

THE UNMITIGATED SCOTUS

Thomas Williams

Scotus is notorious for occasionally making statements that, on their face at least, smack of voluntarism, but there has been a lively debate about whether Scotus is really a voluntarist after all. Now the debate is not over whether Scotus lays great emphasis on the role of the divine will with respect to the moral law. No one could sensibly deny that he does, and if such an emphasis constitutes voluntarism, then no one could sensibly deny that Scotus is a voluntarist. As I am using the word, however, voluntarism is the view that (i) the goodness of almost all things, as well as the rightness of almost all acts, depends wholly on the divine will and (ii) what God wills with respect to those things and those acts is not in turn to be explained by reference to the divine intellect, human nature, or anything else. This is the view that Scotus's critics decry and his defenders disclaim. Thus, his critics have seized on these passages and accused Scotus of believing that the moral law depends simply on "the arbitrary will of God." His most sympathetic interpreters, however, have devoted great ingenuity to showing that Scotus did not mean anything unpalatable by these statements.¹

What the critics and defenders apparently have in common is the view that voluntarism is an implausible and even discreditable doctrine. Interpreters who read Scotus as a voluntarist intend thereby to damn his moral views; interpreters sympathetic to his moral views feel compelled to mitigate his voluntarism. I wish to argue for a different approach. I agree with his defenders that Scotus's moral philosophy ought to be taken seriously. But I think the best way to take any philosopher's view seriously is to let him speak for himself, not to decide in advance that he must not have held a view that we find implausible. Let me suggest an analogy that will make my position clearer. Very nearly everyone finds immaterialism implausible,

¹For a summary of the dispute and references to the secondary literature, see Allan B. Wolter, *Duns Scotus on the Will and Morality* (Washington, D.C.: The Catholic University of America Press, 1986), pp. 3-5. For additional references to the secondary literature, see Mary Elizabeth Ingham, "Scotus and the Moral Order," *American Catholic Philosophical Quarterly* 67 (1993): 127. Note that many of the authors cited by Wolter and Ingham (like Wolter and Ingham themselves) would not disclaim the word 'voluntarism', but they would all reject my claim that Scotus is a voluntarist in the sense I have described.

paradoxical, and utterly untenable. But we would hardly be taking Berkeley seriously if we insisted on denying that he was really an immaterialist. We can take him very seriously indeed, examine what he says and what reasons he gives, and then, if we cannot bear to follow him into immaterialism, reluctantly part company with him.

In this paper I shall argue that we are in the same position with Scotus. Scotus was as convinced of his brand of voluntarism as Berkeley was convinced of his brand of immaterialism. He asserts it outright. He gives arguments for it. He cheerfully embraces the very conclusions from which his defenders have tried to save him. I propose to take a fresh look at what Scotus says, to marshal the textual evidence and present Scotus's arguments. And since many interpreters have tried to mitigate Scotus's apparent voluntarism, I shall also deal in some detail with the best of the mitigating interpretations and show why it fails. Perhaps my readers, having examined what Scotus says and what reasons he gives, will not wish to follow him into voluntarism, and will reluctantly (or otherwise) part company with him. But we will at least have taken an unprejudiced look at the unmitigated Scotus.

1. "The Principle"

Perhaps the most striking of Scotus's voluntaristic-sounding statements is found in the *Ordinatio*, Book Three, Distinction 19: "Everything other than God is good because it is willed by God, and not vice versa."² Fr Allan B. Wolter devotes considerable attention to the interpretation of this passage, both in his essay, "Native Freedom of the Will as a Key to the Ethics of Scotus"³ and in the Introduction to *Duns Scotus on the Will and Morality*.⁴ Since

²*Ordinatio* 3, d. 19, n. 7 (W 7.1:417). 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 P (Parisiis, bibl. nat., cod. lat. 15360) and Q (Parisiis, bibl. nat., cod. lat. 15854); *Ordinatio* 3 and 4, Codex Q; *Additiones magnae*, Venetiis, bibl. Marciana, cod. lat. III. 230, and Vindobonae, bibl. nat., cod. lat. 1423; *Reportatio* 1A, Oxonii, coll. Balliol., cod. 205, and Vindobonae, bibl. nat., cod. lat. 1453. The translations are my own.

³*Studia Scholastico-Scotistica* 5: *Deus et Homo ad Mentem I. Duns Scoti* (Rome: Societas Internationalis Scotistica, 1972), pp. 360-370; reprinted in *The Philosophical Theology of John Duns Scotus*, ed. Marilyn McCord Adams (Ithaca, NY: Cornell University Press, 1990). Page references to the reprinted version will be given in parentheses in the body of the text.

Wolter's is both the most careful and the most influential attempt to mitigate Scotus's apparent voluntarism, I propose to look carefully at his handling of this passage. Wolter writes:

The context in which this oft-quoted expression occurs is in reference to the merits of Christ and reads in full: "I say that just as everything other than God is good because it is willed by God and not vice versa, so this merit was good to the extent that it was accepted. Therefore it was merit because it was accepted. It was not the other way round, namely because it was merit and good, therefore it was accepted."⁵ Though the specific application refers to the supernatural order and is theological, the principle from which it is inferred is undoubtedly metaphysical and philosophical and is open to a number of interpretations, in all of which the notion of God's native freedom figures largely. (157)

Wolter is certainly right to hold that the principle in question (hereafter, simply "the principle") is not limited to merit, since even in this passage Scotus states it as a general principle, of which the order of merit is merely one instance. Elsewhere Scotus states the principle without this specific application: "The divine will is the cause of good, and so a thing is good precisely in virtue of the fact that he wills it."⁶ In order to make the scope and import of the principle clear, Wolter considers three different kinds of goodness that play a role in Scotus's philosophy and argues that the principle as applied to each of them has no startling or unpalatable consequences.

1a. *The Principle as Applied to Essential Goodness*

Wolter begins with what he calls "transcendental or ontological goodness" (158), which Scotus himself usually calls "primary" or "essential goodness." When God loves a finite good and therefore calls it into being, he is not responding to "any real goodness prior to or independent of the volition of God" (158), since the creature is only a possible good. Its being an actual good is therefore a consequence of God's will, and so it makes sense to say that it is good

⁴*Will and Morality*, pp. 3-29. This Introduction is reprinted in abbreviated form in *Philosophical Theology*.

⁵Dico quod sicut omne aliud a Deo ideo est bonum quia a Deo volitum, et non e converso, sic meritum illud tantum bonum erat pro quanto acceptabatur, et ideo meritum, quia acceptatum, non autem e converso, quia meritum est et bonum, ideo acceptatum.

