The Franciscans

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It is somewhat misleading to think of the Franciscans as forming a "school" in ethics, since there was a fair bit of diversity among Franciscans. Nonetheless, one can identify certain characteristic tendencies of Franciscan moral thought, and certain "celebrity" Franciscans whose views in ethics and moral psychology are particularly noteworthy. I shall first offer an overview of the general character of Franciscan moral thought in the late thirteenth and early fourteenth centuries and then turn to a more detailed examination of the thought of John Duns Scotus (1265/66-1308) and William Ockham (c. 1288-1347) on three central matters of debate: the nature of the virtues, the relationship between intellect and will, and the relationship between moral requirements and the divine will.

1. General characteristics of Franciscan moral thought

Myths of philosophical historiography take a lot of killing, and despite a half-century of criticism, Etienne Gilson's picture of a three-way battle among reactionary Augustinians, radical Aristotelians, and synthesizing Thomists has endured. Gilson regarded almost all Franciscan thought as Augustinian, and Augustinianism was said to be marked by (among other things) a general hostility to Aristotle. But when we turn to the major Franciscan authors of this period, we find that they are not in general hostile to Aristotle. We could come a lot closer to the truth by saying that they are hostile to *Aquinas*.

As Bonnie Kent notes, "In the late 1260s Franciscan theologians at Paris were far more worried about the radical Aristotelians' teachings than the teachings of Thomas Aquinas. They acted together with Aquinas in trying to bring the arts masters to heel" (Kent 1995, 45). We find only sporadic criticism of Aquinas before 1270. Around 1270 the criticisms became more common, but the real turning point came with the publication of William de la Mare's *Correctorium fratris Thomae* in 1277. The *Correctorium* offered rebuttals or "corrections" to 117 passages in Aquinas, and in 1282 the Franciscan order officially endorsed the work and forbade

Franciscans to read the *Summa theologiae* without William's corrections. At this point "there emerges in the Franciscan Order a general opposition to the philosophy and influence of Aquinas" (Kent 1995, 45).

Opposition to Aquinas did not, in general, mean opposition to Aristotle. Instead, it meant opposition to the claims of Aquinas and the Thomists that they were the legitimate Aristotelians. Walter of Bruges, a student of Bonaventure[1] who was regent master at Paris from 1267 to 1269, was frequently critical of Aquinas, but he cited Aristotle frequently in his disputed questions concerning virtue and the will and would rarely acknowledge any conflict between Aristotle and Augustine or other Christian authorities. In the *Correctorium* William de la Mare continued this pattern, frequently citing Aristotle *against* Aquinas and in support of the Condemnation of 1277: "Where he can find passages in Aristotle to use against Thomas's opinions, he uses them; where he cannot, he cites Christian writings and ignores Aristotle. Virtually never is Aristotle admitted to be solely on the side of Thomism" (Kent 1995, 82).

The most noteworthy exception to this pattern was Peter John Olivi (1248-1298). Olivi was hostile to pagan ethics in general – all the pagans, he insists, were idol-worshipers: wrong about God, wrong about happiness, and wrong about virtue – but Aristotle, as the leading pagan authority of the day, was the target of his greatest scorn. And Aquinas, for Olivi, was much of a muchness with the hated Aristotle.

With the exception of Olivi, then, the Franciscans did not reject Aristotle or Aristotelianism (in some sense) in ethics; they rejected Thomas Aquinas's version of Aristotelianism. In particular, they regarded Aquinas as unsound when it came to the will, its freedom, and its relationship to the intellect. The most characteristic feature of Franciscan thought, in other words, is its *voluntarism*. But 'voluntarism' has a variety of possible meanings. For the sake of clarity, I shall distinguish three types of voluntarism: (1)

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[1]It is difficult to pin down Bonaventure's attitude toward Aristotle as an authority in ethics in particular, in part because of contentious textual issues concerning Bonaventure's treatment of the *Ethics* in his *Hexaemeron*. See Kent 1995, 46-58, for an even-handed account of the difficulties.

psychological voluntarism, (2) ethical voluntarism, and (3) theological voluntarism.[2]

Psychological voluntarism is more an approach than a thesis or set of theses: it involves a general emphasis on the volitional aspects of human nature, a tendency to focus on the will (or on the affective aspects of human nature more generally). Ethical voluntarism adds the claims that the will is superior to the intellect, that happiness consists chiefly in an act of will, that human freedom derives from the will rather than from reason, that the will can act against the dictates of reason, and that the will (rather than the intellect) commands the other powers of both body and soul. Theological voluntarism is the view that the divine will establishes the moral law, and that God is not bound or constrained in his moral legislation by any truths known pre-volitionally by his intellect. We find psychological voluntarism in the earliest Franciscan masters, ethical voluntarism beginning with Bonaventure's successors (such as Walter of Bruges and William de la Mare), and theological voluntarism – possibly – in John Duns Scotus and William Ockham.   In the next section of this paper I consider what Scotus and Ockham have to say about virtue. This discussion bears on Franciscan voluntarism insofar as both thinkers accept the view, defended at least as early as Bonaventure, that all virtues properly so called are in the will. In section three I turn to ethical voluntarism as it appears in Scotus and Ockham's accounts of the relationship between will and intellect and the nature of human freedom. In the final section I examine the debate over whether to attribute theological voluntarism to Scotus or Ockham or both.

