

REASON, MORALITY, AND VOLUNTARISM IN DUNS SCOTUS: A PSEUDO-PROBLEM DISSOLVED

1. Introduction: the (merely apparent) problem

IN some passages Scotus seems to endorse a thoroughgoing voluntarism, holding not merely that the moral law is established entirely by God's will, but even that there is no reason why God wills in one way rather than another.¹ In other passages, however, Scotus insists that reason plays an important role in morality — that right reason is an essential element in the moral goodness of an action,² and that moral truth is accessible to natural reason.³

Many commentators have supposed that these two views are incompatible, and so they have seen only three options for interpreting Scotus: (i) one can simply concede that Scotus is inconsistent, (ii) one can deny that Scotus in fact allows reason a place in morality, or (iii) one can deny that Scotus is really a thoroughgoing voluntarist. We can find all three of these views in print. C. R. S. Harris insists that Scotus is hopelessly inconsistent:

It would seem, therefore, that the right and wrong of things is dependent on [God's] volition, a theory which is quite inconsistent with the doctrine which we have mentioned previously, that the goodness of an action is dependent on its conformity with right reason. That there is here a latent contradiction in Scotus's thought cannot be doubted, nor can we find a satisfactory solution to the antinomy.⁴

Anthony Quinton pointedly endorses the second option, saying that for Scotus "[t]hings are good because God wills them and not vice versa, so moral truth is not accessible to natural reason."⁵ The third option, however, has been by far the most popular. Most prominently of all, Allan B. Wolter appeals to this worry about Scotus's consistency in a number of places in the course of his attempts to mitigate Scotus's apparent voluntarism.⁶

Why have interpreters supposed that the two views are incompatible? I have never seen the argument made, but it must go more or less as follows. Voluntarists hold that what is morally right depends on what God wills. So if we are to know right from wrong, we must know what God wills with respect to the moral law. Since, however, God's will is (according to voluntarism) not determined by any reasons, it would seem that human reason would be powerless to figure out what God wills with respect to the moral law. After all, if there are no reasons *God* consults in order to decide what to will regarding the moral

law, there are certainly no reasons we can consult. Hence, if we are to know what morality requires, God has to tell us, either in Scripture or by granting us a special revelation.

The argument is not compelling. Granted, if Scotus holds that what is morally good depends on what God wills, he must also hold that in order to know what is morally good, we must know what God wills. But it does not follow that we must know what God wills *under that description*, and so no embarrassing conclusions about Scotus's moral epistemology follow in any obvi-

The following are some of the passages in which Scotus appears to express such a view: *Ordinatio* 1, d. 8, pars. 2, nn. 299–300; 3, d. 19, n. 7; 3, d. 32; 3, d. 37; 3, d. 38, n. 5; 4, d. 46, q. 1; *Reportatio* 1, d. 48; 4, d. 46, q. 4.

For the importance of right reason in the moral goodness of actions, see *Ordinatio* 1, d. 17, pars 1, q. 1–2, nn. 62, 92; 2, d. 7, n. 11; 2, d. 40, n. 3; *Reportatio* 2, d. 7, q. 3, n. 27; d. 40, n. 3; *Quodlibetal Questions* q. 18, nn. 3–6.

Outright assertions that moral truth is accessible to natural reason are harder to find. The passages cited in note 2 are often taken to imply that moral truth is accessible to natural reason — an understandable, although not wholly compelling, inference from Scotus's insistence in those passages that an act cannot be morally good unless the agent's own reason judges it to be good. In addition, Scotus says at *Reportatio* 2, d. 22, n. 3 (W 11.1:361b), that "by natural reason a human being can see that each of these [ten] commandments is to be observed" (*per naturalem rationem potest homo videre quod quodlibet praeceptum ex illis est tenendum*).

A word about the texts and references might be useful here. I give references to the editions of Scotus's texts within parentheses. A 'W' indicates a reference to the Wadding edition (Lyons, 1639; reprinted Hildesheim: Georg Olms Verlag, 1968–69); a 'V' indicates a reference to the Vatican critical edition (Civitas Vaticana: Typis Polyglottis Vaticanis, 1950–). Latin texts are reproduced exactly as they appear in the Vatican edition. Other texts are edited as follows: *Ordinatio* 2 on the basis of Codices A (Assisi, bibl. comm., cod. 137), P (Parisiis, bibl. nat., cod. lat. 15360) and Q (Parisiis, bibl. nat., cod. lat. 15854); *Ordinatio* 3–4, Codices A and Q; *Reportatio* 2, Oxonii, coll. Balliol. 205. The translations are my own.

Duns Scotus (Oxford: Oxford University Press, 1927), II:330–331.

"British Philosophy," in *Encyclopedia of Philosophy*, ed. Paul Edwards (New York: Macmillan and Free Press, 1967), I:373.

"Native Freedom of the Will as a Key to the Ethics of Scotus," reprinted in *The Philosophical Theology of John Duns Scotus*, ed. Marilyn McCord Adams (Ithaca, NY: Cornell University Press, 1990), pp. 148, 155–157, 160–161; *Duns Scotus on the Will and Morality* (Washington, D.C.: The Catholic University of America Press, 1986), pp. ix, 3–5, 16–17, 25–29.

Here and throughout the rest of the paper I use 'voluntarism' to mean "Scotus's version of voluntarism." There are other sorts of voluntarism that do require us to know what God wills under the description "what God wills." Some voluntarists, for example, would endorse what we might call a voluntarism of obedience, according to which obedience to God is the supreme moral principle. On such a view the agent's awareness that an act is commanded by God is obviously a necessary condition for right action.

"The Unmitigated Scotus," forthcoming in the *Archiv für Geschichte der Philosophie*.

Reportatio 2, d. 34, n. 3 (W 11.1:390b): "Bonum primo modo non potest habere contrarium, neque privativum in natura, quia contraria nata sunt fieri circa idem; igitur quod non est natum inesse alteri, non habet contrarium, neque privative oppositum; sed bonum seu perfectum perfectione prima, in quantum primum, non est natum alteri inesse. Etsi enim quantum ad id quod est posset alteri inesse, dicendo quod accidens aliquo modo est perfectum perfectione prima vel intrinseca perfectione, quia est essentialis, tamen in quantum primum bonum dicit perfectionem in se et ad se." For a somewhat different treatment of this argument, see Wolter, *The Transcendentals and Their Function in the Metaphysics of Duns Scotus* (Bonaventure, NY: The Franciscan Institute, 1946), pp. 122–123.

ous way from his voluntarism.

And that is really all that needs to be said; even without looking at the texts of Scotus we can see that there is no tension between voluntarism⁷ and the view that reason plays an essential role in morality. But since it seems somewhat frivolous to expect to quiet a generations-old debate by a quick *a priori* argument, I wish to lay out Scotus's view of the role of reason in morality and show in detail how it coheres with his voluntarism. Of course, many commentators deny that Scotus was in fact a voluntarist in the strong sense I have described. I have argued against such interpretations elsewhere⁸; here I shall simply ascribe to Scotus the voluntaristic views that I am convinced he held. Since the interpretations I reject have been driven in large measure precisely by this belief that Scotus cannot consistently be a voluntarist and still accord an important role to reason in morality, my interpretation of Scotus as a voluntarist will receive a kind of indirect support by my showing in detail how the two views form part of a single consistent theory. I shall first consider Scotus's account of the necessity of right reason and then examine his view that moral truth is accessible to natural reason.

