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# *Scotus on Morality and Nature*

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## I. THE AFFECTION FOR JUSTICE AND THE AFFECTION FOR ADVANTAGE

This article is part of a larger project defending a version of divine command theory in ethics. What I am interested in from Scotus is that he combines such a theory with a view that grounds ethics in nature, especially human nature.<sup>1</sup> In order to understand this combination, we need to start with his view of the two affections. Scotus takes from Anselm the idea that humans have in their will two basic affections (or intellectual appetites), what he calls the affection for advantage (*affectio commodi*) and the affection for justice (*affectio iustitiae*). All acts of the will, on this view, stem from one affection or the other. Behind Anselm is Augustine's insistence, which Scotus also refers to frequently, that God is to be enjoyed and not used (even though entering into God's love is our greatest happiness), and everything else is to be used and not enjoyed.<sup>2</sup> The affection for advantage

1. I have not attempted to define 'divine command theory'. Scotus says, "The divine will is the cause of the good, and so a thing is good precisely in virtue of the fact that he wills it" (*Rep.* 1, 48). What I mean by 'grounds ethics in nature' will emerge in sections IV and V of this article. The material in this article is put into the context of a wider theory in John E. Hare, *God's Call*, Grand Rapids, MI: Eerdmans, 2000.

2. Scotus ties the affection for justice to *amor amicitiae*, love of the friendship-type, which is "on account of the thing willed," and the affection for advantage to *amor concupiscentiae*, love of the desire-type, which is "on account of the one who wills." (*Ord.* IV, 49, 5). It is not quite right to say that only *amor concupiscentiae* is directed toward the self. Scotus can talk about the devil's inordinate friendship for himself (*Ord.* II, 6, 2/4. I will also give the reference to the page number, where appropriate, of Allan B. Wolter, O. F. M., *Duns Scotus on the Will and Morality* [Washington DC: Catholic University of America Press, 1997]. Here AW 296.). But the distinction is that the *amor concupiscentiae* (and the affection for advantage) loves something for the sake of the self as an end extrinsic to it. (For comparison, see Aquinas *ST* I-IIae, q.26, a.4.) The devil can have friendship for himself; but if he loves God not for God's good but his own, this is the affection for advantage. There are difficult borderline cases, where something is pursued wrongly, but not for one's own sake (where one steals something for a friend, for example). These

is a natural appetite, an inclination or tendency toward one's own proper perfection or happiness. The affection for justice is the inclination toward intrinsic goods for their own sake, (since justice, in the classical conception, gives to each thing what is its due).<sup>3</sup> Suppose I am giving a lecture, for example. I might be focussed on the subject matter for its own sake, *attending* to it as Iris Murdoch says, or I might be focussed psychologically on myself delivering the lecture to the audience and on whether the audience is liking me.<sup>4</sup> Both affections can be responses to what Murdoch calls the pull toward the good, and when I am giving the lecture there will almost certainly be a mixture of both. But there is in every person a ranking of the two, and if the affection for advantage is ranked first it will become an *improper* regard for the self.

The will of free creatures is, for Scotus, a self-determining power for opposites that determines whether the free agent acts in accordance with the affection for advantage or the affection for justice. But it only has this freedom because it has the affection for justice. If a creature had only the affection for advantage, it would pursue this by nature but not in freedom. The two affections can have the same objects, even God. For union with God is indeed the proper perfection or happiness of a human agent, and so humans are naturally moved toward it. But this movement is not, Scotus says, a movement toward God for God's own sake, but for the sake of the agent. Scotus is not condemning the affection for advantage. He thinks that we were created to have it. Unfortunately, however, we are born after the Fall with an *inordinate* affection for advantage. We are born with the inclination toward our own advantage *above everything else*. This ranking of the two affections is sinful, and has to be reversed. But this does not mean that the affection for advantage is eliminated. Scotus says (probably of the good angels, but the same would be true of the good humans in heaven) that they

neither were able, nor wished, to dislike having happiness, or to have no desire for it. But they did not want it more than they wanted God to

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are difficult because Scotus's principle is that no sinful act is chosen according to the affection for justice, which should mean that these cases have to come under the affection for advantage. I think the best thing to say here is that Scotus has over-simplified (as Kant does in the same context). Thomas Williams discusses this difficulty in "How Scotus Separates Morality from Happiness," *American Catholic Philosophical Quarterly* 49 (1995):425–45. He prefers to adapt the account of the affection for advantage, by translating *in ordine ad se* as "with reference to one's own nature." But this seems to me ad hoc, and it is better just to leave these cases as requiring a refinement which Scotus does not provide.

3. See Augustine, *City of God* XI, 16: "Rational consideration decides on the position of each thing in the scale of importance, on its own merits, whereas need thinks in terms of means to ends (*quid propter quid expetat*)." Scotus talks of justice as paying what is owed at *Ord.* IV, 46, 1.

4. See Iris Murdoch, *The Sovereignty of Good* (London: Routledge, 1991), pp. 90 and 100, together with the notion of 'unselfing' on p. 84.

have everything good; rather they wished for happiness less than they wished God well, for they could moderate this desire through their liberty.<sup>5</sup>

This passage comes in a detailed analysis of Lucifer's fall, drawn again from Anselm (*The Fall of the Devil*) and from Augustine.<sup>6</sup> The problem is to explain how the angel could have chosen evil, when he was in the open presence of so much good. The answer Scotus gives is that Lucifer first coveted happiness immoderately, and this came from an affection for advantage. It must have done so, Scotus says, because every act elicited by the will stems from an affection either for justice or for advantage (here he refers to Anselm), and no sin proceeds from an affection for justice. So Lucifer first sinned "by loving something excessively as his supreme delight." This sinning requires that he also had the affection for justice. Scotus refers to Anselm's thought experiment, in which an angel is imagined who has the affection for advantage and *not* the affection for justice, and so is not free. Such an angel, Scotus says, would inevitably be drawn to what is beneficial, and would covet it above all; but this would not strictly be 'willing' and would not be imputed to it as sin, because it would have no countervailing affection to restrain it. But Lucifer could sin and did, by wanting happiness as good for himself, rather than loving the good as a good in itself, even though he had the affection for justice which would have made this better state possible for him.<sup>7</sup> Referring to Augustine's *Eighty-three Different Questions*, q. 30, Scotus says that this is the supreme perversity of the will, which is to use as means what is to be enjoyed as an end, and treat as an end what is to be used as a means. Scotus considers the objection that desiring happiness is natural, and what is natural is always right. He replies that the will ought to follow a higher will (that is, God's), from whom it was given the power to moderate or not moderate what Scotus concedes is a natural inclination toward happiness:

The will has an obligation to moderate its own inclination toward its ultimate end, lest it will this immoderately, or want to possess it in an unbecoming way, or want it only for self rather than as something good in itself.<sup>8</sup>

5. *Ord.* II, 6, 2, AW 301.

