

The Divine Nature and Scotus's Libertarianism

A Reply to Mary Beth Ingham

In her recent paper, "Letting Scotus Speak for Himself,"¹ Mary Beth Ingham criticizes the reading of Scotus's moral theory that I put forward in "The Unmitigated Scotus" and some earlier articles.² Ingham raises a number of important points, more than I can address adequately in a single paper. I will concentrate on her attempt to rebut my case for a radically voluntaristic libertarian reading of Scotus, especially for the divine will, but also for the human will. In particular, I will address three lines of argument that seek to show that my reading of Scotus is incompatible with a proper understanding of Scotus's account of the divine nature. In the first section of the paper I consider divine simplicity; in the second section, divine justice; and in the third, the rationality of the divine will. Then in the fourth section I evaluate some textual evidence and other arguments that Ingham uses to undermine my case for a radically libertarian Scotus.³

I. Divine Simplicity

Ingham writes, "In his presentation of Scotist thought, Williams consistently separates the divine will from the divine intellect. He claims that this is necessary, both to defend divine

¹"Letting Scotus Speak for Himself," *Medieval Philosophy and Theology* 10 (2001): 173-216. Parenthetical citations are to this paper.

²"The Unmitigated Scotus," *Archiv für Geschichte der Philosophie* 80 (1998): 162-181; "The Libertarian Foundations of Scotus's Moral Philosophy," *The Thomist* 62 (1998): 193-215; "Reason, Morality, and Voluntarism in Duns Scotus: A Pseudo-Problem Dissolved," *The Modern Schoolman* 74 (1997): 73-94; and "How Scotus Separates Morality from Happiness," *American Catholic Philosophical Quarterly* 69 (1995): 425-445. Ingham has also made some important arguments in "Duns Scotus, Morality, and Happiness: A Reply to Thomas Williams," *American Catholic Philosophical Quarterly* 74 (2000): 173-195, but I will not address those here.

³I will leave for another occasion Ingham's criticisms of certain *conclusions* that I draw, at least in part, from my libertarian reading of Scotus: most notably, my claim that our knowledge of contingent moral truths is either epistemically immediate or dependent on divine revelation, and my claim that Scotus must deny the validity of any argument for a contingent moral truth that consists entirely of premises known by natural reason.

freedom and the contingency of the created order” (197). This is a perfectly fair point; it is impossible to maintain a radically voluntaristic libertarian reading of Scotus without making a fairly stark separation between the divine will and the divine intellect. But, Ingham objects, by driving such a wedge between the divine will and the divine intellect, my account “overlooks the importance of divine simplicity in any discussion of God” (197). She argues:

The divine will necessarily expresses the divine essence, since God is one. Divine will-acts are harmonious with the nature of God, that is, with love. Scotus’s basic insight about the divine will is that God always acts according to his own nature. In other words, divine simplicity requires that divine acts of will necessarily express the divine essence as love. . . . The identity of the divine will with the divine essence is central to Scotus’s discussion of the nature of God’s justice. (198)

But in fact divine simplicity is not so much as mentioned in the question on divine justice (*Ordinatio* 4, d. 46, q. 1), even though an appeal to simplicity could sometimes give Scotus the conclusion he is after with rather less fuss. For example, at nn. 7-12, Scotus argues at great length that there is only one justice in God — one both really and conceptually — without mentioning divine simplicity. If Scotus thought simplicity were relevant here, he could have invoked it to settle the issue much more quickly and decisively, at least as regards the claim that there is only one justice in reality. (Divine simplicity does not guarantee conceptual simplicity, of course.)

But this, admittedly, is weak evidence. Scotus is not really known for taking the easiest argumentative route to his conclusions. More important is the fact that throughout his discussion of divine justice Scotus contrasts God’s will with his intellect in a variety of ways that militate against a straightforward appeal to simplicity. Their respective activities take place at different instants of nature:

The divine intellect apprehends a possible action before the will wills it.⁴

⁴*Ordinatio* 4, d. 46, q. 1, n. 10 (W 10:253, W&M 250, A 270va, Q 298vb): “intellectus apprehendit agibile antequam voluntas illud velit.” Since both Ingham (213n) and Fr Allan Wolter (“The Unshredded Scotus: A Reponse to Thomas Williams,” *American Catholic Philosophical Quarterly* 77 (2003): 315-356, at 319-20, 339-41) criticize me for using the Wadding edition, I should note here that whenever I quote from a part of the *Ordinatio* that has not yet been critically edited, I have corrected the Wadding text on the basis of selected manuscripts. Some explanation to that effect appeared in three of the articles to which

They relate to their objects in different ways:

The intellect tends to its object in its way, viz. naturally, and the will in its way, viz., freely.⁵

And the distinction between their primary and secondary objects is different:

The intellect relates to its secondary objects necessarily, whereas the will relates to its secondary objects only contingently.⁶

Indeed, Scotus regularly makes just the sort of sharp distinction between divine will and divine intellect that Ingham's use of divine simplicity would forbid. Consider these representative passages, the first taken from the discussion of divine justice, the second and third from discussions of contingency:

The intellect apprehends a possible action before the will wills it, but it does not apprehend determinately that this particular action is to be done, where 'apprehend' means 'dictate'. Rather, it offers this action to the divine will as neutral, and if the will determines through its volition that it is to be done, then as a consequence of this volition the intellect apprehends as true [the proposition that] it is to be done.⁷

In terms of a distinction between instants of nature: in the first, [the divine intellect] apprehends every possible operation — those that are principles of possible operations,

Ingham is responding. I have also consulted Wolter's editions in *Duns Scotus on the Will and Morality* (Washington, DC: The Catholic University of America Press, 1986). Since both Ingham and Wolter regularly and extensively discuss texts that have not been critically edited — Wolter relying directly on the manuscripts and Ingham on Wolter's editions — I do not see how my use of the texts is any more worrisome than theirs. Wolter has also criticized my choice of manuscripts ("Unshredded Scotus," 339n), but I have followed the advice of the late President of the Scotistic Commission, Luka Modrič (personal correspondence, 2 December 1995) in relying on codices A, P, S, Q, and Z. In this article I will indicate the Wadding edition with a 'W', the Vatican critical edition with a 'V', Wolter's edition with 'W&M', and the codices with the sigla used by the Scotistic Commission. I have noted the more significant variant readings within square brackets.