⁶. . . voluntas Dei est causa boni, et ideo eo ipso quod vult aliquod, ipsum est bonum. *Additiones magnae* 1, d. 48 (W 11.1:238). The *Additiones magnae in I. Sent.* appear in the Wadding edition as Book 1 of the *Reportatio*.

because God wills it.

On this interpretation, then, the principle means that “everything other than God exists because it is willed by God.” I admit that this is a possible reading of the principle, since Scotus does occasionally use ‘goodness’ to mean “actual goodness.”⁷ For example: “Just as the proposition, ‘The divine will wills the divine goodness’ is immediate and necessary. . . so the divine will contingently wills the goodness or existence of another.”⁸ But in that case we are no longer talking about essential goodness, since essential goodness is something that merely possible creatures possess as well. Thus, Scotus says,

[God] loves some things with an efficacious love: namely, those that he at some time brings into existence; and others, which he will nonetheless never bring into existence, with a certain non-efficacious love of complacency. Nonetheless, the latter are shown by his intellect to have, as possibles, just as much goodness as those that he loves with an efficacious love.⁹

So if we are to see how the principle applies (if it applies at all) to essential goodness, we must go beyond Wolter’s reading and ask whether the goodness of possibles is itself dependent

⁷Nonetheless, I doubt that this is what Scotus had in mind. In both passages cited above, the context militates against taking ‘goodness’ to mean existence. In the *Ordinatio* passage he is, as we have seen, talking about the merit of Christ. What God is said to bring about is, of course, not the existence of Christ’s meritorious act, but the fact that this act possessed meritorious goodness. In the *Additiones magnae* Scotus is talking about the goodness of objects of choice: “The divine will is the cause of good, and so something is good precisely in virtue of the fact that he wills it; by contrast, ours is not the cause of good; rather, because something is good, God commands us to will it.” (. . . voluntas divina est causa boni, et ideo eo ipso quod vult aliquod, ipsum est bonum; sed nostra non est causa boni, imo quia est bonum, Deus iubet ipsum velle.) The third and fourth appearances of ‘good’ obviously do not refer to existence, and if there is to be a genuine contrast between the two halves of this statement (as both the parallel structure and the ‘sed’ demand), the first two appearances cannot refer to existence either. Rather, Scotus must be saying this: there is a certain goodness that God commands us to respect in our choices, and things have that goodness precisely in virtue of the fact that God causes them to have it. In both passages, therefore, Scotus is clearly not thinking of ‘good’ as meaning ‘existence’. So while Wolter’s reading yields a claim that Scotus would certainly wish to endorse, it seems clear to me that it is not the claim Scotus intends to be making.

⁸. . . sicut ista est immediata et necessaria, voluntas divina vult bonitatem divinam. . . sic voluntas divina contingenter vult bonitatem seu existentiam alterius. *Quaestiones Quodlibetales* 16, n. 9 (W 12:454).

⁹Quaedam tamen diligit dilectione efficaci, puta illa quae aliquando producit in esse; quaedam volitione quadam complacentia non efficaci, quae tamen nunquam producet in esse; ostendunt tamen ab intellectu suo, ut possibilis, habere tantam bonitatem, sicut illa quae diligit dilectione efficaci. *Ordinatio* 3, d. 32, n. 2 (W 7.2:689).

on God's will. The passage just quoted seems to indicate that the goodness of possibles is something recognized by God's intellect, not something determined by God's will. But a little later on in the same discussion Scotus seems to take a different view. Having argued that there is inequality in God's love (*dilectio*) of other things, Scotus goes on to say:

Nor is this inequality on account of some goodness presupposed in any objects other than himself, which is, as it were, the reason for his willing in this way or that. Rather, the reason is in the divine will. If it accepts those other things in a certain degree, they are good in that degree, not the other way around. Or if it be granted that some degree of essential goodness is shown in them as they are shown [to God's will] by his intellect, in accordance with which they ought reasonably to please his will, one thing at any rate is certain: their pleasing him as far as [their being willed to have] actual existence is concerned is purely from the divine will apart from any other determining reason on their part.¹⁰

Scotus here *seems* to toy with a very radical view indeed, suggesting that even the essential goodness of creatures is determined by the divine will. Indeed, the language of 'acceptance' he uses here is normally associated with the order of merit, which (as everyone would admit) is purely contingent and gratuitous on God's part. The suggestion is that just as God is free to attach eternal rewards to certain acts if he chooses, so he is also free to decide what degree of essential goodness certain creatures will have.

Is that indeed what Scotus means? We can shed some light on this question by looking at how Scotus characterizes essential goodness in his scattered discussions of the matter.¹¹ Essential goodness is the kind of goodness that is "convertible with being," as the Scholastics said. That is, *good* (in the sense of essential goodness) is coextensive with *being*. From this it follows that nothing can be without essential goodness, since to be without essential goodness

¹⁰Nec tamen illa inaequalitas est propter bonitatem praesuppositam in obiectis quibuscumque aliis a se, quae sit quasi ratio sic vel sic volendi; sed ratio est in ipsa voluntate divina, quia sicut ipsa acceptat alia in tali gradu, ita sunt bona in tali gradu, et non e converso. Vel si detur, quod in eis, ut ostensa sunt ab intellectu, ostenditur aliquis gradus bonitatis essentialis, secundum quem rationabiliter debent complacere voluntati, hoc saltem est certum, quod complacentia eorum quantum ad actualem existentiam est mere ex voluntate divina absque alia ratione determinante ex parte eorum. *Ordinatio* 3, d. 32, n. 6 (W 7.2:693).

¹¹The account that follows is drawn from *Quaestiones Quodlibetales* q. 18; *Ordinatio* 2, d. 7; d. 37, q. 1; d. 40; and *Reportatio* 2, d. 34. Obviously an adequate account of Scotus's view of essential goodness would require considerably more space than I can give it here. I offer these few remarks as a summary of the

is not to be at all. Furthermore, essential goodness comes in degrees. Different natures have different degrees of essential goodness, just as they have different degrees of being. So, for example, an angel has more essential goodness than a human being. But it is not possible for two things *of the same kind* to have different degrees of essential goodness. A good human being has no more essential goodness than a wicked human being. Essential goodness remains inviolate and undiminished so long as a nature survives.