6. See Augustine, *De Vera Religione* 13.26, 48.93, where the fallen angels are said to have "loved self more than God," as opposed to "loving God more than self," and where "this is perfect justice, to love the greater objects more and the lesser less."

7. See Augustine, *On Free Will*, II, 18, 53: "The will turns to its own private good."

8. John Boler, in "Transcending the Natural: Duns Scotus on the Two Affections of the Will," *American Catholic Philosophical Quarterly* 67 (1993): 109–26, takes the 'higher will' to be the affection for justice. But the phrase is the standard way Scotus refers to the divine will. See Williams, "How Scotus Separates," p. 436.

Finally, Scotus speculates that in Lucifer's case it may have been that he was unwilling to have happiness in a lesser degree than God. Being like God is a proper object of desire; what Lucifer wanted, however, was equality with God, to have happiness to the same degree as God, and this end improperly turns toward Lucifer's private good. This is perhaps how the proper affection for advantage became in him an improper self-regard. This helps with the initial problem. For it makes more intelligible (though it does not completely explain) how the choice for evil could have originated in love of good.

This is an example of a more general strategy of understanding free choice. I said earlier that Scotus 'grounds' ethics in nature, and I want to explore this idea. Lucifer took something good by nature, his own perfection or happiness, and willed it wrongly (morally badly) by improperly attaching it to himself. But free beings can also will these natural goods rightly (morally well, as presumably the archangel Michael does). One way to do this is to will them without essential orientation toward the self, as, for example, when an agent wills some natural good for someone else for that other person's own sake. If we accept that God is the end or goal at which everything is headed, it is possible to love that end either *as one's own end* or *as the end of all*. There is an extreme way to put this difference. We can imagine that there was a choice, which in fact there never is, between God's good and ours. If we had only the love for God *as our good*, we could not say, with Luther and with generations of Presbyterian ministers at their ordination, "I happily submit to damnation for the sake of the glory of God." How could Luther say such a thing? He is commenting on Paul's exclamation in *Romans* 9:3: "For I could wish that I myself were accursed and cut off from Christ for the sake of my own people." Calvin interprets the passage as Luther does, though less exuberantly, but he adds that for Paul "it was that his mind being overwhelmed, he burst forth into this extreme wish."<sup>9</sup> The point is not that this extreme choice is one we would ever have to face. But the thought experiment makes the point vividly that we do frequently have to make the choice between putting first either ourselves or the glory of God.

## II. MORAL GOODNESS

We can now discuss how Scotus sees the relation between morality and nature. He describes the connection between moral and natural good in the following difficult passage:

9. Calvin, *Commentary on Romans* (Grand Rapids, MI: Eerdmans, 1947), p. 336. See also *Ex* 32:32 for a similar sentiment from Moses, and *Matt.* 27:45 for Jesus' willingness to accept separation from his Father.

The moral goodness of an act consists in its having all that the agent's right reason declares must pertain to the act or the agent in acting. This description is explained as follows: Just as the primary goodness of a being, called 'essential' and consisting in the integrity and perfection of the being itself, implies positively that there is no imperfection, so that all lack or diminution of perfection is excluded, so the being's secondary goodness, which is something over and above (*superveniens*) or 'accidental', consists in its being perfectly suited to or in complete harmony with something else—something which ought to have it or which it ought to have.<sup>10</sup>

To understand the various distinctions in this passage, we need to see the background in Aristotelian teleology. There is a kind of goodness, which Scotus here calls 'primary' or 'essential' goodness, which is, as he elsewhere says, "convertible with being."<sup>11</sup> A thing has goodness of this kind when it lacks nothing that is necessary to its being what it is. Every substance has this kind of being and this kind of goodness. An armadillo must have, if it exists, all that is necessary to being an armadillo. This kind of goodness comes in degrees, since some kinds of substance are more perfect than others. But it does not come in different degrees to different members of the same species. An angel has more of this kind of being and goodness than an armadillo, but all armadillos have the same amount.

This kind of goodness needs to be distinguished from another kind, which Scotus calls 'secondary' or 'accidental' goodness. This is important for our present purposes because Scotus thinks of moral goodness as a kind of secondary goodness. Secondary goodness does come in different degrees to different members of the same species. It is the kind of goodness that has an existing contrary, namely evil. It is possible to be an evil human being, but nothing can have not-goodness of the primary kind, since to be without essential goodness is not to be at all.<sup>12</sup> Secondary goodness can be called 'accidental' because it is *in* substances, which can continue to exist without it. Primary goodness is not *in* substances, but constitutes them *as* substances. There is a whole range of imperfections that a thing can have and still be a substance. Consider a gluttonous person. Where we are using 'person' as a count noun (like 'armadillo') to explain persistence through change, we should not say that this person is any less a person or less a human being because she eats so much. She has the primary goodness of being human in full, but she is lacking the secondary goodness of moderation. We can perhaps say that a person who has become a slave to an eating disorder has become 'less a person', but the term 'person' inside this latter phrase is no longer being used as a count term.

10. *Quodlibet*, q. 18, AW 169.

11. *Rep 2*, 34, 18.

12. See Thomas Williams, "The Unmitigated Scotus," *Archiv f. Gesch. d. Philosophie* 80 (1998): 164–8.

Scotus then divides secondary or accidental goodness into two. Secondary goodness is always relational. But we can say that a thing is good in the secondary sense because it is *appropriate* to another thing, or we can say that a thing is good in the secondary sense because it *has* a second thing. Scotus uses examples from Augustine, both of them examples of natural goods.<sup>13</sup> Health is good in a secondary sense because it is *appropriate* to an animal. A man's face is good in a secondary sense if he *has* regular features, a cheerful expression, and a glowing color. The moral goodness of an act is a secondary goodness of this second kind. The act is morally good because it *has* "all that the agent's right reason declares must pertain to the act or the agent in acting." This is a phrase that needs unpacking. Scotus is saying that for an act to be morally good it has to be prescribed by the agent. For an act to be morally good, "it is not enough that the agent have the ability to adjudicate the appropriateness of his acts. He must actually pass judgment upon the act and carry it out in accord with that judgment."<sup>14</sup> This means that only free or willed acts can be morally good, and only if they are carried out for the sake of the willed end or purpose. If we take the act of a person eating, for example, it can have an appropriate object, namely 'food capable of restoring what man has lost'. A stone would not be an appropriate object, and nor would hay (though this might be appropriate for a cow eating).<sup>15</sup> The eating belongs to the right species for being morally good, however, only if the object is willed in the right way. Suppose an armadillo eats an ant, food which, as Scotus says, "is capable of restoring what it has lost." We might say that it is doing so in pursuit of a natural good ("only goodness of nature is presupposed"). But the object in this case is not chosen freely, since the armadillo does not have the affection for justice; and in the absence of the affection for justice, the affection for the natural good (the ant) is not free. A human being eating nutritious food, on the other hand, is characteristically choosing to do so with the right end or purpose. Thus, we now have the right kind for what is morally good. "This circumstance," Scotus says, "is characteristic not precisely of the act as actually performed or not, but rather of the act as willed." Appropriateness is also required of the manner in which the action is performed, the time at which it is performed, and the place in which it is performed. As Aristotle says about moral virtue,

13. Scotus uses the term 'natural' for both primary and secondary goods.

14. *Quodlibet*, q. 18, AW 170.

