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No Property in Paradise. How Aquinas Understands the Origin of Private Property

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Summary

This essay continues my discussion of Aquinas's view of private property and gives an account of why private property would not have existed in Paradise and arose only after Adam and Eve sinned. To answer this question, we must understand how Aquinas views human nature in Paradise and in particular, his conception procreation, sexuality, labor, and the nature of Adam and Eve's children.

According to Thomas Aquinas, private property did not exist in Paradise but arose only later, after the original sin of Adam and Eve and their expulsion from Eden. Why private property is absent in Paradise and what this tells us about Aquinas's understanding of private property is the subject of this essay.

This discussion develops an earlier investigation I've done on Aquinas's conception of private property after the human expulsion from Paradise.¹ As we have already seen, Aquinas takes up the legitimacy of private property in his discussion of "theft and robbery," since those unlawful acts assume the legitimacy of private property in the post-Paradise situation or what scholars like to call the

"postlapsarian" condition. Aquinas holds the view that although private property is not natural, it is a reasonable and even necessary human institution in the post-Paradise human condition.

But how and why did private property develop given that there was no private property in Paradise? Aquinas accepts the view already established by his time that "according to the natural law all things are common property."² If so, then what is it about the post-Paradise human condition that made the need for private property arise? And why is this change in the human condition greeted as a necessary and good extension of the nature, whereas other changes in the human being are considered punishments? What, furthermore, does this development tell us about Aquinas and his conception of private property? These are some of the questions that we shall attempt to tackle in this discussion.

We shall start with the observation that if private property is the conceptual foundation for the idea of theft and robbery, then the lack of private property in Paradise must mean that theft and robbery were not possible or not an issue in Paradise. This might seem like a self-evident and even banal conclusion. After all, why would Adam and Eve want or need to steal from each other? The original couple had plenty of everything available to them whenever they wanted. But the issue is not so simple, as we shall see, for the human species could have grown and enlarged in Paradise had the first couple not sinned. Indeed, Aquinas holds that there would have been procreation and offspring in Paradise had the first couple not sinned.³ We are thus led to the theoretical possibility that there could have eventually been hundreds, thousands and eventually millions of human beings living in Paradise, had the first sins not occurred. What, then?

With an expanded human population in Paradise, would competition over resources have arisen and triggered a need for private property in Paradise? And if not, why not? These are not unreasonable hypothetical questions, since Aquinas holds the view that Adam and Eve had free will and it was not ordained that they must sin and be expelled from the garden. Thus, it is reasonable to wonder what would have happened had they not sinned. In this situation, would private property have arisen? These questions open up a much larger discussion about the differences in the human condition before and after life in Paradise. It is in this context that we ultimately need to come to terms with Aquinas's understanding of private property.

LIFE IN PARADISE

Human life in Paradise was not as we know it today. Both human nature and the conditions of life were different in fundamental ways. Aquinas refers to this period as “the state of innocence,” “the primitive state of life,” and contrasts this period with “we in our present state” and “the present state of unhappiness.”⁴

Aquinas assumes that Paradise was both a physical and a spiritual place. It was located somewhere in the East, possibly near the equator, though its exact location is unknown because it is surrounded by mountains or other physical barriers that make its discovery impossible. Its climate is perfectly tailored to the lives of the immortal beings who lived there.⁵

Before their sin, the parents of the human race were immortal and would not die. The soul was naturally immortal, but the body, which humans shared with other creatures, was naturally “corruptible.” This natural “defect” of all corporeal bodies was eliminated in Paradise and did not return until after the first sin and loss of divine favor.

In other respects, however, human bodies were not exempt from the natural qualities of living animal or plant bodies “in the operations of which are the use of food, generation, and growth. Wherefore such operations befitted man in the state of innocence.”⁶ The first couple’s immortality originated in a supernatural force given as a gift by God to the soul which protected the human body from all corruption, for as long as the soul remained subject to God and did not sin.⁷ Thus, in Paradise, Adam and Eve were protected from death and aging, which were otherwise natural. After they sin, they lose this divine protection and become subject to aging and death and thus are returned to the natural state of the corruptible body.

While Aquinas attributes human immortality to this divine gift, he also identifies other factors as protecting human beings from the aging and death. Under natural circumstances, death is caused by external factors and internal causes (e.g., aging, disease, accidents). In Paradise, the first couple was able to avoid injury and death by “hard objects” (i.e., natural accidents) because reason helped them to anticipate and avoid dangers and because “Divine Providence, so preserving him, that nothing of a harmful nature could come upon him unawares.”⁸ Furthermore,

Paradise itself had a climate that was specifically fit for an immortal being. With a temperate climate, possibly because it is near the equator, Paradise physically protected Adam and Eve's bodies from external degradation and aging.⁹

No Labor in Paradise

Did Adam labor in Paradise? What does Scripture mean when it says God placed Adam in the Garden of Eden to "tend and keep it?" If Adam labored in the garden, how could labor be a punishment for his sin?

According to Aquinas, food was readily available from the trees in Paradise and the first couple did not have to labor at all for their food. The need to labor for food would be one of the punishments that men receive for the sin of Adam.

It would thus be a misunderstanding to think that Adam's role in Paradise was to tend or keep the garden like a farmer, even though Scripture says that Adam was placed in the garden to "dress and make it" (Genesis 2.15) and that no shrub had been growing in the garden in part because "there was no man to till it" (Gen. 2.5).¹⁰ Scripture seems to be suggesting that Adam had some role in tending and cultivating the garden. But if so, then in what sense was laboring for food a punishment later?

According to Aquinas, Adam's activity of "dressing and making" did not involve any physical labor or at least anything unpleasant.¹¹ One conjures up the image of a loving gardener tending his garden, and experiencing any physical effort as enjoyment and not "labor." Or perhaps a more relevant metaphor for Aquinas's Adam is the image of a scientist or botanist who is happily engaged in the pursuit of knowledge and the study of the plants. In any case, before his sin Adam did not have to labor like a farmer nor exert himself to achieve enough food for life.¹² Labor, of course, wasn't needed, because food was readily available from the trees of the garden and Adam and Eve could easily gather what they needed. Aquinas doesn't agree with the view of those who say there would have been no feces in Paradise because "in the state of innocence man would not have taken more than the necessary food." Such a view Aquinas says "is unreasonable to suppose," because he holds that the bodies of Adam and Eve were not exempt from natural laws, with the exception of their immortality and the way the sensual appetites worked. Thus, while "there was need for [the first couple to be] voiding the surplus, yet [it was] so disposed by God as to be decorous

and suitable to the state."¹³ We shall return to this question of whether Adam and Eve's descendants in Paradise would have taken more than they needed, as we try to understand what would have happened in Paradise, had Adam and Eve not sinned but had offspring. It is to the question of offspring and procreation that we now turn.

On Sexuality and Procreation in Paradise

Not only did Adam and Eve have ready access to food, but they had no need for clothing. In part, this was due to the mild climate which protected their bodies.¹⁴ But it was also because they were unaware of their nakedness (Gen. 2.25). Aquinas understands their innocence and lack of shame as consistent with and resulting from their lack of sexual desire or lust, since the struggle between the sensual appetites of the body and the intellectual parts of the soul arose only after their sin and expulsion from Paradise.

As Aquinas puts it, “But in the state of innocence the inferior appetite was wholly subject to reason: so that in that state the passions of the soul existed only as consequent upon the judgment of reason.” For this reason, “they were naked and not ashamed, there being no inordinate motions of concupiscence—”¹⁵ Aquinas is saying that nakedness was not shameful in Paradise because the first parents had neither sexual desire nor lust, even though Eve had been created for the purposes of procreation.¹⁶ Instead, procreation was based on a rational decision to procreate, without the promptings of sexual desire. Just as eating food was a decision of the rational intellect to care for the health of the body, so too was procreation a rational decision to reproduce.