2. Right reason as an essential element of moral goodness

Scotus recognizes two senses of 'good': primary goodness and secondary goodness. Primary goodness is the goodness that is convertible with being. Scotus argues that primary goodness has no contrary or privation in reality. For primary goodness, unlike an accident, is not something that an entity *has*; it is what the entity *is*. Whiteness (for example) is present in a white thing. Consequently, it is possible for the thing to continue to exist but to receive a contrary form. Thus, not-white can exist in reality. But primary goodness neither is present in nor bears some relation to any other thing. Therefore, a thing cannot continue to exist but receive a form contrary to primary goodness. Thus, there cannot be any not-good in reality.⁹ To put the point more simply, nothing can be without primary goodness, since to be without primary goodness is not to be at all.

Consequently, primary goodness (which Scotus also calls essential goodness¹⁰) cannot be the sort of goodness that moral theory ascribes to acts and agents. For the good that is spoken of in moral theory needs not merely a contradictory, *not good*, but a contrary, *evil*. That is to say, good must be a property that it is possible to lack. By the argument given above, then, the goodness that is important for moral theory will be some sort of accident. This kind of goodness is what Scotus calls secondary or accidental goodness.

Now moral goodness is a particular *sort* of accidental goodness,¹¹ so we must first see how Scotus characterizes accidental goodness in general and then see what moral goodness adds to that general characterization. Basically, a thing is accidentally good if and only if it has all the perfections proper to it as a thing of a given species. Accidental goodness is therefore analogous to the beauty of a physical object. Beauty, Scotus says, is not some absolute (intrinsic, non-relational) quality in the beautiful object. It is the aggregation of all the properties that are suitable (*conueniens*) to the object, such as size, shape, and color, together with the suitable relationship of those properties to the object and to each other. In the same way, accidental goodness is the secondary perfection of some thing integrated from all the things that are suited to it and to

¹¹For the identification of primary goodness with essential goodness, see *Quodlibetal Questions* q. 18, n. 3. Scotus's terminology is not altogether consistent. He sometimes uses *bonitas naturalis* as a synonym for *bonitas essentialis*. At *Ordinatio* 2, d. 7, n. 11 (W 6.2:566), for example, he says, "Dico quod ultra bonitatem naturalem volitionis, quae competit sibi in quantum est ens positivum, quae etiam competit cuicumque enti positivo secundum gradum suae entitatis magis et minus, praeter illam est triplex bonitas moralis." Here *bonitas naturalis* is obviously primary goodness. But generally, as we shall see, Scotus uses *bonitas naturalis* to designate secondary goodness. This is a more sensible usage, since it provides a logical contrast with natural evil, which is a deficiency of secondary goodness, and it is the usage that I follow.

¹²*Ordinatio* 1, d. 17, pars 1, q. 1-2, n. 55; *Quodlibetal Questions* q. 18, n. 3.

¹³*Ordinatio* 2, d. 40, n. 2. At *Ordinatio* 1, d. 17, pars 1, q. 1-2, n. 62 and *Reportatio* 2, d. 40, n. 2, Scotus uses the analogy of beauty for moral goodness.

¹⁴*Ibid* (W 6.2:1027). "Actus autem naturaliter natus est conuenire suae causae efficienti, obiecto, fini, et formae. Actus igitur est bonus naturaliter quando habet omnia conuenientia." In the phrase "*naturaliter natus*," "*naturaliter*" indicates that we are talking about natural goodness, not moral goodness; "*natus*" indicates that we are talking about what constitutes the perfection that an act, by its very nature, ought to have. An extremely periphrastic but nonetheless accurate translation of this sentence would be, "With respect to its natural goodness, an act ought, if it is to instantiate perfectly the nature of an act [rather

than in some way falling short of the ideal], to bear an appropriate relationship . . ."

¹⁵*Ordinatio* 2, d. 40, n. 3 (W 6.2:1028).

"Bonitas actus moralis est ex aggregatione omnium conuenientium actui, non absolute ex natura actus, sed quae ei conueniunt secundum rationem rectam."

¹⁶See especially Fidelis Schwendinger, OFM, "Metaphysik des Sittlichen nach Johannes Duns Scotus," *Wissenschaft und Weisheit* 1 (1934): 183-188; Harris, II:330-331; Mary Elizabeth Ingham, "Scotus and the Moral Order," *American Catholic Philosophical Quarterly* 67 (1993): 135-137; and Wolter, *Will and Morality*, pp. 27, 47-51. What these authors have to say on this matter is far from clear, but they all at times say things that at least suggest the view I here reject. Certainly none of them acknowledges that Scotus's account of the distinction between natural and moral goodness implies just the opposite of that view. Moreover, none of them draws the crucial connection (which I shall discuss in the next section) between Scotus's voluntarism with respect to the moral law and the view that the appropriateness of certain objects and ends is determined by the divine will and therefore not by our right reason. This latter failure is not surprising, since Schwendinger, Ingham, and Wolter deny that Scotus was really a thoroughgoing voluntarist in the first place, and Harris's acquiescence in the belief that Scotus's moral philosophy is hopelessly inconsistent relieves him of the responsibility of drawing connections between the two allegedly inconsistent parts of Scotus's theory.

¹⁷*Ordinatio* 2, d. 7, n. 11 (W 6.2:566): "conueniens tali actui secundum dictamen rectae rationis et non solum quia est conueniens tali actui naturaliter."

each other. Perfect goodness is the concurrence of all of them. When all of them are lacking and yet the nature that ought to be perfected by them remains, the nature is altogether bad. If some are lacking, the nature is bad, but not altogether so.¹²

A certain complication arises when this general account of accidental goodness is applied to human acts. The relationship of a moral act to its agent is entirely different from the relationship of a natural act to its agent, since a human act is elicited freely, on the basis of will and intellect. We can therefore consider human acts in two different ways: either as merely natural — that is, simply as acts, without considering the relationship of the act to the agent's will and intellect; or as moral — that is, as the act of an agent possessing will and intellect. An act that has complete secondary goodness as considered in the first way is said to be naturally good; an act that also has complete secondary goodness as considered in the second way is also morally good.

We have already seen that accidental goodness, like beauty, is the aggregation of all the properties that are suitable to something as a thing of a given sort. Applying this general account to acts, Scotus says, "Now an act is naturally meant to bear an appropriate relationship to its efficient cause, object, end, and form. So an act is naturally good when it has all [these] appropriately related features."¹³ Since the accidental goodness of one and the same act can be either natural goodness or moral goodness, it is not surprising to find that the same elements that together constitute the natural goodness of an act also constitute its moral goodness. But since natural and moral goodness differ depending on how the act is considered, it is also not surprising that those elements of an act's accidental goodness are considered quite differently when it comes to moral goodness. Scotus explains the difference in this way: "The moral goodness of an act is in virtue of the aggregation of all the things that bear an appropriate relationship to the act, not absolutely in virtue of the nature of the act, but that bear an appropriate relationship to it in accordance with right reason."¹⁴

So a freely elicited act is naturally good if it has an appropriate object, end, and form; that same act is morally good if it has the appropriate object, end, and form *as judged by the agent's own right reason*. Later in the paper I will discuss the various elements of an act's accidental goodness in more detail. First, however, we should note what this account suggests about the function of right reason in moral acts. Interpreters have sometimes written as if the operation of right reason is a necessary condition for an object's being appropriate at all; indeed, they even occasionally make it sound as if the judgment of right reason is (at least part of) what *makes* an object appropriate.¹⁵ The way in which Scotus draws the distinction between the natural goodness and the moral goodness of

acts forbids such an interpretation. The appropriateness of an object or end to an act is already given, independently of the operation of the agent's reason. Hence, Scotus speaks in one place of the object of a morally good act as one that is "appropriate to the act according to the dictate of right reason, not merely because it is naturally appropriate to the act."¹⁶ Here and elsewhere the implication is that there is a fact of the matter, independent of the agent's judgment, about whether an act and its various features are appropriate. It is thus possible for an agent to perform an act that has an appropriate object (and other circumstances) without thereby performing a morally good act.

