of *De Regimine Principum* (or *De Regno*), a text with continuing resonance for late-scholastic thinkers, Aquinas quoted Aristotle's famous *dictum* of the 'social and political animal' to claim that human beings were naturally driven to live in the political community.¹ Taking his prompt from Aristotle, Aquinas described the unity and order of the political community that guided its members to their proper end. In *De Regno*, the 'naturalness' of the political community was independent to some extent from the Christian account of original sin. Equally, Aquinas acknowledged in the *Summa Theologiae* (*Pars Prima*) that, had original sin not occurred, still there would have been some form of society with a ruling power.² To explain and allow for such political rule in the state of innocence, Aquinas distinguished between two kinds of *dominium* or mastership and identified one of them in the state of innocence: *dominium* in the sense of having 'the office of governing and directing free men' to their own good or to the common good.³ Such rule was 'natural' and did not depend on original sin for its justification. Thus, the Thomist view contrasted against the one of Augustine, who had relegated the phenomenon of the political to a result of original sin.⁴

To be sure, for Aquinas, this was only part of his understanding of the 'naturalness' of the political. Aquinas moved beyond Aristotle with the argument that this natural end related - in a hierarchical fashion - to the supernatural end: the key locution was *gratia perficit naturam*.⁵ Bearing this in mind, our present concern centres around politics in the domain of 'nature' in the sense of 'innocent nature' or *status innocentiae*. The two Jesuits we shall be concerned with, Francisco Suárez and Rodrigo Arriaga, inherited this narrative from Aquinas as it was transmitted to them by their Dominican predecessors, especially Francisco de Vitoria and Domingo de Soto.⁶

From two particular angles, recent scholarship has undermined this apparent continuity, i.e. the Aristotelian-Thomist affirmation of the 'naturalness' of politics. The first is an emphasis on the role of original sin, and thus an emphasis on the *contrast* between the state of innocence

¹ Aquinas, 'De Regimine Principum' ['De Regno'] in R.W. Dyson (ed. and transl.), *Aquinas: Political Writings* (Cambridge: Cambridge University Press, 2002), bk. 1, ch. 1, p. 5f. For the uncertainty surrounding the authorship of the treatise, see A. Black, *Political Thought in Europe 1250-1450* (Cambridge: Cambridge University Press, 1992), p. 22. All references to Aquinas' *Summa Theologiae* are to the translation of the Fathers of the English Dominican Province (Christian Classics Ethereal Library, ccel.org) or, when the Latin is indicated in the footnote, are my translations from the 1888 Leonine edition (corpusthomisticum.org). All other translations are my own.

² Aquinas, *Ia*, q. 96, a. 4.

³ Aquinas, *Ia*, q. 96, a. 4, *sed contra*.

⁴ mainly due to the fact that 'political' subordination occurred in the first place by slavery or servitude – namely, when Noah 'branded the sin of his son [Ham] with that name [viz. slave]' (*Genesis* 9: 20-27). Augustine, *Concerning the City of God against the Pagans*, transl. by H. Bettenson (London: Penguin, 2003), bk. 19, ch. 15, p. 874f: 'He did not wish the rational being, made in his own image, to have dominion over any but irrational creatures, not man over man, but man over the beasts.' In effect, dominion originated with sparing the lives of prisoners of war. This in turn presupposed a just war, which can only come about if one party sinned in the first place.

⁵ first mentioned in the *Summa Theologiae* in *Ia*, q. 1, a. 8, ad 2.

⁶ see, for example, Vitoria, 'Relectio De Potestate Civili' in T. Urdañoz (ed.), *Obras de Francisco de Vitoria* (Madrid: Editorial Católica, 1960), n. 4, pp. 154-7.

and the state of fallen nature (*natura lapsa*). Hence, Harro Höpfl identified the overriding importance of obedience in Jesuit thought, a thesis that dovetails with an emphasis on coercive force (*vis coactiva*) and the maintenance of order as the sole purpose of the community.⁷ In Höpfl's view, the rule of the Jesuit order itself represented the blueprint, as it were, for their entire conception of the realm of the political. We can find a similar stress on original sin in Matthias Kaufmann's work on Luis de Molina. Original sin brought forth the need for coercive force, and it was this function that dominated the account of the formation of the commonwealth; while there might have been a commonwealth in the state of innocence as well, it was hardly comparable to this sort of political community. We can summarise, perhaps, that this represents a kind of 'Hobbesian' argument.⁸

The second perspective focuses less on the moment of original sin. Rather, in Jean-François Courtine's stimulating treatment of Suárez, the hypothetical state of 'pure nature' (*natura pura*) becomes the centre of attention. Courtine relied on the theological premises of Henri de Lubac's *nouvelle théologie* that postulated the opposition between traditional Thomism and modern Jesuit theology, where the former is seen to affirm the natural desire for the supernatural and thus the conjunction of the natural and supernatural ends, while the latter denied it.⁹ On this foundation, in the hands of Courtine, Suárez's affirmation of the 'naturalness' of the commonwealth is redefined radically.¹⁰ Suárez constructed his 'political thought' on the notion of 'pure nature' that did away entirely with the *exitus-reditus* architecture of Aquinas' *Summa*, that is, the narrative of human nature as bound inextricably to the *économie du salut*. Fundamentally, Courtine's grand thesis postulates the total split between theology and philosophy in Suárez. At its heart lies the claim that when Suárez considered the 'naturalness' of the political, he was not thinking of 'nature' as it also existed in the state of innocence, i.e. the nature that depends on, and seeks to be, perfected by grace, but rather of 'pure nature', the hypothetical human condition abstracted from both sin and grace. Philosophy could now be charged with the task of conducting political thought on the basis of this kind of 'nature' that had absolutely nothing to do with theology and the supernatural end, i.e. the *visio Dei*. Suárez is said to have effected a 'bouleversement complet'.¹¹

⁷ H. Höpfl, *Jesuit Political Thought: The Society of Jesus and the State, c. 1540-1630* (Cambridge: CUP, 2004), most strongly expressed on p. 370. For the paramount importance of *vis coactiva* to the neglect of *vis directiva*, see pp. 208-10, concluding with: 'In any event, what ultimately mattered was not directions given by moral authority, but commands emanating from coercive authority.'

⁸ M. Kaufmann, 'Das Verhältnis von Recht und Gesetz bei Luis de Molina' in A. Fidora, M. Lutz-Bachmann and A. Wagner (eds.), *Lex und ius. Beiträge zur Begründung des Rechts in der Philosophie des Mittelalters und der frühen Neuzeit* (Stuttgart: Frommann-Holzboog, 2010), pp. 369-92, see p. 380f for the 'Hobbesian' tendencies in Molina.

⁹ H. de Lubac, *Le mystère du surnaturel* (Paris: Aubier, 1965). See also, for a defence of this conjunction in Aquinas: H. de Lubac, 'Duplex Hominis Beatitudo', *Recherche de science religieuse* 35 (1948). Lubac's thesis has come under attack on many occasions. The most helpful consultation is *Revue Thomiste*, vol. 101 (2001), an entire volume dedicated to this problematic. See especially G. Chantraine SJ, 'Le surnaturel – discernement de la pensée catholique selon Henri de Lubac', *Revue Thomiste* 101 (2001), pp. 31-51, p. 35.