Aquinas thus rejects the view of those who say there never would have been sexual intercourse in Paradise and that reproduction in the state of innocence would have taken place without sexual intercourse, by the power of God.¹⁷ On the contrary, Aquinas holds that sexual intercourse and procreation were not only possible in Paradise but that Adam and Eve actually had a responsibility in Paradise to have intercourse to reproduce. Otherwise, God would have created a female in vain for no purpose. This is also why Eve is called a “help-mate” to Adam, to help him in procreation, and why God created Eve in the garden of Eden and not later.¹⁸

As things unfolded, however, Adam and Eve didn't actually have intercourse until after their sin and punishment which is why Scripture only says "Adam knew Eve his wife" after they have been expelled (Gen. 4.1). This delay in having sexual relations, Aquinas speculates, was either because their sins occurred quickly and they didn't have time for union or because they were awaiting divine instructions as to the timing of their reproduction.¹⁹ The delay did not signify that procreation and sexuality were a postlapsarian condition. Had sin not occurred, the first couple would indeed have had sexual relations in Paradise and had offspring.

No Contradiction of Immortality and Procreation

Aquinas does not see a contradiction between the first couple's immortality and their obligation to procreate, even though he accepts the view that things which are immortal don't need to procreate. Though it is true that had they not sinned they would have been immortal, and thus there was no need for reproduction to preserve the human species, Aquinas insists they still had an obligation to expand the number of individuals in the species. This obligation arises because of the nature of the human being who is half-corruptible (body) and half-incorruptible (soul). As Aquinas explains, nature endows corruptible things with procreation to reproduce the species. With incorruptible things like the soul, "it is fitting that the multitude of individuals should be the direct purpose of nature, or rather of the Author of nature, Who alone is the Creator of the human soul. Wherefore, to provide for the multiplication of the human race, He established the begetting of offspring even in the state of innocence."²⁰

The Nature of the Sexual Act in the Garden of Eden

Having established that sexual intercourse would have taken place in the state of innocence had sin not occurred, Aquinas makes clear that the nature of the sexual act at that time would have differed fundamentally from the nature of the act as it exists among humans today. Noting that human beings become like beasts during intercourse, Aquinas contrasts how intercourse would have been different in Paradise. It is worth quoting Aquinas at length:

In the state of innocence nothing of this kind would have happened that was not regulated by reason, not because delight of sense was less, as some say (rather indeed would sensible delight have been the greater in proportion to the greater purity of nature and the greater sensibility of the body), but because the force of concupiscence would not have so inordinately thrown itself into such pleasure, being curbed by reason, whose place it is not to lessen sensual pleasure, but to prevent the force of concupiscence from cleaving to it immoderately. By “immoderately” I mean going beyond the bounds of reason, as a sober person does not take less pleasure in food taken in moderation than the glutton, but his concupiscence lingers less in such pleasures.²¹

According to Aquinas, then, Adam and Eve would still have had intense pleasure in sexual intercourse, even more pleasure perhaps than humans today, but their sexual experience would not have dominated their persons and overcome their reason the way it would do so for human beings after the first sin.

Gluttony is to Sexuality as...

By way of a telling analogy, Aquinas contrasts the glutton who can't control the consumption of food with a person who simply enjoys eating a meal but is under control and can start and stop at will. The glutton is like the person having sexual intercourse after Paradise and the moderate eater is like Adam and Eve having sexual relations. They would have enjoyed it intensely even though it was a rational and controlled activity. As Aquinas puts it, “a sober person does not take less pleasure in food taken in moderation than the glutton, but his concupiscence lingers less in such pleasures.”²²

Aquinas ties the emerging shame over nakedness not only to sexual desire but to the visual arousal of the lustful body which is what makes nakedness shameful. He thus seems to have in mind, in particular, the unprompted and visible male erection as a symptom of sexual desire

that is shameful and should be hidden by clothing. The purpose of clothing was thus to hide the visible signs of unruly sexual desire, which started after the first couple's sin and reminded them of what they had done.

In Paradise, by contrast, nakedness was not a problem because the climate was mild, the body was protected from accidents, and Adam was not aroused, we surmise, except through a rational decision to procreate. As Aquinas puts it, "Clothing is necessary to man in his present state of unhappiness for two reasons. First, to supply a deficiency in respect of external harm caused by, for instance, extreme heat or cold. Secondly, to hide his ignominy and to cover the shame of those members wherein the rebellion of the flesh against the spirit is most manifest."²³

The Children of Adam and Eve

If Adam and Eve had children in the Paradise, what would they have been like?

As we have seen, Aquinas makes clear that Adam and Eve were expected to have sexual intercourse and procreate in Paradise. After all, since they had free will, the first couple did not have to sin. Had they not sinned, therefore, the human population would have expanded indefinitely in Paradise and their children and descendants would have continued living in a state of innocence.

This possible scenario explains why Aquinas contemplates what a larger human community could have been like in the state of innocence. We begin with what Aquinas says about the nature of its inhabitants. It is surprising to learn, as we shall see, that inequality does characterize this community. Not everyone is equal and, as a result, government is needed. Even so, we shall find, this community in Paradise does not have private property. How all this fits together and makes sense is the subject of what follows.

To begin with, we can assume that the children of Adam and Eve and their future descendants would have been born with the character of natural babies. Aquinas disagrees with those who thought Adam and Eve's children and descendants would have been born fully mature adults, both in character and body. On the contrary, he argues they would have been born in the same state as natural babies today, physically immature and not yet with fully mature minds or reasoning capacity.

However, in terms of their overall human nature, they would have been just like their parents and been included in "original

righteousness,” just like their parents. By this, Aquinas means that, like their parents, Adam and Eve's children would also have been exempt from the same defects of the body as their parents, namely, aging, death and unruly sensitive appetites.²⁴ As he puts it, “Therefore in that state there could have been certain infantile defects which result from birth; but not senile defects leading to corruption.”²⁵

Aquinas is careful to attribute the exemption from these bodily defects to the grace of God. These exemptions would not have been passed in the semen the way original sin would be later be inherited.²⁶ Like their parents, these children and other descendants would have had free-will and would have been capable of sinning, thus not “confirmed in righteousness.”²⁷ Here Aquinas is disputing a view that assumed that if Adam and Eve had not sinned, then all of their children would have been automatically and permanently worthy of saving by Christ and not capable of sinning. Not necessarily, concludes Aquinas. Like their parents, they too could have sinned.²⁸ Aquinas acknowledges that although we have no specific evidence of these specific truths about the children and descendants of Adam and Eve, “we must be guided by the nature of things, except in those things which are above nature, and are made known to us by Divine authority. Now it is clear that it is as natural as it is befitting to the principles of human nature that children should not have sufficient strength for the use of their limbs immediately after birth.”²⁹

Food for Everyone in Paradise?

From the preceding assumptions, we can assume that the children of Adam and Eve would also have been able to eat from the trees in the garden, without having to labor. Aquinas does not make clear, as far as I have been able to find, whether the trees of Paradise would have been able to handle an exponentially larger population that would have arisen over time had Adam and Eve not sinned. We don't know whether the same number of trees could have produced much greater amounts of fruit. We also don't know whether Paradise was geographically large enough to handle a growing population, though we can assume Aquinas would have held that God could have expanded Paradise at will, if Paradise wasn't already designed to accommodate the growing human

population. It is unfortunate that Aquinas does not reflect more on such matters because they are relevant to the question of why private property would not have arisen in Paradise as the human population grew. And the more we know about what would have happened in Paradise with food and possessions, the more we can understand Aquinas's views of private property in the postlapsarian world in which we live.