2. Virtue

It is characteristic of Franciscan ethics to locate all virtues of character in the will, and Scotus agrees with his Franciscan brethren on this point. Properly speaking, he says, a virtue is a disposition that inclines whatever possesses it to choose rightly; since it is the will that

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[2]These names for the different positions are my own stipulations for the purposes of this paper, though I take (1) and (2) from Bourke 1970, 1:138, 147. My characterization of the three kinds of voluntarism is indebted to Kent 1995, ch. 3, though I characterize what I call "theological voluntarism" much more narrowly than her third sense of voluntarism in order to limit the discussion to ethics.

chooses, it is the will that possesses virtues. It generates such virtues in itself by repeatedly making right choices (choices consonant with right reason). If the will in turn repeatedly commands the sensitive appetite rightly, a disposition that inclines the sensitive appetite to experience pleasure in being moved in this way by the will can be "left behind" in the sensitive appetite. "This disposition that is left behind" in the sensitive appetite, Scotus says, "is not properly speaking a virtue because it is not a disposition for choosing or a disposition that inclines to choices; nonetheless, one can grant that it is a virtue in some sense, since it does incline to what accords with right reason" (*Ord*. 3, d. 33. q. un., n. 45, X:163).

The possession of a virtue is neither necessary nor sufficient for right action, according to Scotus. One can develop a virtue – a disposition to perform morally right acts – only by performing morally right acts; so if one cannot perform morally right acts without possessing a virtue, one can never perform morally right acts. So much, then, for the necessity of virtue for right action. Scotus's understanding of the will's freedom (about which I will have much more to say in section 3) rules out the claim that the possession of a virtue is sufficient for right action. I can have the virtue of honesty, for example, but still choose to tell a lie when an occasion for lying presents itself to me. I will be inclined, and perhaps very strongly inclined, not to tell a lie[3]; and if I do tell the truth, I will do so with ease and pleasure because I possess the appropriate virtue. Even so, Scotus insists, I must retain the power to act contrary to my habit; otherwise, my will would be acting as a purely natural power and would therefore be an inappropriate target of moral praise or blame. Even the divinely infused habit of charity does not undermine freedom. Examining the dictum that "charity is to the will what a rider is to his horse,"[4] Scotus comments that the analogy works only if we think of the horse as free and the rider as "directing the horse in the mode of nature to a fixed destination." Then "the horse in

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[3]Or perhaps not even that: Scotus is open to the idea that a habit has no active causal power, though he prefers an account that "attributes more to the habit." See *Ord*. I, d. 17, pars 1, qq. 1-2, nn. 32-54 and 69-70, V:152-160, 170-171, and Kent 2003, 362-363.

[4]Scotus took this to be a saying of Augustine, but in fact it comes from the pseudo-Augustinian *Hypognosticon* III c. 11 n. 20.

virtue of its freedom could throw its rider, or else move itself toward something else, contrary to the rider's direction toward the destination" (*Ord.* 1, d. 17, pars 1, qq. 1-2, n. 155, V:213).

Scotus denies that the moral virtues are necessarily connected. The virtues are partial perfections, he argues; otherwise a single moral virtue would be all we needed. So it is no more surprising that someone could be perfect in the domain of temperance but not in the domain of fortitude than it is that someone could have keen eyesight or an acute sense of touch but be unable to hear. Just as someone who sees well but cannot hear is no less perfect in his vision, though he is less perfect in his sensing, someone who is temperate but lacks fortitude is no less perfect in his temperance, though he is less perfect morally (*Ord.* 3, d. 36, q. un., n. 33, X:233-234). For that matter, one can be perfect in one area within the domain of temperance but not another: "Someone can be unqualifiedly temperate regarding sex, willing not to have sex with anyone other than his wife or willing not to have sex at all, and intemperate regarding food, willing to eat what he should not or willing not to eat what he should" (*Ord.* 3, d. 34, q. un., n. 56, X:204).[5] And corresponding to these micro-virtues are micro-prudences: "Just as someone can have morally good affections [*moraliter bene esse affectus*] regarding some possible actions and morally bad affections regarding others, so too in [reason's] dictating, one can be habituated to dictate rightly concerning these things but not those" (*Ord.* 3, d. 36, q. un., n. 96, X:259). As Bonnie Kent aptly puts it, "The specialized prudences can indeed combine to form a harmonious 'macroprudence.' Such macroprudence must nonetheless be considered an aggregate, says Scotus, not the indivisible organic unity that Aristotle and his uncritical followers claim" (Kent 2003, 371).