¹⁰ J.-F. Courtine, *Nature et empire de la loi – études suarésiennes* (Paris: Vrin, 1999), chapter 2 ('Théologie morale et conception du politique chez Suárez').

¹¹ Courtine, *Nature et empire de la loi*, p. 67. In Courtine's account, Suárez relied on Cardinal Cajetan when formulating his own position.

We can see why *status* theology demands our attention. Aquinas' placing of the commonwealth into the state of innocence held together the Aristotelian-Thomist scheme of 'political thought'. This point precisely has been heavily scrutinised by the scholarship with respect to the late scholastic appropriations of Aquinas. My aim in this piece is to provide a fresh perspective to bear on these discussions. In what follows, I suggest that the commentary material on the *Pars Tertia* concerning the sacraments provides illuminating insights as to the question marks that surround the 'naturalness' of the commonwealth. This material is not usually deployed in this context. Yet, as I aim to show, it impacts on the widely used *loci* that scholars employ to trace scholastic 'political' considerations; moreover, it challenges the two 'discontinuity' theses presented above, while at the same time it does not reduce our two Jesuits to straightforward followers of the Aristotelian-Thomist synthesis. I shall present the exact meaning of this intimation in the conclusion.

II - The historical and the hypothetical state of nature

In order to understand in what way the accounts of Suárez and Arriaga used the distinction between innocent and fallen nature, we need press on their handling of Aquinas. What was their reading of Aquinas' *status innocentiae*? In late-scholastic textbooks in general, we find discussions of *status* that explained how and why humans required the conferral of grace and the institution of the sacraments. In the cases of Suárez and Arriaga, we shall claim, the discussion led to significant reinterpretations of the Thomist heritage. To begin with, we should note that the theological *hinterland* of this theme was the Protestant controversy on this matter: the Council of Trent had stated against various Protestant positions that the sacraments confer grace, that is, God works through the sacraments.¹² The contemporary stress on the need for the sacraments related to their causal role in human salvation. This setting reminds us that the question of the sacraments' place in the earthly pilgrimage was a major controversy at the time.

Suárez tackled this issue in his treatment of the sacraments in the commentary on the *Pars Tertia*.¹³ His prompt was Aquinas' refutation of the need for the sacraments in the state of innocence in the *Pars Tertia*, question 61. According to Aquinas, in the state of innocence, 'humans did not need sacraments, either as remedies against sin or as a means of perfecting the soul.'¹⁴ Human rectitude was a given, so that there was no need for sacraments as sensible signs for grace.¹⁵ Rather, grace was required in a spiritual, invisible manner. Aquinas had held that

¹² H.J. Schroeder OP (ed. and transl.), *The canons and decrees of the Council of Trent* (Rockford: TAN, 1978), s. 7, c. 6, p. 52: 'If anyone says that the sacraments of the New Law do not contain the grace which they signify; or that they do not confer that grace on those who place no obstacles in its way, as though they are only outward signs of grace or justice received through faith, [...] let him be anathema.'

¹³ F. Suarez, 'De Sacramentis in Genere' in *Opera Omnia*, vol. 20 (Paris, 1860), q. 61, p. 53ff.

¹⁴ Aquinas, 3a, 61, 2, corp: 'Et ideo in statu innocentiae homo sacramentis non indigebat, non solum in quantum sacramenta ordinantur in remedium peccati, sed etiam in quantum ordinantur ad animae perfectionem.'

¹⁵ Aquinas, 3a, q. 61, a. 2, ad 1. Human rectitude in the sense of the subjection of intellect [*mens*] to God, and of the soul's lower powers [*inferiores vires animae*] to the intellect as well as the body to the soul was given, so that it would be counterintuitive for corporal means, i.e. sensible signs, to perfect 'either in wisdom or in grace [...] which occurs in the sacraments.'

'Man's nature is the same before and after sin, but the state of his nature is not the same. Because after sin, the soul, even in its higher part, needs to receive something from corporeal things in order that it may be perfected: whereas man had no need of this in that state [of innocence]. [ad 3] Matrimony was instituted in the state of innocence, not as a sacrament, but as a function of nature. Consequently, however, it foreshadowed something in relation to Christ and the Church: just as everything else foreshadowed Christ.'¹⁶

In this passage, Aquinas had posited a change in the state of nature, but not in human nature: while the natural attributes that define human beings remained the same after sin, the trajectory of human life leading towards salvation changed. Sacraments were not necessary before sin;¹⁷ they became necessary only after sin. Only in that *status*, human beings had to participate in the sacraments for the benefit of their supernatural end, that is, for the good of the soul. Marriage illustrated this point nicely: it existed before sin, but only after sin it gained its sacramental quality.

Suárez appreciated that different interpreters quarrelled about Aquinas' opinion on this issue.¹⁸ On the one hand, Cardinal Cajetan had taken Aquinas to expound a strictly *historical* analysis.¹⁹ Cajetan's arguments, noted by Suárez, included the phrasing of Aquinas' question: whether Adam and Eve needed the sacraments '*ante peccatum*' (rather than 'in the state of innocence'). This appeared to suggest that the narrative centred specifically on the plight of Adam and Eve, who had been granted all required knowledge by God directly.²⁰ Would *they* have needed the sacraments prior to committing original sin? On this reading, the state of innocence represented a *historical status* for Aquinas. This excluded the possibility of regarding the *status innocentiae* as a hypothetical construction 'if innocence had lasted', which in turn would have permitted questions on the propagation of humankind and the subsequent need for sacraments for Adam's offspring.

On the other hand, Suárez duly noted quite a contrasting reading of Aquinas on this issue. In particular, Soto had interpreted Aquinas quite differently in the confines of his commentary on Lombard's *Sentences*:²¹ according to Soto, the Thomist treatment in this passage was one of *status innocentiae* as it would have been also for Adam's offspring had he not sinned. Soto had held Aquinas to be speaking of the entire time before sin, no matter how far that time might have extended. He had held the passage to consider fundamentally the relation between supernatural perfection and the sacraments. Soto had used this to argue that the Thomist treatment was exclusively about supernatural perfection, not about natural

¹⁶ Aquinas, 3a, q. 61, a. 2, ad 2 and ad 3.

¹⁷ Human beings needed grace, of course, but they received this from God as part of the rectitude (*iustitia originalis*) of that *status*; the sacraments did not play any part in this. Cf. Aquinas, 3a, 61, 2, ad 1 and ad 2.

¹⁸ Suárez, 'De Sacramentis', q. 61, 2, p. 54f.

¹⁹ Cajetan, Tommaso de Vio (1469-1534), *Summa totius theologiae D. Thomae de Aquino*, vol. 4 (Venice, 1612), q. 2 alias 61, a. 2, p. 9f.

²⁰ Hence, Aquinas had said that corporal things were necessary only after sin, but this was true only of Adam and Eve; their offspring would have needed corporal things to acquire the knowledge (or perfection) that God had granted Adam and Eve.