Were Adam and Eve Vegetarians?

We have learned so far that Adam and Eve needed to eat, were expected to have sexual intercourse and offspring, but were not ruled by their sensual appetites and had no need for clothing. Because they had such few needs, humans had a very different relationship to animals in the state of innocence then afterwards.

Later after leaving Paradise, animals would be used for clothing, labor and food. But since humans had no need for clothing or labor and since they could freely eat from the trees of the garden, they had no need for animals in Paradise. "In the state of innocence man would not have had any bodily need of animals---neither for clothing, since then they were naked and not ashamed, there being no inordinate motions of concupiscence---nor for food, since they fed on the trees of paradise---nor to carry him about, his body being strong enough for that purpose."³⁰

Why then were there animals in Paradise, and why did God bring the animals to Adam to name them (Gen. 2.19)? As noted earlier, Aquinas sees Adam as analogous to a scientist exploring nature. While Adam didn't have need of animals for what we think of as traditional purposes today, "man needed animals in order to have experimental knowledge of their natures. This is signified by the fact that God led the animals to man, that he might give them names expressive of their respective natures."³¹ Aquinas sees the presence of animals in Paradise as a special dispensation to Adam, which, by the way, is how the serpent managed to get into Paradise in the first place.³²

While Adam and Eve didn't need the animals for any practical purpose, the humans were given mastership or dominion over the creatures (Gen. 1.26-28). It is arguable that Aquinas thinks Eve had dominion over animals as well as Adam.³³ Aquinas is careful to distinguish human dominion from God's dominion.³⁴ Human dominion differs from God's, since God can change the substance of things.

But humans still had a certain kind of dominion over the animals. Aquinas holds that in the state of innocence, dominion meant

that all the animals would obey the commands of Adam just like domesticated animals do today. Animals only came to disobey human beings as a punishment for the first parents sins.³⁵ Aquinas disagrees with those who hold that in Paradise animals were all tame and herbivorous and he notes that only human nature changed as a result of human sin and not the nature of animals. Thus there were carnivorous animals on the earth and brought into the Garden of Eden to see what Adam would name them.³⁶

Why animals needed to obey Adam and Eve when they had no purposes for them, is not entirely clear. Furthermore, there is an interesting and somewhat puzzling asymmetry in Aquinas's view of what dominion means with respect to animals, on the one hand, and plants and inanimate things, on the other, even though both types of dominion arise from God's command in Genesis 1.26-28 and from natural law. As noted previously, Aquinas says that "in the state of innocence man's mastership over plants and inanimate things consisted not in commanding or in changing them, but in making use of them without hindrance."³⁷ But in the state of innocence humans apparently did not eat animals or use them in any way. The desire to eat animals apparently arises only after the flood when God tells Noah that he and his descendants may eat meat (Gen. 9.3).

Why Adam and Eve Ate Meat

Aquinas is somewhat reticent on the question of why humans came to eat and kill animals. We know that as punishment for their sins, man had to labor for food and animals stopped obeying Adam and Eve. But it appears that the desire for meat was not thought to be a result of sin. As noted above, Aquinas says that "in the state of innocence man would not have had any bodily need of animals---neither for clothing...nor for food, since they fed on the trees of paradise..."³⁸ What is not entirely clear from this statement is whether they *chose not to eat meat* or *were prohibited* from eating meat. In another context, Aquinas seems to suggest that meat eating was a human taste or practice that had not yet developed in Paradise. Here is what Aquinas has to say on this point.

Men were wont to eat plants and other products of the soil even before the deluge: but the eating of flesh seems to have been introduced [by humans? God?] after the deluge; for it is written (Gn. 9:3): "Even as the green herbs have I delivered . . . all" flesh "to you." The reason for this was that the eating of the products of the soil savors rather of a simple life; whereas the eating of flesh savors of delicate and over-careful living [i.e., more advanced cultivated culture]. For the soil gives birth to the herb of its own accord; and such like products of the earth may be had in great quantities with very little effort: whereas no small trouble is necessary either to rear or to catch an animal.³⁹

This passage, too, is a bit ambiguous and one can interpret it in more than one way. It is possible to understand this passage as implying that meat eating was simply a human preference that developed over time, and not a special dispensation to human beings after the flood. If so, this statement could be understood to imply that Aquinas thought meat eating was permissible in Paradise, even though humans didn't develop that taste or practice until later when civilization had changed and could invest in the labor to catch or rear animals. How then does Aquinas understand God telling Noah he can eat meat (Gen. 9.3)? God would not be giving permission here but instead validating a human practice that was about to arise or had arisen and always been permissible by natural law.

On this interpretation, meat eating would be different than clothing which is also a postlapsarian development that arises only because humans sinned and became aware of their nakedness. Meat eating, by contrast, did not arise because of sin but is simply an acquired human taste that was always permissible. One might conclude from this statement that meat eating could have arisen in Paradise too, if human civilization developed there, though Aquinas does not say this explicitly.

The assumption that meat eating was permissible in Paradise would help make sense of Aquinas's statement in his discussion of theft and murder that eating meat is natural. Following Aristotle, Aquinas argues that meat eating is implied as part of the hierarchy of nature. For convenience, I quote this passage again from Aquinas:

I answer that, There is no sin in using a thing for the purpose for which it is. Now the order of things is such

that the imperfect are for the perfect, even as in the process of generation nature proceeds from imperfection to perfection. Hence it is that just as in the generation of a man there is first a living thing, then an animal, and lastly a man, so too things, like the plants, which merely have life, are all alike for animals, and all animals are for man. Wherefore it is not unlawful if man use plants for the good of animals, and animals for the good of man, as the Philosopher states (Polit. i, 3). Now the most necessary use would seem to consist in the fact that animals use plants, and men use animals, for food, and this cannot be done unless these be deprived of life: wherefore it is lawful both to take life from plants for the use of animals, and from animals for the use of men. In fact this is in keeping with the commandment of God Himself: for it is written (Gn. 1:29, 30): "Behold I have given you every herb . . . and all trees . . . to be your meat, and to all beasts of the earth": and again (Gn. 9:3): "Everything that moveth and liveth shall be meat to you."⁴⁰

This passage appears in Aquinas's discussion of theft and robbery and not in his analysis of the creation story. From this context, therefore, we cannot be certain whether he assumes that meat eating is natural in Paradise itself. Here, he proves meat eating is permissible by appealing to the hierarchy in nature and by citing the same verse from Genesis (9.3) in which God tells Noah that he may eat animals. Thus, this passage also is a bit ambiguous on the question of whether meat eating was permissible in Paradise, though it is clear Aquinas regards meat eating as natural.

There are two ways to make everything consistent. I lean towards understanding Aquinas the first way: assuming that Aquinas considers meat eating permissible in Paradise, since it is natural, even though humans had not yet developed the taste or practice. Another way to make everything consistent is to understand meat eating as a practice and taste that developed in response to the changing nature of human

beings after sin and Paradise and to understand Aquinas's sense of "what's natural" as referring to the human condition after sin.

What we've learned so far

Let me recapitulate what we have learned so far. We have seen that in Paradise, Adam and Eve were naked and needed no clothing. They ate from the trees in the garden and didn't need to labor for food. While they had dominion over the animals, they didn't need for animals for clothing, labor or food and did not yet have a desire to eat meat, though it seems meat eating was permissible. Thus, in Paradise the animals had no purpose except to satisfy intellectual curiosity of Adam, who was like a scientist or botanist classifying and understanding the natural world.