It is difficult to imagine how essential goodness understood in this way could be subject to the divine will. A creature's degree of essential goodness would seem to be part of its essence (hence the word 'essential'). For example, given what angels and human beings are by their very natures, it is difficult to imagine how God could bring it about that angels do not have a greater degree of essential goodness than human beings. Unfortunately it is hard to know whether this essentialist intuition has any real claim on a philosopher who goes so far as to say that fire could be cold.¹² Here, at least, Scotus very clearly considers, and leaves open, the possibility that a creature's degree of essential goodness is determined by the divine will independently of the divine intellect.¹³

So I see two possibilities for interpreting the principle as applied to essential goodness. If essential goodness indeed depends on the divine will, Scotus is committed to just the sort of voluntarism from which Wolter wishes to save him, for the principle means that "Everything other than God is essentially good in a certain degree because God wills that it be good in that degree, and not vice versa." On the other hand, if essential goodness does not depend on the divine will, there is no need to ask whether the principle implies voluntarism, since it simply does not apply to essential goodness.

most important points.

¹²See note 18 below.

¹³So Scotus is suggesting that, for example, God could bring it about that unicorns have a high degree of essential goodness and God could also bring it about that unicorns have a low degree of essential goodness. He cannot mean that God could bring it about that unicorns have *no* essential goodness. For since essential goodness is convertible with being, God's bringing it about that unicorns have no essential goodness would entail God's bringing it about that unicorns have no being, even as possibles.

1b. *The Principle as Applied to Natural Goodness*

Wolter's second reading of the principle involves natural goodness, "a harmonious blend of all that becomes [i.e., is becoming to] the thing in question" (154). A thing has complete natural goodness if it is perfect according to its kind. According to Wolter, Scotus holds that God's justice causes him to "give to natures such perfections as are due or becoming to them" (158, quoting *Ordinatio* 4, d. 46, q. 1, n. 4). It is not that God owes anything to creatures, but that he "owes it to himself" to make his creation naturally good. "Yet," Wolter says, "no particular creation is so perfect, beautiful or good that it exhausts his infinite powers of creativity. The goodness of creation is thus a consequence of the native freedom of his will" (158).

On this interpretation the principle means that everything other than God has natural goodness because God willed it, not vice versa. But as I shall show, Wolter cannot use this interpretation to achieve both of the goals he set out to achieve: that is, he cannot make the principle palatable and at the same time say something significant about God's freedom. As Wolter understands its application to natural goodness, the principle no longer says anything significant about God's freedom. But his view rests on a misunderstanding of God's justice, and when that misunderstanding is corrected, the principle will indeed say something significant about God's freedom, but at the cost of remaining as unpalatable as ever.

As Wolter explains it, God's justice demands that he confer natural goodness on whatever he decides to create. The goodness of possible creatures is not such as to require God to create them, but if he does freely create them, he must create them naturally good. A careful look at Scotus's discussion of justice at *Ordinatio* 4, d. 46, q. 1, reveals, I believe, that Wolter has misconstrued the nature of the claims that God's justice makes on his creative decision.

Scotus considers God's justice under two headings: universal justice and particular justice. Universal justice, also called legal justice, consists in the observance of the rule established by a legislator. Since the law "God is to be loved" precedes any determination of the divine will, it can be thought of as the object of universal justice. God is just, in this sense of the word, in virtue of the fact that his will observes this law. (Or, Scotus says, if 'law' is not

quite the right word, then ‘practical principle of law’, or at least ‘practical truth’.)¹⁴

Particular justice involves some determinate particular thing pertaining to the law. It in turn includes two subdivisions: particular justice with respect to oneself as if with respect to another (*ad se quasi ad alterum*), and particular justice with respect to another strictly speaking (*simpliciter ad alterum*). The first of these is in God in the sense that his will is determined by its rectitude to will what befits his own goodness. God is, as it were, paying back what he owes himself. Scotus says that this amounts to practically the same thing (*quasi idem*) as God’s universal justice, since both are simply the rectitude of the divine will with respect to his own goodness.

It is in considering particular justice with respect to what is strictly speaking other that God’s relationship to creatures comes into play. After considering a number of distinctions under this heading, he sets them all aside and says that there is only one justice in God.

Since justice, properly speaking, is the rectitude of a will that is, as it were, habituated, and consequently inclines the will naturally, as it were, to another, or to itself as if to another; and since the divine will has no rectitude inclining it determinately to anything but its own goodness, as if to another—for to any other object it is related only contingently, in such a way that it can [tend] equally to that object and to its opposite—it follows that [God] has no justice except in rendering to his own goodness or will what befits it.¹⁵

We may say, if we like, that this justice takes in a number of secondary objects. As Wolter would have it,

the realistic possibilities of creation represent only a proper subset of the set of all purely logical possibilities, namely those that do him justice. . . . this justice affects [God’s] dealings with creatures, for it “modifies his creative act,” causing him to “give to natures such perfections as are due or becoming to them.” (158)

But Scotus explicitly rejects any such understanding. Whatever object God wills, he can

¹⁴*Ordinatio* 4, d. 46, q. 1, n. 3 (W 10:238)

¹⁵Cum iustitia proprie sit rectitudo voluntatis quasi habituatæ, et per consequens, quasi naturaliter inclinans ad alterum, vel ad se quasi ad alterum; et voluntas divina non habeat rectitudinem inclinantem determinate ad aliquid, nisi ad suam bonitatem, quasi ad alterum (nam ad quodcumque aliud obiectum mere contingenter se habet, ita quod aequè potest in hoc et in eius oppositum), sequitur quod nullam iustitiam habet nisi ad reddendum suæ bonitati vel voluntati, quod eam condecet. *Ordinatio* 4, d. 46, q. 1, n. 7 (W 10:252).

without contradiction will the opposite. But, Scotus argues, if he can will the opposite, then he can *justly* will the opposite. Otherwise we would have to say that God can will unjustly, which is an absurd conclusion.¹⁶

We can say, stretching the word a bit, that it is just for fire to be hot and for earth to be heavy, but the justice of the divine will does not determinately incline it to bringing about such “just” states of affairs. Nothing “just” in creatures is necessary for the divine goodness to receive its due.