15. Having an appropriate object in this way brings an act into the right genus for moral goodness, Scotus says, but the act does not yet have moral specification. This is consistent with the view of Aquinas at *ST* Ia-IIae, 18, art. 4. See Thomas Gilbey's note in the Blackfriars ed., vol. 18, pp. 16–17. There is an apparent difference in doctrine, because Aquinas says that the genus is the action's being an action; but it is what Scotus calls 'primary goodness' that is in question here, and an act is not good *simpliciter* without the goodness of the intended end.

It is hard work to be excellent. . . . Getting angry, or giving and spending money, is easy and anyone can do it; but doing it to the right person, in the right amount, at the right time, for the right end, and in the right way is no longer easy, nor can everyone do it. Hence (doing these things) well is rare, praiseworthy and fine.<sup>16</sup>

To be morally good an act has to have *all* that the agent's right reason declares must pertain to the act, and this includes appropriate manner, time, and place. But the main moral specification comes from the agent's end. In particular, as we shall see, whether the act is morally good or morally bad depends on whether or not it comes from the end internal to the agent's affection for justice, namely the love of an intrinsic good for its own sake.

### III. SUPERVENIENCE

I began the previous section with a difficult passage from Scotus, and there is a strategic term in that passage that I did not discuss. Scotus says that moral goodness 'supervenes' on natural goodness. Actually the term comes in the Latin, *superveniens*, and not in the English translation I quoted, which reads 'is something over and above'. I am going to compare the meaning Scotus gives to this term with the meaning given in contemporary prescriptivist moral philosophy to the 'supervenience' of evaluative properties upon descriptive properties. There is a structural similarity between how prescriptivism thinks of this relation and how Scotus describes the relation between morality and nature. The use of the same word 'supervenience' is not important here. It is not a technical term for Scotus. But the *structural* similarity of doctrine is illuminating.<sup>17</sup> R. M. Hare introduced the term 'supervenience' into twentieth-century discussion. He did not take the word from Scotus but, so he says, from the air. When I described to him, however, what I took Scotus's position to be, he acknowledged the similarity, and in fact refers to Scotus as a predecessor in his final book.<sup>18</sup> The term 'supervenience' has been used subsequently in other contexts in contemporary philosophy, such as the philosophy of mind, where its application seems to me mysterious. I will not be referring to those contexts.

Here is the prescriptivist account:

Moral judgements acquire a descriptive meaning . . . because of an important logical feature that they share with other value judgements,

16. *Nicomachean Ethics* II, 9, 1109a25f.

17. The structure of the relation is similar though the *relata* are different. Scotus uses the term for the relation of moral and natural goods. Prescriptivism uses it for the relation of evaluative and descriptive properties.

18. R. M. Hare, "A New Kind of Ethical Naturalism," in *Objective Prescriptions* (Oxford: Clarendon Press, 1999), p. 77.



called *universalizability*. One way of approaching this is to say that all such judgements are made for reasons: that is, because of *something about* the subject of the judgement. . . . An act cannot be wrong, if not because of something about it. They cannot be good or wrong just because they are good or wrong; there must be properties other than their goodness or wrongness which make them so. This feature of value judgments is sometimes called 'supervenience'. . . . That moral properties supervene on non-moral properties means simply that acts etc., have the moral properties because they have the non-moral properties ("It is wrong because it was an act of inflicting pain for fun"), although the moral property is not the same property as the non-moral property, nor even entailed by it. Someone who said that it was an act of inflicting pain for fun but not wrong would not be contradicting himself, though most of us would call him immoral.<sup>19</sup>

### Universalizability

does not forbid the adoption of different moral standards by different people; it simply prohibits a single person from adopting inconsistent standards at the same time, and says that they *will* be inconsistent if he says conflicting things about situations which he agrees to be identical in their universal properties.

Supervenience in prescriptivism has a two-fold negative side and a positive side. The negative side is the denial of the description/evaluation entailment in either direction, and thus itself has two parts (the denial of the entailment from description to evaluation and the denial of the entailment from evaluation to description).<sup>20</sup> Take an act that has a descriptive property (it is inflicting pain for fun) and an evaluative property (it is wrong). The act's having the descriptive property does not entail that it has the evaluative property or vice versa. Suppose a strawberry is good and sweet. You are not logically required to judge that it is good just because you have judged that it is sweet or vice versa. Why is this? It is because judging a strawberry to be good or an act to be wrong is, on this account, prescriptive. It expresses an act of the will. This is different from saying that it reports the fact that the maker of the judgment has performed such an act of the will. The agent describes an act, let us say, as inflicting pain for fun. It simply does not follow that the agent is against it or for it. This is still logically an open question, though the agent may have settled it before giving the description. We can see this point by noting that a fallen angel,

19. R. M. Hare, *Sorting Out Ethics* (Oxford: Clarendon Press, 1997), p. 21.

20. Realist opponents of prescriptivism object to this distinction between description and evaluation, on the grounds that it begs the question against the existence of real evaluative properties and relies on a false idea of value-free factual description. But R. M. Hare is not concerned to defend, and in fact denies, the claim that there are completely value-free descriptions of the world.

or, for that matter the Marquis de Sade, might give the description of an act as inflicting pain for fun as a *recommendation* of the act.

Another way to see this is to return to the thought experiment which Scotus borrows from Anselm. An angel who had the affection for advantage but not the affection for justice might know that an act was inflicting pain for fun. But this angel would not be free. So the judgment that the act was morally wrong would be impossible for such an angel on the prescriptivist picture of moral judgement, since this angel would not have made the free decision of the will which moral evaluation expresses. So it does not follow from the fact that the angel has knowledge of the descriptive property that the angel makes the relevant evaluation.

The positive side of supervenience is that nonetheless the act has the evaluative property because it has the descriptive property. The act is wrong because it is inflicting pain for fun. The strawberry is good because it is sweet. One good way to illustrate this is with the analogy of evaluative properties to causal properties. If one event causes another, there could not be a qualitatively identical situation in which the corresponding events were conjoined and *not* causally linked. This is the basis of the so-called covering law theory of causal explanation.<sup>21</sup> Causation is not, so to speak, arbitrary; and this follows from the supervenience of the causal property on the noncausal properties of the initial event. In the same way, it is the universal descriptive properties (the sweetness, firmness, and juiciness of the strawberry) that ground the evaluation ("The strawberry is good."). Once an agent is committed to an evaluation based on those descriptive properties, she is committed to the same judgment given the same descriptive universal properties. This kind of consistency is one hallmark of rationality; and it is built into the supervenience relation.

