

Suárez on Consent and the Origin of the Political Community

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Abstract: Suárez assumes a double contract or *consensus* that explains how a political community comes into being: first a consensus that describes the emergence of the *corpus mysticum*, a unified popular sovereign, and then the consensus that decides on the chosen form of rule. Moreover, however, Suárez assumes with Aristotle that man is an *animal politicum*. This article aims to trace the genesis of the political community in Suárez, taking into account the question: Is the political in Suárez overdetermined, if on the one hand it is anthropologically determined, but on the other hand it is also produced by *consensus*? And is Aristotle's naturalist framework with his rejection of a contract theory compatible with Suárez's contractualist approach? In early modern political philosophy, e.g. in Hobbes, *consensus* is, after all, sufficient to explain the political; anthropology does not suggest communization at first or only indirectly – in Hobbes, the political is explained by the coming together of initially non-political private interests. My thesis is: in his two-stage account of the genesis of the political, Suárez clarifies the special status of the political community, which is both natural and volitional.

Keywords: Suárez, Aristotle, Contract Theory, Contractualism, Consent, Naturalism, Aristotelian Anthropology, Political Theory.