Suppose, for example, that I believe it is permissible for me to lie to my mother. My best friend, however, believes (rightly) that it would be wrong for me to lie. Perhaps because I do not wish to scandalize my friend, or perhaps because I am worn down by his incessant moralizing, I go ahead and tell my mother the truth, believing all the while that I would be perfectly justified in lying to her. Now although I have performed the objectively appropriate action, my action lacks moral goodness.¹⁷ In such a case Scotus would say that the act is naturally good, since it has the features that make up its secondary goodness. But the act is not morally good, since it does not have these features *as judged by the agent's own right reason*.

Why does Scotus give this role to right reason? He argues that agents acting on the basis of will and intellect are naturally suited to have an intrinsic rule of rectitude for their acts — that is, to judge for themselves whether those acts are appropriate. And so, by the definition of secondary goodness, the acts of such agents must involve such a judgment if the acts are to have complete secondary goodness. Now it is not enough simply to have the capacity for judgment; the agent must actually exercise it. And the mere exercise of that judgment is not enough, for the agent must act not merely *in accordance with*, but *on the basis of*, that judgment.¹⁸

¹⁶That is, it lacks moral goodness considered as an act of truth-telling. If I have told the truth in order not to scandalize my friend, the act might well be morally good if considered as an act of friendship, since I am acting on the basis of my judgment that one ought to refrain from scandalizing one's friends.

¹⁷For this argument, see *Quodlibetal Questions* q. 18, nn. 4–5.

¹⁸*Reportatio* 2, d. 40, nn. 2–3 (W 11.1:407b–408a): "Dico quod bonitas actus potest esse triplex: naturalis, moralis, et gratuita. Prima bonitas est ab operante. . . . Secunda bonitas in actu est moralis, et dicitur talis unde est vituperabilis vel laudabilis. Haec autem est a causa efficiente libere."

¹⁹*Quodlibetal Questions* q. 18, n. 4: "natum est regulari in suo actu per propriam cognitionem."

²⁰See especially *Ordinatio* 2, d. 40, n. 3; *Reportatio* 2, d. 40, n. 3; and *Quodlibetal Questions* q. 18, nn. 4, 9–11, all of which occur in the context of a discussion of the different elements that together constitute the moral goodness of acts.

²¹*Ordinatio* 2, d. 7, n. 11 (W 6.2:566) has "bonitas virtuosa, sive ex circumstantia"; *Reportatio* 2, d. 7, q. 3, n. 27 (W 11.1:296b) has "bonitas completa ex specie"; *Quodlibetal Questions* q. 18, n. 6 has "bonitas specifica, quae dicitur bonitas ex circumstantia."

This argument justifies the distinction I drew earlier between the goodness of the act considered simply as an act and the goodness of that act considered as the act of a certain sort of agent. Recall that a thing has accidental or secondary goodness when it has all the perfections proper to it as a thing of a given kind. We have already seen that an act as such needs only to have an appropriate object, end, and other circumstances in order to have all the perfections that together constitute its secondary goodness. Scotus's argument does not show that an *act as such* requires any further perfections for its secondary goodness, but that *acts of moral agents* will not have all the perfections proper to them unless such agents exercise their right reason in eliciting those acts.

Scotus is quite consistent about drawing the distinction between natural goodness and moral goodness in just this way. For example, at *Reportatio* 2, d. 40, nn. 2–3, he says that natural goodness comes from an agent whereas moral goodness is from a free efficient cause.¹⁹ In the case he is considering, the “agent” from which natural goodness comes is a human being, and hence (of course) a free efficient cause. So clearly the distinction is not between the goodness of two different sorts of agents, where the acts of ordinary causes have natural goodness and the acts of free causes have moral goodness; rather, the distinction is between two different ways of regarding one and the same act of a free agent, where natural goodness pertains to the act *qua* act and moral goodness pertains to the act *qua* act of a moral agent.

In this way Scotus allows us to separate first-order moral questions about the permissibility of actions from second-order moral questions about the praiseworthiness of agents. In the case I introduced earlier, my act of truth-telling, considered merely as an act, was good. But considered as the act of an agent that “is apt by nature to be ruled in its act by its own cognition,”²⁰ the act was not good. I did *what* I ought, but I did not do it *as* I ought. I therefore do not deserve praise for telling my mother the truth. As Scotus repeatedly emphasizes, no act can deserve praise unless it is elicited freely.²¹ But even naturally good acts that are elicited freely do not deserve praise unless they were elicited in a way that befits a free agent.

Thus far we have seen that an act has natural goodness when it has all the elements that contribute to its secondary perfection; it has moral goodness when it has those elements as judged by the agent's own right reason. We should now turn to a more detailed explanation of what those elements are. The most basic goodness of which a free human act is susceptible is goodness from the object. The object of an act is generally designated by the direct object of the active verb that represents the action. For example, if I hate God, God is the object of my act of hatred; if I kill an innocent man, that man is the object of

my act of killing. If the object of the act is appropriate, the act is said to be generically good, since it is indifferent to further specification by the circumstances of the act, as a genus is indifferent to many differences. A generically good act will have complete secondary goodness only if all the other circumstances of the act are also appropriate. On the other hand, if the object of the act is inappropriate, the act is generically bad, and none of the other circumstances will suffice to give it secondary goodness.

A generically good act is specified by further circumstances. If all of them are appropriate, the act has full secondary goodness, which Scotus variously calls "virtuous," "circumstantial," "complete," or "specific" goodness.²² Foremost among the circumstances is the end of the act, which in Scotus's Latin is usually signified by the object of the preposition '*propter*'. For example, in treating his stock example of almsgiving, he suggests four different ends that the act might have: one could give alms *propter vanam gloriam, propter subventionem proximi, propter nocumentum alicuius, or propter Dei amorem*.²³ We see from these examples that Scotus recognizes both producible ends and subsistent ends. Empty show,²⁴ the relief of one's neighbor, and the harming of someone are all producible ends: that is, things or states of affairs that the agent intends to bring about. By contrast, in the case of the person who gives alms "on account of love for God," God himself is the end of the act — not of course as something produced by the act, but as the person for the sake of whom the agent acted. God is thus a subsistent end.

²²See *Ordinatio* 2, d. 7, n. 12 and *Quodlibetal Questions* q. 18, n. 8. Note, by the way, that one who gives alms *propter subventionem proximi* is said to have performed a morally good action. It is important to guard against the impression that Scotus thinks God is the only morally worthy end.

²³The usual half-translation of '*vana gloria*' as 'vainglory' is misleading here. 'Vainglory' is apt to suggest a disposition of the agent on account of which he gave alms, but Scotus here is thinking of *vana gloria* as something that the agent intended to bring about by means of his almsgiving — namely, the hollow appearance of a generosity he does not really possess.

