

John Duns Scotus (1265/66–1308)

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The historical and conceptual background

In 1277 the Bishop of Paris, Stephen Tempier, prohibited the teaching of 219 theological and philosophical theses that had been maintained by unnamed members of the Faculty of Arts at the University of Paris. The prohibition, which has come to be known as the Condemnation of 1277, is often treated as a significant turning point in medieval philosophy and theology. Among the prohibited theses were sixteen propositions about the will and its freedom. The condemned propositions are a somewhat disparate group, but many of them concern the dependence of the will on the intellect. For example, teachers in the arts faculty were forbidden to teach that the rational soul is “in potency to opposites” — roughly what we would express nowadays by saying that it has the power to do otherwise—only because reason can know opposites; they were forbidden to maintain “that the will necessarily pursues what is firmly held by reason, and that it cannot abstain from that which reason dictates.” Both of the those theses had arguably been taught by Thomas Aquinas, who had died three years before—though he had been in the Faculty of Theology, not Arts, and scholars disagree about whether Aquinas was a target of the Condemnation (for a convincing case that he was, see Wipfel 1995). The Condemnation encourages a picture of freedom on which the will is free in its own right, and not merely because of its association with reason, and indeed is free to act contrary to reason, rather than being in some sense necessitated by what reason holds.

Contrary to what one might expect, medieval academics were no more likely than today’s academics would be to acquiesce in anyone’s demands that they change their research and teaching to conform to some administrator’s preferences. For all that the Condemnation of 1277 has been treated as a pivotal moment in the history of medieval philosophy and theology, the condemned theses did not disappear; scholars continued to defend views like Aquinas’s

concerning the nature of freedom and the relationship between intellect and will. Yet the Condemnation certainly gave impetus to further critiques of such views, and it encouraged the development of accounts of freedom as rooted in a self-determining will.

Writing roughly twenty to thirty years after the Condemnation, John Duns Scotus offered an account of freedom that was very much in the spirit of the Condemnation. For him freedom depends on the will, which can act contrary to the judgment of reason. Freedom must be rooted in the will rather than the intellect, he thinks, because only the will acts contingently in a robust sense of that word, a sense that Scotus himself would do a great deal to clarify. In one sense, however, Scotus defies the spirit of the Condemnation. Tempier blamed the “obvious and loathsome errors” of the arts faculty on their overreliance on “pagan writings,” but Scotus is quite happy to cite Aristotle in support of his understanding of freedom. I begin my discussion of Scotus’s account of freedom by examining how Scotus uses Aristotle to develop his notion of a “rational power,” one that acts contingently, and I explore Scotus’s understanding of contingency, showing how it is a response to views like Aquinas’s that root freedom in the intellect rather than in the will. I then note an apparent tension in Scotus’s thought: his account of the will as a rational power involves the claim that freedom is a brute fact, something that admits of no further explanation; and yet he appears to offer an explanation for the will’s freedom by appealing to the two dispositions or “affections” that Anselm had identified in *On the Fall of the Devil*. After examining the development of Scotus’s use of Anselm over his brief career as well as the main competing interpretations of the two affections in Scotus, I offer a new account that reconciles the Aristotelian and Anselmian strands in Scotus’s thought and explains both the scope and the limitations of freedom as Scotus understood it.

Freedom as a brute fact: will as rational power

In his *Questions on the Metaphysics*, Book IX, q. 15, Scotus asks whether Aristotle’s distinction between rational powers, which are powers for opposites, and irrational powers, which are for only one of a pair of opposites, was drawn correctly. He answers that it was and goes on to explain, first, how it ought to be understood and, second, what its cause is.