The truth is that nothing external to God is determinately just except in a certain respect, i.e., with the qualification “so far as it is on the part of a creature.” The only thing that is just in an unqualified sense is whatever is related to the first justice, i.e., because it is actually willed by the divine will.¹⁷

So it is not absolutely true, as Wolter says, that God’s justice causes him to “give to natures such perfections as are due or becoming to them” — a phrase that Scotus uses in the course of making the distinctions that he later sets aside. Strictly speaking, quite the opposite is true:

God can, in accordance with his justice, justly make it the case that the earth is above and fire below. And he can act according to an opposite act, making fire cold, and so on.¹⁸

Having assigned to each creature its standards of perfection, God then confers such perfections

¹⁶Sed ad nullum obiectum secundarium ita determinate inclinatur voluntas divina per aliquid in ipsa quod sibi repugnet iuste inclinari ad oppositum illius, quia sicut sine contradictione potest oppositum velle, ita potest iuste velle; alioquin posset absolute velle et non iuste, quod est inconveniens. (But there is nothing in the divine will in virtue of which it is inclined to any secondary object in such a way that it cannot be inclined justly to the opposite of that object. For just as it can without contradiction will the opposite, in the same way it can will [the opposite] *justly*. For otherwise it could will something absolutely and not justly, which is absurd.) *Ordinatio* 4, d. 46, q. 1, n. 8 (W 10:252). Wolter (*Will and Morality*, p. 247) glosses “absolutely” as “by its absolute power,” and that is surely the meaning Scotus intends. For the distinction between God’s absolute power and his ordained power, see *Ordinatio* 1, d. 44.

¹⁷Secundum veritatem, nihil est determinate iustum, et extra Deum, nisi secundum quid, scilicet cum hac modificatione: quantum est ex parte creaturae; sed simpliciter iustum tantummodo est relatum ad primam iustitiam, quia scilicet actualiter volitum a divina voluntate. *Ordinatio* 4, d. 46, q. 1, n. 12 (W 10:253-254).

¹⁸Potest enim Deus secundum iustitiam suam iuste agere quod terra sit sursum et ignis deorsum, et potest facere secundum oppositum actum, faciendo ignem frigidum, etc. *Reportatio* 4, d. 46, q. 4, n. 10 (W 11.2:878a). *Reportatio* 4B (Oxonii, coll. Balliol., 206) has “Si voluisset ignem esse frigidum et grave sursum, aequo fuisset iustum.”

on them. But this, Scotus says, is a matter of generosity, not of justice.¹⁹

On this understanding of God's justice, then, the principle as applied to natural goodness implies a very high view of God's freedom. God is free to create what he pleases, assign to his creatures their standards of perfection as he pleases, and confer such perfections on them if he pleases. Obviously, though, the principle once again seems to imply a certain arbitrariness on God's part. We have not yet succeeded in mitigating its apparent voluntarism.

1c. *The Principle as Applied to Moral Goodness*

Finally, Wolter interprets the principle as having to do also with moral goodness. As he points out, "'God is to be loved'... 'is a practical truth prior to any determination on the part of the divine will'. To the extent that the first table of the decalog reduces to this, God himself cannot dispense man from its obligation" (159, citing *Ordinatio* 4, d. 46, q. 4, n. 3). In this case, therefore, the principle does not mean that those commandments are binding only because God has willed them. But since moral goodness is a feature of a free human act, it does depend on God's will in the rather remote sense that God freely willed to give us the nature that makes us capable of moral goodness.

The rest of the Decalogue, however, is dependent on God's will in a stronger sense, as Wolter acknowledges. Its will-dependence

does not stem simply from the fact that God has contingently and freely chosen to create the kind of human nature he has. This determines only what will be naturally good or naturally evil. But the will as free cannot be bound automatically by nature as such. It can only be bound by an absolute good, which nature is not, or a higher will that has authority in the last analysis because it has authored man as free. And because the second table of the law is will-dependent, God can [dispense] and has at times dispensed men from its obligation, says Scotus. This would be impossible if the moral obligation arose simply from nature being what it is. In the case of a dispensation, nature remains but the law and its obligation does not. (159)

This is, in its general outlines, my own view of the matter. Unfortunately, Wolter almost

¹⁹Non simpliciter est debitor nisi bonitati suae, ut diligat eam. Creaturis autem est debitor ex liberalitate sua. (Strictly speaking, he owes nothing except to love his own goodness. What he "owes" to creatures is a matter of his generosity.) *Ordinatio* 4, d. 46, q. 1, n. 12 (W 10:253). This is a reply to an argument in which it is claimed that justice inclines one to repay what one owes.

immediately qualifies this statement in a way that I believe misrepresents Scotus's view. He says, "Nevertheless, the second table of the law, unless specifically suspended, does oblige man, but it does so because human nature represents an expression of the will of God" (159-160). This implies that human nature somehow determines the content of the second table. If that were true, those commandments would be immediately dependent on God's will only in the sense that God's will lifts them out of the realm of the merely natural and confers on them the dignity of the moral.²⁰ As far as their content goes, they would be dependent immediately on human nature, which, admittedly, is a free creation of the divine will. So while the principle has sometimes been taken to mean that the moral law is dependent on "the arbitrary will of God," Wolter wishes us to read it as saying merely that moral goodness is possible only because God freely willed to create free creatures and to give their actions moral significance. The moral law, then, is a function of the will of God in the sense that God was free not to create the sorts of creatures that he did, and that having created them he was free not to make that act of will by which naturally good actions acquire the additional dignity of moral goodness.

I believe that this seriously misrepresents Scotus's teaching on the contingency of the moral law. In order to see why, we must return to Scotus's discussion of God's justice. As we saw earlier, the divine justice makes no demands on God's conduct with respect to creatures. The *Ordinatio* discussion says that

the divine will has no rectitude inclining it determinately to anything but its own goodness. . . . For to any other object it is related only contingently, in such a way that it can [tend] equally to that object and to its opposite. It follows that [God] has no justice

²⁰In this regard Wolter (*Will and Morality*, pp. 24-25) cites and endorses the account Frederick Copleston offers in his *History of Philosophy*, III:547 (New York: Doubleday, 1963). According to Copleston, Scotus holds that the moral norms that in fact obtain are what they are in virtue of their relation to human nature. That is, actions that conduce to human flourishing are good and actions that detract from it are bad. The divine will therefore does not determine which actions are good or bad (it is "natural goodness" that is at issue here, as Wolter points out), but it does determine whether these naturally good actions will be obligatory as well. As Copleston puts it, it is not the *content* of morality that Scotus claims is dependent on the divine will, but only the *obligatory force* of the moral law. If the arguments I make later in the paper are correct, however, this distinction cannot be maintained. There is one part of the moral law whose content and obligatory force are both independent of the divine will, and another (much larger) part whose content and obligatory force are both dependent on the divine will. But there is no part of the moral law whose content is independent of the divine will but whose obligatory force is dependent on the divine will.