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[5]"willing not to have sex with anyone other than his wife or willing not to have sex at all" translates *nolens uti nisi sua vel simpliciter nolens uti*. To the word *sua* the critical edition attaches the following note: "rectius: suis. – Verbum 'utor' in tardiore latinitate construebatur etiam cum accusativo." But if *sua* is an accusative, what is the neuter plural noun that would complete the phrase? What are these "things of his own" to which the sexually temperate person restricts himself? I can make no sense of this suggestion, and it seems quite clear that *sua* is ablative, just as we should expect after *utor*, and we are to supply *uxore*.

Ockham agrees with Scotus that virtue exists only in the will[6] and that the virtues are not necessarily connected.[7] Perhaps the most characteristic feature of Ockham's discussion of the virtues, however, is a point in which he differs strikingly from Scotus. In Scotus, every bit as much as in Aristotle or Aquinas, the language of virtue and vice concerns *habits* or *dispositions*. In Ockham, by contrast, the language of virtue and vice is frequently used to talk about particular *actions*. For example, when Ockham lists the five grades or degrees of virtue in *On the Connection of the Virtues*, he illustrates them exclusively by talking about particular acts of will and particular intentions. And when he asks whether the theological virtues are compatible with vice, he distinguishes between "habitual vice" – and what could habitual vice be other than what previous thinkers would have called simply "vice"? – and "actual vice," which appears to mean "immoral action" (not even *vicious* action properly so called, which is immoral action that expresses an immoral disposition, but simply immoral action).[8] This is not to say that Ockham gives no attention at all to the ways in which acts of a particular character tend to generate a disposition to perform more acts of that sort (or to destroy a disposition to perform acts of a contrary sort); but his focus is clearly on individual acts. Habits are of secondary interest at best, as we should expect, given the view (which he shares with Scotus) that the will is always free to act against any habit, however strong. Ockham's focus on the moral evaluation of particular acts, accompanied by his revision to the traditional Aristotelian

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[6]Oddly, Rega Wood (1997, 256) cites this as a point of *disagreement* between Scotus and Ockham. It appears that she misreads a claim Scotus makes in *Quodlibet* 18, n. 16, about *actual* justice (the rectitude of a particular act) as a claim about the *habit* of justice. There is, as far as I am aware, unanimity among Scotus scholars that Scotus regarded the will as the seat of virtue. See, among others, Wolter 1986, 75-78, and Kent 1995, 238-245.

[7]He does, however, argue that under certain circumstances, "higher degrees of virtue are incompatible with vice and do incline us to other virtues" (Wood 1997, 34). Ockham's views on this question are too complex to take up here. For the text and translation, see Wood 1997, 90-141; for commentary, see Wood 1997, 219-251.

[8]*De connexione virtutum* 2.116-192 and 3.425-444, in Wood 1997, 80-85 and 116-119. The translation somewhat obscures the focus on acts rather than habits by consistently translating *deformitas* in Article 3 as "deformity of character"; Ockham is actually much less interested in character in this text than one would gather from the English translation.

vocabulary concerning virtue(s) and vice(s), aligns him with the approach that is commonly said to be characteristic of modern moral philosophy, of which Ockham is, in this respect at least, the earliest important representative.

3. Intellect and Will

As I noted earlier, the cluster of views that I have called "ethical voluntarism" – which includes the claims that the will is superior to the intellect, that happiness consists chiefly in an act of will, that human freedom derives from the will rather than from reason, that the will can act against the dictates of reason, and that the will (rather than the intellect) commands the other powers of both body and soul – come to be characteristic of Franciscan moral thinking in the 1270s with Bonaventure's successors.[9] The development of ethical voluntarism is associated with the shift from *liberum arbitrium* to *libertas voluntatis* in the 1270s and particularly after the Condemnation of 1277. The early Franciscan masters, such as Alexander of Hales, John of La Rochelle, and Bonaventure, all talk in terms of *liberum arbitrium*[10] and see it as involving intellect and will working together in some way. John of La Rochelle and Bonaventure do at least make the claim, characteristic of later ethical voluntarism, that freedom is formally in the will and that the will is essentially active; but we do not yet see in them the idea that the will has the ability to "go rogue" and act against the intellect's judgment. In Bonaventure's student, Walter of Bruges, however, we do find such a view, under the new banner of *libertas voluntatis*, freedom of the will. Not only does the will's freedom not derive from reason, as Aquinas had argued, but the will is free to act against reason. William de la Mare argued in a similar vein in the *Correctorium*.

By the time John Duns Scotus came to address the question of the relationship between will and intellect, this claim about the will's ability to act against the intellect's judgment had

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[9]William de la Mare defended all these claims in the *Correctorium*, and "later Franciscans tended to adopt, albeit with varying degrees of conviction, the same positions as William" (Kent 1995, 96).