⁵*Ordinatio* 4, d. 46, q. 1, n. 11 (Ibid.): "intellectus suo modo tendit in illud, scilicet naturaliter, et voluntas suo modo, scilicet libere."

⁶*Ordinatio* 4, d. 46, q. 1, n. 7 (W 10:252, W&M 246, A 270rb, Q 298va): "intellectus obiecta secundaria ibi necessario respicit; hic autem voluntas obiecta secundaria tantum contingenter."

⁷*Ordinatio* 4, d. 46, q. 1, n. 10 (W 10:253, W&M 250, A 270va, Q 298vb): "intellectus apprehendit agibile antequam voluntas illud velit, sed non apprehendit determinate hoc esse agendum, quod 'apprehendere' dicitur 'dictare'; immo ut neutrum offert voluntati divinae, qua determinante per volitionem suam istud esse agendum, intellectus consequenter apprehendit tamquam verum istud esse agendum."

just like particular possible operations. And in the second, it offers all these to the will, which from among all of them — both practical principles and particular possible operations — accepts [only] some.⁸

Hence, when the divine intellect, before an act of the will, apprehends the proposition ‘*x* is to be done’, it apprehends it as neutral, just as when I apprehend the proposition ‘There is an even number of stars’; but once *x* is produced in being by an act of the divine will, then *x* is apprehended by the divine intellect as a true object.⁹

The most decisive evidence, however, comes when Scotus explicitly considers the relevance of divine simplicity to the question raised in *Ordinatio* 4, d. 46, q. 3: “Are justice and mercy distinct in God?” The argument that they are not distinct is the expected argument from simplicity:

In *City of God* 11.10, Augustine holds that “God is simple in such a way that he *is* whatever he *has*.” . . . Therefore, God is mercy, and God is justice; therefore, justice is mercy.¹⁰

Scotus replies that divine simplicity, as he understands it, does not warrant such a strong conclusion.

As for the authoritative passage cited in support of the opposing view, it proves that in God any given item is truly identical with any other item, speaking of what is intrinsic to God himself. But it does not follow from this that any given item is formally the same as any other item, since true identity — indeed, the truest identity, the sort that is sufficient for something’s being altogether simple — is consistent with formal non-identity.¹¹

⁸*Ordinatio* 1, d. 38, q. un., n. 10 (V 6:307): “distinguendo de instantibus naturae, in primo apprehendit quodcumque operabile (ita illa quae sunt principia operabilium, sicut operabilia particularia), et in secundo offert omnia ista voluntati (quorum omnium aliqua acceptat, tam principiorum practitorum quam particularium operabilium).”

⁹*Lectura* 1, d. 39, qq. 1-5, n. 44 (V 17:493): “Unde quando intellectus divinus apprehendit ‘hoc esse faciendum’ ante voluntatis actum, apprehendit ut neutram, sicut cum apprehendo ‘astra esse paria’; sed quando per actum voluntatis producitur in esse, tunc est apprehensum ab intellectu divino ut obiectum verum.”

¹⁰*Ordinatio* 4, d. 46, q. 3, n. 1 (W 10:264, A 270vb, Q 299ra): “Oppositum vult Augustinus 11 de civit. Cap. 10: *Eo simplex est deus quod est quicquid habet*. . . . Ergo Deus est misericordia; Deus est iustitia; ergo hoc est illud.”

¹¹*Ordinatio* 4, d. 46, q. 3, n. 5 (W 10:265, A 271ra, Q 299rb): “Ad auctoritatem in oppositum, probat veram identitatem in Deo cuiuscumque ad quodcumque, loquendo de intrinsecis ipsi Deo. Sed ex hoc non sequitur, igitur quodlibet est formaliter idem cuilibet, quia vera identitas, immo verissima, quae

And the formal non-identity of the divine attributes is enough to open up the possibility that a particular divine act proceeds from one divine attribute and not another:

I therefore concede that, just as in God the intellect is not formally the will, or vice versa, and yet one is the same as the other by the truest sort of identity, so also justice is not formally or quidditatively the same as mercy, or vice versa; and because of this formal non-identity, one of them can be the proximate principle of some external effect of which the other is not a formal principle, in the same way as if justice and mercy were two things.¹²

This sort of argument militates rather strongly against any straightforward appeal to simplicity to support the claim that every divine act of will proceeds from love. Maybe that claim is true, but it does not follow from the doctrine of divine simplicity, since Scotus argues here that simplicity is consistent with the claim that some particular divine attribute is not a formal principle of some actual divine act *ad extra*.¹³

II. Divine Justice

Ingham also criticizes my discussion of divine justice. As she puts it,

Williams spends a good deal of time in “The Unmitigated Scotus” on the question of justice and how God’s behavior toward creatures is not constrained by any sort of justice (in *Ordinatio* IV, 46). Justice is likened to an external standard against which God’s actions are measured. Since God’s actions are motivated by nothing . . . the divine will is not bound by justice. (197)

Here again, this is a fair point; with certain qualifications (which Ingham notes), that is indeed how I read Scotus’s account of justice. So it is important for me to address Ingham’s argument that this is a misreading of Scotus.

sufficit ad omnino simplex, potest stare cum non-identitate formali.”