²¹ D. de Soto, *In quartum sententiarum librum commentarii*, vol. 2 (Salamanca, 1569), q. 2, a. 2, p. 35.

perfection, so that the sacraments as supernatural ‘medicine’ for sin were not needed in the historical state of innocence and would not have been needed later on, if Adam had not sinned (with the consequence that the *status innocentiae* would have lasted).²² Suárez confirmed that, in his opinion, this was an accurate reading of Aquinas,

‘firstly, because in the discussion of this *quaestio*, Saint Thomas wanted to treat the necessity of the sacraments in all states and ages of man [...]. Secondly, because in the discussion of this article, it is not based on the particular perfection of Adam and Eve before sin, but on the general reasonableness and rectitude of the state of innocence [...]. Thirdly, [...] Saint Thomas did not aim to exclude from that state the perfection connatural to man which is to use corporal things as objects to acquire knowledge; because that in no way contradicted the perfection of that state.’²³

Thus, Suárez took from Soto that Aquinas excluded in that particular passage the *supernatural* requirement for the sacraments, i.e. their function as conferring grace as the remedy for sin. On this interpretation, Aquinas’ denial made sense because the state of innocence comprised grace. Moreover, Suárez argued that Aquinas’ treatment yielded insights not specific to Adam and Eve, but to the general state of innocence. As long as original sin did not intervene, Aquinas’ description was the accurate representation of the state of affairs as regards the supernatural rectitude. Finally, on the natural level, the sacraments’ ‘connaturality’ to human nature in no way contradicted the state of innocence and therefore could not have represented the object of denial for Aquinas; in the state of innocence, acquiring knowledge by the use of sensible objects was entirely unproblematic, and the celebration of the sacraments was such an instance of employing sensible objects.²⁴

Suárez decidedly sided with Soto on this matter. From this perspective, it seemed artificial to drive a wedge between ‘the state before sin’ and ‘the state of innocence’ on account of the former’s historicity. This use of corporal things remained ‘connatural’ to the human being in *any status* and did not contradict the state of innocence. (It is just that this use had not yet gained the added meaning it would gain after sin. The example of marriage above makes this point clear.) Suárez additionally reinforced this view:

‘all that we say about man in the state of innocence can be applied to man considered in himself, for it is clear that a special necessity for sacraments did not originate in the

²² Soto, *In quartum sententiarum librum commentarii*, p. 35.

²³ Suárez, ‘De Sacramentis’, p. 54f: ‘Primo, quia D. Thomas in discursu hujus quaestionis tractare voluit de necessitate sacramentorum in omnibus temporibus et statibus hominum [...]. Secundo, quia in discursu articuli non fundatur in peculiari perfectione, quam habuerunt Adam et Eva ante peccatum, sed in communi ratione et rectitudine status innocentiae [...]. Tertio, [...] D. Thomas non intendit excludere ab illo statu perfectionem homini connaturalem, qualis est uti rebus corporalibus, ut objectis ad scientiam acquirendam; quia hoc nihil pugnabat cum perfectione illius status.’

²⁴ This relates to the *dona integritatis* (*scientia, immortalitas, impassibilitas*). The gifts, together with sanctifying grace (*gratia sanctificans*), are what is termed original justice (*iustitia originalis*), the state of human nature in paradise. Through original sin, humans lost both, *donum* and *gratia* (with *concupiscentia* taking their place). See Suárez, *De Divina Gratia* (Lyon, 1628), ‘Prolegomenon IV’, especially c. 6, pp. 137-9.

state of innocence, wherefrom it – if there was that necessity in it [the state of innocence] – originated in human nature itself.²⁵

Thus, when Suárez set out to discuss the sacraments specifically in terms of the state of innocence, this had to be applicable in other *status* as well. Given the perfection of that state, it was impossible that a particular requirement for the sacraments could have arisen then, which would not be required anymore in a different *status*. The sacraments could be understood in two ways – ‘which writers on this subject often confuse’ -, the particular rationale of the sacrament, and the common worship of God.²⁶ In this second sense, the sacraments also formed part of ‘innocent nature’. It is this second sense in Suárez’s exposition that we shall discuss below. For the moment, we conclude that the lasting state of innocence was hypothetical or philosophical for Suárez. This offered him the sense of ‘nature’ as ‘not tied to sin’ not only concerning politics (similar to Aquinas) but also concerning the sacraments (in contrast to Aquinas, who, on Suárez’s reading, had thought exclusively of the supernatural plane here).

III – Suárez’s hypothetical ‘nature’ and community

In this section, we assess the significance of the commentary on the *Pars Tertia* for the realm of the political. Suárez’s conclusion supporting the necessity of a spiritual *communitas perfecta* was based on the fact that sacraments could be understood in the more general rationale of the worship of God, that is, the ‘external divine cult’.²⁷ Suárez plunged into a series of arguments to explain how and why this worship would take place in the state of innocence. In all, his conclusions resembled those of Vitoria and were rather commonplace:²⁸ ‘the external cult of God through bodily actions would be very appropriate to men in the state of innocence [also had it lasted]’;²⁹ it was owed to God *per se* rather than ‘by reason of sin’ because God ‘is the author of the human nature that consists in soul and body

²⁵ Suárez, ‘De Sacramentis’, d. 3, *prooemium*, p. 55: ‘quae dicemus de homine in statu innocentiae, omnia applicari poterunt homini secundum se considerato, nam certum est, ex statu innocentiae non fuisse ortam specialem necessitatem sacramentorum, unde, si quae in illo fuit necessitas, haec nata est ex natura hominis secundum se.’

²⁶ Suárez, ‘De Sacramentis’, d. 3, *prooemium*, p. 55: ‘Consideratio autem sacramentorum fieri potest, vel secundum propriam et specificam rationem sacramenti, vel secundum communiorem rationem divini cultus externi, quas duas rationes saepe confundunt auctores in praesenti materia, cum tamen valde diversae sint, et ratio externi cultus latius pateat, quam ratio sacramenti.’

²⁷ Suárez, ‘De Sacramentis’, d. 3, p. 55.

²⁸ Vitoria, ‘De Potestate Ecclesiae’, q. 3, n. 1 (for the state of innocence) and n. 2 (for the state of natural law, after original sin), p. 280-2. Suárez, ‘De Sacramentis’, d. 3, s. 1, n. 1, p. 55: ‘In hac questione [utrum in statu innocentiae colendus esset Deus ab hominibus culto externo, privato et publico] non invenio inter Catholicos dissentientes sententias, neque etiam fuerunt aliqui haeretici, qui de illo statu specialiter hoc negarent, praeter eos, qui in universum hunc externum cultum rejiciunt [...] contra quos non est hoc loco disputandum, tum quia est absurdissima haeresis et sine fundamento [...]’

²⁹ Suárez, ‘De Sacramentis’, d. 3, s. 1, n. 2, p. 55: ‘Dicendum est ergo primo: cultus Dei externus per actiones corporis valde consentaneus esset hominibus in statu innocentiae, unde et probabile est de facto in eis fuisse, et longe probabilius futurum fuisse, si homo non peccasset.’