[10]Any translation will be misleading, but "free decision" is probably the least misleading in this context.

become more or less the party line among the Franciscans, and Scotus is of one mind with his predecessors on this point. There was, however, a closely connected question that still elicited a range of opinions among Franciscans: what exactly is the intellect's causal role in the will's act? Does the intellect move the will *per modum finis* (in the manner of a final cause), or is it a partial efficient cause of the will's act, or merely a *sine qua non* condition? On this question Scotus's views underwent some development.[11] In his earliest engagement with the issue, the Oxford *Lectura*, Book 2, d. 25, Scotus attempts to steer a middle position between, on the one hand, the intellectualism of Thomas Aquinas and Godfrey of Fontaines, and, on the other hand, the voluntarism of Henry of Ghent. He understands Aquinas and Godfrey as having held that the object is the sole efficient cause of volition: Aquinas meaning the object as it exists in the intellect and Godfrey the object as it exists in the imagination. Scotus argues against both the general view that the object is the sole cause of volition and against the particular versions of that thesis defended by Aquinas and Godfrey. He then turns to the view of Henry of Ghent, who held that the will is the sole efficient cause of its own action and the cognized object is only a *sine qua non* condition. Scotus deploys several arguments against Henry's view, drawing some of them from Godfrey. Scotus then sets out his own middle view, according to which the will and the object together make up the total efficient cause of the act of will. The will and intellect concur in the way that male and female concur in the production of offspring (according to the biology that he accepts): neither depends on the other for its causal power, but both are required for the production of the effect: one as "the more principal and perfect agent" and the other as a less perfect agent. The will is the more principal agent because it is responsible for the freedom and contingency of the volition, but the intellect is nonetheless required. As Scotus realizes, it might seem that this position is not so different from Henry's view that the intellect is merely a *sine qua non* condition. But Scotus argues that if the intellect is merely a *sine qua non* condition, *liberum arbitrium* does not include both intellect and will, and

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[11]I have considered this development, as well as other matters relevant to Scotus's views on intellect and will, at much greater length in Williams 2010.

so it is blind. One must therefore ascribe some efficient-causal role to the intellect in producing the act of willing.

In the later *Reportatio* of Scotus's lectures in Paris, however, Scotus adopts Henry's view that the will is the total cause of its act and the intellect's presentation of an object merely a *sine qua non* condition. The *Reportatio* largely recapitulates the arguments from the *Lectura* against the position of Aquinas and Godfrey, but it does not present Henry of Ghent's position and argue against it, as the *Lectura* had – after all, now Scotus is adopting that very position as his own. Though some recent scholarship has sought external, institutional reasons to explain Scotus's change of mind,[12] there are straightforwardly philosophical explanations for the development. Scotus structures his *Lectura* discussion in such a way that his view will be the moderate alternative that is left after the two views at either end of the spectrum – one attributing all causality to the intellect, the other attributing all causality to the will – are rejected. We already see in the *Lectura* discussion that Scotus has his suspicions that his *via media* is going to collapse into Henry's view, and it requires no great effort of philosophical imagination to suppose that as he reflected on his position, he found that it did in fact so collapse. His *Lectura* argument against Henry's position – that without some causal role for the intellect, *liberum arbitrium* would be blind – is already an odd one for Scotus to make, since the shift in philosophical discussion from talking about *liberum arbitrium* to talking about the freedom of the will was already well underway. Scotus does not ordinarily talk in terms of *liberum arbitrium*, and he may well have come to realize that his invocation of it was not only philosophically retrograde but question-begging, since the requirement that there be some causal role for the intellect is built into the notion of *liberum arbitrium*. Furthermore, even in the *Lectura* it is not clear what the efficient-causal role of the intellect could come to. Unlike in the case of the production of offspring, in which the mother does exercise a non-derived efficient-causal role, though a subordinate one, the intellect's causal contribution seems to be determined entirely by the will. It's not that the intellect does not exercise a non-derived

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[12]See Dumont 2001, 776-777.

causality in *presenting* the object; the intellect does not derive its power to cognize potential

objects of will from the will. But it *is* up to the will whether the intellect's presentation of an

object results in an act of will: the intellect's presentation of an object is an efficient-causal dead

end if the will does not will the object presented. This line of thought very quickly leads to the

Reportatio position that the intellect's presentation of the object is merely a *sine qua non*

condition for an act of will whose total efficient cause is the will itself.

Though the *Lectura* and the *Reportatio* differ about the causal role of the intellect in

volition, Scotus is always consistent in holding that the will's freedom in no way derives from

the intellect or from the will's association with the intellect; the will is free in its own right.

This feature of Scotus's account of the will raises the question of what Scotus means by calling

the will a "rational power," especially given that the will is free to act *against* reason (which is

to say, against the intellect's judgment about what is to be done). The question is a live one in

current scholarship, since some interpreters rely heavily on Scotus's claim that the will is a

rational power in seeking to mitigate the arbitrariness or caprice that seems to characterize

volition according to ethical voluntarism, and even in attempting to rebut the arguments of

interpreters who find theological voluntarism in Scotus.[13]

The *locus classicus* for Scotus's understanding of the rationality of the will is his

Questions on the Metaphysics, Book IX, q. 15, where 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 (*bene assignata*). He answer 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

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[13]Scotus's doctrine of the rationality of the will is a particularly important theme in the work of Mary Beth Ingham. Of most relevance to our present purposes is Ingham 2001. I reply to Ingham's arguments about the will as rational power, insofar as they concern theological voluntarism, in section III of Williams 2004. That paper was to have been published in *Medieval Philosophy and Theology* (as had the paper to which it is a reply); because that journal has gone into what appears to be permanent limbo, I have made the paper available online.