¹²*Ordinatio* 4, d. 46, q. 3, n. 4 (W 10:265, A 271ra, Q 299rb): “Concedo ergo istam rationem, quod sicut in Deo intellectus non est formaliter voluntas, nec e converso, licet unum verissima identitate sit idem alteri, ita iustitia non est formaliter [*add. W, Q: vel quidditative*] idem misericordia, vel e converso. Et propter hanc non identitatem formalem potest istud esse principium proximum alicuius effectus extra, cuius reliquum non est principium formale, eodem modo sicut si hoc et illud essent duae res.”

¹³Note also that this understanding of simplicity provides the ontological undergirding for claims about the relations between divine will and intellect of the sort I cited above.

I find the argument somewhat difficult to make out, however, so in order to make sure I am representing her thoughts accurately, I will quote at some length. (I have added letters in square brackets to facilitate later references to particular claims.) Ingham writes:

For Scotus, the solution is very simple: God always acts in harmony with himself. Nothing interferes with divine simplicity and identity. [A] Hence there is no justice in God that directs the divine will because there is no justice in God *which is not identical to the divine will*. It does not mean that the divine will is capable of acting “independently” of justice. God’s will is just, that is, it is right in its own preservation of itself. God’s will is the “first rule or norm.” In other words, it is justice. . . .

In the body of this question, [B] Scotus points out that there is in God only one justice, “both conceptually and in reality.” [C] There is something just about the way God deals with creatures. Justice in God is that which naturally inclines him to render to his own goodness what is its due. In other words, justice in God is *Deus diligendus est*. But since what inclines God to render to his own goodness what is due is, in fact, nothing other than the divine essence, one comes again to the conclusion that justice in God is none other than the divine essence.

This one act of the divine essence has many secondary objects to which the divine will is contingently related. Yet, in all these relationships, the divine will cannot but manifest divine essence. Another way of saying this is the following: God’s nature is such that divine creativity is without limit. Among the various “creatables,” only some have been brought into actual existence. These exist not necessarily, but contingently, since there is nothing about their nature that would require them to exist. [D] Thus, the justice according to which we consider God’s self-love is distinct from that according to which we understand God’s relationship to the created order. Both, however, manifest the divine essence and are therefore just. (199-200)

I begin with A. We have already seen that simplicity cannot be put to the use Ingham wants to make of it, but there is an additional problem. Scotus is not as certain as Ingham is that divine justice is formally identical with the divine will:

It is not so clear whether justice as it exists in God is a virtue in the sense that it is formally distinct from the will and is, as it were, a rule for the will, or whether it is just the will itself *qua* self-determining first rule.¹⁴

Scotus goes on to say that adopting the second position gives one a tidier response to the

¹⁴*Ordinatio* 4, d. 46, q. 1, n. 12 (W 10:253, W&M 252, A 270va, Q 298vb): “Utrum tamen iustitia, ut ibi est, sit virtus quantum ad istam rationem quod sit distincta formaliter a voluntate, et quasi regula eius, vel tantummodo sit voluntas sub ratione primae regulae seipsam determinantis, est dubium.”

objection that according to Aristotle, the separated substances are not supposed to have virtues. But he does not expressly adopt the second position, perhaps because it fits less well with some of what he had said earlier in his discussion of justice.

[B] and [D] seem to contradict each other, since [B] attributes to Scotus the view that there is only one justice in God (one both really and conceptually), whereas [D] supports the view that there two at least conceptually distinct justices in God. Now since [B] is Scotus's actual view, as Ingham's own discussion makes clear, I suspect that [D] is meant more as a way of noting that God's single justice, as described in [B], involves both his necessary relation to his own goodness and his contingent relations to creatures. The crucial claim, then, is [C], according to which God's dealings with creatures manifest his justice.

Now I have dealt with divine justice at considerable length elsewhere,¹⁵ so I will merely summarize those arguments here. Scotus does indeed hold, as Ingham says at [B], that there is just the one justice in God:

There is no justice in the divine will other than with respect to repaying to his own goodness what befits it.¹⁶

But he holds, further, that there is only one act that results from this divine justice, namely, God's loving himself. If [C] is supposed to convey that divine justice affects how God treats his creatures, then, it is contrary to Scotus, who insists

Moreover, this justice with respect to his own goodness inclines him determinately only to one act — one both really and conceptually.¹⁷

Scotus concludes that when we speak of something "just" in creatures, we are speaking loosely. Strictly speaking, we should always qualify 'just' in such cases with 'so far as it is on the part of

¹⁵In "A Most Methodical Lover? On Scotus's Arbitrary Creator," *Journal of the History of Philosophy* 38 (2000): 169-202, at 171-189. I believe this article had not appeared before Ingham wrote "Letting Scotus Speak for Himself."

¹⁶*Ordinatio* 4, d. 46, q. 1, n. 7 (W 10:252, W&M 246, A 270rb, Q 298va): "nullam iustitiam habet nisi ad reddendum bonitati [*add.* W: vel voluntati] suae illud quod condecet eam."