[...].³⁰ Moreover, Suárez accentuated the hypothetical ‘natural condition’ of humans to reinforce his teleological account about the natural end of worshipping God. On this basis, he maintained that

‘political and social life is natural to the human being; and it is not enough that the human being internally believes and worships the true God, but it also requires that his faith and religion are expressed by speech and work; but this entire reason has its place in the state of innocence, in which humans would live politically and not on their own; for nor would a different way of living have been appropriate to the perfection of that status; and one would not have recognised the internal acts of another if they were not in some way manifested externally: therefore, it was necessary that in that state there would not only be the true religion, but also its external manifestation, which would not exist without the external cult of religion.’³¹

Thus, as social beings, humans need to worship God together – not merely as beings in need of grace. By human nature, the worship of God takes the form of social, external acts. Human beings led a political life even in the state of innocence – as Aquinas had affirmed. Yet, moreover, this kind of communal existence required the formulation of measures with respect to the external worship of God. Therefore, in the hypothetical state of innocence, the ‘natural’ need for living in a community was not exclusively tied to the political realm, but also to the ecclesiastical realm.

This point requires us to ponder in what sense the worship of God would be communal, and to what extent this communal activity would have to be regulated. Suárez confirmed that the external cult in the state of innocence would have been a public activity, not just a private activity,

‘as the human being by its nature is a political animal and it is thus natural to humans to congregate in one people or commonwealth, therefore, this kind of community would exist in the state of innocence, because it is in itself good and fitting to human nature, and not only a product of sin; consequently, humans thus gathered in one political body must also be united in the name of one religion. For in every well-established commonwealth there must be the activity of religious worship first and foremost, to whose necessary introduction, order, preservation and advancement everything else must be referred, if necessary; for one could not establish and

³⁰ Suárez, ‘De Sacramentis’, d. 3, s. 1, n. 2, p. 55: ‘Hanc conclusionem existimo certam ex ipsa naturali ratione, quia hic cultus externus non est ex accidenti, seu per occasionem introductus ratione peccati, sed est per se debitus Deo, eo quod est auctor humanae naturae, quae animo et corpore constat; haec est enim fundamentalis ratio hujus, qua saepe Patres utuntur, ut in superioribus visum est, et latius in materia de religione tractatur; sed haec ratio eodem modo obligaret in statu innocentiae, in quo etiam homo constaret corpore et anima; ergo utriusque actibus deberet colere Deum auctorem suum.’

³¹ Suárez, ‘De Sacramentis’, d. 3, s. 1, n. 2, p. 55f: ‘est enim naturalis homini vita politica et socialis; et ideo non satis est, ut interius credat et colat verum Deum, sed etiam oportet, ut ore et opere suam fidem et religionem ostendat; sed haec ratio tota haberet locum in statu innocentiae, in quo et homines politice et non solitarie viverint; neque enim alia vivendi ratio perfectioni illius status fuisset consentanea; et unus non cognosceret interiores actus alterius, nisi quatenus per exteriores manifestarentur; ergo necessarium erat, ut in eo statu, non solum esset vera religio, sed etiam exterior ejus professio, quae non fit nisi hoc exteriori cultu religionis.’

preserve properly the perfection of the customs in the commonwealth, if the rule of the divine cult did not have first place'.³²

Human beings always congregate together in a commonwealth, for it is natural to them. Moreover, the commonwealth – as one 'body' - is comparable to the individual concerning the common need for the veneration of God. This statement remained true for the lasting state of innocence, so that the argument from sin had no direct bearing on this concern.³³ In the state of innocence, the two *societates perfectae* would have existed, to aid humans in the pursuit of 'temporal convenience' and 'the spiritual end'. Suárez's account of the spiritual community connected it tightly to the rationale of the political community, as in both cases, good reasons were given why public, external activity would have existed and would have needed to be organised. We may add one final point here: how would this community have been ordered and organised?

'I do not find any objection or difficulty against these matters, because in the state [of innocence] they have no repugnance or indecency, and they would follow from well-established natural reason itself and especially by acts of faith, without any positive laws or special divine institution which may be thought necessary; this entire cult could be abandoned by human judgement and it could be defined by a consensus on these things or by ancestral tradition.'³⁴

The community of worship in the state of innocence could be governed without any special positive law or divine institution. The community would be fully functional without a separate government apparatus. Suárez's final point here distinguished him perhaps from Aquinas and Vitoria; other than that, it would seem that in this section we encountered a rather straightforward Thomist narrative as mediated by Vitoria. Although Aquinas himself did not envisage the hypothetical lasting state of innocence when he discussed the sacraments, Vitoria did just that in his special lecture *On Ecclesiastical Power*. Thus, if Suárez was not copying Aquinas' arguments, was his framework at least identical to the one of Vitoria? On the basis of our above explanation on how Suárez defined 'nature' in this commentary tractate, it seems this was not quite the case. We must bear in mind that Suárez was discussing his notion of the hypothetical, lasting state of innocence here. In contrast to

³² Suárez, 'De Sacramentis', d. 3, s. 1, n. 4, p. 56: 'quia homo natura sua est politicum animal, et ideo naturale est hominibus in unum populum, vel rempublicam congregari; esset ergo hic modus societatis in statu innocentiae, nam per se bonus est, et humanae naturae conveniens et non tantum occasione peccati; ergo homines, sic congregati in unum corpus politicum, deberent etiam in unum religionis nomen congregari. Nam in omni republica bene instituta primum ac praecipuum esse debet religionis negotium, ad cuius debitam institutionem, ordinem, conservationem et augmentum reliqua omnia, si necesse fuerit, referri debent; non enim posset honestas morum recte in humana republica institui et conservari, nisi ratio divini cultus principem locum haberet'.

³³ Suárez, 'De Sacramentis', d. 3, s. 1, n. 4, p. 56: 'just as right reason dictates that every private human being venerates God with body and spirit and through private acts, it dictates in the same way that the entire commonwealth, as it is one political body, also offers one cult to God as if by common consensus; for this is the worship of God by public and sacred cult'.

³⁴ Suárez, 'De Sacramentis', d. 3, s. 1, n. 4, p. 56f: 'Neque contra haec omnia invenio objectionem aliquam, vel difficultatem, quia nullam habent repugnantiam vel indecentiam in illo statu, et ex ipsa naturali ratione bene instituta, et praesertim fide illustrata consequuntur absque aliis legibus positivis, vel speciali divina institutione, quae necessaria sit; posset enim totus hic cultus hominum arbitrio relinqui et ex rerum consensione, vel majorum traditione definiri.'

Cajetan's historical reading of Aquinas, Suárez confirmed the rectitude of external worship as an appropriate 'natural' measure to which Aquinas did not give any consideration in that particular *locus*. Aquinas' consideration of the lasting state of innocence occurred elsewhere (*Pars Prima*, q. 96), in the context of aligning Aristotle's 'natural politics' with the Augustinian narrative, a feat accomplished by the distinction between 'mastership' over 'free subjects' and over 'slaves'. In *De Potestate Ecclesiae*, Vitoria employed the distinction between 'directive and governing force' and 'coercive force' to justify the combination of *potestas* and *status innocentiae*. Vitoria used the same argument with respect to the spiritual as well as temporal order: without such directing power, there would be 'confusion' and 'disorder'. This power would have been used to order and organise both, 'regulations for civil life and even more so spiritual life and divine cult and there would have been authorities to order these things.'³⁵

By contrast, while Suárez shared much the same conclusions, he did not employ the same distinctions. In his treatment of the sacraments, Suárez deployed the state of innocence as a hypothetical, 'natural condition'. There was a continuity with Thomist thought that explained the 'naturalness' of the political; however, Suárez also defended the 'naturalness' of the spiritual community (in the sense of public, common worship) with reference to the lasting state of innocence. We may phrase the same point in different terms. Suárez defended the 'natural necessity' of the sacraments against the sole focus on their 'supernatural necessity'; on this natural level, public worship was both 'useful' and 'necessary'.³⁶ This allowed Suárez to isolate communities of 'natural necessity' more strongly from their subordination to the supernatural level. While they were both necessary, the temporal and the spiritual were aligned more side by side than in a straightforward Thomist hierarchy.