Prescriptivism thus says both that evaluation is not deducible from nonevaluative description or vice versa, and that evaluation is grounded on nonevaluative description. I will now demonstrate how Scotus displays this same structure, negative and positive, in the relations he establishes between morality and nature. I will take the negative side first, and then the positive.

#### IV. THE NEGATIVE SIDE OF SUPERVENIENCE IN SCOTUS

In Scotus, the moral goodness or badness of an act supervenes on its natural goodness. In eating an ant, to return to the example I gave earlier, the armadillo is indeed fulfilling its nature and pursuing an object which is naturally good. But this is not yet the right species of act to be morally good. The morally good requires, in addition, that the natural good be willed. We

21. Carl Hempel, *Aspects of Scientific Explanation* (New York: Free Press, 1965), p. 345f.

can see in such an example the first denial required by supervenience. The armadillo is in some sense ‘judging’ the ant to be good, but it does not follow that it is morally evaluating. The same would be true of the angel in Anselm’s thought experiment who judged something naturally good, but did not have the affection for justice. An act’s being morally right is not entailed by the act’s being directed toward a naturally good object.

Scotus would also deny that the judgment that an act is wrong (or right) entails that the act is directed toward any particular natural evil (or natural good). This denial requires, in Scotus, one qualification; but to see this, we need some more background in his overall theory.<sup>22</sup> The affection for justice is, he holds, an inclination toward intrinsic goods for their own sake, which means that it is an inclination toward God.<sup>23</sup> Even God is required (by God’s justice) to love God, though there is no text in Scotus that says God has an *affection* for justice (perhaps because Scotus does not think God has affections at all.)<sup>24</sup> God is not required to create. But if God does create, the requirement of justice is to create what is directed or ordered toward loving God.<sup>25</sup> In Scotus, the final end for human beings is that we become co-lovers with God (*condiligentes*). The rule of justice in us, therefore, which directs us toward loving God, is something we “receive from a higher will,” namely God’s. A divine command theorist can say that the pull *to* the good is a pull *by* God’s call. We could use another piece of language from Iris Murdoch: God is the magnetic center. Just as the magnet communicates its force to the iron rings attached to it, so there are goods other than God to which we feel the pull.<sup>26</sup> But it is the center of this

22. The qualification is that given Scotus’s divine command theory, it will follow from an act’s being right that it is willed by God. In the same way, given R. M. Hare’s normative theory, it follows from an act’s being right that it would be prescribed by the archangel.

23. “Anything other than God is good because God wills it and not vice versa” (*Op. Ox.* III, 19). God is our end, ‘from whose goodness stems the moral goodness of any act that is a means to that end’ (*Ord.* III, suppl., dist. 27, 3, AW 284). See Effrem Bettoni, *Duns Scotus*, trans. Bernardine Bonansea (Washington DC: Catholic University of America Press, 1961), p. 173.

24. One possibility is that the affection for justice is needed to moderate the affection for advantage, and since God does not have the latter he does not need the former. See *Ord.* II, 6, 2.

25. The passage where Scotus discusses this question (*Ord.* IV, 46) is difficult, because it is unclear when he is expressing his own opinion. My tentative reading is that Scotus thinks God is required, if God creates, to create beings ordered toward God, though there is no good other than God which God is required to will as the means to this end. In the same way, we are required by justice to love God, and (in our relation to others) to will that they love God. The other goods that God wills are from God’s generosity (*ex generositate*), not God’s justice. Ockham here disagrees with Scotus, see 2 Sent. 19 P and 4 Sent. 9, E–F.

26. Plato, *Ion*, 536a: “Well, do you see that the spectator is the last of the rings I spoke of, which receive their force from one another by virtue of the loadstone? . . . But it is the deity who, through all the series, draws the spirit of men wherever he desires, transmitting the attractive force from one into another.”

attraction that holds all these goods together and coordinates them. Either the call will be directly to human union with God, or to something else that is God's selected route to this end. Here, we have the distinction which Scotus sees between the first and second tables of the ten commandments.

In Scotus's list, the first table is composed of the first three commandments and the second of the last seven. He is counting the commandment about the Sabbath as the third, and dividing the commandment about coveting into the command not to covet the neighbor's wife (commandment nine) and the commandment not to covet the rest of what belongs to the neighbor (commandment ten). The first table tells us our duties toward God, and the second our duties toward our neighbor. Scotus is inclined to say that the first table gives us the law of nature in the strict sense, but the second table does not.<sup>27</sup> "What pertains to the law of nature is either a practical principle known immediately from its terms or necessary conclusions that follow from such principles. In either case they possess necessary truth."<sup>28</sup> God is bound to love the divine essence, and (given that God creates others) to will that those others love it also. So the commandments which tell us to love God have the kind of necessity required for natural law in the strict sense, but the commandments which tell us how to love our neighbor do not. They are extremely fitting, Scotus says, but still contingent.

This is because God is not, for Scotus, limited in the ways in which we can be ordered to this final end. We do not know that God is constrained to will that we reach this end, for example, by following the second table of the law. The following suggestions are mine and not Scotus's. Consider the natural good of reproduction and the command to honor one's parents. Perhaps God could have willed that humans did not reproduce, but for example, appeared spontaneously in the condition of a present day seventeen-year-old. The point of this thought experiment is that our human nature could be, in this very different world, the same as it is here, with no change to our capacity to reproduce sexually. Perhaps celibacy is a way to express one's sexuality and not merely the absence of a certain kind of sexual activity.<sup>29</sup> If so, it could be normative in such a world for everyone. The reply might be that God in our world gives a special gift of celibacy, and thereby shows that it is not normative for everyone. But God does not change our *nature* in giving us such a gift. What I am objecting to is the *deduction* of the ten commandments from our created nature. In some versions of natural law theory, the injunctions are supposed to follow from our nature by a deductive inference.

Perhaps God could have willed also that we did not talk to each other,

27. Scotus hesitates about the third commandment, especially the *seventh day*. *Ord. III*, suppl., dist. 37, AW 203.

28. *Ord. III*, suppl. dist. 37, AW 199.