²⁴*Reportatio* 2, d. 40, n. 2.

²⁵*Quodlibetal Questions* q. 18, n. 6. In addition to natural and moral goodness, acts can also have what Scotus calls meritorious or gratuitous goodness. The order of merit, however, is no concern of the moral philosopher as such, and I shall ignore it in the discussion that follows.

²⁶*Quodlibetal Questions* q. 18, n. 8 (W 12:480).

"Breviter in quocumque actu . . . quanto concurrunt plura motiva ordinata agendi, tanto melior est."

²⁷The most complete discussion of badness is at *Ordinatio* 2, d. 7, nn. 12–13. What follows in the text proper is a somewhat formalized version of Scotus's account.

²⁸What Scotus actually says is that privative and contrary badness are *coextensive* in the case of generic badness. But that clearly makes no sense if you accept my formal definitions of privative and contrary badness, and in fact it makes no sense even on Scotus's own, less formal, characterization. Privative goodness, he says, implies merely the lack of goodness, whereas contrary goodness posits something beyond the mere lack of goodness, something that is inconsistent with goodness. If that is the case, and if every object is either suitable or unsuitable, then any act that lacks a suitable object (thus being a putative candidate for privative badness) will in fact have an unsuitable object (thus being on Scotus's definition contrarily, and not merely privatively, bad).

The next circumstance is the form of the act, which Scotus also calls the mode. The only indication of what this means is his statement that a mode of acting suitable for a nobler agent might be unsuitable for a less noble agent.²⁵ Next is the time of the act. An act should be performed only at a time when it can be ordered to the appropriate end. The last extrinsic circumstance is place, about which Scotus has nothing to say except that it does not matter for many acts.²⁶

It sometimes happens that a single act has all of the circumstances pertaining to two (or more) virtues at once. In such a case the act has a twofold (or manifold) moral goodness. If I go to church both in order to make good on a vow and out of love for God, the act has a twofold moral goodness. "In short," Scotus says, "in any given act . . . the greater number of ordinate motives for acting that concur, the better the act is."²⁷ And the same is true of moral badness: the greater the number of inordinate motives that concur, the worse the act is.

Further light on the nature of goodness is shed by Scotus's discussion of the badness that is opposed to it.²⁸ Each level of goodness (generic and circumstantial) has a corresponding level of badness. Any of these can be understood as either contrary to or privative of the corresponding goodness. Privative badness is merely the absence of goodness. Contrary badness is the presence of something inconsistent with goodness. To put this in the form of definitions:

x is privatively bad= \neg for any positive property f that x has, (i) it is possible that (x has f & x is good), and (ii) x is not good

x is contrarily bad= \neg there is some positive property f such that x has f , and it is not possible that (x has f & x is good)

In the case of generic goodness, there can be only contrary badness, not privative badness. For every act has an object, and (according to Scotus) every object is necessarily either *conveniens* or *disconveniens* to a given act. If every object is either suitable or unsuitable, then any act that does not have a suitable object will have an unsuitable object, i. e., one that makes generic goodness not merely absent but impossible. So there can be no privative generic badness.²⁹

Scotus's insistence that every object is either *conveniens* or *disconveniens* to a given act might seem puzzling at first, but upon reflection it becomes clear that there can be no middle ground in this. For example, think about the act of eating. Anything that is not food is clearly unsuited to the act, and anything that is good food is clearly suited to the act. So perhaps we would initially be disposed to say that whatever falls between those two extremes (call that category "junk food") is neither suited nor unsuited.

But that attempt does not bear scrutiny. For there will be some junk food that will occasionally be an appropriate object of eating, as birthday cake on

one's birthday when one has otherwise been eating well and will not be harmed by it. We must consider this kind of junk food to count as a suitable object in just the same way that good food is a suitable object. (After all, the fact that broccoli is a suitable object does not mean that there are no circumstances under which one ought not to eat broccoli; it means that there are some circumstances under which it is permissible to eat broccoli.) There will be other junk food that is harmful in some way, "food" in the sense that it can be assimilated (unlike, say, stones), but food that actually undermines health. We must consider this kind of junk food to count as an unsuitable object in just the same way that things that are not food at all are unsuitable objects.

Scotus's account of indifferent acts has been seriously misunderstood in the secondary literature. For example, in the course of a single paragraph (and its associated footnotes) Mary Elizabeth Ingham, "Scotus and the Moral Order," *American Catholic Philosophical Quarterly* 67 (1993): 136, gives three different characterizations of morally indifferent acts. She first says that an indifferent act is one "whose object is not inappropriate or irrational, but which all the same is not appropriate in a moral sense." But there is no such act, as we have seen. Every moral act has either an appropriate object (and is therefore generically good) or an inappropriate object (and is therefore generically bad). Then in the footnote at the end of that sentence, she says that "By 'indifferent' Scotus refers to an act performed in the absence of moral intent." That sort of act, like "stroking the beard or brushing off a bit of straw and suchlike" (these are the examples she cites in the next footnote), is not moral at all, and is *a fortiori* not morally indifferent. (Indeed, she cites those examples from *Ordinatio* 2, d. 41, where Scotus quite clearly describes them as *actus non humani, de quibus non est sermo* — "acts that are not [properly speaking] human acts, which are not what I am talking about.") Finally, in that very same footnote she quotes a passage from *Quodlibetal Questions* q. 18, n. 7, that does indeed describe circumstantially indifferent acts as I have done in the paragraph above.

Klaus Hedwig, in "Actus indifferens: Über die Theorie des indifferenten Handelns bei Thomas von Aquin und Duns Scotus," *Philosophisches Jahrbuch* 95 (1988): 120–131, is closer to the correct account, but he falls prey to terminological confusion of his own making (most notably his identification

of generic goodness with moral goodness); that terminological confusion in turn sometimes seems to lead him into substantive error.

Still the most thorough account of Scotus's theory of moral goodness in general is Fidelis Schwendinger, "Metaphysik des Sittlichen nach Johannes Duns Scotus," *Wissenschaft und Weisheit* 1 (1934): 180–210; 2 (1935): 18–50, 112–135; 3 (1936): 93–119, 161–190. His explicit account of indifferent acts (1:200–206) is exactly right, except that he concentrates entirely on the end and seems not to realize that a deficiency of *any* of the circumstances of a generically good act suffices to render the act indifferent (or privatively circumstantially bad). But some of his other claims have implications that jeopardize the accuracy of his account. For example, he argues (1:198–200) that the object somehow participates in the goodness of the end, so that in addition to the natural goodness of the object there must also be a moral goodness of the object. But this view implies that no individual acts can be morally indifferent. For an act with a defective end would *ipso facto* also have a defective object, and as we have seen, an act with a defective object is generically morally bad. Scotus, however, holds that some individual acts have an appropriate object but a defective, though not impermissible, end. Such an act is morally indifferent according to Scotus.

Rectus and *rectitudo* for Scotus nearly always imply conformity with an external standard. Admittedly, he is willing to speak of the divine will as *recta* or as having *rectitudo*, even though there is no external standard to which it can conform. But he does this precisely to emphasize that the divine will is its own standard, and so it is conceptually impossible for the divine will to fail to be *recta*.

If, as this picture suggests, *convenientia* corresponds roughly to permissibility (rather than outright obligatoriness) of the object, and *inconvenientia* corresponds roughly to impermissibility of the object, it makes sense to say that the two are contraries, just as permissibility and impermissibility are contraries.