"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). Though Aristotle tried to account for the difference between rational and irrational powers in another way, the fundamental distinction between the two is in how 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*. 9, 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.

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. (*In Metaph*. 9, q. 15, 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 indetermination of superabundant sufficiency, Scotus argues, it would be impossible for God to act, since God is "supremely undetermined to any action whatsoever" (*In Metaph*. 9, q. 15, n. 32,).

So in calling the will a "rational power," Scotus means neither more nor less than this: the will is a power for opposite actions, which is, in and of itself (that is, not in virtue of its relationship to the intellect or any other power of the soul), indeterminate but self-determining through its "superabundant sufficiency." It is clear, then, that by calling the will a rational power Scotus is not somehow tying the will more closely to reason and thereby mitigating the apparent arbitrariness or caprice of its action. On the contrary, it is (paradoxically enough) precisely because it is a rational power *in Scotus's sense* that the will can act against the judgments of reason.

Ockham carries on the general spirit of Scotus's ethical voluntarism, though he differs from Scotus on certain particular issues. On the question of the intellect's contribution to volition, he is closer to Scotus's position in the *Lectura*, since he holds that an agent's intellectual cognitions are ordinarily partial efficient causes of the will's acts. He agrees with Scotus that the intellect's judgment never determines the will, since such determination would undermine the agent's responsibility: in the technical language of Scholasticism, the act would not be "imputable" to the agent. He also agrees with Scotus that no innate inclination or acquired habit in the will – not even a virtue – causally determines the will's actions.

Despite these points of agreement, Ockham's view of the will's neutrality is much more radical than Scotus's. For Scotus, human beings can will only what they take to be good and will-against[14] only what they take to be bad. Presented with complete happiness – an object in which there is good and no evil – we can refrain from willing it, but we cannot will-against it. Ockham contends that we can will or will-against anything we can conceive. We can will evil as such – evil "under the aspect of evil" – and we can will-against happiness. As Marilyn Adams explains, "Liberty of indifference implies we could have such love for evil-in-general, or such hatred for goodness-in-general, right reason, or God, as to adopt these as our reason

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[14]"Will-against" is my translation of *nolle*; some translators prefer "nill." Not to will something (*non velle*) is to refrain from willing it, to have no act of will concerning it; to will-against or nill something (*nolle*) is to have an act of will with respect to that thing, where the act is one of refusal, repudiation, or rejection.

and have them as efficient partial causes of our efficaciously willing something else" (Adams 1999, 261). Though such conclusions might seem extreme, Ockham believes that neither moral imputability nor the evident implications of our own experience can be accounted for in any other way. If any deliverance of reason, any natural inclination, or any acquired habit determines the will's action, that action is not in the agent's power; and what is not in our power cannot be imputed to us for praise or blame, merit or demerit. And experience makes it plain that we frequently act against our best judgment, not merely in forgetfulness or haste, but deliberately and with our eyes wide open. Any moral psychology that makes of such "incontinence" or weakness of will a *theoretical* problem is obviously misguided, Ockham holds; incontinence is not a theoretical difficulty but a *moral* problem.[15] Furthermore, we cannot account for sins of *commission*, as opposed to sins of *omission*, unless we are able to say that the will can knowingly choose evil as such.

4. Divine-Command Ethics

The most contentious question in recent scholarship on Scotus and Ockham is whether either or both of them were divine-command theorists of some sort. If one goes back far enough, one finds a widespread consensus that both Scotus and Ockham held that moral rightness and wrongness depend largely or entirely on the divine will, which is not in turn constrained by any judgment of the divine intellect. Beginning in the 1970s, Allan Wolter overturned this consensus about Scotus, arguing that a divine-command interpretation could not be sustained in light of Scotus's emphasis on the divine rationality, the "orderliness" of God's love, and the connection between human nature and moral norms. Wolter's reading became the dominant interpretation of Scotus's ethics.[16] From the mid-1980s through the late

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[15]This point is brought out very ably in Perkams 2006.

[16]Indeed, it is not much of an exaggeration to say that Wolter's work is single-handedly responsible for what is now the received view of Scotus's ethics, though he did take some inspiration from Frederick Copleston's (1950) treatment of Scotus 1950. For an accessible overview of Wolter's reading, see his introduction to Wolter 1986.

1990s, a similar movement took place in Ockham scholarship, thanks to influential contributions by Marilyn McCord Adams and Peter King, among others.[17]   Notwithstanding more recent efforts to rehabilitate a divine-command interpretation of either thinker – by me, in the case of Scotus, and by Thomas M. Osborne, Jr., in the case of Ockham[18] – it seems fair to say that the consensus of current scholarship remains strongly opposed to the voluntaristic readings of Scotus and Ockham that were dominant forty years ago.