except in rendering to his own goodness or will what befits it.²¹

The parallel passage in the *Reportatio* goes even further:

In virtue of the fact that something agrees with the divine will, it is right. . . . But nothing that does not involve a contradiction is absolutely repugnant to the divine will. Therefore, whatever God causes or does will be right and just, and so God's justice will be every bit as extensive as his power. . . . This justice of God does not restrict him to one possibility more than another, as justice in you and me restricts us to doing this or that, for instance, to perform the acts that God has commanded. For it would be unjust [for us] not to perform the commanded acts, but the divine justice is not restricted to one thing or another.²²

That this is meant to apply not merely to the creation of one set of possible substances as opposed to some other, but even to the laws of morality, is made clear at *Ordinatio* 1, d. 44, n. 6:

Some general laws dictating rightly are pre-established by the divine will, and not by the divine intellect as it precedes an act of the divine will. . . . When the intellect offers the divine will such a law—for instance, “Whoever is to be glorified must first be given grace”—if it pleases his will, which is free, it is a correct law; and so it is for the other laws.²³

These quotations make clear the extent to which the value of creatures, as well as the rectitude of their conduct, depends on the divine will. Some of the laws of morality,²⁴ Scotus says, are in force only because God willed them to be in force. Let us call such a law *L*. The picture Scotus has in mind is this. The divine intellect, which necessarily understands all things, understands *L* as a possible (that is, a logically possible, non-contradictory) law. It also understands the opposite of *L*, *not-L*, as a possible law. If his will endorses *L*, *L* is in force; if his

²¹*Ordinatio* 4, d. 46, q. 1, n. 7 (W 10:252). For the Latin text, see note 15 above.

²²Ex hoc enim quod aliquid competit voluntati divinae, est rectum. . . sed quodlibet, quod non includit contradictionem, non repugnat voluntati divinae absolute; igitur quidquid Deus faciat, vel agat, erit rectum et iustum. Sic igitur iustitia Dei erit aeque ampla sicut potentia Dei. . . . Unde ista iustitia Dei non est restrictiva ad unam partem plus quam ad aliam, sicut est iustitia in me et in te ad fieri, vel non fieri, sicut ad servandos actus divini praecepti. Iniustum enim esset actus praecepti non servare, sed divina iustitia non restringitur ad hoc vel ad illud. *Reportatio* 4, d. 46, q. 4, nn. 8, 11 (W 11.2:877b, 878b).

²³Leges aliquae generales, recte dictantes, praefixae sunt a voluntate divina et non quidem ab intellectu divino ut praecedit actum voluntatis divinae. . . . Sed quando intellectus offert voluntati divinae talem legem, puta quod “omnis glorificandus, prius est gratificandus,” si placet voluntati suae—quae libera est—est recta lex, et ita est de aliis legibus. (V 6:365).

²⁴But not all of them, as we shall see.

will endorses *not-L*, *not-L* is in force. *And there is nothing about either L or not-L that moves God's will to endorse one or the other.*

Then what does move God's will to endorse one or the other? Scotus's answer is quite simple:

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.²⁵

In order to understand exactly what this passage implies, it will be helpful to consider Scotus's account of *our* choices. For he makes quite similar remarks about the human will.²⁶ And so, just as Scotus's understanding of divine freedom has been criticized for (apparently) making God's free choices arbitrary and inexplicable, his theory of human freedom has been criticized for (apparently) making *our* choices arbitrary and inexplicable. Elsewhere²⁷ I lay out Scotus's theory of human freedom and defend him against such charges. Even so, I recognize that Scotus's understanding of choice, being closely linked with his libertarian conception of freedom, will be unsatisfactory to those who reject libertarian accounts of choice. In this paper I shall argue that when it comes to divine freedom, there is even less Scotus can say to mitigate the strongly voluntaristic account he gives. At least in our case Scotus can recognize some substantive constraints on our willing. We are creatures with a determinate nature, and we therefore find ourselves confronted with only a limited range of possible actions and objects of choice; not just anything could count as an intelligible choice for creatures like us. Furthermore, these possible actions and objects of choice are good *antecedently* to any act of will on our part.

²⁵Et si quaeras quare ergo voluntas divina magis determinabitur ad unum contradictoriorum 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). 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.

²⁶*Quaestiones subtilissimae super libros Metaphysicorum Aristotelis* 9, q. 15, n. 4 (W 4:797b).

We do not *constitute* them as goods; we merely *recognize* them as goods. It therefore makes sense for Scotus to say that there are reasons external to the human will that can serve as partial explanations for our free choices. For the human will is so constituted as to respond to the goodness in things, which inclines us to choose them but cannot necessitate the will, which is always free.

God's willing cannot be analyzed in the same way, as we can see by examining the context in which God's act of will with respect to creatures takes place. Prior to any act of the divine will, God has knowledge of all necessary things, foremost among them being his own essence. This knowledge is natural, not free, and his will cannot fail to will what his intellect cannot fail to know. Nevertheless, Scotus says,

although [the divine will] cannot dissent from correct knowledge that is prior to practice, this is not as if the intellect in virtue of its knowledge were a sufficient cause actively determining [the will] to its act. Rather, it is in virtue of the perfection of the will that it is by nature apt to act in conformity with a potency that is prior in acting, when that prior potency acts perfectly beforehand with respect to its object—in other words, when [the intellect] has known beforehand everything that it could possibly know.²⁸

Since the divine intellect acts perfectly with respect to necessary things—that is, since it knows everything about them that it can possibly know—the divine will acts in conformity with that perfect act of intellect and wills those necessary things.

The situation is otherwise with contingent things. Before any act of the will, the divine intellect does not have complete knowledge of contingent things. For since the existence of contingent things depends on God's will, he cannot know which of them exist until he has made the decision that causes some, but not others, to exist.²⁹ The only substantive constraint

²⁷In "The Libertarian Foundations of Scotus's Moral Philosophy," forthcoming.

²⁸Licet enim non posset dissentire a notitia recta et priore praxi, hoc tamen non est quasi intellectus per notitiam sit causa sufficienter active determinans ipsam ad actum, sed ex perfectione voluntatis est, quod ipsa tantum nata est agere conformiter potentiae priori in agendo, quando illa prior prius perfecte agit circa obiectum, hoc est tantum novit prius quantum posset nosse. *Ordinatio*, Prologue, pars 5, qq. 1-2, n. 329 (V 1:214).