By a “power for opposites,” Scotus clarifies, we mean a power for opposite *actions*, not

merely for opposite *effects* or *products*. The sun can soften wax and harden mud, but that is not the kind of “opposite” Scotus has in mind. At issue is a power that is sufficient for eliciting both an act and its negation (as would be the case if the sun had the power either to soften wax or not soften it) or for eliciting opposite acts (as would be the case if the sun had the power either to soften wax or to harden it). Aristotle, according to Scotus, had explained this difference by appealing to the difference between a natural form and an understood form. A natural form can act in only one determinate way: the form of fire heats and can only heat. But on the basis of an understood form one can act in opposite ways: by having the form of fire in my understanding I can know both fire and non-fire. Scotus argues, on several grounds, that this difference is an inadequate basis for the distinction between rational and irrational powers. Instead, the fundamental distinction in the domain of active powers has to do with the differing ways in which these powers elicit their acts. There are only two possible ways of eliciting acts:

Either a power is by its very nature (*ex se*) determined to acting in such a way that, as far as it is up to that power, it cannot not act when it is not impeded by something extrinsic to it; or else it is not by its very nature determined, but can do this act or the opposite act and can also act or not act. The first power is commonly called ‘nature’ and the second is called ‘will.’ (*In Metaph. IX, q. 15, n. 22*)

The division into nature and will is the most basic division of active powers. And what is the cause of this division? Scotus says that there is no cause: it is a brute fact that will is a power for opposites and nature is not. Just as that which is hot heats, and there is no further explanation for why it heats, so too there is no further explanation for why it heats *determinately*; nor is there any further explanation for the fact that a will does not will determinately. Moreover, the will’s mode of acting is so distinct from the mode of acting proper to every other active power that “it appears altogether ridiculous to apply universal propositions concerning active principles to the will, simply because they have no exception in any active principle other than will” (*Ibid.*, n. 44).

One would expect, given general Aristotelian metaphysical principles, that what is in itself indeterminate would require some extrinsic cause to determine it. Scotus argues, however, that this is not so. There are two kinds of indeterminacy:

There is a certain indeterminacy of insufficiency, in other words, an indeterminacy of

potentiality and deficient actuality, as matter that does not have a form is indeterminate with respect to doing the action of that form; and there is another indeterminacy of superabundant sufficiency, which derives from an unlimitedness of actuality, whether altogether or in some particular respect. (Ibid., n. 31).

Something that is indeterminate in the first way does not act unless it is determined to some form by something else, but something that is indeterminate in the second way can determine itself. If there were no such thing as the indeterminacy of superabundant sufficiency, Scotus argues, it would be impossible for God to act, since God is “supremely undetermined to any action whatsoever” (Ibid., n. 32).

Scotus’s distinction between rational and irrational powers depends on his notion of synchronic contingency: a rational power has, and an irrational power lacks, the ability to act otherwise *at the very moment of acting*. Scotus describes the contingency of the will’s acts in this way:

This logical possibility [of willing different objects] does not exist according as the will has acts successively, but in the same instant. For in the same instant in which the will has one act of willing, it can have an opposite act of willing in and for that very same instant. . . . Corresponding to this logical potency is a real potency, for every cause is prior in understanding with respect to its effect. Thus, the will, in the instant in which it elicits an act of willing, is prior in nature to its volition and is related contingently to it. Hence, in that instant in which it elicits a volition, it is contingently related to willing and has a contingent relation to willing-against—not because at some earlier time it had a contingent relation to willing, for at that time it was not a cause; but now, when it is a cause eliciting an act of willing, it has a contingent relation to the act, so that what is willing *a* can will-against *a*. (*Lect.* 1, d. 39, q. 1-5, nn. 50-51)

Aristotle had said that “Whatever is, when it is, necessarily is” (*De interpretatione* I.9, 19a23–24). Whatever exactly this is supposed to mean, Scotus says, it would be absurd to say (as some do) that nothing that exists now is contingent now, but rather it was contingent only at some earlier time at which it was still possible for it not to come about. He ridicules “the absurdity of this position, that necessity and contingency are not genuine features of beings when they exist, but only necessity, and never contingency” (*In Metaph.* IX, q. 15, n. 64). Moreover, “when the will is engaging in a given volition, it is engaging in it contingently at that time, and that volition is from the will contingently at that time; for if it is not contingent at that time, it is never contingent, since it is not from the will at any other time” (Ibid., n. 65).