29. See Kathleen Norris, *The Cloister Walk* (New York: Riverhead Books, 1996); and Gladys Verhulst, "A Celibate and Intimate Life," *Perspectives* 14 (1999):4–7.

but transcended even conceptualization in a kind of shared nonverbal contemplation of God like the kind Pseudo-Dionysius attributes to the higher orders of angels. Perhaps God could have willed that we did not own property, but held all things in common, assigning use by the criterion of need. Scotus says,

Given the principle of positive law that life in a community or state ought to be peaceful, it does not follow from this necessarily that everyone ought to have possessions distinct from those of another, for peace could reign in a group or among those living together, even if everything was common property. Not even in the case of the infirm is private possession an absolute necessity.<sup>30</sup>

So far we have covered commandments four, and six through ten, as Scotus lists them. Perhaps (to get more bizarre) God could have willed that we kill each other at the age of eighteen, at which point we would immediately be brought back to life. (This would put us into the situation of Abraham and Isaac, at least on the traditional version of this story in which Abraham believed that both he and Isaac would be returning down the mountain, and told his servants so.)<sup>31</sup> All of this may seem like idle speculation. (Barth warns us against the possible idolatry in the thought of what God could have done.) I am not claiming that we know that God could have done all these things, but that we do not know that God could not have done them. The point is that there is no necessary connection between our created natures and the way we reach our final end. None of the commandments in the second table of the law would apply to us in this very different world I have imagined; if I am right, however, there is no impossibility in the supposition that our nature remains the same. As things are, however, God has willed that we reach our final end in the way that the ten commandments specify. God has willed, moreover, that we live this way in order to reach our final end. This is, so to speak, the route God has ordained.

I want to explore this metaphor of a route for a moment. Imagine a parent who constructs a treasure hunt for her son. The whole house and garden is transformed into a setting for the game, with clues hidden in various places, some leading to each other sequentially, and others giving collateral information independently of each other. If the child finds that he cannot solve some of the clues, he can always go to his mother for advice, but the goal is that he do it himself. Some things he knows not from written clues, but just from knowing the layout of the house and garden. The final clue leads to where the final treasure is hidden (though there may be other

30. *Ord.* III, suppl. dist. 37, AW 200. These examples are harder to construct if we add in the positive versions of the ten commandments that can be found, for example, in the Heidelberg Catechism (and also in Calvin). But even here, I would defend the denial of necessity.

31. See *Heb* 11:19 and *Gn* 22:5.

smaller treasures along the way). In some lucky families, it happens that the final treasure is not really the point of the game, though it is the *internal* point of it. The game has itself a higher end, external to it, which is that the child and his parent enjoy each other. The mother enjoys each stage of the child's discovery, and he enjoys her enjoyment, and after the game is over it is this mutual delight which has been the greatest good. It is true that this end will be frustrated if the child does not find the treasure, but that is just part of the mechanics of the game, not what gives the game its point. In less lucky families, the treasure is after all the main point, and a disappointingly small treasure can ruin the whole thing.

God's arrangements for our good might be like this. There is no necessary way God has to set up the game, though the final end consisting in some form of union is necessary. Once the clues are set up, then the route to the treasure is indeed set (though we could change the analogy, if we wanted to accommodate the possibility of some changes in the routing), and it is our task to discover it. Our natural happiness might be like the treasure, the internal end of the hunt. Perhaps there is a kind of life that is reached by truth-telling and parent-honoring and so on, and we discover that when we live this way we make progress, and the world makes moral sense to us. If we will to live this way, we are recapitulating in our wills God's will for our willing. But we should not deceive ourselves that we have discovered something that is constraining God's will for our willing; that God had to will this way given the creation of beings with human nature. Finally, it is possible, as in the treasure hunt, to be inordinately attached to the treasure that is the internal end of the game. As Scotus says of Lucifer, it is possible to "want the beatific object to belong exclusively to himself, rather than to be in another, such as in his God."<sup>32</sup>

One complication here is that Scotus also holds that being co-lovers with God is the proper perfection or happiness of a human being, and so humans are naturally moved toward it. He goes as far as to argue that 'nature suffices to love God above all', though not 'with all our hearts and minds and strength' and not in our present state, in which, as Augustine said, the propensity of the inferior powers impedes the superior powers from acting perfectly.<sup>33</sup> This means that the analogy of the treasure hunt is misleading: it implies a separation between the treasure (our natural happiness) and the point of the game (the mutual enjoyment of parent and child). Scotus discusses three manners in which we might be drawn toward our final end.<sup>34</sup> We might love God for God's own nature even if (counterfactually) our love were not returned. We might love God, secondly, because the love is reciprocal. And we might love God, thirdly, because of what Scotus calls the 'satisfaction' or 'satiety' of happiness. The first kind of love

32. *Ord.* II, 6, 2, AW 300.

33. *Ord.* III, suppl. dist. 27, 3, AW 284.

34. *Ord.* III, suppl. dist. 27, 1, AW 278.

is perfected by charity, whose primacy among the theological virtues Scotus wants to defend. This virtue is distinct from faith, because its activity is one neither of belief nor of understanding. It is also distinct from hope, because its activity

does not desire the good of the lover insofar as it benefits the lover, but is an activity that tends to the object for its own sake, and would do so even if, to assume the impossible, all benefit for the lover were excluded.

This is the implied counterfactual I mentioned above in connection with Luther and generations of Presbyterian ministers. Scotus illustrates the difference between the first and the second kind of love by a distinction within human friendship:

For just as in our case someone is first loved honestly, that is, primarily because of himself or herself, and only secondarily because such a one returns our love, so that this reciprocal love in such a person is a special reason for amiability over and above the objective goodness such a person possesses, so too in God.

The difference between the second and the third kind of love is that the 'satisfaction' that God gives us is a consequence of the act of our loving. It is an inevitable accompaniment, but it is not itself the formal object of right reason. God is loved in this third manner "not qua formal object, but under an aspect in the object that accompanies the act of loving it." So the affection for advantage is drawn toward union with God, but only in the second and third ways, not (as the affection for justice) in the first and best way.

It might be objected that the moral life is not a game, in the way that I presented the picture of the treasure hunt as a game. In the treasure hunt, it is entirely up to the parent where to put the treasure, what to write in the clues, and where to hide them. The objection is that God's choice of route for us is not discretionary in this way, because the route is used to reveal to people like us God's own nature. Thus Calvin says,

Now it will not be difficult to decide the purpose of the whole law: the fulfillment of righteousness to form human life to the archetype of divine purity. For God has so depicted his character in the law that if any man carries out in deeds whatever is enjoined there, he will express the image of God, as it were, in his own life.<sup>35</sup>

Thus, the commandment to be faithful in marriage represents to us God's character of faithfulness to those with whom he has made a covenant.

35. *Institutes* 2, 8, 51.

The commandment not to bear false witness represents to us God's character of revealing truth in his word and in the life of Christ. The route for us is therefore no more accidental than these features of God's character. In reply to this objection, we should make a distinction between the necessity of what is revealed and the necessity of the revealing of it. Even if it is granted that God does reveal the divine character through commands to people like us, and that God necessarily has that character which is revealed, it does not follow that God reveals this character necessarily. Consider again the picture of the treasure hunt. It may be that the mother reveals her character through her clues. Perhaps some of them are witty, and show her sense of humor, and others of them are learned (with abstruse quotations) and others poetic. We might also grant that there is a weak sense in which her character is necessarily her character, because she would not be the same 'person' if she had a different one. (God's character or nature is more plausibly said to be necessary in a strong sense.) But it does not follow that she necessarily reveals her wit or her learning or her sensibility. She could have revealed quite other parts of her character, or chosen not to reveal her character through her clues at all. Even if we concede, then, that God's commands are fitted to reveal God's character to people like us, it does not follow that these commands are necessary given our nature.