In most ways humans were in a natural state except for two: they were immortal and their sensual appetites obeyed their reason. These exemptions were special gifts from God that overrode what otherwise was natural about having corruptible bodies. After their sins, God removes these special gifts and the human condition reverts to the full natural condition of bodies: they become subject to mortality and their sensual appetites become rebellious against their reason. Though they did not have unruly appetites in Paradise, they did have a mandate to procreate and to produce more individuals. Had the first parents not sinned, the human population in Paradise would have expanded and grown and we might all be living there now.

What would the human condition have been like in that case? As the human population grew, would the condition of scarcity have arisen and would private property have been needed? And if not, what changed about human nature that made private property acceptable and necessary in the post-Paradise situation and not before? Is private property like clothing, which was a human response to sin, or was it more like meat eating, which was always permissible but not yet an acquired taste? It is to these questions that we now turn.

No Equality in Paradise

Did you think everyone was created equal? Not so, according to Aquinas. Aquinas provides a number of clues as to how he imagines the hypothetical human community that would have developed from Adam and Eve's descendants in Paradise. To begin with, he notes that this original human population would *not* have been characterized by equality. Instead, Aquinas holds that even human inequality was natural

in Paradise: “order” he says, “chiefly consists in inequality.”⁴¹ This position is consistent with Aquinas’s position, following Aristotle, that there exists a recognizable hierarchy in nature in general. As discussed previously, Aquinas quotes Aristotle on this point when explaining why humans have dominion over the animals and other living creatures and why humans can make use of them for food.⁴² Since Aquinas sees inequality already in place in the state of innocence, sin was clearly not responsible for the development of inequality.

There are various forms of inequality which would have arisen in the state of innocence, among which the basic ones are sex differentiation and age. As he puts it, “I answer that, We must needs admit that in the primitive state there would have been some inequality, at least as regards sex, because generation depends upon diversity of sex: and likewise as regards age; for some would have been born of others; nor would sexual union have been sterile.”⁴³

But even among persons of the same age, there would have been physical differences since humans bodies were subject to the natural variations. On the possible origin of such variations, Aquinas says, “So we may say that, according to the climate, or the movement of the stars, some would have been born more robust in body than others, and also greater, and more beautiful, and all ways better disposed; so that, however, in those who were thus surpassed, there would have been no defect or fault either in soul or body.”⁴⁴ It is not clear how the climate could vary so much as to produce such differences since elsewhere Aquinas talks about how moderate such climate was, as we have discussed previously. Perhaps for a moment, here, Aquinas forgot he had elsewhere attributed immortality in part to the mild climate of Paradise. In any case, while Aquinas imagines variations in body physique and beauty, he is careful to emphasize that while some surpass others, those who are surpassed did not have any defects, for there could be no defects in Paradise. Variations were all positive, not negative.⁴⁵

Differences would have arisen not only in physical bodies but in knowledge and virtue as well. How so? Aquinas’s answer here is quite intriguing. He writes, “Moreover, as regards the soul, there would have been inequality as to righteousness and knowledge. For man worked not of necessity, but of his own free-will, by virtue of which man can apply himself, more or less, to action, desire, or knowledge; hence some would

have made a greater advance in virtue and knowledge than others.”⁴⁶ Aquinas here attributes differences in knowledge and virtue in Paradise to the differential efforts individual humans expend. It is interesting that Aquinas imagines some people working harder than others at various human capabilities, even though no one had to work for the necessities of life. Food was plentiful and easy to access. Thus humans in Paradise were not all of the same cloth. Even in the state of innocence, they did not all work as hard as one another to achieve knowledge or virtue. Aquinas sees such differences as emerging out of the free-will that God had granted human beings. What caused some individuals to expend more energy than others, Aquinas unfortunately does not say.⁴⁷

It is important to note that inequality in the state of innocence would have differed from inequality as it exists today outside of Paradise. After sin, inequality “among men seems to arise, on the part of God, from the fact that He rewards some and punishes others; and on the part of nature, from the fact that some, through a defect of nature, are born weak and deficient, others strong and perfect, which would not have been the case in the primitive state.” In Paradise, by contrast, variations were not defects but natural. “The cause of inequality could be on the part of God; not indeed that He would punish some and reward others [since there would have been no sin], but that He would exalt some above others; so that the beauty of order would the more shine forth among men. Inequality might also arise on the part of nature [that produces natural differences of the body] as above described, without any defect of nature.”⁴⁸

On Subjection and Government in Paradise

Did you know there was a need for government in Paradise, says Aquinas? The naturalness of differences and variations in nature account for the presence of “subjection” and government in Paradise. But only certain kinds of subjections are present in Paradise. Subjection is defined in two possible ways: First, subjection refers to when “a superior makes use of a subject for his own benefit; and this kind of subjection began after sin.”⁴⁹ Aquinas has in mind here the kind of subjection involved in slavery, when a master uses another person instrumentally for his own purposes and can be said to own that person.

No Slavery in Paradise

It is intriguing that this kind of subjection had no place in Paradise, according to Aquinas, but arose only later after sin, as a human invention. In saying slavery arises after Paradise, Aquinas takes a position in disagreement with Aristotle who sees certain people as naturally slaves.⁵⁰ This is an important point since Aquinas typically affirms what Aristotle holds to be natural including Aristotle's position that there is a naturalness of hierarchy in nature, as we have seen earlier. Here, however, Aquinas departs from Aristotle's views and treats slavery as a human institution that develops after Paradise, after sin has taken place. Why can't slavery exist in Paradise?

Aquinas writes, "And since every man's proper good is desirable to himself, and consequently it is a grievous matter to anyone to yield to another what ought to be one's own, therefore such dominion implies of necessity a pain inflicted on the subject; and consequently in the state of innocence such a mastership could not have existed between man and man."⁵¹ Let's try to restate what Aquinas is saying here in more contemporary language. Since each person naturally pursues the proper good, which is the end for which each human is created, yielding one's ability to pursue the proper good to another person is grievous and painful, which would not have been acceptable in the state of innocence. In the state of innocence, each person would have had his or her free will to seek the proper good. Thus, slavery could not have arisen in Paradise, even had the human population expanded exponentially. We thus see that what's natural in the state of innocence according to Aquinas is not precisely the same as what is natural as defined by Aristotle. Thus Aquinas is shifting the line between the natural and the conventional, as defined by Aristotle. Slavery is one of the places where he does so.

It is interesting to note here that Aquinas here implies that a person has a kind of ownership over his or her own self. This is suggested by his words that "it is a grievous matter to anyone to yield to another what ought to be one's own." The use of the concept of "one's own" implies that a person has a kind of ownership over the self or purpose of one's life, which is implied by the granting of free will. Though he seems to have this view of ownership over the self, he does not see a contradiction with his view that private property does not

exist Paradise, by which he typically means ownership over external things.⁵²

In an important sense for Aquinas, therefore, we can say that slavery is analogous to private property. Neither appear in Paradise but are both treated as reasonable and beneficial extensions to the natural law. This parallelism between slavery and private property makes sense in Aquinas's framework, since slavery is arguably also a form of ownership, and ownership has no place in Paradise.⁵³

On Government and Subjects in Paradise

While Aquinas holds that the first kind of subjection (slavery) did not exist in the state of innocence, "there is another kind of subjection which is called economic or civil, whereby the superior makes use of his subjects for their own benefit and good; and this kind of subjection existed even before sin. For good order would have been wanting in the human family if some were not governed by others wiser than themselves."⁵⁴ This kind of subjection to another person would not have been beneath human dignity even in Paradise because even angels rule over one another.⁵⁵

As we see here, Aquinas understands the disparities in knowledge which naturally develop in Paradise as naturally calling forth the need for government where someone has power over subjects for their own benefit and good.⁵⁶ This too is a kind of subjection, though of a different sort and purpose than slavery. Aquinas differentiates this form of governmental power or "mastership" from the power of the slave's master, which is like ownership.