When we get to circumstantial badness there is room for such a thing as privative badness. As Scotus repeatedly emphasizes, moral goodness is the integration of all the circumstances dictated by right reason. Therefore, if any one of them is lacking, the act falls short of moral goodness. For example, if one gives alms to a beggar without observing the proper end of such an action (perhaps because one never considers the end), the act is not morally good. It is privatively bad, because it lacks one of the properties it needs in order to have complete circumstantial goodness. But it is not contrarily bad, as it would be if one gave alms for the sake of some impermissible end, such as empty show. A privatively bad act can also be called an indifferent act, since it is in the genus of moral acts but does not have the differences (circumstances) by which good and bad acts are separated into species.³⁰

Now that I have laid out the relevant parts of Scotus's theory of moral goodness, I can address our original questions. First, is the necessity of right reason for moral goodness consistent with voluntarism about the moral law? The answer is surely yes. As we have already seen, when Scotus says that in a morally good act right reason judges that (for example) the object is appropriate, he does not mean that the appropriateness of the object is in some way dependent on the agent's exercise of right reason. On the contrary, the object is already appropriate, independently of the agent's judgment; the fact that the agent's judgment corresponds to what is actually the case is exactly why the agent's reason is described as *right* reason.³¹ So the view that right reason must be exercised in order for a particular act to be morally good is consistent with any number of different views about what in fact *makes* certain objects, ends, and other circumstances appropriate or inappropriate.

Although I will not put it in quite those terms, the next section will show that, according to Scotus, the appropriateness of an object or an end to a given act is, except for cases of metaphysical necessity, determined by God's free choice. Accordingly, Scotus says that no act, except for the love of God for his own sake, is wholly good simply on the basis of its object,³² since God is necessarily an appropriate object of love under any circumstances whatsoever. Any other object can, by divine decree, be either morally licit or illicit, which is equivalent to saying that its appropriateness is determined by the divine will.

Hence, for example, God has contingently brought it about that an innocent

human being is an inappropriate object for an act of killing.³³ This is another way of saying that God has contingently made it the case that murder is bad. So if I judge correctly that murder is bad and on the basis of that judgment refrain from committing murder (and if the other circumstances of my act of refraining from murder are what they should be), my act is morally good. My right reason is a necessary condition for the moral goodness of that particular act, but it has nothing at all to do with the appropriateness of the object or other circumstances. More generally, no act can be morally good unless the agent's own reason correctly ascertains the relevant moral facts, but the moral facts themselves are (except in cases of metaphysical necessity) freely established by God's will.

My second question is whether the necessity of right reason for moral goodness implies that moral truth is accessible to natural reason. We can see very easily that it does not. Recall the example I discussed earlier, in which I am deciding whether to lie to my mother. In that example, my act of truth-telling is not morally good unless I judge that lying is wrong and then tell the truth on the basis of that judgment. Right reason as so described in no way implies that my judgment that lying is wrong must itself be made on the basis of natural reason. Suppose that I do not know — suppose even that I *cannot* know — that lying is wrong unless God tells me so. I could still meet the requirements for moral goodness as Scotus lays them out; I need only believe what God tells me and act on the basis of that belief. If right reason requires no more of us than that (and Scotus nowhere indicates that it requires more), there is, once again, not even the appearance of conflict between voluntarism and the view that right reason is essential to morality.

3. The accessibility of moral truth to natural reason

But in fact Scotus does not hold that we must consult Scripture or receive

³³To use the terminology explained earlier, the only generically good act that cannot be circumstantially bad is the love of God for his own sake. Scotus sometimes expresses this elliptically — and misleadingly — by saying that the love of God is the only generically good act. Wolter (*Will and Morality*, p. 22) accordingly says that all our moral obligations other than the obligation to love God “are indifferent *per se* generically, and become morally good or bad dependent on the circumstances.” This statement is mistaken, however, because (as we have seen) there are no generically indifferent acts; indifference comes in at the level of circumstantial goodness. Scotus does not really mean that the love of God is

the only generically good act; any act with a suitable object is generically good.

³⁴*Ordinatio* 3, d. 38, n. 5.

³⁵*Ordinatio* 3, d. 37, n. 6 (W 7.2:898). “Quia sequitur necessario, si est Deus, est amandus ut Deus, et quod nihil aliud est colendum tanquam Deus, nec Deo est facienda irreverentia; et per consequens in istis non poterit Deus dispensare, ut aliquis possit licite facere oppositum talis prohibiti.”

³⁶It may seem odd to speak of *propositions* that express prohibitions or injunctions. But Scotus prefers to state the moral law in the form of declarative sentences using the gerundive: “God is to be loved,” “Murder is not to be done,” and so on.

special revelations in order to know what morality requires of us. His account of our natural knowledge of the moral law is somewhat complicated, however. I shall begin by laying out the distinction he draws between necessary and contingent moral truths. Since on Scotus's account it is perfectly clear how we know necessary moral truths, the remainder of this section will be devoted to the difficult question of how we know contingent moral truths. After showing that our knowledge of the contingent part of the moral law cannot be acquired in the way many commentators have supposed, I shall argue that for Scotus contingent moral truths are immediate, in the sense that our knowledge of their truth is not grounded in the knowledge of any logically prior truths that explain or account for their truth, and I shall show how Scotus makes use of immediate contingent propositions more generally in his theory of knowledge.

As is well known, Scotus divided the moral law into two parts. The first part includes only necessary truths. More specifically, it includes moral propositions that are *per se notum ex terminis* and conclusions that follow necessarily from such propositions. For example, the first commandment, "You shall have no other gods before me," and the second, "You shall not take up the name of the Lord your God with levity," are necessary "because if God exists, it follows necessarily that he is to be loved as God, and that nothing else is to be worshiped as God, and no irreverence is to be done to God. Consequently, God could not dispense from these so that someone could licitly do the opposite."¹⁴

This part of the moral law, the "first table of the Decalogue," is obviously accessible to natural reason. If we know the meanings of the terms used in such a proposition, we cannot help seeing that it is true. So if we can know the meanings of the relevant terms through natural reason — as we certainly can — we can know the truth of these propositions through natural reason. The difficulty comes in understanding how the rest of the moral law (the "second table of the Decalogue") can be accessible to natural reason. For the rest of the moral law — which includes such things as the prohibitions of murder, theft, and adultery, as well as the injunction to honor our parents — is contingent, and the propositions expressing those prohibitions and injunctions¹⁵ are not *per se notum ex terminis*.

Now there are two ways in which a contingent truth can be known: either mediately (through some other proposition or propositions) or immediately. Here we have finally arrived at a point where Scotus's voluntarism really does place a limit on the role of reason in morality. The truth of the matter, as I shall now show, is that Scotus's voluntarism commits him to the view that we cannot know the contingent part of the moral law by argument (mediately).

Moreover, Scotus is quite aware of this implication; he draws it explicitly. But Scotus does think we can know the contingent part of the moral law by natural reason; we know it *immediately*. So the commentators have not been altogether wrong in seeing a conflict between voluntarism and the view that moral truth is accessible to natural reason. Wolter offers, in Scotus's name, arguments for specific moral conclusions; having done so, he is right to reject the idea that Scotus is a thoroughgoing voluntarist. Quinton, by contrast, understands Scotus as a thoroughgoing voluntarist, and so he is right to draw the conclusion that we cannot know the contingent part of the moral law *by argument*. Wolter's mistake is to suppose that Scotus ever offers an argument for a contingent moral proposition; Quinton's is to suppose that if we cannot know the moral law by argument, we cannot know it by natural reason at all.