Scotus argues that any view that roots freedom in the intellect rather than in the will commits precisely this absurdity (see Williams 1998). For at the very moment when the intellect judges that one should do x rather than y or choose A for the sake of its good-making features F and G (rather than reject it because of its deficiencies H and I), it cannot judge otherwise than it in fact does. It is not enough to say that the intellect's capacity for abstract thought means that *in principle* it could judge otherwise; it is not even enough to say that at some time in the past it was possible for things to turn out in such a way that the intellect would not now be making the judgment it is in fact making. The question is whether its judgment is contingent *at the very moment when it judges*, and Scotus sees no way to affirm that kind of genuine contingency—synchronic contingency—in the intellect. So if the will always wills in accordance with the intellect's judgment, there will be no genuine contingency in the will either, and consequently no freedom.

Freedom as requiring explanation? The two affections of the will

But why, if the will's mode of acting admits of no more basic explanation, does Scotus appear to offer an explanation for it in terms of the two "affections" of the will? Scotus gets the idea of two affections or fundamental inclinations in the will from Anselm, who had identified an affection for the advantageous (*affectio commodi*) and affection for justice (*affectio iustitiae*) in the course of explaining the primal sin of the angels in *On the Fall of the Devil*. It is clear that Anselm intends the two affections as an *explanation* of the will's freedom, and readers of Scotus have assumed that he too means to explain the will's freedom by appeal to the two affections. Interpretations have differed, however, about how that explanation is supposed to work. According to the most common interpretation (e.g. Boler 1993; Wolter 1997, 13; Osborne 2014, 24) the affection for the advantageous is an inclination to pursue what is beneficial for oneself and the affection for justice is an inclination to love things (including other people) in accordance with their intrinsic worth. Now Scotus is quite emphatic that the will cannot have (or be) only an affection for the advantageous, because if it were, it would operate deterministically and would therefore be a natural, not a rational power. But the standard interpretation leaves it wholly mysterious how the affection for justice helps matters, because it

is not at all clear why a disposition to love things in accordance with their intrinsic worth would operate any less deterministically than the affection for the advantageous; and a will with two deterministic inclinations is no freer than a will with only one.

An alternative interpretation (Williams 2002, 348–349) emphasizes that Scotus identifies the affection for the advantageous with intellectual appetite: the will's disposition to choose what the intellect presents to it as perfective. On this interpretation, Scotus thinks of the affection for the advantageous as being exactly what Thomas Aquinas had claimed the will is, and he rejects Aquinas's account of the will because it does not provide for genuine freedom in the will. The affection for justice, then, is the will's capacity to choose in accordance with what is morally right. Such choices must be free if they are to be genuinely morally praiseworthy, and the affection for justice is what provides such freedom. But as the proponent of this interpretation has acknowledged, this account of the affection for justice would seem to provide for freedom only on those occasions on which the will is faced with a choice between happiness and morality, whereas Scotus (as we shall soon see in more detail) does not limit the will's freedom to instances of conflict between happiness and morality. He ascribed to the will a much more wide-ranging, a much more ubiquitous, sort of freedom, which this understanding of the two affections does nothing to explain.

To get clear on how, or whether, the two affections are intended as an explanation of the will's freedom, it is helpful to attend to the context in which Scotus discusses them and to the history of his career. Scotus discusses the two affections in his discussion of the fall the devil, which occurs in his commentary on Book II, distinction 6, of the *Sentences* of Peter Lombard. For the medieval theologian-in-training, commenting on the *Sentences* was roughly equivalent to today's dissertation: a crucial, culminating step in the completion of one's degree. We have three versions of his lectures on Book II. The first, called the *Lectura*, dates from 1298–99, when Scotus lectured on the *Sentences* as a student at Oxford. Soon afterward Scotus began to prepare his lectures for publication; the result, left incomplete at his death, is called the *Ordinatio* (from the Latin word *ordinare*, "to set in order," here meaning "revise for publication"). The revision of Book II probably dates to 1301. He lectured again on the *Sentences* in Paris, probably in 1302–03, and we have student notes of these lectures, called the *Reportatio*.