The case for reading Scotus as a kind of divine-command theorist can be seen most clearly by considering his treatment of the moral law in *Ordinatio* III, d. 37, q. un., where he asks whether all the commandments of the Decalogue belong to the natural law. His answer is that the natural law in the strict sense includes only "practical principles known in virtue of their terms or conclusions that necessarily follow from them" (*Ord*. 3, d. 37, q. un., n. 16, 10:279). Only the commandments of the "first table," those that have to directly with God, meet this criterion:

> Indeed, if we understand the first two commandments as purely negative—the first as "You shall not have other gods" and the second as "You shall not take up the name of your God wantonly," that is, "You shall not do irreverence to God"—they belong to the law of nature strictly speaking, because this follows necessarily: "If God exists, he alone is to be loved as God." And it likewise follows that nothing else is to be worshiped as God and that no irreverence is to be done to him. (*Ord*. 3, d. 37, q. un. n. 20, X:280-281)

But the other commandments do not belong to the natural law in this strict sense, since "the goodness in the things that those precepts command is not necessary for the goodness of the ultimate end, and the badness of the things they prohibit does not necessarily turn one aside from the ultimate end" (*Ord*. 3, d. 37, q. un., n. 18, X:280). Those commandments, the precepts of the "second table," belong to the natural law only in a looser sense: they do not follow

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[17]Marilyn McCord Adams's reading of Ockham was first worked out in Adams 1986 and 1987 and achieved its widest influence through the appearance of Adams 1999. For Peter King's account, see King 1999. Thomas S. Osborne, Jr (2005, 19 n. 4) writes that both Adams's and King's interpretations "have either their remote or proximate source" in Freppert 1988.

[18]See in particular Williams 1998 and 2000 and Osborne 2005.

necessarily from the necessary and self-evident practical principles, but they are "highly consonant" (*valde consonans*) with them.

There is no debate about the status of the necessary precepts. Scotus could hardly be clearer that God cannot will contradictions, and the denial of any of the self-evident first principles is a contradiction. So even God cannot bring it about that God is not to be loved, or that God may licitly be treated with irreverence.[19] The debate, then, is about how to understand the contingent precepts. The revisionist view draws on what Scotus has to say about the relation of contingent truths in general to the divine will and the divine intellect. Consider these representative passages, the first taken from the discussion of divine justice, the second and third from discussions of contingency:

> The [divine] intellect apprehends a possible action before the [divine] will wills it, but it does not apprehend determinately that this particular action is to be done, where 'apprehend' means 'dictate.' Rather, it offers this action to the divine will as neutral, and if the will determines through its volition that it is to be done, then as a consequence of this volition the intellect apprehends as true [the proposition that] it is to be done. (*Ord.* 4, d. 46, q. 1, n. 10, translated from the Latin text in Wolter 1986, 250)

> In terms of a distinction between instants of nature: in the first, [the divine intellect] apprehends every possible operation — those that are principles of possible operations, just like particular possible operations. And in the second, it offers all these to the will, which from among all of them — both practical principles and particular possible operations — accepts [only] some. (*Ord.* 1, d. 38, q. un., n. 10, VI:307)

> Hence, when the divine intellect, before an act of the will, apprehends the proposition '*x* is to be done', it apprehends it as neutral, just as when I apprehend the proposition 'There is an even number of stars'; but once *x* is produced in being by an act of the

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[19]Notice that Scotus's preferred formulation of moral precepts is as indicative sentences using the gerundive, represented in English by sentences of the form "φ is [not] to be done," rather than as imperatives. Accordingly, Scotus's moral precepts are propositions, which are either true or false, rather than commands, which do not have truth values. Thus, where Ockham will later ask whether God can command someone to hate him – and whether, if God does so, it is then good or obligatory for that person to hate God – Scotus asks whether God can bring it about that "God is to be hated" is true. Scotus's question, unlike Ockham's, has a clear answer: "God is to be hated" is necessarily false, independently of the divine will.

divine will, then *x* is apprehended by the divine intellect as a true object. (*Lect*. 1, d. 39, qq. 1-5, n. 44, XVII:493)

Thus, the truth of contingent practical precepts is dependent on the divine will; and Scotus tells us that we are not to look for any reason why the divine will chooses one of a pair of contradictories rather than the other:

> 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." . . . 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 heat is heat. There is no prior cause. (*Ord*. 1, d. 8, q. 2, n. 299, IV:324-325)[20]

Relying on such passages, the revisionist interpretation holds that Scotus is a divine-command theorist when it comes to the contingent part of the moral law, in the following sense: the truth of those precepts depends wholly on the divine will, and there is no reason external to the divine will that explains God's willing as he does with respect to those contingent precepts.

The dominant view does not deny that the precepts of the second table are contingent and therefore dependent in some way on God's will, but it employs various strategies to eliminate any sense of arbitrariness or caprice in God's act of moral legislation. The appeals most commonly made are to divine *justice* and divine *rationality*. According to Wolter, Scotus holds that God's *justice* causes him to "give to natures such perfections as are due or becoming to them" (Wolter 1990, 158). It is not that God owes anything to creatures, but that he "owes it to himself" to make his creation naturally good.[21] The appeal to divine *rationality* takes two forms. Some arguments focus on passages in which Scotus speaks of God as willing in a "most

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[20]The context of this passage is worth noting. Scotus is arguing that God alone is immutable and necessary. All other things are contingent because God causes them freely. Thus, the statement about the divine will as the immediate cause of the existence of contingent things is meant to have the widest possible application.