Aquinas does not here get into the question of how far governmental power or subjection extends or what exactly the governor in Paradise would have to do, though he does see a natural parallel between God as the governor of the world, reason as a governor of the body, humans mastering animals, and the governor ruling over people. For example, reason governs the emotions not, 'by a despotic sovereignty,' as a slave is moved by his master, but by a 'royal and politic sovereignty,' as free men are ruled by their governor, and can nevertheless act counter to his commands."⁵⁷ There is a nice order and parallelism in nature with that which is higher in the hierarchy ruling that which is lower in the hierarchy. Political sovereignty gives proper guidance through reason, but free people may choose not to follow because they have free will.

Why, then, is there government in Paradise? The implication is that because human differences would arise among individuals, even in Paradise, that those with more knowledge are needed to direct others towards their own benefit and good. The claim here is that individuals don't always know what is best for their own good, even in the state of innocence. It is difficult to understand in what ways the children of Adam and Eve would have needed direction in Paradise, since they were immortal and their reason ruled their appetites. What would governors have done in Paradise? Would laws have been needed to regulate human interaction, since some individuals were more virtuous than others? Remember that food was plentiful in Paradise, clothing was not needed, and there was no private property in Paradise, so there would have been no rules needed to govern property relations. What rules would have been needed then?

Would there have been disputes over taking possessions of external things since Aquinas says possession was natural, even though private property was not?⁵⁸ Would rules on sharing water or the trees in Paradise have been needed? Would civilization have advanced in Paradise through the use of human reason? Would those advances have needed guidance and regulation? Would there have been fights over who tended which plot of land or who had mastery over which animals? Would trade and commerce have developed because people applied their knowledge and effort differently and had an interest and desire for different things? Would money have come into existence? Would horse and buggies or cars and roads eventually have developed and traffic regulations been needed? Would there have been a need to tax citizens and if so for what purposes?

Aquinas does not answer such specific questions, as far as I can see, though we find hints of how he thinks of government in his discussion of human law. The purpose of the law is to make people good. Since humans differ in levels or capacity for virtue even in Paradise, governors are needed to cultivate and lead people towards virtue. Furthermore, we know that Aquinas thinks that human law is needed to complement natural law, which is imprinted on us. Why so? The reason is that natural law gives us only the general principles by which to live but not the specifics. We must use reason to draw out the specifics from the general principles. Thus there is room for human error

and mistakes. And given that there are differences in people in their levels knowledge and virtue, we can assume that Adam and Eve's descendants also could sometimes have used reason to arrive at the wrong conclusions.⁵⁹ Thus governors would have been the ones who had the knowledge to set laws on the basis of reason and direct all individuals and the community to the proper good. For example he writes that “ it is evident that the proper effect of law is to lead its subjects to their proper virtue: and since virtue is ‘that which makes its subject good,’ it follows that the proper effect of law is to make those to whom it is given, good, either simply or in some particular respect. For if the intention of the lawgiver is fixed on true good, which is the common good regulated according to Divine justice.”⁶⁰

To summarize, our discussion, the power of governing would have arisen naturally in Paradise because human differences and natural variations and inequalities would have emerged, distinguishing some people who are more knowledgeable and virtuous from others. Even so, it is not exactly clear why Aquinas thinks governing would have been needed in Paradise among a population of people who are immortal, do not age, have enough food available without labor, have mastery over the animals, live in a temperate climate and lack private property. In fact, as we shall now see, private property is lacking precisely because human nature was different in Paradise than it would be after. It is to this topic that we now turn.

Private Property, the Result of Sin

If the human population had grown in Paradise, would private property have arisen naturally in Paradise too? Aquinas says, “No.”

We can conclude that the need for private property does not arise simply because of population growth alone, since a large population in Paradise would not have brought forth private property all by itself. Something besides population growth, then, must account for this transition from a property-less Paradise to a post-Paradise world in which private property becomes a special human competence.⁶¹ Is it the competition for resources after Paradise, and the need to labor for sustenance, that gives rise to private property or is it something about the changing nature of the human being as well?

Aquinas has this very question in mind, when he discusses whether there would have been sex or reproduction in Paradise. As we recall, Aquinas comes down squarely on the side of those who argue that

sexual relations and reproduction would have happened in the state of innocence, had Adam and Eve not sinned.⁶² But in arguing for that position, he responds to a fascinating objection that attempts to link the development of private property to human population growth in Paradise. Here is the objection:

Objection 3: Further, by generation man is multiplied. But the multiplication of masters requires the division of property, to avoid confusion of mastership. Therefore, since man was made master of the animals, it would have been necessary to make a division of rights when the human race increased by generation. This is against the natural law, according to which all things are in common, as Isidore says (Etym. v, 4).⁶³

Aquinas develops his objection from the starting assumption that all things are in common according to the natural law, a view that he cites here in the name St. Isidore of Seville (b.560-d.636). St. Isidore was Archbishop of Seville for more than three decades and wrote a compendium of received knowledge from antiquity called *Etymologies*. In it, Isidore says that everything is common according to natural law, a view that Aquinas receives from others as well.⁶⁴

Population growth implies private property, right?

Let's now follow the logic of the objection that Aquinas poses: If there was reproduction in Paradise, the human population would have grown, resulting in a need for private property. But this can't be so, because it is accepted that things are in common according to the natural law. Therefore, one could conclude that Adam and Eve could not have reproduced in Paradise.

Aquinas ultimately rejects this conclusion. He reasons there would have been sexual relations and children in Paradise, had Adam and Eve not sinned, as discussed already above. Because he holds this view, he must, therefore, explain why an expanded population in Paradise would not have produced private property. His answer is that

human nature differed in Paradise from the nature of human beings after their sin. Here is his reply.

Reply to Objection 3: In our present state a division of possessions is necessary on account of the multiplicity of masters, inasmuch as community of possession is a source of strife, as the Philosopher says (Politic. ii, 5). In the state of innocence, however, the will of men would have been so ordered that without any danger of strife they would have used in common, according to each one's need, those things of which they were masters---a state of things to be observed even now among many good men.⁶⁵

The reason private property arises after Paradise, says Aquinas, is that human beings fundamentally changed in nature as a result of sin. And it is this change in human nature that leads to the need for private property, not simply the increase in human population. What change is he talking about? From previous discussions, we know the answer: in Paradise, reason was master of the sensible appetites. But after sin the body becomes unruly, leading to shame over nakedness, the need for clothing and, as we now see here, private property.

In Paradise, then, human beings would *not* have fought over the natural resources, even if the population expanded. Their wills were “so ordered” that they could have managed sharing things in common, according to each individual’s needs. After sin and the unruliness of the body against reason, however, wills are not ordered in this way in the majority of individuals and therefore the idea and practices of private property become the mechanism that replace the order that was achievable by reason controlling the will. Human law and government now play part of the role that earlier had been reserved for individual reason.

Private Property Arises From Sin

Based on this position, it is hard to conclude that private property is straightforwardly a good and natural thing, without qualification. To be sure, Aquinas has many good things to say about the benefits of private property in his discussion of theft and robbery.⁶⁶ But we must see those positive statements in context. They speak of private property’s benefits to human beings like us who live outside of Paradise and after

the Fall. These human beings must labor for their sustenance. They are aware of their nakedness and wear clothes to hide their unruly bodies. And they need human law to order their wills since their desires no longer leave them satisfied only with what they need.