As Peter King (2010) has shown, Scotus's use of Anselm's two-wills theory undergoes dramatic development over the roughly five years between the *Lectura* and the *Reportatio*. The discussion in the *Lectura* is, as King puts it, "at best perfunctory, at worst confused" (368). By the time of the *Ordinatio*, however, Scotus has developed his account of the two affections in ways that make it look fairly un-Anselmian. No longer are the two affections two distinct and (in principle) separable dispositions that *belong to* the will, as they had been for Anselm; the two affections are not really distinct from each other or from the will itself. The affection for the advantageous is not a part of the will; it *is* the will *qua* intellectual appetite. And the affection for justice is not a part of the will; it *is* the will *qua* free rational power (*Ord.* II, d. 6, q. 2, n. 50). Still, the relationship between the will-as-appetite and the will-as-free remains somewhat unclear in the *Ordinatio*. They are not two parts of the will, but they do seem still to be two aspects of the will; the affection for justice has the task of moderating or regulating the affection for the advantageous in conformity with a higher will, which is God's will.

By the time of the *Reportatio* discussion, the terminology from Anselm remains, but none of Anselm's doctrine is left. The affection for justice, Scotus says, is "the ultimate specific difference of free appetite" (*Rep.* II, d. 6, q. 2, n. 9): in other words, the affection for justice is what sets free appetites apart from unfree appetites. They are related in the way that genus and species are related: rationality is what sets human beings apart from other animals, but in a human being rationality and animality are not really separable from each other or from the human being. Thus, the two affections are not two distinct kinds of motivation, as they were for Anselm, or even two aspects of the will, as they were in Scotus's *Ordinatio*. The two together constitute a free will: but in that free will they are separable neither from each other nor from the will itself.

So, contrary to appearances, the two affections—at least by the time of the *Reportatio*, and arguably by the time of the *Ordinatio*—do not *explain* the freedom of the will. Thus there is no contradiction between the view Scotus expresses in *Questions on the Metaphysics* IX, q. 15, and his later account of the two affections. The will's mode of acting—its being a will as opposed to a nature, a rational power as opposed to an irrational power—remains unexplained. And this is as we should expect, given the chronology of Scotus's writings. For although the *Questions on*

the Metaphysics may well have been begun early in his career, Book IX appears to have been revised after 1300—right around the time he was revising Book II of the *Ordinatio*, or even as late as his lectures in Paris in 1302–03, which are recorded in the *Reportatio*. So it seems reasonable that the revised versions of the lectures on the *Sentences* and the contemporaneous account in the *Questions on the Metaphysics* all put forward at least roughly the same view of the will's freedom as an irreducible fact not susceptible of further explanation.

The scope of the will's freedom

In *Reportatio* IV, d. 49, qq. 8–9 Scotus asks two questions: “Do all human beings will happiness supremely and necessarily?” and “Is everything that is desired, desired on account of happiness?” The crucial distinction, he says, is between the will's natural appetite and its free appetite (*Rep.* IV A, d. 49, qq. 8–9, n. 15). The will's natural appetite, like any other natural appetite, is an inclination or directedness to its proper perfection. The proper perfection of the will is happiness, and so the natural appetite is bound necessarily to will happiness. But the natural appetite is not an *act* of the will. When the will acts, it acts freely. Granted, the natural appetite is so fundamental to the will that the will does in fact generally will happiness. Even the damned, human beings and angels alike, will their own happiness. In fact, Scotus says, they very likely will it even more intensely than we do in this present life. The problem is that they do not moderate their desire for happiness so as to accord with the divine will (*ibid.*, nn. 42–46).