By conducting the kind of thought experiment I suggested earlier about celibacy and silence and killing eighteen-year-olds, we can see that the commandments of the second table are neither necessary practical principles of the right kind to be natural law strictly speaking, nor do they follow from such principles. Scotus reinforces this conclusion by producing examples where God 'dispenses' from these commandments. To dispense, here, is either to revoke or clarify. In the case of the ceremonial laws (for example, about kosher food), God *revoked* them, according to Scotus. In cases like Abraham and Isaac and the commandment on killing, it seems that God is also revoking, though this is complicated by the possibility that Abraham believed that Isaac would come back to life.<sup>36</sup> If so, it follows that this commandment is not necessary, because then it would be binding on God even in that particular case. The commandments are, rather, within God's discretion (*arbitrium*). It is almost inevitable that we put this in English by saying that God's decision is 'arbitrary', but this is misleading in the current

36. Dispensing by clarifying means showing some universal property which makes an otherwise forbidden act permissible. In the case of Abraham and Isaac, on the traditional interpretation I have already mentioned, the actual act of killing an innocent person (his son moreover) was still the same in kind as the acts of child-killing that the Bible condemns in the surrounding cultures; but Abraham believed that God would somehow miraculously change the results of this act. It is hard to make a clear distinction here between the act itself (in its universal properties) and the results of the act. If we say that the victim staying dead is one of the universal properties that makes the killing of the innocent forbidden, then, if we were all in Abraham's kind of case, God's prescription of killing would not be exactly revoking or clarifying, but rather changing the defining circumstances.



ordinary sense of the word. The negative connotation of the term arises from its implication that there is a reason for a given decision which is not being given due weight.<sup>37</sup> It is only in the technical and unfamiliar legal sense that these principles are arbitrary, and even then God's willing is not (for Scotus) without reason, for the principles are chosen by God as a route to our final end.<sup>38</sup> This is the Scotist reply to one of the standard objections to divine command theory, that it makes morality arbitrary.

Once chosen, the principles are absolutely binding on us unless God reveals to the contrary.<sup>39</sup> This bindingness does not come from a necessity binding God's will, but from God's selection of the route. It is natural to object to the kinds of examples I present as they all rely on God changing our current situation, for example, by resurrecting us at the age of eighteen. Perhaps there is a necessity binding God's will for what commandments God can give people with a nature like ours *in circumstances like ours*? Does it not follow from universalizability that if God forbids (or permits) something in some situation he *must* always forbid (or permit) the same kind of thing in the same kind of situation? The important thing to see here is that universalizability has a different implication in our situation and in God's. Suppose we grant that if God permits some route for us, because it leads to union with God, then it is always permissible for God to permit that route. Nonetheless, God can select which of the permissible routes is to be required of us. And once God has selected this, the other (antecedently) permissible routes are no longer permissible for us. This is consistent with universalizability because God's choosing one route rather than another is one of the relevant features over which universalizability ranges.<sup>40</sup> If it is permissible for me to do something (say, x), it is permissible for anyone in

37. The *Oxford English Dictionary* gives, "derived from mere opinion; capricious; unrestrained; despotic. (Law) discretionary."

38. See Robert Prentice, "The Contingent Element Governing the Natural Law on the Last Seven Precepts of the Decalogue, According to Duns Scotus," *Antonianum* 42 (1967): p. 285: "God wills them as an efficacious means of leading man to his final end." But if we ask *why* God chose the particular route he did, this is for Scotus a sign of our own lack of maturity (*indisciplinati*, *Ord. I*, 8, 5/23–24). Does it follow from this that we know nothing about what route God could have prescribed? Must we say that he could have commanded bestiality as the expression of our sexuality? I think the best attitude here is to say that we simply do not know what he could have commanded and what he could not.

39. It is a mistake to conclude from the contingency of the second table that its proscriptions constitute merely *prima facie* duties. Thomas Shannon wants to use Scotus as a predecessor of the proportionalists, see *The Ethical Theory of John Duns Scotus* (Quincy, IL: Franciscan Press, 1995), p. 102–4; but this gives too little weight to the difference between God's position and our own.

40. This needs a qualification. There is a difficulty about whether the term 'permitted by God' can properly be replaced in the universalization procedure by a universal term 'permitted by anyone like God in the relevant respects'. I deny that the replacement is legitimate, in *The Moral Gap* (Oxford: Clarendon Press, 1996), pp. 152–53.

my sort of circumstances to do x; but my sort of circumstances include God's permitting x.

This can be understood again with relation to the negative feature of supervenience. I said that from the knowledge that an act has a moral property (for example, moral goodness), we do not know that the act is directed to any particular natural good or set of goods other than God. We can now ask what happens if we add the description of the situation in which the act is performed. Suppose that I know that an agent has done a morally good act in a situation where a child is drowning, and in which nothing miraculous is going to occur, such as the child coming back to life. How could I know such a thing? This is unclear; suppose, however, I do know it. I will then know that the act, because it is morally good, is aimed (both in object and in end) at the final good of the affected parties. Does it follow that I know that the agent has saved the child's life? No it does not. For it is always possible that the child's final good is in this situation to go straight to union with God. But this shows that we cannot deduce the goodness of the act from our nature even if we add a description of the situation.

Scotus makes the point by distinguishing between moral goodness and conforming to God's will.<sup>41</sup> On the view I have been pressing, one might think that Scotus would say that doing the morally right thing is repeating or recapitulating God's will in our willing. But the subtle doctor is more careful. He gives the example of those who willed that Christ should suffer and die, something that Christ himself also willed (since his Father did not let that cup pass from him). Nonetheless those who willed this sinned, even though they willed what God willed. Christ showed this by asking his Father to forgive them. What we are to repeat is not God's willing *simpliciter*, but God's prescription or proscription for our willing. It is *this* which God reveals when giving us the second table of the law, our route to our final good. We can, therefore, in this limited way know what it is right to do. But we have to preserve a proper sense of humility about this knowledge. It is not knowledge of a necessity binding God's will for our situation, but of a contingent ordination. It is no doubt more comfortable to believe that the morally right thing to do is strictly required (even for God's willing) by the combination of our nature and the situation. But we are not entitled to this belief. Moreover there is a certain gratitude occasioned by the thought that God gave us this route even though God did not have to do so.