¹⁷*Ibid.*: "Sic etiam habet unum actum re et ratione ad quem determinate inclinatur illa iustitia quae est respectu suae bonitatis [W&M, A: voluntatis]."

a creature'; and we must not suppose that such creaturely justice flows in some determinate way from divine justice:

In a second way, what is just is said to be in a creature in virtue of the correspondence of one created thing to another; for example, it is just on the part of the creature for fire to be hot, water cold, fire above, water below, and so forth, since such-and-such a created nature demands so-and-so as something corresponding to it. . . . But God's intrinsic first justice does not determine his will to what is just in this sense: neither with respect to his first act, since that act has nothing to do with such an object; nor with respect to any secondary act, since (as I have said) that justice does not incline determinately insofar as it bears on such an object.¹⁸

It is for this reason that Scotus denies [D], insisting that there is no justice in God that makes any difference to how he treats his creatures:

Now if we should wish to distinguish what is really one act into many notionally different acts, as before we distinguished what is really one intellection into many notionally different ones insofar as it goes forth over many secondary objects, I say that there are not, as it were, notionally distinct justices with respect to them; nor is there [numerically] one justice [that applies to God's dealings both with himself and with creatures], whether distinct in some way or indistinct. For a habit inclines naturally, and so it inclines determinately to one. Consequently, a potency that is habituated by that habit cannot tend to the opposite. But there is nothing in the divine will in virtue of which it is inclined to any secondary object in such a way that it cannot be inclined justly to the opposite of that object. For just as it can without contradiction will the opposite, in the same way it can will [the opposite] *justly*. For otherwise it could will something absolutely and not justly, which is absurd.¹⁹

¹⁸*Ordinatio* 4, d. 46, q. 1, n. 9 (W 10:252, W&M 248, A 270rb-va, Q 298va): "Secundo modo iustum dicitur in creatura esse ex correspondentia unius creati ad aliud (sicut iustum est ex parte creaturae ignem esse calidum et aquam frigidam, ignem sursum et aquam [W, Q: terram] deorsum, et huiusmodi), quia ista natura creata hoc exigit tamquam sibi correspondens. . . . Sed ad istud iustum non determinat iustitia divina intrinseca prima, ut est respectu primi actus isto modo, quia iste actus non respicit illud obiectum; neque respectu actus secundarii, quia ut respicit istud obiectum non est ista iustitia determinate inclinans, ut dictum est."

¹⁹*Ordinatio* 4, d. 46, q. 1, n. 8 (W 10:252, W&M 246, A 270rb, Q 298va): "Si autem velimus distinguere unum actum re in multos rationis, sicut ibi distinguitur una intellectio rei in multas ratione ut transit super multa obiecta secundaria, dico quod respectu illorum non sunt quasi distinctae iustitiae ratione, sed nec una qualitercumque distincta vel indistincta; quia habitus inclinatur per modum naturae, et ita determinate ad unum, ut per hoc repugnet potentiae habitatae per habitum illum tendere in oppositum. Sed ad nullum obiectum secundarium ita determinate inclinatur voluntas divina per aliquid in ipsa quod sibi repugnet iuste inclinari ad oppositum illius, quia sicut sine contradictione potest

III. Divine Rationality

If I am reading Ingham correctly, however, the biggest problem she sees with my construal of Scotus is that my view denies the rationality of the will, contrary to Scotus's repeated assertions that the will is a rational power. According to her, I claim that "the divine will is radically independent of any determinants, whether it be reasons, the divine intellect, the divine nature or any thing about the contingent realm (requirements of human nature, for example)" (175). And on this point as well she is representing my view quite fairly. But, she says, when I say that the divine will is not determined by reasons, I am denying the rationality of the divine will. And yet Scotus insists that the will is the sole rational potency. Ingham writes,

For Scotus . . . freedom is related to rationality because the will is the rational potency. Indeed, it is the will's rationality that grounds its freedom. Therefore, when Scotus states that the will is free to act counter to what the intellect decides, he is not affirming that the will's freedom lies in its independence from rationality. Scotus's particular version of voluntarism is not, then, libertarian in the sense that freedom is opposed to reason or to questions of rationality. (181-182)

In order to assess this criticism, we must first get clear on what precisely Scotus means by calling the will a rational potency. Consider the *locus classicus* for Scotus's account of rational potencies:

There can be only two kinds of ways in which a power elicits its own act. Either the power is by its very nature (*ex se*) determined in such a way that, to the extent that action depends on it, it cannot not act unless it is impeded by something extrinsic, or else it is not determined by its very nature, but instead can do this act or the opposite act, and even act or not act. The first power is given the general name 'nature' and the second 'will'.²⁰

It is in virtue of this characterization that will counts as a rational power. That is, for the will to

oppositum velle, ita potest iuste velle; alioquin posset velle absolute et non iuste, quod est inconveniens."

²⁰*Quaestiones in Metaphysicam* 9, q. 15, n. 22 (*Opera Philosophica* 4:680-681): "Iste autem modus eliciendi operationem propriam non potest esse in genere nisi duplex. Aut enim potentia ex se est determinata ad agendum, ita quod, quantum est ex se, non potest non agere quando non impeditur ab extrinseco. Aut non est ex se determinata, sed potest agere hunc actum vel oppositum actum; agere etiam vel non agere. Prima potentia communiter dicitur 'natura', secunda dicitur 'voluntas'."

be a rational power *just is* for it to have the power to do this or that and to act or not act.