Thomas Aquinas had argued that the will necessarily wills happiness as understood universally but not as understood in particular: roughly, we have to will a fulfilling and flourishing life, and everyone does so; but not everyone wills the life that in fact meets that description—the vision of God—so obviously the will does not necessarily will happiness as understood in particular. Scotus, however, will have nothing to do with this distinction (*ibid.*, nn. 24–28). All one has to do to see what is wrong with the distinction, he believes, is to look at the arguments that supposedly show why the will necessarily wills happiness. According to the standard psychology, the will can refuse to will something only if it has some admixture of evil or at least deficiency of goodness. So if happiness is presented to the will by the intellect, the will has no choice but to will it, because happiness has no evil and is complete in goodness. If

this argument works, Scotus says, it should apply even more decisively to happiness in particular than universally. For the goodness of the particular object in which happiness is found is more complete, and its freedom from any taint of evil is more obvious, than the goodness of happiness conceived of merely abstractly.

So in fact, confronted with happiness either universally or in particular, the will can either will it (*velle*) or fail to will it (*non velle*). What the will cannot do is to will-against it (*nolle*). Willing-against, like willing, is a positive act elicited by the will; it is therefore not to be identified with merely not-willing, or failing to will, which implies that no act is elicited by the will. In a similar way, when confronted with unhappiness, the will can either will-against it or fail to will it. What the will cannot do is positively to will unhappiness. Confronted with any object other than happiness or unhappiness, the will is free to elicit either an act of willing or an act of willing-against; it is also free to elicit no act at all with respect to that object.

If the will is not bound to will happiness, it clearly seems to follow that it is not bound to will everything else for the sake of happiness. There are two ways in which the will can will something without willing it for the sake of happiness. One way is “negatively,” when one simply omits to consider the relation of the willed object to happiness. The other way is “contrarily,” when one wills something knowing full well that it cannot be ordered to happiness. For example, “a believer can conceive of happiness in particular, as the enjoyment of the one divine essence in the Three Persons, and can conceive of something that is in no way directed toward that happiness—say, fornication. So, with that apprehension of fornication, which can in no way be directed toward happiness, remaining present, he can desire fornication. But in thus desiring fornication, he is not desiring it as directed toward happiness.” (ibid., n. 57).

What rationality does and does not mean for Scotus

Thus the scope of the will’s freedom is very great. Every elicited act of the will is free, Scotus says; and it seems that the only limitations on the will’s acts are that it cannot will-against happiness and it cannot will in favor of unhappiness. It appears, then, that the will is free to act irrationally: to choose lesser goods over greater, to spurn happiness itself, even

perhaps to choose something for no reason at all. Some commentators favorable to Scotus have found this an unattractive picture of the will's freedom and have sought to use Scotus's description of the will as a rational power to argue that the will's action is not irrational in the sense of being arbitrary, capricious, whimsical, or unmotivated. In this vein Mary Beth 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. (Ingham [2001]: 181–182)

But contrary to what Ingham says here, 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. 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. Scotus in fact argues at length that the will's freedom allows us to act against our own interests (*Ord.* I, d. 1, p. 1, qq. 1–2).

Even more strikingly, he in effect argues that the will has the power to determine what will count as reasons for it. In *Ord.* I, d. 1, p. 2, q. 2, he asks whether the will necessarily enjoys (*frui*) the end when that end is apprehended by the intellect. He considers an argument for the affirmative: "Delight is the conjunction of something suitable with that for which it is suited" (*Avicenna*, *Metaphysics* VIII). The end is necessarily suitable to the will. Therefore, when it is conjoined with the will there is delight, and therefore enjoyment (*fruitio*)" (n. 77). Against this Scotus argues as follows:

I say that a given thing is either aptitudinally suitable or actually suitable. What is *aptitudinally* suitable is what is suitable in and of itself and in virtue of the nature of the thing [to which it is suited]. Such a thing is *actually* suitable to everything that has no power over whether something is suitable or unsuitable to it. . . . But it is in the will's power whether something is actually suitable to it or not. For no thing is actually suitable to the will unless that thing actually pleases the will. Consequently, I deny the minor premise, where it is said that "the end is necessarily suitable to the will." For that is true only of aptitudinal suitability, not of actual suitability. (n. 56)

Not just anything is a possible reason for us to act: some objects are "aptitudinally suitable,"

and others are not, because of the kinds of creatures we are. (Something's being an apple can be a possible reason for me to will to eat it; something's being a pile of shards of glass cannot.) But whether any possible reason will be an actual reason—whether what is aptitudinally suitable will also be actually suitable—is up to the will.