The connection between Scotus's voluntarism and the view that we cannot know the contingent part of the moral law by argument is quite straightforward. Scotus argues that the contingent part of the moral law is freely determined by the divine will. And he understands 'freely' here in a strong sense:

And if you ask why the divine will is determined to one of a pair of contradictories rather than to the other, I must reply that "It is characteristic of the untutored to look for causes and proof for everything." . . . Therefore, there is no cause why the will willed, except that the will is the will, just as there is no cause why heat heats, except that

"Et si quaeras quare ergo voluntas divina magis determinabitur ad unum contradictorium quam ad alterum, respondeo: "indisciplinati est quaerere omnium causas et demonstrationem." . . . Ideo huius "quare voluntas voluit" nulla est causa nisi quia voluntas est voluntas, sicut huius "quare calor est calefactivus" nulla est causa nisi quia calor est calor, quia nulla est prior causa. *Ordinatio* 1, d. 8, pars 2, n. 299 (V 4:324-325).

"It will be objected here that 'murder' simply means "wrongful homicide." This is a dubious claim at best, even regarding ordinary language. Certainly the Scholastics tended to define murder materially (as being a certain class of homicides) rather than formally (as wrongful homicide). So to say that murder is wrong is not to make the trivial claim that wrongful homicide is wrong, but to make the informative claim that certain homicides — those that answer to certain descriptions that are themselves formulated in non-moral terms — are wrong. (On this matter as Aquinas understood it, see Jean Porter, *The Recovery of Virtue*, Louisville, Kentucky: Westminster/John Knox Press, 1990, pp. 128-131.) Still, if the objection is allowed to stand, I can reformulate

the argument as follows. The fact that homicide of certain sorts is prohibited does not follow from anything other than the divine will. So any argument purporting to derive that prohibition from any truth other than the fact of God's willing such a prohibition must be invalid.

"*Will and Morality*, p. 27.

"*Ibid.*, p. 24. The words "owes to human nature in virtue of his generosity" are not, as one would suppose, a direct quotation from Scotus, but an echo of *Ordinatio* 4, d. 46, q. 1, n. 12 (W 10:253): "Creaturis autem est debitor ex liberalitate sua." For a similar view of the relation between human nature and the contingent part of the moral law, see Frederick Copleston, S.J., *A History of Philosophy III*: 547 (New York: Doubleday, 1963). Wolter cites and endorses Copleston's view on pp. 24 and 25 of *Will and Morality*. Similar claims are made by Schwendinger, 2 (1935): 121-123, 130-135. For example, on p. 121 he says, "Gott muß den Menschen verpflichten zu jenen wahren Werten, die sein bedürftiges Wesen auch wirklich teleologisch zur Vollendung bringen, er muß ihm dysteleologische Scheinwerte und Unwerte verbieten."

heat is heat. For there is no prior cause.³⁶

So God's willing in one way rather than another does not follow from any prior truths; the proposition "God wills *P*" is, if it is contingent, not merely contingent but *immediate*. Consequently, we know in advance that any argument purporting to establish the truth of a contingent moral proposition will be invalid. For example, there is no cause of its being the case that murder is prohibited other than the fact that God willed to prohibit murder. An argument purporting to show some other cause, some reason for that prohibition besides God's will, must be invalid. For its conclusion, that murder is wrong, does not in fact follow from any other propositions whatsoever.³⁷

Now it might be thought that I have moved a bit too fast here. There are, after all, entailment relations among various contingent propositions. So I have to qualify my earlier claim that any contingent proposition about what God wills must be not merely contingent but immediate. After all, "God wills that there be horses" and "God wills that there be animals" are both contingent, but the former entails the latter, and the latter is (or at least might be) known on the basis of the former. "God wills that there be animals" therefore seems to be contingent but not immediate.

So perhaps the contingent propositions of the moral law follow from some other contingent propositions. The obvious place to look is at human nature, which is a contingent creation. Does the contingent part of the moral law follow from facts about human nature? We can find commentators on both sides of the question. Wolter has frequently argued that Scotus recognizes a close connection between human nature and the moral law. He says, for example, that "Scotus, in determining what pertains to natural law, continually falls back on what is naturally good for human nature."³⁸ And in discussing the possibility of dispensation from the second table of the Decalogue, he says that "God could obviously not dispense from all its precepts at once, for this would be equivalent to creating man in one way and obligating him in an entirely different fashion, something contrary to what he 'owes to human nature in virtue of his generosity'."³⁹ On the other side, Patrick Lee argues that Scotus's view is distinctive precisely because he does not acknowledge such a close relationship between human nature and the contingent part of the moral law:

[F]or both Aquinas and Scotus God's absolute power extends to everything that does not involve a contradiction. Where they differ is precisely here: does a dispensation from a precept of the second table of the Decalogue involve a contradiction? Aquinas says yes, and Scotus says no. For Aquinas the obligations expressed in the Decalogue's second table somehow necessarily belong to man's na-

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ture, so that just as God could not create a man without a rational soul so He could not create a man not obliged by those precepts. For Scotus this is not the case.⁴⁰

On this question Lee is clearly right. We can see this most easily by looking at what Scotus says in his treatment of the Decalogue at *Ordinatio* 3, d. 37. This discussion is frequently cited in order to establish the claim that Scotus regarded the first table of the Decalogue as necessary and the second table as contingent, but commentators fail to notice the *reasons* Scotus gives for supposing that the second table is contingent. Scotus argues quite explicitly that God can, without contradiction, create human beings and yet not establish the commandments of the second table:

For in the things that they prescribe there is no goodness necessary for the goodness of the ultimate end that turns one towards the ultimate end, and in the things they prohibit there is no badness that necessar-

⁴⁰Aquinas and Scotus on Liberty and the Natural Law," *Proceedings of the American Catholic Philosophical Association* 56 (1982): 71.

"Non enim in his quae praecipuntur ibi est bonitas necessaria ad bonitatem ultimi finis, convertens ad finem ultimum; nec in his quae prohibentur est malitia necessario avertens a fine ultimo; quin si bonum istud esset praecipuum, posset finis ultimus amari et attingi, et si illud malum non esset prohibitum, staret cum eo acquisitio finis ultimi. De praecipis autem primae tabulae secus est, quia illa immediate respiciunt Deum pro obiecto. *Ordinatio* 3, d. 37, nn. 5-6 (W 7.2:898).

The "matter" of an act is what Scotus usually calls the "object" (as in the analysis of goodness explained in section 2 above).

The argument is at *Ordinatio* 3, d. 38, n. 5. For the full Latin text, see note 47. This sort of argument is hard to square with Wolter's insistence that the precepts of the second table "can be dispensed with according to right reason, when their observation would entail more harm than good" (*Will and Morality*, p. 24; italics mine). For Scotus has deliberately set up his two cases in such a way that the consequences of killing the man in the first case are no different from the consequences of killing him in the second case.