With that understanding of ‘rational potency’ in mind, I turn to Ingham’s criticisms:

Central to the libertarian claim is the way that [E] freedom in the will is exercised independently of reason. Because Scotus claims that the will acts independently of the intellect or of the object as presented to it by the act of intellect, Williams concludes that there are no reasons to explain a free action on the part of God. . . . He also concludes that, in a manner similar to divine freedom, human freedom admits of no reasons either. What this interpretation overlooks is precisely the way Scotus presents and defends the will as sole rational potency. (203)

[F] *Reason*, then is synonymous with the intellect. My interpretation is confirmed in the statement where, according to Williams, there are [G] “no reasons God consults in order to decide what to do.” Thus, for Williams, rationality (whether divine or human) is not to be found in the will. [H] He claims there are no reasons for the actions of the will. This must mean that he does not hold the will to be rational. For, if the will is rational, then reason constitutes it and not the intellect. But if this is indeed the case, then the notion of rationality endorsed by Scotus must not be that used by Williams, located in the intellect. Scotus’s understanding of rationality is the moral rationality of the will, as capable of self-control and self-determination. (204)

It seems to me that there is some confusion in this argument, for which I am partly responsible, since I have never clearly defined what I mean by ‘reason’ in claims like [H]. And to complicate matters, there are two senses of the term. (I hope, though I am by no means certain, that the context of my discussions has made it clear which sense is at issue in a given passage.) By a ‘reason’ I mean some fact present to an agent’s cognition that either dictates (strong sense) or counts in favor of (weak sense) a certain determinate act and rules out (strong sense) or counts against (weak sense) other acts. When I say that “there are no reasons to explain a free action on the part of God” (203), I am using ‘reason’ in the strong sense. I mean that nothing present to God’s cognition rules out his acting one way rather than another — or (what I take to be equivalent) that nothing present to God’s cognition sufficiently explains his acting one way rather than another.²¹

Both ways of talking about ‘reasons’ are suggested by contemporary ethics, but they do

²¹So, for example, at “Unmitigated Scotus,” 179: “Scotus denies that there is any reason external to the divine will that causes or explains God’s willing as he does” with respect to the moral law.

have some basis in Scotus's own use of '*ratio*'. For Scotus quite regularly speaks of '*ratio*' in the sense of a product of cognition that is relevant to action. When the human intellect, considering what one ought to do, gets the correct answer, Scotus (like everyone else) describes it as *recta ratio*.²² Intellect's judgment about what to do is typically called a *dictamen rationis*.²³ So the objection that I speak of rationality in connection with the intellect rather than the will, as stated at [F], is not well-taken, since Scotus does so as well.

But in an important sense this use of the term 'reason' is beside the point. It must be borne in mind that to call the will 'rational' for Scotus is *nothing more or less than saying it is a power for opposites*. Ingham wants to make that designation into some kind of assurance that the will's action is not arbitrary, capricious, whimsical, blind — that it has 'reasons' in at least the weak sense, and perhaps even in the strong sense of that term. But given what 'rational' means in the expression 'rational power', there is *no entailment whatever* from the claim that the will is a rational power to any claim about the mysteriousness or non-mysteriousness of the will's eliciting of its own acts. It remains a further question whether the will has 'reasons' in either of my senses.

It follows that in order to figure out whether for Scotus the divine or human will is rational in the loose, popular sense (non-arbitrary, non-mysterious) as opposed to Scotus's technical sense (a power for opposites), we have to look at the texts. How does Scotus in fact treat the relationship between the features of the world present to divine or human cognition and the acts of will elicited by God or us in light of those features-as-cognized? That is not a question that can be settled simply by invoking the rationality of the will. One must go to the texts.

IV. The Question of Libertarianism

I will not rehearse all those texts here, since I have done that work in other articles. It is,

²²For the importance of *recta ratio* in this sense, see, for example, *Ordinatio* 1, d. 17, pars 1, qq. 1-2, nn. 62, 92; 2, d. 7, q. un., n. 29; and 2, d. 40, q. un., nn. 8, 11; and *Quodlibetal Questions* q. 18, nn. 3-6.

²³See, for example, *Ordinatio* 1, d. 17, pars 1, qq. 1-2, n. 92; and 2, d. 7, q. un., n. 29.

however, incumbent upon me to meet Ingham's specific objections to my analysis of those texts, as well as her use of other texts, and of more abstract arguments, to undermine my claim that Scotus is a libertarian concerning both the human and the divine will.

Curiously, Ingham devotes very little space to rebutting my analysis of particular texts. She criticizes my reading of *Ordinatio* 4, d. 46, q. 1, in general terms by invoking divine simplicity, but we saw in sections I and II that simplicity cannot do the work Ingham needs it to do. She also criticizes my treatment of *Ordinatio* 3, d. 32, q. un., n. 6, without noting that my treatment of that passage in "The Unmitigated Scotus" is expressly inconclusive.²⁴ Otherwise, she concentrates on introducing other textual and non-textual arguments against a libertarian reading of Scotus.

The first textual argument comes from *Lectura* 2, d. 25, q. un., n. 54, where Scotus attacks Henry of Ghent's view that the will alone is the efficient cause of an act of willing.²⁵ Because of the way Ingham construes libertarianism (as at [E] above, and frequently throughout her paper), she thinks it is important that in the *Lectura* discussion Scotus argues that the object-as-known is a partial efficient cause, not merely a necessary condition, of free action. If the object-as-known plays an efficient-causal role in free action, she reasons, then libertarianism must be false. But of course the libertarian does not hold that cognition is *irrelevant* to free action, just that it is not *determinative* of free action.²⁶ The latter claim is consistent *both* with the view that the object-as-known is a mere *sine qua non* condition *and* with the view that it is a partial

²⁴I also retract one claim she found objectionable: see "Methodical Lover" (but note footnote 15, above). It is unfortunate that my discussion of essential goodness in "The Unmitigated Scotus," which I included only for the sake of thoroughness, has drawn so much attention. The bulk of "The Unshredded Scotus," in fact, is devoted in one way or another to issues raised in those two pages. If I were to write on that topic today, my account would certainly look different. But (contrary to what both Ingham and, especially, Wolter maintain) nothing in the rest of my account of Scotus would need to change if that short section of "The Unmitigated Scotus" were simply erased. As I have said, my treatment of essential goodness there is confessedly aporetic, so of course I did not rely on any conclusions from that section in developing my later arguments.