[21]Ingham 2001, 199-200, makes a similar appeal to divine justice. I argue at length against this reading of divine justice in Williams 2000, 171-189.

orderly" or "most rational" way (*ordinatissime*, *rationabilissime*).[22] Others rely on Scotus's

doctrine that the will is a rational power (Ingham 2001).

Most of the debate over Scotus-interpretation since the 1990s took place when little of

the crucial material in Scotus's *Ordinatio* relevant to ethics had been critically edited. During

that period some proponents of the received view attempted to argue that the revisionist case

relied improperly on non-critical editions or poorly chosen manuscripts, but as I have shown

elsewhere, the practice of the revisionist interpretation was actually better than the precept of

the received view (Williams 2004, n. 4). Readers should be aware that complaints about the use of

inauthentic texts of Scotus were made very selectively; it frequently happened that a scholar was

criticized for using a text that another scholar approved by the critic – or even the critic him- or herself –

was allowed to use without a word of reproach. That said, now that the critical edition of the

Ordinatio is nearly complete, the time is certainly right for a full-scale treatment of Scotus's

ethics and moral psychology.[23]

For whatever reason, it is not Scotus but Ockham in whom historians have tended to

see a decisive break with the naturalism and eudaimonism of earlier Scholastic moral theories,

and the beginning of the rule-based and act-focused approach to ethics that would come to

dominate modern moral philosophy. Armand Maurer, for example, wrote that Ockham

"severs the bond between metaphysics and ethics" that we find in earlier scholastics, who

"looked upon goodness as a property of being." Instead, Maurer writes, Ockham "bases

morality not upon the perfection of human nature (whose reality he denies), nor upon the

teleological relation between man and God, but upon man's obligation to follow the laws freely

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[22]See in particular Bonansea 1983, 190-191; Wolter 1986, 9, 17, 19-20, 55, 57. For the revisionist
take on such passages, see Williams 2000, 189-202.

[23]Kent 2007, 191, rightly emphasizes the important role in this dispute of Scotus's claim that
"everything other than God is good because it is willed by God and not vice versa." In light of the fact
that the text in question does not even appear in the critical edition of the *Ordinatio*, and the parallel text
in the *Lectura* reads quite differently, that whole strand of the discussion now appears quaintly
misguided.

laid down for him by God" (Maurer 1962, 285-286).[24]

Marilyn McCord Adams acknowledges Ockham's departures from earlier scholastic thought, particularly regarding natural teleology; but she contends that Ockham's critics "drastically overstate the consequences for ethics" (Adams 1999, 246). Despite Ockham's rejection of natural teleology, she argues, Ockham continues to uphold an ethics of right reason, not a purely authoritarian ethics: "Ockham accepts an Aristotelian model of rational self-government in which considerations of natural excellence undergird right reasons that are normative for action" (Adams 1999, 265).[25] But considerations of natural excellence extend beyond human natural excellence to include God's natural excellence; and when reason properly grasps God's excellence, it correctly infers that God ought to be loved above all else, and loved for his own sake. Given that God does issue certain commands, right reason also concludes that these "divine commands are a secondary ethical norm" (Adams 1999, 266). Since Ockham, much like Scotus, holds that God's will is completely unconstrained in his moral legislation, it is theoretically possible for God to issue commands that conflict with what right reason dictates. Fortunately, however, "God actually commands rational creatures to follow the dictates of right reason and in fact rewards adherence to right reason and sacramental participation with eternal life" (Adams 1999, 266). So although these two independent criteria for morally right action, divine commands and right reason, could in principle come into conflict, they are (contingently, and as a consequence of God's wholly unconstrained choice) in fact compatible. This compatibility is sufficient to preserve the coherence and intelligibility of the moral life.

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[24]For similar interpretations, see Pinckaers 1995, 516-539, and Bourke 1968, 104-107, 122-123.

[25]If I am reading Adams correctly on this point, the criticism in Osborne 2005 – namely that right reason is not a source of moral obligation but merely the correct discernment of an obligation whose source is external to reason – is not well-taken. For Adams here takes natural excellence, both human and divine, to be the source of the moral obligations that right reason discerns. Osborne does seem to acknowledge as much at one point, noting that "Adams seems to argue that dictates of right reason are based on considerations of natural goodness" (Osborne 2005, 7). Later, we shall examine Osborne's argument that natural goodness does not play the role in Ockham's thought that Adams envisions for it.

Peter King likewise emphasizes the role of right reason in Ockham's ethics. Ockham, he notes, recognized both positive and nonpositive moral knowledge. "Nonpositive morality consists of principles that are either known per se or derived from experience" (King 1999, 228), and among these principles are such precepts as "Murder is wrong" and "Theft is wrong." Positive morality consists of divine commands; it can be known if God tells us what he has commanded. Following God's commands is morally obligatory because the act of loving God above all else and for his own sake is necessarily and intrinsically virtuous, and "to love God above all else is this: to love whatever God wants to be loved" (*Quodlibet* III.14, quoted in King 1999, 237).