Wolter also says, "Even the sort of dispensations Scotus sees God making, we might also note, are always in accord with right reason, and are something the human mind did figure out, or might have if emotions did not blind one's reason" (*Ibid.*, p. 26). Such is

clearly not the case in the hypothetical situation Scotus sets up here. Moreover, it is difficult to see how Abraham's obligation to sacrifice Isaac was something he could have figured out on his own. And finally, Scotus also considers the possibility that a situation might arise in which polygamy was appropriate once again (*Ordinatio* 4, d. 33, q. 1, nn. 5-6). The fact that such a situation obtained is something we could certainly figure out — Scotus tells us just what the conditions are, and they are not difficult to recognize. Even so, Scotus seems to think that human reason would be overstepping its bounds if it went ahead and concluded that polygamy was in fact licit. For even under those circumstances polygamy would be licit only if God approved. God's approval might be given (but it might not), and if it were, it would apparently need to be specially revealed to the Church.

More precisely, there is no such argument that proceeds entirely from premises that make no mention of the divine will.

There are also a number of very interesting arguments from Scripture that I shall pass over as being more properly theological than philosophical.

Ordinatio 3, d. 38, n. 3 (W 7.2:919). "Sed contra, mendacium non opponitur immediate primae veritati, sed veritati alicuius rei, de qua loquens mentitur; sicut igitur malitia opposita alicui bono creato non necessario avertit a bono increato, ita nec falsitas opposita cuicumque veritati impertinenti primae veritati avertit a prima veritate."

ily turns one away from the ultimate end. So even if that good were not commanded, the ultimate end could be loved and attained; and if that evil were not prohibited, the attainment of the ultimate end would be consistent with that evil. With the commandments of the first table, however, it is otherwise, since they have to do immediately with God as their object.⁴¹

And in an argument that we shall examine again later, Scotus makes it even clearer that the precepts of the second table do not depend on human nature. He gives us two cases involving "an innocent man who is useful to the state." In the first case, that man is "illicit matter⁴² for killing;" in the second he is not. There is no difference between the two cases other than the bare fact that in the second case God has revoked the commandment "You shall not kill."⁴³ This argument illustrates just how uncompromising Scotus's voluntarism really is. For it shows not merely that the prohibition against killing this man does not follow from any facts about human nature, but that this prohibition does not follow from any facts whatsoever, other than God's will.

As I have argued, this uncompromising voluntarism commits Scotus to the view that there is no valid argument for any contingent moral truth.⁴⁴ Scotus is quite aware of this implication, as we can see by examining his treatment of particular moral questions. As an example of the way in which he analyzes purported arguments for moral truths, I shall consider his discussion of lying.

Scotus considers three philosophical arguments for the claim that lying is always wrong.⁴⁵ The first argument would, if successful, show that the prohibition against lying belongs to the necessary part of the moral law. According to this argument, lying is wrong because it necessarily turns one away from God; for a lie is opposed to the truth, and God is the Truth. Scotus replies,

In fact, though, lying is not opposed immediately to the First Truth, but to the truth of some particular thing about which the speaker is lying. Therefore, just as an evil opposed to some created good does not necessarily turn one away from the Uncreated Good, so a falsehood opposed to some truth unrelated to the First Truth need not turn one away from the First Truth.⁴⁶

The second argument, drawn from Aquinas (2a2ae.110.3), purports to show that lying is generically bad and can therefore never be morally licit. The generic character of an act is determined by its object. The appropriate object of speech is something true, or at least believed to be true. A lie never has the appropriate object, and so it is generically bad.

Scotus's chief objection to the argument involves an analogy with murder.

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On the contrary, things believed to be wholly false are no more inappropriate matter for speech than an innocent man, useful to the state, is illicit matter for killing. But even with these conditions on the part of the matter (i.e., the man, etc.) remaining the same, it can become licit to kill such a man — namely, if God were to revoke the commandment, “You shall not kill,” as was said in the preceding question [concerning the Decalogue]; and not merely licit, but meritorious — namely, if God were to command one to kill, as he commanded Abraham regarding Isaac. So, by a similar or even stronger [argument], it can become licit to make an utterance believed to be false, if the commandment not to deceive, which appears to exist, were to be revoked, just as [killing would be licit] if the commandment against killing were to be revoked. For the commandment not to deceive is no more binding than the commandment not to kill. After all, it is less bad to take away true opinion from one’s neighbor, or to be the occasion of generating false opinion in him, than to take away his bodily life. Indeed, there is scarcely a comparison.⁴⁷

The reference to the discussion of the Decalogue in the preceding question establishes the context in which Scotus understands this argument to work. Scotus argues there that only acts with an immediate relation to the divine nature are necessarily good or bad. If an act has such a relation, it is easy enough to see how the act is right or wrong in itself. For example, perjury involves an immediate relation to God, since Scotus understands perjury as the deliberate act of swearing *by God* to something one disbelieves or doubts.⁴⁸ Such an act clearly involves irreverence to God, which cannot be licit.

But if an act lacks an immediate relation to the divine nature, its rightness

⁴⁷Ibid., n. 5. Contra hoc, non magis est materia indebita locutionis, quando creduntur omnia esse falsa, quam sit illicita materia occisionis mors hominis innocentis et utilis Reipublicae; sed stantibus istis conditionibus ex parte materiae, scilicet hominis &c., potest fieri licitum occidere talem hominem, puta si Deus revocet illud praeceptum, *Non occides*, sicut dictum est in quaestione praecedente; et non solum licitum, sed meritorium, puta si Deus praecipiat occidere, sicut praecepit Abrahamae de Isaac. Igitur a simili vel a maiori potest fieri licitum proferre orationem creditam esse falsam, si praeceptum revocetur, quod videtur esse, de non decipiendo, sicut si revocetur praeceptum de non occidendo: quia non magis ligat hoc praeceptum de non decipiendo quam illud praeceptum de non occidendo. Minus enim malum est auferre proximo opinionem veram, vel occasionaliter

generare in eo opinionem falsam, quam auferre sibi vitam corporalem; imo non est quasi comparatio.

⁴⁸The discussion of perjury is at *Ordinatio* 3, d. 39. To be perfectly precise, perjury is the deliberate act of swearing by God to something one does not believe to be true with the degree of certainty established by positive law or custom as pertaining to the oath one is taking or the forum in which one is taking it.

⁴⁹*Ordinatio* 3, d. 38, n. 7 (W 7.2:954): Universaliter omne tale mendacium [hoc est, nocivum] ex deliberatione dictum est peccatum mortale cuicumque. Prohibetur enim simpliciter illo praecepto, *Non loqueris contra proximum tuum falsum testimonium*. Non enim testimonium est praecise in iudicio, sed quando aliquis ex certa deliberatione asserit quod ignorat vel cuius oppositum scit.

or wrongness is subject to God's will. There is, as Scotus argues, no immediate connection between particular truths or falsehoods and the divine nature. God was therefore free to establish a moral order in which things believed to be false were licit matter for speech; indeed, even in the present moral order he is free to dispense any of us from the obligation to tell the truth. In fact, if the analogy with God's command to Abraham is taken seriously, we have to conclude that Scotus believes that God is free not simply to permit us to lie, but to *command* us to lie. And in such a case, lying would be not merely licit but meritorious.

The third argument Scotus considers is taken from St Bonaventure's Commentary on the Sentences, Book 3, distinction 38, question 2. It rests on the claim that lying by its nature involves an evil intention, the intention to deceive. Therefore, any lie will be circumstantially bad, since it is directed to a morally illicit end. Scotus offers no refutation of this argument as he does of the Thomist argument, and one might conclude that he endorses Bonaventure's reasoning. If I am correct, however, we should resist this conclusion, both on the general theoretical grounds that I have stated and on the specific ground that the analysis of the Thomist argument can, *mutatis mutandis*, be made to apply to Bonaventure's argument.