²⁵*Lectura* 2, d. 25, q. un., n. 54 (V 19:246): "Alia opinio — Gandavi — extrema est, quod sola voluntas est cause effectiva respectu actus volendi, et obiectum cognitum est tantum causa 'sine qua non'."

²⁶See my "Libertarian Foundations," 209-215.

efficient cause. Now as Ingham notes, Stephen Dumont has argued that Scotus changes his mind about this, moving in the later *Reportatio* to the view that the object is a mere *sine qua non* condition.²⁷ So Ingham is unwise in any event to rest her case on the specific metaphysics of the causality of free action in Scotus. But the bigger point is that it really does not matter what that metaphysical analysis is: whether the object-as-known plays an efficient causal role or not, Scotus is quite clear that the judgment of intellect does not determine the will's free action. Thus, even if the object does play an efficient causal role, its playing that role is dependent on what the will does, and not vice versa.

A second textual argument is somewhat more complicated for me to deal with, since in order to meet it I need to explain an aspect of Ingham's critique that I have not yet discussed. Ingham charges that my account of Scotus's moral theory makes it impossible for me to incorporate what he says about virtue. She writes:

The absence of any mention of virtue in Williams's several articles on Scotus's voluntarism points to and is explained by the limitations imposed by his initial definition. Where the moral domain is framed by divine freedom, moral commands, and the human will, there is really no place for a discussion of virtue. (189)

Now it is true that I did not discuss virtue in any of those articles, but it is a stretch to say that my understanding of the moral law and the human will actually *excludes* discussion of virtue. Those who hold a libertarian view about human freedom can consistently acknowledge the existence and importance of virtues; some libertarians are even happy to say that possession of a virtue is causally sufficient, in the appropriate circumstances, for virtuous action.²⁸ And those who defend a voluntaristic account of God's establishment of the contingent part of the moral

²⁷Stephen Dumont, "Did Scotus Change His Mind on the Will?" in *After the Condemnation of 1277 – Philosophy and Theology at the University of Paris in the Last Quarter of the Thirteenth Century*, eds. Aertsen, Emery, and Speer (Berlin: Walter de Gruyter, 2001), 719-794. Ingham discusses Dumont's arguments in "Did Scotus Modify His Position on the Relationship of Intellect and Will?" *Recherches de Théologie et Philosophie Médiévales* 69 (2002): 88-116.

²⁸Scotus, of course, would not go so far as that — evidence that his libertarianism is more uncompromising than that of some modern-day libertarians. See the discussion of this point in Bonnie Kent, "Rethinking Moral Dispositions: Scotus on the Virtues," *The Cambridge Companion to Duns Scotus*, ed. Thomas Williams (Cambridge: Cambridge University Press, 2003), 352-376, at 355-357.

law can consistently hold that there are virtuous habits by dint of which free human agents act more perfectly in accordance with the moral law thus established. Or so it seems to me, at any rate. I can see no entailment from either libertarianism or voluntarism, or from the conjunction of the two, to a denial of the importance of virtue. I did not talk about virtue in my articles, not because I could not, but for the rather more mundane reason that I did not have anything particularly new or striking to say on the subject.

This background helps explain what Ingham says in the next textual argument I will consider. The text, Ingham says,

is taken from III, Suppl. D. 33 where Scotus discusses virtue. Note that Williams's definition of voluntarism was not sufficient to allow for the integration of virtue into moral discussion. Therefore, this text would be excluded by that definition and not figure in a consideration of Scotus's brand of voluntarism. It is, however, essential to the point of human reason and rationality.

No virtue acts with absolutely no deliberation. [I] For just as no one acts in a fully human way unless that person acts intelligently, so — as regards those things that pertain to the end — no one acts in a human fashion without understanding the reason for acting, and this understanding is what deliberation means.

[J] Since no one acts 'in a human fashion without understanding the reason for acting', Scotus must hold that human action is ultimately explainable in terms of reason and reasons. To be sure, the free rational will is never necessitated by the results of deliberation. [K] But this does not mean that, at a fundamental level, human choice admits of no explanation. (210-211, quoting the translation of *Ordinatio* 3, d. 33, q. un., n. 22, from W&M 345)

The inference at [J] seems dubious; from the fact that properly human action requires understanding the reason for acting, it does not follow that human action is ultimately explainable in terms of reasons — at least if 'is ultimately explainable' means 'has a sufficient causal explanation'. As I wrote elsewhere:

The fact that I freely chose to write this paper does not imply that there were no reasons [weak sense] why I chose to write it. There were any number of reasons. The libertarian simply wishes to insist that those reasons can provide only a partial explanation for my choice, since it was possible for me, even in exactly the same

circumstances, with exactly the same reasons, to choose differently.²⁹

Ingham sometimes seems, as at [K], to ascribe to me the view that free choices admit of no explanation at all. That view would indeed be inconsistent with the claim that properly human action requires understanding the reason for acting, but I am fortunately not committed to attributing such a view to Scotus.³⁰

Ingham also brings forward another text connected with Scotus's account of virtue. At *Ordinatio* 1, d. 17, pars 1, qq. 1-2, n. 40, Scotus

affirms clearly that the moral act is more perfect when performed in the presence of virtue and free choice in the will. In fact, a radical voluntarist position (one that affirms the complete independence of moral goodness from any natural, habitual influences) is considered and rejected by Scotus in favor of the more nuanced, moderate discussion of virtue and its role in moral goodness. (189-190)

Since I have never "affirm[ed] the complete independence of moral goodness from any natural, habitual influences," this point is not well-taken as an argument against my reading of Scotus. And as I have noted, those who defend a voluntaristic account of God's establishment of the contingent part of the moral law can consistently hold that there are virtuous habits by dint of which free human agents act more perfectly in accordance with the moral law thus established.