Aquinas does not explicitly say here that “greed” leads to private property, the way some of the earlier fathers such as St. Ambrose previously did.⁶⁷ Still, he clearly sees private property as an accommodation to the state of human beings after the first parents’ sins. Private property is needed to prevent strife that arises when human beings take more than they need or take from each other. Theft and robbery thus emerge as sins once private property has come into being. In Paradise, where there was no private property, nor need for it, the sin of theft and robbery could not exist. Private property is thus a human institution that develops, and one that is good for human beings, given their condition after the Fall and the nature of their disordered wills.

While private property emerges after Paradise, the value of possessing some things in common does not go away completely, as we shall now see.

On the Common and Private After Paradise

Aquinas acknowledges that some humans today are able to manage resources in common, or as he puts it , “a state of things to be observed even now among many good men.” We know that Aquinas has in mind in particular the religious communities of his day for he discusses common property again several times in that context when speaking about religious orders. He thus sees an implicit analogy between the communal nature of property in the religious orders and the state of common things in Paradise.

About the difference of private and communal property in this context, he says, “For the care that one takes of one's own wealth, pertains to love of self, whereby a man loves himself in temporal matters; whereas the care that is given to things held in common pertains to the love of charity which ‘seeketh not her own,’ but looks to the common good. And since religion is directed to the perfection of charity, and charity is perfected in 'the love of God extending to contempt of self’

[Augustine, *De Civ. Dei* xiv, 28], it is contrary to religious perfection to possess anything in private.”⁶⁸

As we see here, private property in Aquinas's view is intrinsically related to self-love, whereas communal property has at least the potential to be for the common good. One can tell that Aquinas is also responding to critics who suggest that communal wealth of the religious orders is antithetical to a life of God and poverty. He acknowledges that this danger can arise: “But the care that is given to common goods may pertain to charity, although it may prove an obstacle to some higher act of charity, such as divine contemplation or the instructing of one's neighbor. Hence it is evident that to have excessive riches in common, whether in movable or in immovable property, is an obstacle to perfection, though not absolutely incompatible with it...”⁶⁹ While it is arguable that religious orders have a special relationship to things in common, Aquinas follows Aristotle in thinking that some sorts of common property are recommended. When writing about the Old Testament laws and their purpose, for example, he notes that God not only instructed the Israelites to divvy up the land equally into private property, but also to make provision for some things in common:

Secondly, the [Old Testament] Law commanded that, in some respects, the use of things should belong to all in common. Firstly, as regards the care of them; for it was prescribed (Dt. 22:1-4): "Thou shalt not pass by, if thou seest thy brother's ox or his sheep go astray; but thou shalt bring them back to thy brother," and in like manner as to other things. Secondly, as regards fruits. For all alike were allowed on entering a friend's vineyard to eat of the fruit, but not to take any away. And, specially, with respect to the poor, it was prescribed that the forgotten sheaves, and the bunches of grapes and fruit, should be left behind for them (Lev. 19:9; Dt. 24:19). Moreover, whatever grew in the seventh year was common property, as stated in Ex. 23:11 and Lev. 25:4.⁷⁰ 3935.

Having now shown that private property is understood to be the consequence of sin and corresponding changes in human nature, we can now turn our attention back to the question of why private property is not thought to be a perversion of natural law.

Aquinas's Analogy: Clothing, Slavery and Private Property

The development of private property and slavery are like the development of clothing. How so?

Having seen in the previous discussion that private property arises sequentially after and because of human sin, we are now in a position to understand Aquinas's intriguing comparison of clothing, slavery and private property. The comparison of these three practices is interesting for what it tells us about Aquinas's conception of private property and natural law itself.

Aquinas makes the comparison when considering whether natural law is subject to change. He argues that it is not. Natural law never changes. But to make his case he must consider a couple of institutions that seem to contradict this basic principle. Two examples stand out: private property and slavery. As we shall see, to respond to the question, he compares the development of these institutions to the development of clothing. Once again he draws on the authority of St. Isidore to pose his objection:⁷¹

Objection 3: Further, Isidore says (Etym. 5:4) that "the possession of all things in common, and universal freedom, are matters of natural law." But these things are seen to be changed by human laws. Therefore it seems that the natural law is subject to change.⁷²

Aquinas poses a very powerful and compelling objection here. Are human laws allowed to contradict natural law? One would assume not. After all, natural law represents God's will as expressed in the natural order. Then, how do we account for the development of slavery and private property? Don't these practices contradict natural law, which holds that everyone is free and all things are in common, as St. Isidore has noted? To put the question even more provocatively, if God created the world without slavery and private property, on what grounds can humans create institutions of slavery and private property without corrupting or perverting natural law?⁷³

Aquinas answers the objection by comparing the development of private property and slavery to the development of clothing. Let's follow his argument.

Reply to Objection 3: A thing is said to belong to the natural law in two ways. First, because nature inclines thereto: e.g. that one should not do harm to another. Secondly, because nature did not bring in the contrary: thus we might say that for man to be naked is of the natural law, because nature did not give him clothes, but art invented them.⁷⁴ In this sense, "the possession of all things in common and universal freedom" are said to be of the natural law, because, to wit, the distinction of possessions and slavery were not brought in by nature, but devised by human reason for the benefit of human life. Accordingly the law of nature was not changed in this respect, except by addition.⁷⁵

Aquinas compares private property and slavery to clothing in making the argument that these are human institutions that do not violate natural law, because "nature did not bring in its contrary."

Let's first follow his reasoning on clothing. As he puts it, "thus we might say that for man to be naked is of the natural law, because nature did not give him clothes, but art invented them." We have seen already that Aquinas holds that clothing arises because of human sin. Before sin, humans had no need of clothing. They didn't need it for protection of their bodies and they weren't ashamed of uncontrollable lust or its symptoms. But after sin, they need clothing because they lost the protection of their bodies from the elements and their sensual desires become unruly and the rebellion of the body became visually apparent. On the origin of clothing, Aquinas says here, "art invented them," meaning that humans did not naturally have fur and clothing must be produced by humans. Clothing is thus a human invention. He may also be alluding to Genesis 3.7 where Adam and Eve realize they are naked and sew leaves together to cover their nakedness.

The point here is that nature (God) did not give Adam and Eve clothing (or fur), nor even recommend clothing as the way humans should live. Clothing is a human invention.⁷⁶ Therefore, we might say that nakedness belongs to the natural law, "because nature did not bring in its contrary." What Aquinas seems to mean here is that nature did not

clothe humans (i.e. give them fur). Since nature did not endorse the contrary of nakedness, we might say that nakedness is of the natural law. Essentially, then, Aquinas is saying that something is of the natural law, either when nature straightforwardly and explicitly recommends it (e.g. you shall procreate), or by inference when nature doesn't recommend its contrary.