Moreover, as we added as our final point in this section, this allowed Suárez to posit a political condition in innocent nature that was regulated by the community itself which could be governed by consensus and tradition. In this particular context, Suárez's 'natural necessity' did not provide the rationale for an ordering power, and it was in that sense weaker than the one of Vitoria, who referred to 'directing and governing force' as well as the evasion of 'confusion' and 'disorder'.

IV – Suárez and 'pure nature'

We must moderate this last point. Removed from grace, the self-government of the community without a separate political and ecclesiastical power ran into trouble, also in the thought of Suárez. Suárez made this point in *De Legibus*, Book IV, where he recruited the thought experiment of 'pure nature' to defend the comparability of positive law based on

³⁵ Vitoria, 'De Potestate Ecclesiae', q. 3, n. 1, p. 280f: 'Nullo modo igitur est dubitandum quin si status innocentiae perseverasset, fuissent constitutiones et ordinationes, tum ad vitam civilem, tum maxime ad vitam spiritualem et cultum divinum, et fuissent etiam praepositi qui haberent curam rerum ordinandarum, et haec potestas esset spiritualis cum esset ad finem spiritualem [...].'

³⁶ cf. Suárez, 'De Sacramentis', d. 3, *prooemium*, p. 55: 'unde simul ex parte obiter explicabitur finalis causa sacramentorum, quae est eorum utilitas vel necessitas, haec enim duo idem in hac materia significant [...].'

political *potestas* (civil law) and on ecclesiastical *potestas* (canon law).³⁷ The notion of 'pure nature' was a device to explore natural law without taking recourse in any way on revelation or on supernatural gifts.³⁸ Even in this scenario, Suárez confirmed that 'pure nature' included the union and order towards God as the natural end, maintained by ecclesiastical power.³⁹ Thus, Suárez held:

'because human nature requires by itself the true cognition of God within the order of nature so that he may obtain natural felicity and perfection in that order [of nature] [...] therefore the human commonwealth, also when regarded in pure nature, would require a unity and conformity of this knowledge and cult of the true God; therefore, it would also need a power that would govern it towards this end and prescribe the sacrifices, ceremonies and other circumstances necessary for the true cult of God; therefore, by this reason of nature this power is fitting for humans no less than political power.'⁴⁰

In this particular case, the worship of God took its decisive explanatory power from the state of 'pure nature' rather than the state of innocence. For our present concerns, the affirmation of communal worship in both, the lasting state of innocence and pure nature illustrates the hypothetical dimension to Suárez's thought. Both *status* equally never existed. Thus, what was affirmed for both relied on philosophical argument rather than the historical narrative leading towards salvation. Neither temporal nor spiritual power relied on original sin and the worship of God had to be understood as a *public* activity that took place in the commonwealth. Yet, in pure nature, this activity required a separate ordering power that it did not have in the lasting *status innocentiae*. In pure nature, an ordering power would be required; in the lasting state of innocence, this would not be the case. Hence, this seemed to depend on the lack of grace in the former *status* (though there would be no effect of original sin), in contrast to the existence of grace in the latter *status*. Suárez's 'natural necessity' remained unaffected, but his point about the self-government of the community seemed to be tied to the state of lasting innocence in its supernatural rectitude rather than its 'natural nature'.

³⁷ F. Suárez, *De Legibus ac Deo Legislatore, Corpus Hispanorum de Pace vol. 21* (Madrid: Instituto Francisco de Vitoria, 1981) [DL], Book IV, c. 2, p. 22ff.

³⁸ For 'pure nature' as the correct understanding of natural law concerning temporal power, see Courtine, *Nature et empire de la loi*, chapter 2. Courtine relies on the theology of Henri de Lubac (*Surnaturel*) to stress a split between Aquinas and Suárez. He does not discuss *De Legibus*, Book IV, where Suárez's arguments on ecclesiastical power regard natural law as the order of pure nature rather than the order that leads towards grace (c. 2, n. 3 and n. 4). The opening chapters of DL IV are about the source of this power to make law and its comparison to civil power.

³⁹ Even without sin, the veneration of God would be appropriate. This is the natural function of the sacraments. Suárez, DL, IV, c. 2, n. 3, p. 23f: 'Circa legem ergo naturae recolendum est quod saepe dixi, spectari posse vel in ordine ad puram naturam, seu ad rationem naturalem nude sumptam, vel prout illuminatam lumine fidei. Priori modo intelligi potest in humano genere vestigium quoddam huius potestatis, non quidem supernaturalis, ut per se notum est, quia natura ex se nihil supernaturale habet, sed naturalis cum quadam proportione ad hanc potestatem spiritualem.'

⁴⁰ Suárez, DL, IV, c. 2, n. 3, p. 24: 'Quod ita declaro, quia natura hominis per se requirit veram Dei cognitionem intra ordinem naturae, ut in eodem ordine suam perfectionem, et beatitudinem naturalem obtinere possit [...]; ergo respublica humana etiam in pura natura spectata indigeret unione, et conformitate in huiusmodi cognitione, et cultu veri Dei; ergo indigeret etiam potestate, quae illam gubernaret in ordine ad hunc finem, et praescriberet sacrificia, caeremonias, et alias circumstantias necessarias ad verum Dei cultum: ergo haec potestas ex ipsa ratione naturali convenit hominibus, non minus, quam potestas politica.'

To summarise: in this section, we framed the impact of the *Pars Tertia* commentary more precisely. Also in this particular *locus*, Suárez brought together the rationale for political power with the explanation for spiritual *potestas*. It formed part of his defence of ecclesiastical power. We have shown how this joint rationale was articulated as ‘natural necessity’. If we look at the opening chapter of *De Legibus*, Book III, we can see that humans congregate ‘naturally’ to be ruled together.⁴¹ The references to Aquinas’ *De Regimine Principum* in that place - as elsewhere - underscore the continuing resonance of this text for Suárez (as for other later scholastic thinkers). With our discussion of Suárez’s treatment of the sacraments in mind, that is, the argument that ‘nature’ was tied to the state of innocence (which in turn impacted on all other *status*), we can make sense of Suárez’s otherwise difficult Thomist claim concerning the ‘social animal’ which ‘naturally and rightly desires to live in a community’: namely, that living in such a political community contributed in some way to the supernatural end. The irritation lies in the fact that the realm of the political alone could not provide a satisfactory answer for the Thomist supernatural teleology in the unfolding of Suárez’s *De Legibus*, Book III. To recruit ‘pure nature’ (the attempt to pull the two ends apart completely) as the *exclusive* framework for suárezian ‘natural politics’ would not honour the explicit references to Aquinas. By contrast, the sense of ‘nature’ that we have developed here reveals that Suárez defended the separation of the political from the spiritual on moral theological grounds: the goodness of the lasting state of innocence represented the end of the political community, but it neither contained, nor was it hierarchically ordered towards, the spiritual power. Instead, the spiritual power received a separate grounding in ‘nature’, precisely in the lasting state of innocence. Suárez was able to make this split in a different way than Aquinas because he provided space for the ecclesiastical order in the hypothetical state of innocence: the organised worship of God had its own, legitimate space in the sacramental rationale even without original sin. Not only a political community, but also a community of worship pursued its ends without strict reference to the *reditus* after original sin. Suárez’s explicit appeals to ‘pure nature’ were relevant in their own right, of course, but *natura pura* unfolded its distinct significance only as to the necessity for a separate human legislator; it was not charged with explaining the more fundamental rationale behind temporal and spiritual power that we have presented.