These three texts are the only additional texts Ingham brings forward to rebut my case for a radically voluntaristic libertarian understanding of Scotus.³¹ There are still, however, some non-textual or meta-textual arguments to be considered. The first of these is a broadly historical argument that I have ignored the historical context of Scotus's views, with the result that I have offered a misleading and incomplete account of his voluntarism. Ingham complains

²⁹"Libertarian Foundations," 210-211.

³⁰Moreover, Scotus does not actually say here that properly human action requires understanding the reason for acting; [I] is mistranslated. Instead, he says that one cannot act well in a properly human way concerning things that are for an end unless one understands the end: "Sicut enim non humane agit nisi intelligendo agit, ita circa illud quod est ad finem, non humane bene agit nisi intelligendo illud propter quod agit, et istud intelligere est deliberare; unde non sic agit virtuosus repentine, et sine deliberatione, sicut natura agit ex II *Physicorum*." Here I have taken the text directly from W&M 344.

³¹Again, for the sake of brevity I am not considering her criticisms of some of the conclusions I draw from that account. See note 3, above.

that, as I have presented the issues,

voluntarism refers only to the position . . . that “the goodness of almost all things, as well as the rightness of almost all actions, depends wholly on the divine will.” This means that *voluntarism* refers solely to the relationship of the moral law to the divine will. A voluntarist would then be a thinker who holds that the moral law depends radically upon the divine will. Since Williams claims he has here offered a precise and authentic definition of Scotus’s voluntarism, one may reasonably ask if this definition is sufficient. It is not enough for this definition to be accepted by contemporary thinkers, or to be acknowledged today as an adequate or even preferred definition of voluntarism. It is not enough for this definition to answer questions of moral foundationalism. The definition must correspond to what Scotus *himself* understands by the term *voluntarism*.

This strikes me as a peculiar complaint, since (so far as I have been able to find), Scotus never uses the term ‘voluntarism’. It is term we use to classify certain medieval views, not a term the medievals themselves used.³² And since my own use of the term is expressly stipulative,³³ I do not see any *prima facie* problem in my seeking to determine whether Scotus was a voluntarist in the precise sense I have stipulated. That other views, which Scotus may or may not have held, have also been labeled ‘voluntarism’ is beside the point.

The more serious version of Ingham’s complaint, however, is that those other views that have gone under the name of ‘voluntarism’ have an intelligible connection with the parts of Scotus’s work that I have been most concerned with. Those views provide both the argumentative and the historical context in which Scotus wrote, and by focusing exclusively on the relationship between the divine will and the moral law I have been led astray in ways I could have avoided if I had attended to voluntarism more broadly construed. As Ingham puts it, “The foundation of the moral law on the divine will is only *one* aspect of a much larger vision, embraced by medieval voluntarists” (178).

Now it is not as if I have never talked about anything in Scotus but the divine will and

³²According to Bernardine M. Bonansea, the term ‘voluntarism’ was first used by Ferdinand Tönnis in an article on Spinoza that appeared in 1883. See Bonansea’s “Duns Scotus’ Voluntarism,” in *John Duns Scotus, 1265-1965, Studies in Philosophy and the History of Philosophy* 3 (Washington, DC: Catholic University of America Press, 1965), 83-121, at 83n. I am grateful to Bonnie Kent for drawing my attention to this reference.

³³“Unmitigated Scotus,” 162-163; “Reason, Morality, and Voluntarism,” 74, n. 7.

the moral law. I have written about God's freedom in creation, divine justice and rationality, the precise nature of human freedom, the two affections in the will, the distinction between nature and will, and other issues that are part of voluntarism broadly construed. It is true that I have not talked about virtue, but since the only aspect of Scotus's account of virtue that is clearly related to voluntarism broadly construed tends to support a reading of him as a libertarian,³⁴ my silence on that topic does not seem worrisome. Nor have I talked about the question of the intellect's causal contribution to volition, but as I noted earlier in this section in my discussion of *Lectura 2*, d. 25, both of the solutions available to Scotus are consistent with the libertarian view that the will's elicited acts are not wholly determined by the content of an agent's cognition. So here again it is not clear how my account of Scotus's voluntarism (as I have defined it) or libertarianism would have had to change if I had attended to this issue.

Ingham's complaint is not only that I have ignored other relevant issues within Scotus's own work, but also that I have misconstrued Scotus because I have failed to attend to the ways in which he differs from other voluntarists. As she says, "In order to grasp precisely the nature of Scotus's voluntarism, one must carefully consider the historical evidence of the rich and varied thirteenth-century tradition" (180). She compares Scotus's views with those of three other voluntarists: William de la Mare, Peter John Olivi, and Henry of Ghent. The comparisons with Olivi and Henry simply repeat the points already made in connection with *Lectura 2*, d. 25, about the causal contribution of the intellect. The comparison with William de la Mare does, however, introduce some arguments that I have not yet considered in this paper, so I will examine Ingham's discussion of William to see whether she makes good on her claim that I have gone astray by failing to attend to the differences between Scotus and other voluntarists.

Ingham summarizes William de la Mare's voluntarism by stating five key theses, which she takes from Bonnie Kent's *Virtues of the Will*:

- 1) The will is superior to the intellect.
- 2) Beatitude, human perfection, consists in the activity of the will and not the intellect.
- 3) Freedom derives from the will and not rationality.

³⁴See note 28, above.

- 4) The will is free to act counter to the intellect.
- 5) The will, and not the intellect, commands the body and the powers of the soul.³⁵

Scotus's denial of 3) is what mitigates his voluntarism, according to Ingham. For Scotus, "freedom is related to rationality because the will is the rational potency. Indeed, it is the will's rationality that grounds its freedom" (181-182).