²⁹The language of temporal priority is metaphorical for logical priority. There is no temporal succession involved.

on the divine will is therefore the class of necessary things. God cannot will a contradiction, for example, and he cannot fail to will his own blessedness. But there is nothing about contingent things to determine his will one way or the other. If there were, both the divine freedom and the contingency of those things would be threatened. The divine freedom would be threatened, because God's will would be moved by something other than itself. Contingency would be threatened, because those things would, so to speak, have a claim to existence that bypassed the divine will and went straight to the divine intellect, which is a natural, not a free, agent. Thus, their existence would be a necessary consequence of a necessary agent; in other words, they would be necessary beings.

It is difficult to see how there could be room for a middle ground here. As I have said, Scotus can allow that the human will responds to a goodness that is present in things prior to our choices. But there is, as we have seen, no goodness in things prior to the divine will—or at any rate, there is no goodness in things that would account for God's willing them.³⁰ And how else could we account for the divine volition in a way that preserves both freedom and contingency?

One might try to find that middle ground by looking at what is entailed by a given set of choices. Suppose that *P* and *Q* are both contingent, and that *P* entails *Q*. Now if God wills *P*, then he must will (or at least permit) *Q*. But that would not entitle one to conclude that *Q* is therefore necessary, since such a conclusion would rest on the fallacy of confusing necessity of the consequence (Necessarily, if *P* then *Q*) with necessity of the consequent (Necessarily, *Q*). Thus, one could account for God's volition of *Q* in a way that would preserve both God's freedom (since God was free not to choose *P*) and contingency (since *Q* would still not be necessary).

So if we simply let the moral law be our *Q* and find the *P* that entails it, we will have given a non-arbitrary explanation for the moral law without sacrificing either God's freedom or the contingency of the moral law. But unfortunately this does not really help us, since Scotus denies that there is any such *P*. The only plausible candidate for *P* is human nature itself. But as Wolter rightly says,

because the second table of the law is will-dependent, God can [dispense] and has at times dispensed men from its obligation, says Scotus. This would be impossible if the moral obligation arose simply from nature being what it is. (159)

This brings us to Scotus's understanding of the natural law, which he develops in the course of discussing the ten commandments.³¹ Natural law in the strictest sense comprises only those moral truths known to be true in virtue of their terms (*per se notum ex terminis*) and conclusions that follow from them necessarily. Now although Scotus never argues in precisely this way, it seems clear that he believes that no moral truth involving a contingent being could be known to be true in virtue of its terms, or could follow necessarily from such a truth. Therefore, the only moral truths that belong to the natural law are those that have to do directly with God himself.³² Accordingly, Scotus says that only the first two commandments of the Decalogue belong to the natural law.³³ 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 part of the natural law in the strict sense

because it follows necessarily that if God exists, he is to be loved as God, and that nothing else is to be worshipped as God, and no irreverence is to be done to God. Consequently, God cannot dispense from these so that someone could licitly do the opposite.³⁴

There is also a less strict sense of the natural law. Some things are said to be of the natural law because they are very much in accord (*valde consonans*) with natural law in the strict

³⁰See note 10 above, as well as the discussion of *Additiones magnae* 1, d. 48, in note 7.

³¹*Ordinatio* 3, d. 37.

³²And while Scotus never makes the argument I have just made, he certainly endorses its conclusion. After arguing that the last seven commandments do not belong to the natural law in the strict sense, he says, "It is otherwise with the commandments of the first tablet, since they have to do immediately with God as their object." (*De praeceptis autem primae tabulae secus est, quia immediate respiciunt Deum pro obiecto.*) *Ordinatio* 3, d. 37, n. 6 (W 7.2:898).

³³*Ibid.* I will here ignore the complications regarding the status of the third commandment.

³⁴*Ibid.* *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.* Notice the qualification "if God exists." The proposition "God is to be loved," if taken to have existential import, is not strictly speaking *per se notum ex terminis*, since the existence of God is not *per se notum ex terminis*. Scotus does of course think that the existence of God can be demonstrated by natural reason.

sense, even though they do not follow necessarily from practical principles that are known to be true from the meanings of the terms and are necessarily known to any intellect that understands them. All of the remaining commandments belong to the natural law in this broader sense.

For in the things that they prescribe there is no goodness necessary for the goodness of the ultimate end that turns one toward the ultimate end, and in the things they prohibit there is no badness that necessarily 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.³⁵

Scotus explains this by using an example from positive law.³⁶ Given the principle of positive law that people ought to live peaceably in a community, it does not follow necessarily that the state ought to recognize any right to private property. For it is possible to maintain peace even where all things are held in common. In the same way, even if human beings were not required to honor their parents or respect the lives, private property, and marriages of others, it would be possible for them to attain their ultimate end.

So Scotus denies that there is any reason external to the divine will that causes or explains God's willing as he does with respect to the contingent part of the moral law. Some interpreters, in an attempt to escape this conclusion, appeal to passages in which Scotus speaks of God as willing *ordinatissime* or *rationabilissime*.³⁷ But a close look at these passages will show that the concept of willing ordinately or reasonably in no way mitigates Scotus's voluntarism.

Consider these three explanations of what it means to will ordinately: "One who ordinately wills an end and the things related to the end wills the end prior to any of the things related to the end and wills those other things on account of the end."³⁸ "Everyone who wills

³⁵Non 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 non esset praeceptum, posset finis ultimus amari et attingi, et si illud malum non esset prohibitum, staret cum eo acquisitio finis ultimi. *Ordinatio* 3, d. 37, n. 5 (W 7.2:898).

³⁶*Ordinatio* 3, d. 37, n. 8 (W 15:898-99).

³⁷See especially Fidelis Schwendinger, "Metaphysik des Sittlichen nach Johannes Duns Scotus," 3. Teil, 2. Hälfte, *Wissenschaft und Weisheit* 3 (1936), 93-119; Bernadino M. Bonansea, *Man and His Approach to God in John Duns Scotus* (Lanham, MD: University Press of America, 1983), pp. 190-191; and Wolter, *Will and Morality*, pp. 9, 17, 19-20, 55, 57.