Here, then, is the second denial within the negative structure of supervenience. A moral judgment links a naturally good object with an end internal to the affection for justice (namely, to our final end as something good in itself). But having union with God as our end does not by itself require that any particular natural good protected in the second table of the law is the way to reach this end. It is still up to God to determine which

41. *Ord.* I, 48, AW 181–82.

goods to ordain as the route by which we become co-lovers. So from the knowledge that an act has a moral property, we do not know that the act is directed to any particular natural good or set of goods other than God.

## V. THE POSITIVE SIDE OF SUPERVENIENCE IN SCOTUS

There is also the positive side of supervenience. If the negative side emphasizes the freedom involved in moral evaluation, the positive side emphasizes the rationality involved in it. Maybe the moral law toward our neighbor does not *follow* from our nature, but it *fits* it spectacularly well. We can see this best when we flourish after keeping the law and when we deteriorate after breaking it.

In the terms that Scotus uses, he wants to insist that “God wills in a most reasonable and orderly manner” (*Deus est rationabilissime et ordinatissime volens*).<sup>42</sup> Since the usual objection to divine command theories in ethics is that they make moral judgment arbitrary in the pejorative sense, this is an important point. I want to argue that Scotus is committed to a view that ‘grounds ethics in nature’, and I have now presented the background material that will enable me to do this.<sup>43</sup> The first point is that God necessarily, according to Scotus, loves the goodness of the divine nature. “Indeed, the divine essence, which is the primary object of (God’s) will, is to be willed in itself. Hence that will necessarily and correctly wills that object which is properly to be willed in itself.”<sup>44</sup> Secondly, God wills to have co-lovers, and the principle ‘God is to be loved’ applies necessarily also to those creatures.<sup>45</sup> God is not necessitated to create; but “whatever God made, you know that God has made it with right reason,” which means that God has

42. *Op. Oxon.* III, 32, 6.

43. Introducing the notion of supervenience allows us to disagree, on the one hand, with Mary Elizabeth Ingham, who argues that in Scotus the good operates through intention as an integral efficient cause (not final) and as such the end “has no objective existence exterior to the will,” in *Ethics and Freedom: An Historical-Critical Investigation of Scotist Ethical Thought* (Lanham, MD: The University of America Press, 1989), p. 161. She goes on to say that Scotus “presents the rational finite will as constitutive of moral goodness in a way similar to (the way he presents) the divine will as creative of goodness.” But if goodness is supervenient in the way I have described, it does not have to be *either* external to the will *or* constituted by it. On the other hand, we can disagree also with Copleston, who argues that for Scotus, “it is not the content of the moral law which is due to the divine will, but the obligation of the moral law, its morally binding force,” in *A History of Philosophy III* (New York: Doubleday, 1985), p. 547. On my view, it is true both that normative ethics is founded on nature and that there is no deduction of the first from the second. The content of the second table as well as its force is due to the divine will, and neither of these is entailed by human nature.

44. *Op. Oxon.* 1, 10, 11.

45. AW 20, but see fn. 25.

necessarily ordered it toward the divine nature, the primary good.<sup>46</sup> From this come the commandments in the first table of the decalogue (with a qualification about the third commandment, which I referred to earlier).

When we come to the second table of the decalogue, however, there is no longer the sort of necessity that enables us to call this strictly natural law (known immediately from its terms, or deduced from principles which are known that way). There are no doubt innumerable ways God could have ordered us toward union, even given the nature with which we were created. The route God has in fact chosen is binding upon us because God has chosen it. But we can still say that the route is good *because* it takes us to our final end, and is thus fitted to our nature. This is the positive side of the supervenience relation. We can say this, even though (the negative side) it is not true that there is any deduction possible from our nature to this route that God has chosen. To will something morally well is always to will something which is naturally good, even though there is no particular natural good (except God) or set of natural goods which is necessarily willed.<sup>47</sup> In the same way, on the contemporary analysis of supervenience, to make an evaluation is always to value some descriptive property of the object or event being evaluated. There is always a descriptive property which is what *makes* the thing valuable in the eyes of the evaluator. This is true even though there is no particular descriptive property which is necessarily favored.<sup>48</sup>

God's commands or call fit our nature, both our human nature and our individual nature. They are "perfectly suited to or in complete harmony with it." The command not to bear false witness fits the human being's deep-seated desire to share life together with other humans on the basis of verbal communication. It is a presupposition of such a communication practice that the speaker is communicating what is believed to be the truth. We find out when we lie that we have damaged the life we share together. What is right is also what makes for flourishing as a human being—this much is common to Scotus and the deductivist natural law tradition. They differ in the logical relations they see between human nature and the moral law. Scotus believes also in individual natures, and in their greater perfec-

46. 46. *Rep.* 1 A, 44, 2, AW 19.

47. This explains something which is otherwise puzzling. Scotus says that "from the nature of the agent, action, and object, it is concluded right away that such an act ought not agree with (*competere*) such (an object) except in order to such an end, and that it ought to be chosen and desired for the sake of such an end" (*Quodlibet* q. 18 AW 171). But why is this conclusion so easy? It must be that the reason for the conclusion is contained in what is already known, namely the natural goods in question.

48. If we add the premise that God is necessarily good and is the only thing that is so, then we will have the same exception to the general negative claim about supervenience. In this one case alone, the judgement that a thing is good will be entailed by the 'description' of it as God. But it is doubtful that 'God' is a purely descriptive term. See R. M. Hare, "Religion and Morals," in *Essays on Religion and Education* (Oxford: Clarendon Press, 1992), p. 50f.

tion than the natures (such as human nature) which we have so far considered. There is a 'thisness' (*haecceitas*) for each individual substance, which God knows and we do not.<sup>49</sup> The thisness can be associated with the name of each one of us, written on a white stone, which we are told in the book of *Revelation* (2:17) God knows but we do not yet know. God's call for each of us is to become what that name names. The individual call fits the individual nature as the call to the human race fits our human nature. There is much rich doctrine to discuss here, but this is not the space.

## VI. THE EUDAIMONIST OBJECTION

I will end by replying to an important set of objections made by the eudaimonist to the view described above. Eudaimonism is the view that makes all obligations derivative from an agent's own happiness:

And so the will naturally tends toward its own last end, for every man naturally wills beatitude. And from this natural willing are caused all other willings, since whatever a man wills, he wills on account of the end.<sup>50</sup>

Scotus gives us a way to attack this view, by making the affection for justice central to obligation rather than the affection for advantage. But the eudaimonist is not yet defeated. There is indeed a eudaimonist strain within the Augustinian tradition to which Scotus belongs.<sup>51</sup> I am not claiming to have solved the difficulties here, but I can carry the argument a few steps

49. It is this feature of his thought which inspired Gerard Manley Hopkins's notion of 'inshape', and it is expressed in some of his greatest poems, such as *God's Grandeur*, *The Windhover*, *Binsey Poplars*, *Duns Scotus's Oxford*, *Henry Purcell*, *As kingfishers catch fire*, and *Inversnaid*.

