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# **THE PAST, CONTEMPORANEITY AND CLOSE POSTERITY OF FRANCISCO SUÁREZ ON THE DISCUSSION OF THE POLITICAL RULE**

### **Abstract:**

Since the elucidation displayed by the medieval authors, such as Saint Thomas Aquinas and Dante, on the purpose of the way to safeguard the common good, the monarchy was considered ideal as political system of governance in opposition to aristocracy and democracy.

In the bosom of the Spanish Second Scholasticism and according in particular to a Jesuit author like Francisco Suárez, and his personal conception about the ruler based on limitation of powers by an ideal *Res publica* of citizens and the exercise of duties towards Church, the sovereign could be thrown down from his throne by reasons of political abuse of power competences and by means of recovery of legitimacy claimed by their peoples. There was the theory of the right King that could become a tyrant and then replaced by a new King or a righteous leader. The novelty here was for the XVIIth century the admission of the illegitimacy of governance due to reasons of power usurpation and the chance of plebiscite of a mighty leader, a kind of choice conceded to the population settled under his authority.

Moreover, in order to define law Hugo Grotius proceeds like Suárez while combining two concepts in a same definition, those of power (*potestas*) and rule (*lex*). In his work of 1625 *De jure belli ac pacis* (On the law of war and peace), this concept results confined by Grotius to the simple notion of all things not classified as unfair. So it is unfair whatever could be blamed by the society of the beings endowed with reason.

Suárez even anticipates the notion of social contract as it would be thought one century and a half later by Jean-Jacques Rousseau while allowing the first the admission of a kind of confessional rebellion against an impious prince. The only valid way in this level for Rousseau, as we can read in his essay *On the social contract* of 1762, would be the pact of association between the citizens and the state. In his turn, Suárez outlines that the popular consent to the ruler could be obtained by an original order or accepting a beneficial tyranny instituted as a mean of get away further kinds of oppression through a general plebiscite at a later period.

So the aim of this study is to determine how Suárez led the discussion in the bosom of his intellectual tradition on the nascent modern political philosophy.

### **Keywords:**

Scholasticism, Saint Thomas Aquinas, Francisco Suárez, Hugo Grotius, Political sovereignty