The discussion of lying that follows bears out my interpretation. First, in discussing famous lies from Scripture, Scotus is willing to admit that there are cases in which someone deliberately tells a falsehood with the intention to deceive and yet is not held guilty of sin. We can therefore be certain that Bonaventure's account of what makes lying sinful cannot be correct. Second, the only "proof" of the wrongness of lying that Scotus endorses is the appeal to revelation.

Without exception, every lie [that does harm] and is told deliberately is a mortal sin for anyone whatsoever, since it is prohibited unconditionally by the commandment, "You shall not speak false testimony against your neighbor." For false testimony is not exclusively in court, but whenever someone out of certain deliberation asserts either what he does not know or the opposite of what he does know.⁴⁹

Third, the distinction Scotus makes between lies that are mortally sinful and those that are not has to do, not with whether they involve the intention to deceive, but with whether they do harm. And as the analogy with murder makes clear, the prohibition against doing harm is contingent in such a way that one could not come to know by any chain of reasoning that such a prohibition is in force.

In short, no facts about human nature, divine nature, particular people, or

particular situations constrain God's contingent and sovereign willing of the moral law. There is no intermediary, so to speak, between God's will and the contingent part of the moral law. So there is nowhere for natural reasoning to get started in formulating any sort of discursive justification for a contingent moral truth. It cannot start from God's will itself, since God's will is not accessible to natural reason. It cannot start from anywhere else, because there is no road from anywhere else — that is, from any of the facts that *are* accessible to natural reason — to any contingent moral truth.

Nonetheless, we are not forced into the conclusion dreaded by some interpreters — namely, that the moral law is not accessible to natural reason. Scotus recognizes the existence of contingent truths that are *immediate*, that is, not derived from any logically prior truths. Indeed, he insists that there *must* be such truths: "otherwise there would be an infinite regress in contingent truths, or else something contingent would follow from a necessary cause — either of which is impossible."⁵⁰ Now we need to distinguish here between two sorts of immediate contingent truths. I shall call them *metaphysically* immediate and *epistemically* immediate. Metaphysically immediate contingent truths are those for which there is no further explanation at all; they are the sorts of truths we might be inclined to call "brute facts" — not merely brute *relative to* other facts, but absolutely brute, as we might say.⁵¹ Scotus's favorite examples of such truths are, not surprisingly, facts about the divine will.

Among contingent truths there is a first that is immediate and nonetheless contingent, since it is not traced to a necessary truth (for a contingent truth does not follow from a necessary truth). And therefore in this case one must stop with "The will of God wills this," which is contingent and yet immediate, since there is no other cause, logically prior to the will, of why the will wills this and not something else.⁵²

⁵⁰*Ordinatio* 1, d. 3, pars 1, q. 4, n. 238 (V 3:145): "vel esset processus in infinitum in contingentibus, vel aliquod contingens sequeretur ex causa necessaria, quorum utrumque est impossibile." See also *Ordinatio* prol., pars 3, qq. 1–3, n. 169, and 1, d. 8, pars 2, n. 300.

⁵¹More formally: $\exists p$ is a metaphysically immediate contingent truth if and only if (i) p , (ii) $\delta - p$, and (iii) $- q$ (q explains or accounts for p).

⁵²*Ordinatio* 1, d. 8, pars 2, n. 300 (V 4:325): in contingentibus est aliquid primum quod est immediatum, et tamen contingens, quia non statatur ad necessarium (non enim ex necessario sequitur contingens), et ideo oportet hic stare ad istam 'voluntas Dei vult hoc', quae est contingens et tamen immediata, quia nulla alia causa prior est ratione voluntatis, quare ipsa

sit huius et non alterius.

⁵³*Ordinatio* 1, d. 3, pars 1, q. 4, n. 238 (V 3:144–145): «Rationem quaerunt quorum non est ratio, demonstrationis enim principii non est demonstratio». For 'reason(s)' in the translation we could substitute 'proof(s)', 'argument(s)', or even 'explanation(s)'.

⁵⁴*Ibid.*, nn. 238–239: Ergo per ipsum, ibi, 'nos vigilare' est per se notum sicut principium demonstrationis; nec obstat quod est contingens, quia, sicut dictum est alias, ordo est in contingentibus, quod aliqua est prima et immediata. . . . Et sicut est certitudo de 'vigilare' sicut de per se noto, ita etiam de multis aliis actibus qui sunt in potestate nostra (ut 'me intelligere', 'me audire').

⁵⁵Scotus uses these words at *Ordinatio* prol., pars 2, n. 108; 2, d. 28, n. 8; and 3, d. 37, n. 14.

This sort of immediacy, however, is not characteristic of the contingent part of the moral law. There is a “logically prior” cause — the divine will itself — that explains why the moral law is what it is.

The moral law is therefore not metaphysically but *epistemically* immediate. That is, while the fact that murder is wrong depends upon and is in some sense explained by the fact that God wills that murder be wrong, our knowledge that murder is wrong does not depend upon our knowledge that God wills that murder be wrong. Scotus certainly recognizes contingent truths that are immediate in this epistemic sense. In discussing Aristotle’s response to certain paleo-Cartesians who demanded proof that we are awake and not dreaming, Scotus cites the Philosopher’s diagnosis: “They seek reasons for things for which there is no reason. For there is no demonstration of a principle of demonstration.”⁴³ And he adds:

Therefore, according to Aristotle in that passage, “We are awake” is *per se notum* like a principle of demonstration. Nor is it any obstacle that it is contingent, since, as has been said elsewhere, there is an order among contingents. . . . And just as there is certitude with respect to waking like that with respect to a *per se notum*, so also is there with respect to many other acts that are in our power (such as “I am understanding” and “I am hearing”).⁴⁴

Clearly such facts as “I am understanding” and “I am awake” are not absolutely brute or metaphysically immediate, but they are epistemically immediate. I do not know that I am awake on the basis of any logically prior facts, although no doubt there *are* logically prior facts. Rather, the fact that I am awake is an unargued-for starting point for argument, and my knowledge of that fact is not only immediate but *certain*.

The contingent truths of the moral law are epistemically immediate in just this way. Although they depend on logically prior facts, they are not known on the basis of any logically prior facts. They can therefore function as “principles of demonstration” for which there is in turn no demonstration, as unargued-for starting points for argument. They are, in St Paul’s words, “written on our hearts.”⁴⁵ We can assume that they were written there by God, who created us with moral intuitions to suit the moral order he freely and contingently created.

4. Conclusion

Scotus’s understanding of the role of reason in morality is explicitly tailored so as to go hand in hand with his voluntarism; there is no conflict at all between the two views. Since God created us with the ability to regulate our ac-

tions in accordance with our own knowledge of the moral law, our actions are not fully morally good unless they involve an exercise of our own reason. But since we cannot come to know discursively what God has freely and contingently willed concerning the moral law, God has granted us an immediate knowledge of the moral law.

Natural reason thus knows the moral law immediately and not by argument. Right reason is the correct application of such knowledge to specific circumstances. And action on the basis of a complete dictate of right reason is fully morally good. In this way, any agent who makes proper use of reason can easily elicit morally good acts without ever having the slightest thought about God's will, even though in fact it is God's sovereign will that freely established the moral facts that the agent is correctly discerning and following.