V – Arriaga’s intervention

We now turn to the treatment of our topic by the famous Jesuit theologian Rodrigo Arriaga, who, for most of his life, taught in Prague – ‘*adire Pragam, audire Arriagam!*’⁴² A brief introduction to Arriaga seems appropriate, as he is largely an obscure figure in the scholarship on late-scholastic thought, overshadowed by others needing no introduction,

⁴¹ Suárez, *DL, Corpus Hispanorum de Pace vol. 15* (Madrid: Instituto Francisco de Vitoria, 1975), III, c.1, n. 3, p. 8.

⁴² According to S. Knebel, ‘Die Kunst in der “Barockscholastik” in Mulsow (ed.), *Spät-Renaissance Philosophie in Deutschland 1570-1650* (Tübingen: Niemeyer, 2009), p. 283: Arriaga was ‘schon von den Protestanten des 17. Jahrhunderts der am fleißigsten studierte zeitgenössische katholische Schulphilosoph’. Arriaga taught theology in Prague from 1626-37. Subsequently he served as dean of the theology faculty 1637-42, and again 1654-67. His *Cursus Philosophicus*, the first philosophical textbook of the seventeenth century, was published in Antwerp (1632). The eight-volume *Disputationes Theologicae* were published from 1643. Until the end of his life, Arriaga was preparing a ninth volume, on justice and right (*De Iustitia et Iure*).

such as Francisco Suárez. While Arriaga's contributions were renowned greatly in his time, he also approached scholastic scholarship in quite a unique manner and with sympathy to nominalist philosophy. We get a sense of Arriaga's standing in Pierre Bayle's widely proliferated *Dictionnaire Historique et Critique* that made a favourable mention of Arriaga, who

'published a number of books where he demonstrated much subtlety of mind. One finds that he succeeded much more in demolishing what he opposed than in well elaborating what he affirmed; [...] one easily recognises that he proceeds in good faith, and that he tries his very best; and if his proofs are inferior to his objections, one needs to blame the nature of the things.'⁴³

Even though he was celebrated mainly for his *Cursus Philosophicus*, it is to his *Disputationes Theologicae* that we need to turn to find his arguments on our present concerns. In that work, Arriaga argued a sharper line than Suárez and voiced his discontent with the usual discussion of the Thomist *topos* in *Pars Tertia*, question 61. As Arriaga had it, in that *locus*, theologians usually discussed 'whether it was necessary at all times for sacraments to exist'; however, according to Arriaga, to ponder *necessity* made no sense, given that there could never be such necessity, as the sacraments stemmed simply from God's free will. God's free will provided that purpose, so that there was not any benefit in searching for an inherent *necessitas*. Therefore, for this *locus* to offer any valuable insights, a different approach was required. Thus, Arriaga decided to rephrase the question and ask 'whether there would have been sacraments in the state of original justice and after sin, before the written law?'⁴⁴

Concerning the state of innocence – i.e. humans living in the benefit of original justice -, Arriaga agreed with Aquinas and Suárez that there had not been any sacraments before sin. Arriaga affirmed that theologians could not identify conclusively either authority or reason in favour of the contrary. This was fine as far as it went, of course. As we saw, the underlying question was whether this denial concerned not only the *historical*, but also the *hypothetical* state of innocence. It was here that Arriaga offered a distinctive argument. According to Arriaga, given that God foresaw the brief period of existence of the state of innocence, it was clear that it would have been entirely inadequate to institute the sacraments 'for two or three days, or a week'.⁴⁵

Let us unpack this claim. Did God foresee that the state of innocence would not last because original sin was going to happen? Certainly, it was commonly agreed that God by his omniscience foresaw what was going to happen. The problem was that, if this knowledge

⁴³ P. Bayle, *Dictionnaire Historique et Critique* (Amsterdam, 1740). Arriaga 'publia plusieurs livres où il étala beaucoup de subtilité d'esprit. On trouve qu'il réussissoit beaucoup mieux à ruiner ce qu'il nioit, qu'à bien établir ce qu'il affirmoit; [...] on s'apperçoit aisément qu'il procede de bonne foi, & qu'il agit de tout son mieux; & si ses preuves sont inférieures à ses objections, il faut s'en prendre à la nature des choses.' In Bayle's opinion, 'C'est dommage qu'un esprit si net & si pénétrant n'ait pas eu plus d'ouvertures sur les véritables principes; car il eût pu les pousser bien loin.' See the following weblink to the digital version provided by the University of Chicago: <http://artflx.uchicago.edu/cgi-bin/dicos/baylepublic.pl?objectid=486>

⁴⁴ R. de Arriaga, *Disputationes Theologicae*, tom. 7 (Antwerp, 1655), d. 8, p. 84: 'Utrum in statu iustitiae originalis et post peccatum, ante legem scriptam fuerint Sacramenta?'

⁴⁵ Arriaga, *Disputationes Theologicae*, tom. 7, d. 8, n. 1, p. 84: 'Confirmatur: ille status praevidebatur a Deo brevissimo tempore duraturus; ut quid ergo pro duobus vel tribus diebus aut hebdomadis Sacramenta instituerentur?'

was grounded in God's 'absolute foreknowledge', then it was logically *posterior* to the manifestation of God's will, including the decision not to institute the sacraments, so that the latter could not be the cause of the former. Arriaga was able to circumvent the problem by appealing to the Molinist theory of God's 'middle knowledge': rather than stemming from God's will, Adam's act was in fact his own contingent choice (though every act there is occurs with God's cooperation), of which God 'knew' by his 'middle knowledge', i.e. the knowledge of the contingencies that produce particular actions.⁴⁶ In this sense, the divine foreknowledge of original sin was in fact *prior* to God's decision against instituting the sacraments. This complicated construction was available to Arriaga because he embraced the postulation of *scientia media*. It allowed him to argue that, *de scientia media*, instituting sacraments would have been quite pointless.⁴⁷ According to *scientia media*, God 'knew' about Adam's potential choice to sin and that, in that scenario, there would not even remain sufficient time to celebrate any sacrament.

The hypothesis of a lasting state of innocence made sense, as Arriaga tied God's decision not to institute sacraments to the 'middle knowledge' of the imminent end of that *status*. In that scenario, there was no use for sacraments. However, in a scenario without this imminent end, it was perfectly conceivable to consider the state of innocence as a whole and irrespective of time (and of Adam in particular). In that case, there might well be some use for sacraments – this remained to be explored. Arriaga argued that, by contrast, Aquinas had enquired into – and denied - the *necessity*, not the *existence* of the sacraments in the state of innocence.⁴⁸

Armed with his Molinist stance on 'middle knowledge', Arriaga then proceeded to enquire (as Suárez had done) into what could have been the case had the state of innocence lasted. To repeat what we said above: the point of this particular exercise was to make possible the claim that Aquinas' denial applied to supernatural perfection, saying nothing about the sacraments' 'connatural' function. This in turn meant that the *status innocentiae* could be claimed to encompass the hypothetical continuation if there had been no original sin, leaving open the possibility that sacraments would have existed in the state of innocence as to their natural or 'connatural' purpose, rather than as the supernatural remedy for grace.