Nonetheless, human choices are generally responsive in some intelligible way to what reason presents to us as good and worthy of choice. It is not, however, because the will is rational, but rather because it is an *appetite*, that human choices are rooted in human nature. As an appetite, the will is aimed at what is good and perfective; as an intellectual appetite, more precisely, it is aimed at what the *intellect* reveals to be good and perfective. Because this intellectual appetite is free—self-regulating and indeterministic—it is not on auto-pilot; it does not simply will whatever intellect presents as best. But it does remain rooted in nature. Only certain kinds of things, those that are “aptitudinally suitable,” are even possible objects of choice for the will. Yet because following the moral law is fundamentally not a matter of seeking what is good according to nature, but rather of subjecting ourselves to a higher will (Boler 1993; Williams 1995, 1998; King 2010), the human will must have a capacity for self-regulation that to some extent transcends nature. According to Scotus, at least from about 1300 on, that capacity for self-regulation is not an additional motivation over and above the will's natural appetite for happiness; it is, rather, the will's capacity to determine which reasons it will act on, whether it has any motivation to act on those reasons or not.

Note on the texts

Citations to the works of Scotus are given using standard internal divisions as follows:

In Metaph. = *Questions on the Metaphysics*. Books VI-IX, ed. R. Andrews, G. Etzkorn, G. Gál et al. (St Bonaventure edition, vol. IV) St Bonaventure, NY: Franciscan Institute Publications, 1997.

Lect. = *Lectura*. Book I, d. 8–45, ed. C. Balić, C. Barbarić, S. Bušelić et al. (Vatican edition, vol. XVII) Vatican City: Typis Polyglottis Vaticanis, 1966. Book II, d. 1–6, ed. L. Modrić, S. Bušelić, B. Hechich et al. (Vatican edition, vol. XVIII) Vatican City: Typis Polyglottis Vaticanis, 1982.

Ord. = *Ordinatio*. Book I, d. 1–2, ed. C. Balić, M. Bodeweg, S. Bušelić et al. (Vatican edition, vol. II) Vatican City: Typis Polyglottis Vaticanis, 1950. Book II, d. 4–44, ed. P. Hechich, B. Huculak, I. Percan et al. (Vatican edition, vol. VIII) Vatican City: Typis Polyglottis Vaticanis, 2001.

Rep. = *Reportatio*. ed. T. Williams. ethicascoti.com/additionaltranslations.html.

All translations are my own.

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Further readings

Dumont, S. (1995) "The Origin of Scotus's Theory of Synchronic Contingency," *The Modern Schoolman* 72: 149–167. (Explains what is new and distinctive in Scotus's theory of will as a simultaneous power for opposites.)

Hoffmann, T. (2013) "Freedom Beyond Practical Reason: Duns Scotus on Will-Dependent Relations," *British Journal for the History of Philosophy* 21: 1071–1090. (Argues for the importance of Scotus's idea that the will is a power capable of relating one thing to another.)

Kent, D. (1995) *Virtues of the Will: The Transformation of Ethics in the Late Thirteenth Century*. Washington, D.C.: The Catholic University of America Press. (Extensive treatment of the development of accounts of freedom and virtue after Aquinas.)

Pini, G. (2013). "What Lucifer Wanted: Anselm, Aquinas, and Scotus on the Object of the First Evil Choice," *Oxford Studies in Medieval Philosophy* 1: 61–82. (Comparative historical and philosophical study of moral psychology through accounts of the fall of the angels.)