³⁸. . . ordinate volens finem et ea quae sunt ad finem, prius vult finem quam aliquod entium ad finem, et

ordinately wills, immediately after the willing of an end, that which is more immediate and more proximate with respect to the end.”³⁹ “Everyone who wills reasonably first wills an end; second, that which immediately attains the end; and third, other things that are more remotely ordered to attaining the end.”⁴⁰ None of these implies that willing in an orderly way requires an agent to adopt one end in preference to another; they imply only that, having adopted an end, the agent must then will the means to that end (i) in the order of their proximity to that end and (ii) for the sake of that end. Now as we have seen, there is only one end that God cannot fail to will, and that is his own goodness. And we have also seen that nothing contingent—whether angels or human beings or unicorns or the Fifth Commandment—is necessary for God to will his own goodness. So God’s willing ordinately does not require him to will any of those things.

What makes this strikingly clear is the context in which each of these passages occurs. In each case, Scotus is talking about predestination. To take one representative passage a little further:

Everyone who wills reasonably first wills an end; second, that which immediately attains the end; and third, other things that are more remotely ordered to attaining the end. Therefore, since God wills most reasonably. . . he first wills the end. . . . Second, he wills those things that are immediately ordered to it, namely, by predestining the elect, who immediately attain it. . . . Third, he wills those things that are necessary to attaining this end, namely, the goods of grace. Fourth, on account of them he wills other things that are more remote, namely, this sensible world, that it might serve them.⁴¹

propter finem vult alia. *Ordinatio* 1, d. 41, n. 40 (V 6:332).

³⁹. . . omnis ordinate volens post volitionem finis immediate vult illud quod est immediatius vel proximius fini. *Ordinatio* 2, d. 20, q. 2, n. 2 (W 6.2:822).

⁴⁰. . . omnis rationabiliter volens, vult primo finem, et secundo illud quod immediate attingit finem, et tertio alia quae remotius sunt ordinata ad attingendum finem. *Ordinatio* 3, d. 32, n. 6 (W 7.2:692). Note also the somewhat less complete explication given at *Ordinatio* 3, d. 7, q. 3 (W 7.1:202): “universaliter. . . ordinate volens prius videtur velle hoc quod est fini propinquius.” (Universally, one who wills ordinately seems to will first that which is nearer the end.) What I say in the body of the paper about the context of the first three passages is true of this fourth one as well.

⁴¹. . . omnis rationabiliter volens, vult primo finem, et secundo illud quod immediate attingit finem, et tertio alia quae remotius sunt ordinata ad attingendum finem. Cum igitur Deus rationabilissime velit. . . primo vult finem. . . . Secundo vult illa quae immediate attingunt ipsum, praedestinando scilicet electos, qui immediate attingunt ipsum. . . . Tertio vult illa quae sunt necessaria ad attingendum hunc finem, scilicet bona gratiae. Quarto vult propter illos alia quae sunt remotiora, puta hunc mundum sensibilem, ut serviat eis. *Ordinatio* 3, d. 32, n. 6 (W 7.2:692-93).

The very context cries out that the concept of willing ordinately cannot be intended to mitigate Scotus's voluntarism. For Scotus insists that even though God must love his own goodness, he need not create human beings at all, much less predestine any of them; and still less must he predestine any particular human being as opposed to some other. In fact, it is this very discussion that continues, just twenty lines down, with the strongly voluntaristic passage to which I have already devoted so much attention:

It is evident, therefore, that there is an inequality among the things willed. . . . Nor is this inequality on account of some goodness presupposed in any objects other than himself, which is, as it were, the reason for his willing in this way or that. Rather, the reason is in the divine will. If it accepts those other things in a [certain] degree, they are good in that degree, not the other way around.⁴²

And he continues a little further down even more emphatically:

This inequality of love is to be conceded not only in regard to the degrees [of goodness] that distinguish different species, but even in individuals of the same species. Nor is the reason for this the nature that is in this one and in that one; rather, [the reason] is the divine will alone.⁴³

I should here emphasize that I am not trying to argue that Scotus's doctrine of predestination concedes any more (or less) freedom to the divine will than the doctrines of other medieval thinkers. I merely wish to emphasize that Scotus's doctrine of predestination is one place in which his voluntarism is unmistakable, where Scotus himself admits that we are in the region of the mysterious and the inexplicable.⁴⁴ The fact that Scotus keeps raising the concept of willing ordinately in the context of predestination is decisive evidence that this concept is in no way intended to mitigate Scotus's voluntarism. God wills in a most orderly way, but what he wills in that orderly way is very much up to him.

There is one other passage to which Wolter appeals⁴⁵ in attempting to show that God's action is constrained in some way by the fact that he wills rationally. At *Reportatio* 1A, d. 44, q.

⁴²Ibid. Patet igitur inaequalitas volubilium. . . .

⁴³. . . ista inaequalitas dilectionis concedenda est non solum quantum ad gradus específicos, sed etiam in individuis eiusdem speciei; nec ratio huius est natura in isto et in illo, sed sola voluntas divina. Ibid (W 7.2:693).

⁴⁴On this see especially the lengthy discussion in *Ordinatio* 1, d. 41.

⁴⁵"Native Freedom," p. 161; *Will and Morality*, p. 19.

2, Scotus says, “Whatever God made, you may be sure he made it in accordance with right reason.”⁴⁶ Taken in isolation, these words do seem to make the sort of claim Wolter wants to find in Scotus. But when we look at them in context, we find that Scotus put a frankly voluntaristic spin on them. Scotus is replying to an argument from Augustine, who says that if you think of something that would be better according to right reason than what you see in creation, you may be sure that God has in fact made it. Scotus comments:

Nothing is unqualifiedly better according to right reason except insofar as it is willed by God, and so those other things that, if they were made, would be better, are not at all better than existing things. Hence, the authority means nothing more than this: “Whatever God made, you may be sure he made it in accordance with right reason. For all things whatsoever that he willed, he made.”⁴⁷

Scotus here explicitly denies that God’s acting in accordance with right reason somehow constrains his willing. God’s acting in accordance with right reason *simply means* God’s acting as he pleases.

We can now return to the interpretation of Scotus’s claim that “everything other than God is good because God wills it, and not vice versa.” Given what has been said about the relationship of the moral law to the divine will, it should be clear that the principle as applied to moral goodness amounts to this: “Every act, other than the act of loving God for his own sake, is morally good because God wills it, and not vice versa.” Moreover, Scotus denies that there is any reason external to the divine will that causes or explains God’s willing as he does. So Scotus does in fact mean for us to understand the principle voluntaristically, even as it applies to moral goodness.

In order to understand what Scotus means by this, however, we need to be clear about what moral goodness is on his view.⁴⁸ Roughly, a freely elicited act is morally good if and only

⁴⁶Quodcumque Deus fecit, hoc scias eum recta ratione fecisse. The Vienna MS has ‘cum’ for ‘eum’.