The argument applied to clothing can also be applied to slavery and private property, says Aquinas. Nature never endorsed slavery and private property. In this sense, "the possession of all things in common and universal freedom" are said to be of the natural law, because, to wit, the distinction of possessions and slavery were not brought in by nature, but devised by human reason for the benefit of human life." Again the claim seems to be that since nature never endorsed private property or slavery per se, we can say that the opposites are of natural law.⁷⁷ Here is how Aquinas puts the same point again in his discussion of private property:

Reply to Objection 1: Community of goods is ascribed to the natural law, not that the natural law dictates that all things should be possessed in common and that nothing should be possessed as one's own: but because the division of possessions is not according to the natural law, but rather arose from human agreement which belongs to positive law, as stated above (Question 57, Articles 2,3). Hence the ownership of possessions is not contrary to the natural law, but an addition thereto devised by human reason.⁷⁸

If you find all this a bit confusing, I do too. It doesn't seem that Aquinas straightforwardly and consistently defines "what's natural," which is so critical to his whole religious philosophical approach. It all has the feel of ad hoc rules rather than a consistent approach to justify a particular point of view. Sometimes he defines what's natural by the presence of what exists and appears to be "normal" (as in what today we call heterosexuality). Thus its opposite homosexuality is considered unnatural and a sin.⁷⁹ At other times he defines what's natural by the absence of its contrary (as he does with nakedness, freedom and everything in

common). In such cases, these are considered natural, but their opposites are considered a reasonable extension of the natural law, and not a change or perversion of it (e.g., clothing, slavery and private property). The seeming ad hoc quality may be the result of Aquinas having received a set of views from the philosophical tradition about what's natural and having to reconcile it to the story of creation. And yet Aquinas is such a deep thinker and so concerned about leveraging reason, that it seems too easy to simply assume he is not thinking the matter through clearly. Since the question of what's natural in Aquinas is quite complex and thus broader than the specific topic of private property, I will set it aside here and take it up again in the next section.

For now, let us accept that Aquinas wishes us to understand that private property and slavery, like clothing, are human institutions and practices that do not contradict natural law but are reasonable and beneficial extensions of it.⁸⁰ It is also interesting to ponder the scope of Aquinas's analogy between clothing, slavery and private property. Are private property and slavery simply like clothing in the sense that both are human arts or inventions? Or, alternatively, are private property and slavery like clothing, in being a response to and reminder of human sin? What is the force of Aquinas's analogy?

It appears that the analogy includes the fact that all three arise from human sin. We have seen already that private property arises because of sin. Had Adam and Eve not sinned, there never would have been private property since everything was common and wills were ordered. The same is true of slavery, since Aquinas makes clear that slavery was not possible in Paradise either, as already discussed. Thus there is a deep analogy between nakedness, freedom and common possessions. The three are not the same only as illustrations of how nature does not rule out their opposites. All three were part of the state of Paradise but disappear and become unworkable as a result of human sin. Nakedness is no longer tolerable and clothing is invented to cover up shame and to keep humans warm in inclement weather. Private property is invented and responds to the unruliness of desire and disorder of the human will; slavery, which is forbidden in Paradise and contrary to the perfection of nature, is invented as a punishment through positive law. Aquinas cites Genesis 9.25 and the punishment of Canaan as the point at which slavery is first implemented as a punishment.⁸¹ In sum, our takeaway is that though private property is regarded as a critical and beneficial human institution, it is the contrary of what was true in Paradise. Like clothing and slavery, private property arises out of a need

born from the sinful state of human beings. To be sure, Aquinas does not draw out and emphasize the relationship of private property to sin or greed the way some of his predecessors did. But there is no mistaking the fact that private property arises because of Adam and Eve’s sin. Without sin, there would have been no private property, slavery or clothing. In the world in which we live, which is the postlapsarian world after Adam and Eve’s sin, these practices are understood to be reasonable responses to the human condition. But they are certainly different from other creative human practices (such as scientific inquiry, and government) that would have arisen even if human beings had never sinned and had stayed in the perfect condition in Paradise.

NOTES

¹ See, my earlier discussion, <http://www.howardischwartz.com/aquinas-justification-of-private-property/>

² See ST 2a2æ 66, II (II-II, 66, ii). Unless otherwise noted, the translations of Aquinas’s *Summa Theologica* (hereafter ST) follow St. Thomas Aquinas, *The “Summa Theologica” of St. Thomas Aquinas*. Literally translated by Fathers of the English Dominican Province. Second and revised edition. London: Burns Oates and Washbourne, 1920. This translation can be found online: <http://oll.libertyfund.org/titles/1979>. The text and my discussion can be found [here: http://www.howardischwartz.com/aquinas-on-private-property/](http://www.howardischwartz.com/aquinas-on-private-property/). As we shall see below, Aquinas attributes this view to St. Isidore of Seville.

³ I discuss the sources of this view below and will return to this point.

⁴ ST Ia, 94, iv; ST Ia, 94, ii; ST II-II, 164, ii.

⁵ ST Ia 102, i and Ia 102, i, ad. 3.

⁶ ST Ia 96, iv; Ia, 97, iii; this contrasts with what happens after resurrection.

⁷ ST Ia, 97, i; Ia, 97, ii, ad. 2.

⁸ ST Ia, 97, ii, ad. 4.

⁹ ST Ia 102, ii, ad. 4.

¹⁰ ST Ia, 102, iii. The King James Version translates the biblical text as “to dress and make it.” The New King James version translates the text as

follows: "Then the Lord God took the man and put him in the garden of Eden to tend and keep it." The Contemporary English version (CEV), has the following: "The Lord God put the man in the Garden of Eden to take care of it and to look after it." The Jewish Publication Society translation is: "When the Lord God made earth and heaven—when no shrub of the field was yet on earth and no grasses of the field had yet sprouted, because the Lord God had not sent rain upon the earth and there was no man to till the soil..."

¹¹ ST Ia, 102, iii.

¹² As an aside, Aquinas actually offers a second possible interpretation of the biblical words to "dress and make it," suggesting they refer to Adam not as the subject of the activity but as object, meaning that God put Adam in the garden to "[so God could] tend and cultivate it [Adam / him]." The Hebrew, however, does not support this interpretation since it explicitly refers to tending and cultivating "it," using the feminine Hebrew gender for "it," not the masculine which would be needed refer to Adam.

¹³ ST Ia, 97, iii.

¹⁴ ST II-II, 164, ii, ad.8.

¹⁵ ST II-II, 164, ii, ad.8; See Ia, 95, i, for the idea that their shame about nakedness arose because they felt the impulse of disobedience in the flesh; on passions not in rebellion against reason in the state of innocence, see ST Ia, 95, ii, ad. 1, and again II-II, 162, i; "the lower faculties in man were subject to the higher, and were no impediment to their action" (ST Ia, 94, iv); so in bearing and conceiving the union of both sexes would be one not of lustful desire but of deliberate action." ST II-II, 163, ii.

¹⁶ On the purpose of Eve's creation as a help-mate, see ST Ia, 92, i and ST Ia, 92, i, ad. 2.

¹⁷ ST Ia 98, i.

¹⁸ ST Ia, 98, ii and Ia 98, ii.

¹⁹ ST Ia 98, ii, ad. 2.

²⁰ ST Ia, 98, i and ad. 2.

²¹ ST Ia, 98, ii, ad. 3.

²² One could argue that Aquinas's analogy is not perfect since even the sober person experiences hunger which motivates him or her to eat. Aquinas envisions both eating and sexual relations in Paradise more like a rational choice with no internal prompting or at least no prompting that cannot be rationally controlled.

²³ ST II-II, 164, ii, ad. 8.

²⁴ I've discussed this nature of Adam and Eve above.

²⁵ ST Ia 99, I ad. 4.

²⁶ ST Ia 100, i, ad. 2. On original sin being transferred in the semen, see ST I-II, 83, i.

²⁷ ST Ia 100, ii. "Confirmed in righteousness" is a technical term that Aquinas uses here and is equated with having seen God's essence and being *unable* to turn away to love anything else. The children could *not* have been "confirmed in righteousness" because they could not be in a more perfect state than their parents. And Adam and Eve would not have been confirmed in righteousness, because if they had, they would have been exclusively focused on God and wouldn't have had sexual relations after this experience (ST Ia 100, i). Thus he concludes it would have been an impossibility for Adam and Eve to have children who could not sin.

²⁸ As far as I know, Aquinas does not say what would have happened to the descendants of Adam and Eve if they had sinned and whether there could have been a sinless population in Paradise and a sinful one outside.