The problem here is that 'rationality' is ambiguous. The usual way of marking the distinction between intellectualists and voluntarists in connection with 3) would be to say that voluntarists hold that freedom derives from the will, whereas intellectualists hold that it derives from *reason* or the *intellect*. That is, the intellectualist affirms, and the voluntarist denies, that freedom derives from some feature of the intellect, such as its capacity for rational deliberation. It seems clear that this is how Kent intended the thesis to be taken in her description of William's views, since she later expresses the same claim as follows: "William also follows Walter [of Bruges] in denying that the will derives its freedom from the intellect."³⁶ But if we understand 3) as Kent seems to understand it, Scotus accepts 3). Like William de la Mare, he holds that the will is free in its own right and does not derive its freedom from the intellect.

As we have already seen, however, Ingham repeatedly takes me to task for identifying rationality with the intellect, so presumably she does not mean 'intellect' in 3). But if 'rationality' in 3) does not refer to the intellect or some feature of the intellect, to what does it refer? It appears to refer to whatever it is in virtue of which the will is properly called a 'rational potency': "freedom is related to rationality because the will is the rational potency" (181-182). But as we have already seen, to call the will a rational potency *just is* to say that it is

³⁵181, with reference to Bonnie Kent, *Virtues of the Will: The Transformation of Ethics in the Late Thirteenth Century* (Washington, DC: The Catholic University of America Press, 96). Ingham actually says "William of Ware," but Kent ascribes these claims to William de la Mare. And since Ingham speaks of William de la Mare both before and after the passage I have cited here, I will assume that the name of William of Ware has crept in by inadvertence.

³⁶*Virtues of the Will*, 123. Similarly, on p. 124: "on his account, freedom belongs to the will in its own right: its source cannot lie in anything external to the will. As the will's freedom cannot derive from the capacity for rational deliberation, neither can intellect's deliberation cause an act of will."

a power for opposites: in other words, to say that it is free. Ingham says that “it is the will’s rationality that grounds its freedom” (182), as if rationality were a feature of the will that somehow *explains* the fact that it is free. On the contrary, if by ‘the will’s rationality’ we mean ‘the will’s being a rational potency’, the will’s rationality does not explain its freedom. The will’s rationality *just is* its freedom. On that understanding, 3) becomes nonsensical. How would anyone either affirm or deny that freedom derives, not from the will, but from the will’s being free? Accordingly, I do not see that Ingham’s comparison of Scotus with William de la Mare makes her point. If ‘rationality’ in 3) refers to the intellect or some feature of the intellect, then Scotus agrees with William on 3); if it refers to the will’s being a rational potency, 3) is unintelligible, and so hardly the right sort of claim to distinguish one thinker from another.

There is a final argument from Ingham that we might call “meta-textual.” She argues that if Scotus were really a libertarian of the sort that I claim he is, we would expect to find him saying certain things he never in fact says. She writes:

If Scotus’s position on the human will were libertarian in the way Williams claims, it would be important to find texts that deny the will’s rationality or, at least, deny the existence of an objective ordering of values external to the moral agent. Only then would it be possible to affirm that the human will, in its exercise of freedom, has no reasons to do what it does, no way to explain its own choice. Scotus affirms both the existence of an objective order of value constituted by the divine will and, more importantly, the constitution of the human will. Like the divine will, the human finds its reasons within its own character, grounded on the natural disposition to act rationally (the affection for justice) and developed by means of acts of ordered love that are themselves the expression of inner integrity. (210)

But this is to misconstrue libertarianism again. My sort of libertarian is, as I have said, not someone who denies that there is any reason whatever (in the weak sense) for a free choice, but someone who denies that there is any causally or explanatorily *sufficient* reason for a free choice (any reason in the strong sense). Of course there are going to be reasons for a free choice in the weaker sense of considerations that count for the agent in favor of a given course of action. The objective moral order established by God supplies a number of such considerations, as does human nature. As I wrote elsewhere, “We do not find ourselves in a

position in which we can regard just any old thing as valuable. Being creatures of a determinate sort, we will (so long as we are not pathological) draw our reasons from a fairly limited pool of possibilities."³⁷ What the libertarian as such is concerned to deny is that the mere existence of such considerations, or their presence to the agent's cognition, is a sufficient causal explanation for the agent's action. For if it were, then (according to the libertarian) the action is not free, and not imputable to the agent. The idea that a libertarian has to deny an objective moral order is groundless.

The idea that a libertarian has to deny the rationality of the will rests on an equivocation. If by "the rationality of the will" Ingham refers to a sufficient explanation of elicited acts of will by means of appeal to considerations present to the agent's intellect, then there is no shortage of passages in Scotus denying the rationality of the will.³⁸ If she means the will's being a rational potency, then, far from denying it, the libertarian is the one who insists on the will's rationality with particular gusto. For it is precisely because the will is a rational potency, a self-determining power for opposites, that its acts are not susceptible of complete explanation in terms of the objective order of value or the agent's own nature, however well-habituated.

I conclude, therefore, that neither considerations about the divine nature nor Ingham's other textual evidence and arguments undermine my case for a radically libertarian Scotus.

³⁷"Libertarian Foundations," 211. Ingham devotes a good deal of space (207-210) to a discussion of the two affections of the human will and their relation to human nature and the objective moral order. I take it that this discussion is meant to establish the point that human choices do not take place in a value-free vacuum. But that point is not in fact in dispute between us, and its truth has no tendency to show that Scotus is not a libertarian.

³⁸See especially "Libertarian Foundations," "Unmitigated Scotus," and "Methodical Lover," *passim*.