Even though one could not say things for sure, Arriaga held, one could defend the claim that nothing repugnant in that *status* against the sacraments and that, to the contrary, this was

⁴⁶ The whole matter is complex, of course. For our present purpose, it suffices to locate God's 'middle knowledge' as between *scientia simplicis intelligentiae* (by which God knows the purely possible) and *scientia visionis* (by which he knows absolute future acts). The middle ground that *scientia media* occupies thus concerns future conditional statements, i.e. the non-necessary consequences that would follow from the free choice to commit a particular act. Hence, this choice is (in a sense) independent of God's will in that it is *antecedent* to it, and this is the point that Arriaga wants to get across in the passage that we are discussing. Cf. Leinsle, *Introduction to Scholastic Theology*, translated by M.J. Miller (Washington, D.C.: Catholic University of America Press, 2010), pp. 334-8.

⁴⁷ Arriaga, *Disputationes Theologicae*, tom. 7, d. 8, n. 2, p. 84: 'At nos de sola praevisione per scientiam mediam locuti sumus: videbat enim Deus, Si creavero Adamum in lustitia originali etc. ex hac praevisione, quae est ante omnem absolutam futuritionem, recte potuit dirigi ad non volendum instituere Sacramenta ulla pro tam brevi tempore.'

⁴⁸ Arriaga, *Disputationes Theologicae*, tom. 7, d. 8, s. 1, n. 3, p. 84f. Against the claim that Aquinas' phrasing 'utrum fuerint' (rather than 'fuissent') addressed more probably a historical scenario, Arriaga maintained that the phrasing was 'an *necessaria* [my italics] fuerint', hence the *necessity* had to be part of the *status*, and that is what Aquinas denied.

in fact congruent with that *status*.⁴⁹ With this argument, he went beyond Suárez, who, as we saw above, combined the useful and the necessary: Suárez defended the ‘natural necessity’ of the sacraments against ‘supernatural necessity’. According to Arriaga, the sacraments only related to ‘natural utility’: also in the state of innocence, humans required visible signs. Moreover, they would assemble in a visible *respublica*. Thus, it would be fitting to have common external signs of grace for human beings united in such a way in the same place. For this reason, sacraments could very well have come to exist in a lasting state of innocence. Thus, we can see that Arriaga shifted the discourse: from the sacraments’ architectural location in the human pursuit of natural and supernatural perfection, to the issue of freely-willed convenience. Arriaga’s *scientia media* appropriation formed part of this argument: God foresaw the short-lived character of the state of innocence, that is why he did not bother to institute the sacraments;⁵⁰ *e contrario*, in the scenario of a lasting state of innocence, God would quite probably have instituted the sacraments (we will discuss the rationale that lay behind this in more detail in the following section).

Thus, Suárez and Arriaga formulated extensive interpretations of Aquinas’ handling of the sacraments in the lasting state of innocence. Rather than regarding sacramentality as a historical response (or medicine) to sin, i.e. the *exitus-reditus* account about broken human nature and its healing, both thinkers employed this *locus* to consider why the sacraments could be a useful (Arriaga) or naturally necessary (Suárez) institution of human life. This is the discursive move that occurred in the commentaries on *Pars Tertia*, question 61. To demarcate our framework: our entire enquiry does not say anything about the end of salvation. We are tracing ‘nature’ and the lasting state of innocence in a particular approach, namely, the approach centering on the ‘connaturality’ of the sacraments. This line of argument was, as we shall see, employed in thinking about the political community as well.

VI - Arriaga’s objections on the lasting state of innocence

Arriaga discussed the hypothetical lasting state of innocence in a commentary treatise on the *Pars Prima, De Opere Sex Dierum*. He considered the origin of the *respublica* by treating two questions that we have been tracking in this piece: first, whether there would have been a political community, and second, by what kind of power such a community would be organised.

For Arriaga, there were three types of human communities, of which the family was the first. The second type of community consisted of a number of different households located in close proximity, but with no relationship to one another. It represented some sort of heap of

⁴⁹ Arriaga, *Disputationes Theologicae*, tom. 7, d. 8, s. 1, n. 6, p. 86. This does not contradict Aquinas because Aquinas’ denial treated only of the historical state of innocence; as far as the hypothetical *status* was concerned, Aquinas only treated *necessity*.

⁵⁰ Why he did not institute sacraments between original sin and Christ, we cannot know; this relies on God’s free will.

independent elements, like 'multiple monasteries in the wilderness.'⁵¹ This sort of society would certainly come about, given the simple fact that multiple families would come to exist in proximity to one another. According to Arriaga, this was the Aristotelian village or *pagus*.⁵² The third type of community was the society proper, as in it, everyone obeyed the same law and the same heads or leaders. This was not a matter of scale, it could be a village, town or city - it could even be called by the same name as the second type of community, *pagus*.

Arriaga confirmed that the *communis opinio* – based on Aquinas and confirmed by Suárez - had been that this sort of society would also have existed in the state of innocence.⁵³ As we are familiar with by now, Aquinas had stated that this kind of community was based on *dominium* in the sense of 'having the office of governing and directing free men' to the common good; as rational, social creatures, humans would naturally join together like angels do, requiring someone to look after the common good. Moreover, differences between individuals in knowledge and virtue need to be employed for the good of all. However, Arriaga himself was not convinced by this argument. Thus, in their earthly existence, angels still would not have had any superior other than God. As to the other two arguments, the parents could easily fulfil the role of instructing their offspring. Thus, Arriaga made it clear that, by the Thomist standards, the parents could fulfil the role of the commonwealth in the state of innocence.

Furthermore, Arriaga considered one objection that we introduced with Suárez: humans 'need at least common rituals ordered towards the cult of God which they would exercise publicly'.⁵⁴ Arriaga refuted this claim also: neither the public veneration of God nor the punishment of criminals could provide the necessary grounding for the political community because God could take care of these issues alone or with the assistance of angels. Thus, merely on the basis of veneration, humans would still not find themselves *proprie coniuncti* in a commonwealth; malefactors would simply be expelled from paradise. Arriaga concluded: 'Thus, it does not at all seem necessary to establish a true commonwealth then.'⁵⁵ Essentially, there would be no need for the political community because there would be no need for the central functions of its 'head' or 'judge': namely the promulgation of laws and the dispensation of justice. In summary, Arriaga affirmed a fully functional natural community under the leadership of God - which Suárez denied.⁵⁶ Either way, in the lasting state of

⁵¹ Arriaga, *Disputationes Theologicae*, tom. 2 (Antwerp, 1643), d. 43, s. 2, n. 11, p. 436f: 'Alia societas est, quando multae sunt domus quasi per accidens coniunctae sine ordine inter se: ut v.g. si in eremo essent multa monasteria invicem independentia [...].'