²⁹ ST Ia, 99, i.

³⁰ ST IA, 96, i, ad. 3.

³¹ ST Ia, 96, i, ad. 3.

³² ST Ia, 102, ii.

³³ On the question whether Eve as well as Adam had mastership over the animals, see my discussion of Aquinas on the the naturalness of possessing external things and specifically footnote 2.

<http://www.howardischwartz.com/aquinass-answer-to-the-question-whether-it-is-natural-for-man-to-possess-external-things/>

³⁴ [Elsewhere](#), I've discussed at length Aquinas's position on this topic in his consideration of whether it is natural for people to use external things. See <http://www.howardischwartz.com/aquinass-answer-to-the-question-whether-it-is-natural-for-man-to-possess-external-things/>

³⁵ ST Ia, 96, i.

³⁶ ST Ia, 96, i, ad. 2.

³⁷ ST Ia, 96, ii, 2152.

³⁸ ST Ia. 96, I, ad. 3; Aquinas is referencing Genesis 2.19.

³⁹ ST I-II 102, vi, ad. 2.

⁴⁰ ST II-II, 63, ii.

⁴¹ ST Ia 96, iii.

⁴² See my previous discussion of this point:

<http://www.howardischwartz.com/aquinas-aristotle-and-the-naturalness-of-sustenance/>

⁴³ ST Ia, 96, iii.

⁴⁴ ST Ia 96, iii.

⁴⁵ Aquinas says elsewhere that the natural state of bodies is to have defects, such as aging, mortality, thirst and hunger. These defects were removed in Paradise by the grace of God. Consistent with that view then he sees no defects in Paradise but only variations.

⁴⁶ ST Ia 96, iii.

⁴⁷ While it is easy to imagine how greater effort could secure more knowledge in Paradise, it is more difficult to understand how more effort could secure more virtue in Paradise. Besides avoiding sin, it is not clear what virtue would involve in Paradise. Since all the children of Adam and Eve would have had selves in which reason mastered the sensitive appetites, it is not clear why some persons would have been able to be more virtuous than others. Further, it is difficult to imagine what situations would have arisen in Paradise in which virtuous actions would have been needed.

⁴⁸ ST Ia 96, iii, ad. 3.

⁴⁹ ST Ia, 92, i, ad. 2. See also similar statements in the discussion of mastership, ST Ia 96, iv.

⁵⁰ Aristotle, *Politics*, I. 2-5. Aristotle's comments on natural slaves are discussed throughout his first book of politics and he sees slavery as one of the natural constituents of the household.

⁵¹ ST Ia 96, iv.

⁵² See my earlier discussion of Aquinas's views on this point. <http://www.howardischwartz.com/aquinas-on-private-property/>. John Locke will later explicitly argue that a person has a kind of ownership over the self, at least over one's labor, and it is this ownership that makes private property natural, even in the possession of things for food.

⁵³ Previously, I've discussed the question of why private property is beneficial to human beings in Aquinas's view and does not contradict natural law. I'll come back to this question and ask the same of slavery. For if slavery is forbidden in Paradise because it implies taking away a person's power to pursue the proper good, how can slavery exist without contradicting nature in the state after Paradise?

⁵⁴ ST Ia, 92, i, ad. 2.

⁵⁵ ST Ia 96, iv.

⁵⁶ Ia, 92, I, ad. 2.

⁵⁷ ST I-II 9,ii.

⁵⁸ See my earlier discussion of this point.

<http://www.howardischwartz.com/origin-of-property-rights-aquinas-on-the-natural-possession-of-external-things-in-summa-theologiae/>

⁵⁹ ST I-II 90, iii.

⁶⁰ ST I-II 92, ii

⁶¹ See my earlier discussion of private property in a post-Paradise world: <http://www.howardischwartz.com/aquinas-justification-of-private-property/>

⁶² See my earlier discussion in this essay.

⁶³ ST Ia, 98, i.

⁶⁴ Some basic background on St. Isidore can be found here (https://en.wikipedia.org/wiki/Isidore_of_Seville). Aquinas cites Isidore several times on matters related to the nature of natural law. Aquinas also cites Isidore as the authority for this same view that all things are common in another passage we shall consider below. We have also seen Aquinas quote the same view of the common nature of things anonymously at the start of his discussion of private property in his discussion of theft and robbery. See, the earlier discussion: <http://www.howardischwartz.com/aquinas-everything-is-in-common-according-to-natural-law/>. Aquinas also assumes that this assumption is present in the thinking of St. Basil's thinking in Objection Two as well. Here is the full quotation of the passage from St. Isidore for convenience:

“What natural law is (Quid sit ius naturale) 1. Law is either natural, or civil, or of nations. Natural law (*ius naturale*) is common to all nations, and, because it exists everywhere by the instinct of nature, it is not kept by any regulation. Such is the union of a man and woman, the children's inheritance and education, the common possession of everything, a single freedom for all, and the right to acquire whatever is taken from the sky, the earth, and the sea.” See *The Etymologies of Isidore of Seville*, 117. Trans. Stephen A. Barney, W.J. Lewis, et. al. Vol. 4. Cambridge: Cambridge University, 2006.

⁶⁵ ST Ia, 98, i, ad. 3.

⁶⁶ See my earlier discussion of Aquinas's positive views of property here. (<http://www.howardischwartz.com/aquinas-justification-of-private-property/>)

⁶⁷ See the three objections that Aquinas considers and in particular my discussion of St. Ambrose's position. See <http://www.howardischwartz.com/aquinas-let-no-man-call-his-own-that-which-is-common-property>. See also a survey of the negative views of wealth and property prior to Aquinas in Anton Hermann Chroust and Robert J. Affeldt, "The Problem of Private Property According to St. Thomas Aquinas." In *Marquette Law Review*. 34:3 (Winter) 1950-51, 151-182.

⁶⁸ ST II-II, 188, vii.

⁶⁹ ST II-II, 188, vii.

⁷⁰ ST I-II, 105, ii.

⁷¹ See Aquinas's use St. Isidore's view in my earlier discussion in this essay.

⁷² ST I-II, 94, v.

⁷³ Indeed, we know that Aquinas thinks certain human sins can pervert natural law, as for example, homosexual sex, which has the special name of an unnatural crime (ST I-II, 94, iii ad. 2).

⁷⁴ Blackfriars (vol. 28, 95) translates "these he has to make by art"

⁷⁵ ST I-II, 94, v, ad 3.

⁷⁶ While God subsequently makes them clothing from animal skins (Gen 3.21), God did not create them with fur and the invention of clothing is originally a human idea and so "art invented them." Blackfriars translates the statement this way: "thus we might say that it is of natural law for man to be naked, for nature does not give him clothes; these he has to make by art." As an aside, it is interesting to consider too that perhaps the first taking of life occurred here, when God created clothing for Adam and Eve.

⁷⁷ Aquinas seems to contradict himself on this point because elsewhere he does say that slavery is forbidden in Paradise and private property is not needed before sin. I shall return to these points later in probing Aquinas's view more deeply.

⁷⁸ ST II-II, 66, I ad. 2.

⁷⁹ ST I-II, 94, iii.

⁸⁰ On the beneficial aspects of private property, see my commentary on Aquinas's discussion:

<http://www.howardischwartz.com/aquinas-justification-of-private-property/>

⁸¹ Suppl. IIIae 52, i, ad. 2. It is interesting that here God is the one who punishes Canaan with slavery. How Aquinas reconciles that with slavery being a human invention is not clear to me. It is also worth investigating how Aquinas would have made sense of the fact that Ham, Canaan's father, is the one who sins by seeing his father's nakedness. Why then is Canaan his son enslaved and not Ham himself?