⁴⁷Nihil est melius simpliciter recta ratione quin in quantum volitum a Deo, et ideo alia quae si fierent essent meliora non sunt modo meliora entibus. Unde auctoritas nihil vult dicere nisi quod quodcumque Deus fecit, hoc scias eum recta ratione fecisse; omnia enim quaecumque voluit fecit.

⁴⁸The account of moral goodness given here is drawn from *Ordinatio* 1, d. 17, q. 1, nn. 1-2; 2, d. 7; and 2, d. 40; *Reportatio* 2, d. 40; and *Quodlibet* 18. I make no attempt to argue for it, since it is not a matter of controversy among interpreters of Scotus.

if (i) it has complete natural goodness, and (ii) it is performed on the basis of a dictate of right reason. (An act that is not freely elicited is not a moral act at all.) I begin with condition (i).

An act has complete natural goodness when its object, end, and other circumstances are appropriate (*conveniens*). So the important question is this: What determines whether a given object or end is appropriate or not? Take, for example, an act of killing an innocent man. What makes an innocent man an inappropriate object for that act of killing? If we take Scotus at all seriously, we have to say that it is the divine will alone. For it is possible, he claims, for that very act to be made licit, without any change in the man himself or in any of the attendant circumstances; all that is required is that God revoke his prohibition of murder.⁴⁹ So if the moral goodness of an act depends on its natural goodness, and its natural goodness depends in turn on what is in accordance with the divine will, then it follows that the moral goodness of an act depends on what is in accordance with the divine will.

2. *Voluntarism and the Role of Reason*

Condition (ii) seems to present a problem, however. One might be tempted to think that if what is morally good depends on what God wills, it obviously follows that the only way we can know what is morally good is to know what God wills. And does that not mean that reason is powerless to tell right from wrong? It would seem that we could know what morality requires only by consulting Scripture or being granted a special revelation. And yet here Scotus is talking about right reason as an essential ingredient in a morally good act. Either Scotus is being inconsistent, or I have been wrong in portraying him as a voluntarist.

Indeed, to give the mitigating interpretation its due, this worry about preserving Scotus's consistency has also motivated at least some of those who have tried to mitigate his voluntarism. Wolter, for example, appeals to it explicitly in several places.⁵⁰ In another article⁵¹ I have shown in detail how Scotus's voluntarism coheres with the role he assigns to reason; here

⁴⁹*Ordinatio* 3, d. 38, n. 5 (W 7.2:919). Scotus offers this example as an obvious conclusion from his account of the Decalogue in the preceding distinction.

⁵⁰"Native Freedom," pp. 148, 155-157, 160-161; *Will and Morality*, pp. ix, 3-5, 16-17, 25-29.

⁵¹"Reason, Morality, and Voluntarism in Duns Scotus: A Pseudo-Problem Dissolved," *The Modern Schoolman* 74 (1997): 73-74.

I shall simply summarize those arguments.

Scotus actually makes two distinct claims about the role of reason in morality. He says that no act is morally good unless it is in conformity with right reason, and he also says that we can know the moral law by natural reason (i.e., that we do not need supernatural revelation in order to tell right from wrong). The first claim means only that no act has moral goodness unless the agent judges correctly that the act is right, and then performs the act on the basis of that judgment. Note that this understanding of the role of right reason is perfectly compatible with any view at all about what *makes* certain acts right or wrong. As far as this claim goes, Scotus could be a utilitarian, a Kantian, a eudaimonist, or (as he in fact was) a voluntarist divine command theorist.

If, for example, I judge (correctly) that I ought to refrain from killing my exasperating roommate, and on the basis of that judgment I do indeed refrain, I have acted on the basis of right reason, and my act has moral goodness. This account of right reason says nothing at all about whether my obligation to refrain from killing him is grounded in the greatest happiness of the greatest number, respect for rational nature, human flourishing, or the divine will. So Scotus can consistently hold both that moral obligation is grounded in the divine will and that right reason in this sense is an essential element in the moral goodness of human actions.

As for the second claim, that we can know the contingent part of the moral law without recourse to supernatural revelation,⁵² matters are somewhat more complicated. Since Scotus holds that the moral law does not follow from anything other than the divine will, and since he does not think we can know the divine will apart from supernatural revelation,⁵³ he cannot hold that our natural knowledge of the moral law is discursive. In other words, since the moral law

⁵²I specify the contingent part of the moral law because the necessary part (see the discussion in section 1c above) poses no problem. Propositions belonging to the necessary part of the moral law are known to be true simply on the basis of the terms involved (they are "*per se notum ex terminis*"). If unaided reason can inform us about the meanings of those terms—and it can—we can know the truths of those propositions apart from revelation.

⁵³Obviously, I can easily know such truths as "God wills that my computer be sustained in existence for more than an instant" and "God wills that human beings have livers" without recourse to supernatural revelation; but "God wills that human beings are to honor their parents" and "God does not will that human beings are to honor their second cousins" are a different story.

does not follow from any naturally knowable truths, any inference from such truths to a moral proposition will be invalid. The texts show that Scotus was aware of this implication of his voluntarism, and indeed embraced it.

But the fact that we cannot know the moral law discursively does not mean that we cannot know it at all. We know it non-discursively; in Scotus's terminology, we know it *immediately*. That is, God has given us moral intuitions to suit the moral order that he freely and contingently established. In the words of St Paul that Scotus was fond of quoting in this context, the moral law is "written on our hearts."

It is my contention that the passages in which Scotus appears to endorse voluntarism cannot be plausibly read as meaning anything other than what they appear to mean. Concerns about preserving Scotus's consistency are misplaced, since Scotus can consistently be a voluntarist and still maintain that reason has a role to play in the moral life. Concerns about preserving Scotus's general philosophical acceptability are even more misplaced, since Scotus goes out of his way to endorse the very conclusions from which kindly interpreters have tried to save him. It may well be that, having seen what Scotus held about the contingency of the moral law, and what his reasons were for holding it, most philosophers will decide to keep their distance from his voluntarist views. But I will at least have allowed Scotus to speak for himself. For if we are to study Scotus at all, we ought to study the unmitigated Scotus.⁵⁴

⁵⁴I am grateful to John F. Corvino, Wayne A. Davis, Alfred J. Freddoso, and an anonymous referee for their helpful comments on earlier drafts of this paper.