Though King says that loving God for his own sake is "*the* act of the will that is intrinsically virtuous" (King 1999, 232, emphasis mine) he cannot really mean that loving God above all else is the *only* necessarily and intrinsically virtuous act. For Ockham is unambiguous in holding that an unbeliever who (say) tells the truth because right reason dictates that the truth should be told acts virtuously. If only an act of loving God is intrinsically virtuous, the unbeliever's truth-telling is not intrinsically virtuous; and since an extrinsically virtuous act derives its value from an intrinsically virtuous act, the unbeliever's act could not be extrinsically virtuous either. Presumably, then, Ockham as King reads him also holds that willing to act according to right reason is also intrinsically virtuous.[26]

Both Adams and King, in their different ways, read Ockham as holding that at least some moral norms have their source in something other than divine commands. Thomas M. Osborne, Jr., has recently objected that no such source can be found in Ockham. Contrary to Adams, natural goodness (what she calls "natural excellence") cannot be a source of moral

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[26]Osborne takes King as claiming outright that loving God is the only intrinsically virtuous act for Ockham and complains that King thereby "makes Ockham's theory absurd and contradictory" (Osborne 2005, 6). But apart from King's use of the definite article in the passage I quoted, there is no suggestion that he actually interprets Ockham in that way, and the passage from *Quodlibet* III.14 that King cites to make his point about the love of God says only that loving God is *an* intrinsically virtuous act, not that it is the only one. So my reading of King (on which the definite article is simply an infelicitous choice) seems to me to be more charitable.

norms: "When discussing the nature of moral obligation Ockham does not mention natural goodness but instead he focuses on the will of God" (Osborne 2005, 8). Even acts such as adultery and theft, which God has in fact prohibited, would be virtuous in some other world in which God's commands are different. We would no longer *call* them 'adultery' or 'theft', because those words "signify these acts not absolutely, but through the connotation of their being prohibited" (Osborne 2005, 8; cf. King 1999, 239). But the label for the acts is beside the point: what matters is that all the considerations about natural goodness could be exactly the same in the alternative possible world as they are in the actual world, and yet the act that is virtuous in the alternative possible world is vicious in the actual world. This shows quite clearly, Osborne argues, that natural goodness is not a source of moral norms in the way Adams envisions.[27]

Against King, Osborne argues that the obligation to obey God does not derive from the obligation to love God. Instead, the converse is true: in *Reportatio* 2, q. 15, Ockham expressly claims that the duty to love God derives from God's command that one love him, and he "lists the hatred of God along with adultery and theft as an act whose moral value depends on a divine command" (Osborne 2005, 12). And the passage from *Quodlibet* III.14 to which King appeals in arguing that loving God is necessarily intrinsically virtuous contains an important qualification. Ockham wrote:

> I state that the act that is necessarily virtuous *in the way described above* is an act of will, because the act in which God is loved above all else and for his own sake is an act of this kind; for this act is virtuous in such a way that it cannot be vicious, and this act cannot be caused by a created will without being virtuous – because on the one hand everyone, not matter where or when, is obligated to love God above all else, and consequently this act cannot be vicious; and, on the other hand, because this act is the first of all good acts. (*Quod*. III.14.60-67, 255-256)

"In the way described above," Osborne argues, refers back to the qualification *stante divino*

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[27]Alternatively, Osborne suggests (2005, 10), it might be the case that the natural goodness of the acts would be different in the two different worlds precisely because of the difference in God's commands. Either way, natural goodness turns out not to be a source of norms independent of God's commands.

praecepto: "provided that the divine precept remains what it is." Even here, then, Ockham makes the moral worth of loving God contingent upon God's commands.

5. Future directions for research

The debate over theological voluntarism in Scotus and Ockham is likely to continue. As I noted earlier, the critical editions of Scotus's works have only now reached the point at which a much-needed full-scale reassessment of Scotus's ethics is possible; and the divine-command interpretation of Ockham has only recently been revived. Moreover, in both thinkers the issue of theological voluntarism is bound up with so many other matters of philosophical dispute – the relation of the divine will to the divine intellect, God's justice and rationality, the nature of divine omnipotence, the status of *possibilia*, and a range of meta-ethical questions – that any adequate treatment of the topic requires a good deal of further work. But there is also need for work on topics and authors who have hardly been treated at all. Franciscan authors after Ockham have been largely neglected (and indeed fourteenth-century philosophy in general remains strikingly under-studied). And there is much for philosophically minded historians of ethics to do in evaluating the claims of some historians of thought, particularly within theology, that some kind of decisive "rupture" occurred with Scotus or Ockham. Such narratives of a dramatic intellectual shift – such as the story of wide-ranging intellectual disruption that theologians associated with Radical Orthodoxy trace to Duns Scotus – cannot be properly assessed apart from a sober, textually responsible, and philosophically informed examination of Scotus's and Ockham's ethical views and of the place of those views within the totality of their philosophical and theological work.

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