⁵² There might not even be houses in this community, because their construction would require work; and there would be nothing to say against living 'under the sky'. Aristotle describes the 'village' in *The Politics* I, 2, 1252b15, p. 58: 'The next stage is the village, the first association of a number of houses for the satisfaction of something more than daily needs. It comes into being through the processes of nature in the fullest sense, as offshoots of a household are set up by sons and grandsons.' Aristotle, *The Politics*, transl. and ed. by T.A. Sinclair and J. Saunders (London: Penguin, 1992).

⁵³ Aquinas, *Ia*, q. 96, a. 4, ad. 3. (as opposed to *dominium* over *servi*). Suárez, 'De Opere Sex Dierum' in *Opera Omnia* (Paris, 1856), vol. 3, Book V, c. 7, n. 6, p. 414f.

⁵⁴ Arriaga, *Disputationes Theologicae*, tom. 2, d. 43, s. 2, n. 13, p. 437: 'Dices, debebant habere saltem caeremonias aliquas communes ad cultum Dei ordinatas, quas publice exercerent.'

⁵⁵ Arriaga, *Disputationes Theologicae*, tom. 2, d. 43, s. 2, n. 13, p. 437: 'ergo absolute non apparet tanta necessitas constituendi tunc veram rempublicam.'

⁵⁶ See our points above on self-government in the lasting state of innocence and on the need for a human ruler in 'pure nature'. See also Suárez, *DL*, III, 1, 3.

innocence, there was neither need nor space for a community ruled by a designated human government.

Arriaga moved on to expound his own thesis: while the commonwealth would not be necessary in the state of innocence in the sense described above, it would not be impossible for it to exist either; in fact, though not altogether necessary, the commonwealth would be quite *useful* for the human ends.⁵⁷ Arriaga maintained that no aspect of the political community was incompatible with that *status*. The subjection and obedience to orders in the commonwealth could be combined with the state of innocence by referencing some examples: Adam was obeyed by his wife and children, and, there is obedience among angels in the state of beatitude. This was an authentically Thomist point – the assumed harmony of the individual good with the common good when disregarding sin. After having asserted that subjection of such kind was not contradictory to the human condition before original sin, there was a claim to be made that it is actually fully appropriate for the condition of innocence: it would lead to closer relationships between souls.⁵⁸

Yet, we can see that Arriaga was doing something different here: he disentangled two notions that in the Thomist universe had belonged equally to the problem of the lack of order: the useful and the necessary. This is the same conclusion we arrived at in our previous section on Arriaga: the negation of the *necessary* opened up the requirement for other justifications for the political community. So, in the end Arriaga agreed with the *communis opinio*. Yet, as we have seen, he did not agree with them on the basis of the *common good* or instruction by the wise, even though these aspects were useful; rather, subjection and obedience was ‘not against’ the ideal condition before original sin. In other words, although Arriaga’s conclusion bore similar traits to that of Aquinas, he explicitly rejected the argument from *necessity*.⁵⁹ The natural community under God experienced a strong separation from the civil community of the commonwealth in this sequence of arguments.

Arriaga dealt with the question of natural communities by illustrating that he had some appreciation for a potential conflict between norms arising from natural law and the plain fact of human freedom.⁶⁰ Where in prior accounts the positive effects of directing human beings to their ends was present – i.e. positive effects beyond the need to avoid strife and secure peace –, Arriaga was content to claim that the political community was useful beyond securing peace only because it furthered human fellowship. As a matter of fact, he was not

⁵⁷ Arriaga, *Disputationes Theologicae*, tom. 2, d. 43, s. 2, n. 15, p. 437: ‘Secundo dico, Licet non videatur absolute necessaria ea respublica, non tamen propterea est impossibilis in eo statu; & hoc saltem convincunt rationes supra factae; quia esset commoda ad eos fines, licet non omnino necessaria.’ (on account of the arguments presented by the *communis opinio*)

⁵⁸ Arriaga, *Disputationes Theologicae*, tom. 2, d. 43, s. 2, n. 15, p. 437f: ‘Negari denique non potest, quin ad maiorem animorum coniunctionem talis modus reipublicae valde sit conformis; ergo non solum non est dicendus repugnans, sed potius admodum congruens ei statui. Hinc dico Tertio, licet non sit omnino certum futuram fuisse tunc talem rempublicam, id tamen videtur longe probabilius, & hoc a fortiori sentit communis sententia, propter rationes supra factas, neque in hac materia aliquis amplius addendum censeo.’

⁵⁹ This is not about the distinction between directive and coercive force; it is about nature in the sense of the useful in contrast to the sense of the necessary.

⁶⁰ In this sense, Höpfl may not be entirely right in his claim that the individual good and the common good were not considered as potentially conflicting ends in Jesuit thought (i.e.: the individual good consisted mainly in obeying; the common good consisted mainly in the ruler’s orders).

sure whether a *respublica* would have existed at all in a permanent state of innocence, but concluded that it probably would have, quite simply because it would not produce more obligation than the kind known from the Adamite family (there would be no crime and hence no punishment of criminals), and thus nothing objectionable. Arriaga de-emphasised natural-law considerations as justifications for the political community. While the 'states of nature' did not let go entirely of theological reasoning when it came to the role of the political community, it seems clear that the latter required another set of arguments to provide for its justification.

VII - Conclusion

Suárez and Arriaga took up the differing interpretations of Aquinas' dealing with the sacraments in the *Pars Tertia* to improve on the account of the *status innocentiae*. This was the hypothetical, lasting state of innocence. Suárez and Arriaga were able to argue that the spiritual and the temporal communities bore significant similarities in so far as they both shared a similar rationale. The sacraments did not only serve 'supernatural' perfection, i.e. salvation. They were also 'natural' in the sense of representing the worship of God, although Aquinas did not consider this aspect in the *locus* our thinkers were discussing. This worship was exercised in external acts; because humans were also social beings, these acts were therefore external and social and required a corresponding community and a corresponding order.

Suárez and Arriaga agreed that an ordering power obtained in all states of nature. According to Suárez, the worship of God could have been organised by consensus or tradition in the lasting state of innocence. However, in pure nature (the hypothetical condition devoid of grace), a separate, governing power would have been necessary. According to Arriaga, neither consensus nor human ordering power was necessary in the lasting state of innocence. In his characteristic philosophical rigour, Arriaga held that God could bring together humans and organise all worship by himself or with the help of angels. Worship alone could not support the argument that public power is a natural necessity for humans. However, such a power would be useful. Arriaga changed the question on the lasting state of innocence by separating the claim to necessity from the claim to utility. We might perhaps summarise this point in that Arriaga unravelled the Thomist motivation of 'utility and necessity', and instead defended the motivation of 'utility' alone.

In this piece, I have suggested that Suárez's and Arriaga's complex set of arguments defended in parallel the 'naturalness' of the temporal community and of the spiritual community. As it had been for Aquinas, the state of innocence remained the appropriate place to understand the 'naturalness' of community formation. However, Suárez and Arriaga manipulated the hypothetical state of innocence, each in their own way, to allow for the defence of the temporal and the spiritual communities alongside each other, rather than in a hierarchical order. They argued this by developing a framework that ensued from their respective commentaries on Aquinas' *Pars Tertia*.