50. Aquinas, *ST*, I, q.20, a.2. It is, however, a vexed question how to interpret Thomas here. See, for example, A. Wohlman, "Amour du bien propre et amour de soi dans la doctrine thomiste de l'amour," *Revue Thomiste* 81 (1981):204–34; Scott MacDonald, "Egoistic Rationalism: Aquinas's Basis for Christian Morality," in *Christian Theism and the Problems of Philosophy*, ed. Michael Beatty (1990); and David Gallagher, "Thomas Aquinas on Self-Love as the Basis for Love of Others," *Acta Philosophica* (Rome: 1999). This last essay puts the point in a way that clarifies the contrast with Scotus: "I love God . . . not just because God is the best thing there is. I love God because he is the source of my goodness and because I find in God my own goodness in the highest degree." But with the affection for justice, Scotus would say, I do love God just because God is the best thing there is. I will not try to attribute views to Thomas in what follows, but I will try to state what seem to me the strongest objections to Scotus.

51. See, for example, Augustine's *De Libero Arbitrio* IX, 26: "In so far as all men seek the happy life they do not err. . . . Everyone is happy who attains the chief good, which indisputably is the end which we all desire."

further. There is something in eudaimonism which is unacceptably self-regarding. Scotus is not here urging the disappearance of the affection for advantage. He is not a quietist, of the type defined in the condemnation by Pope Innocent XII, those who support

the proposition that there is a habitual state of love of God which is pure charity without any admixture of the motive of self-interest, in which the fear of punishments, and the desire for reward, has no part, and in which God is not loved for any happiness to be found in loving him.<sup>52</sup>

Rather, the good in heaven “neither were able, nor wished, to dislike having happiness, or to have no desire for it. But they did not want it more than they wanted God to have everything good.” It is a question, in other words, not of the disappearance of the affection for advantage, but of its ranking below the affection for justice. What is wrong with eudaimonism is that it makes happiness central. What Scotus is urging is that the self leave the throne and offer it to God. He thinks that we can only do this by the grace of God, and it is only by this grace that we are given freedom.<sup>53</sup>

I will raise three objections that the eudaimonist will naturally make to the Scotist position. First, the Bible is full of expressions of a reciprocal relationship between God and the people of the covenant. We love God and God blesses us, and we trust God to bless us. The idea that we should somehow separate our love for God from this expectation is not itself based in Scripture.<sup>54</sup> It is based on an abstract and impersonal view of God. Scotus thinks of God as infinite being, and he thinks of the affection for justice as giving such a being its due, so that the good of a finite being is incommensurable with this infinity. But the Biblical picture is rather of God as father, or king, or friend, and relationships of this kind are based on (different degrees of) mutuality. It is the Aristotelian not the Biblical God whose perfection “consists in being superior to thinking of anything beside himself.”<sup>55</sup> Even an extreme statement like Job’s, “Though he slay me, yet will I

52. Discussed in Anthony Kenny, *Aristotle on the Perfect Life* (Oxford: Clarendon Press, 1992), p. 54.

53. Scotus has two different notions of freedom, and it is hard to be clear about the relations between them. There is first a libertarian freedom, in which the will is a self-determining power for opposites. There is nothing that constrains the will, even the intellect, though the intellect has weight (*pondus*) with the will. The will is indeterminate, like matter, except that matter is indeterminate by insufficiency and the will by superabundance. On the other hand there is a moral freedom, which is a kind of steadfastness (*firmitas*) and is above the possibility of wrongful choice. I take it that Scotus is committed to libertarian freedom, and one of his objections to eudaimonism is that it deprives us of this. See Thomas Williams, “The Libertarian Foundations of Scotus’s Moral Philosophy,” *The Thomist* 62 (1998): 193–215, esp. pp. 199ff.

54. For example, we are told to be like Jesus who endured the cross “for the joy set before him” (*Heb* 12:2).

55. *Eudemian Ethics*, VII 12, 1245b17.

trust in him”—while it looks like the kind of counterfactual that Scotus relies upon—is in fact a paradoxical expression of trust even in the face of death, and trust is unintelligible without the expectation of good from the person trusted.<sup>56</sup>

In reply, we should say that Christ tells us that the first commandment is to love God with all our heart and mind and soul and strength. It is also true that he goes on to say that we should love the neighbor as the self—the total dedication to God does not preclude all other attachments. But it is important that Christ does not say we should love God as the self. Indeed Christ (unlike Lucifer, in the account Scotus gives) did not count equality with God a thing to be grasped; rather, he emptied himself, something Paul recommends as a model for all of us.<sup>57</sup> Scotus is giving expression to the intuition that the sacrifice of self is a higher form of love. Kierkegaard, in the second chapter of *Philosophical Fragments*, describes the case of someone who prefers the good of the beloved even when it means destroying the relationship between them (and he may have been thinking of his own relationship with Regina). Perhaps it is only because of sin that we have to make this kind of choice. But nevertheless, faced with such choice, the self-emptying kind of love is higher (though others' expectation of self-sacrifice can also be a form of oppression). A good case is Paul's thought in *Romans* 9:3, "For I could wish that I myself were cursed and cut off from Christ for the sake of my brothers, those of my own race." Paul is performing just the kind of counterfactual thought experiment that is required here. If his eternal destruction was necessary for the well-being of his people, he would prefer his destruction. Similarly Moses offers to God, on behalf of the people of Israel, "But now, if you will only forgive their sin, but if not, blot me out of the book that you have written." (*Exodus* 32:32)

A second objection is that Scotus is confusing the hope for happiness with selfishness. It is true that happiness contains a reference to the self (since it is one's own well-being). But concern for the self is not necessarily selfish. One can see this in the Aristotelian picture, in which the agent's own flourishing requires the flourishing of the agent's family, friends, and city. It is as though the self is elastic, coming to include more and more other people within the scope of its self-related concern. It becomes a 'we-self' as opposed to a 'me-self'. Aristotle starts this development within the family:

A parent loves his children as (he loves) himself. For what has come from him is a sort of other himself; (it is other because) it is separate. Children love a parent because they regard themselves as having come from him.<sup>58</sup>

56. *Jb* 13:15, but this may not be what the text means.

57. *Phil* 2:5.

58. *Nicomachean Ethics* VIII, 12, 1161b28f, Irwin's trans.

This 'other self' relation within the family is then extended to virtuous friends, who also become 'other selves.'<sup>59</sup> There is no reason in principle why the relationship with God should not be construed in these terms, and this is exactly what the pictures of God as father, king, and friend suggest.

In reply, we should say that the 'we-self' is still unacceptably self-regarding. It does not recognize the claims of the 'other'. In Aristotle, this is manifested by his failure to extend the moral sphere to all human beings as such. We do not find 'the feeling that all mankind belongs to us' until the Stoic *oikeiosis* or appropriation.<sup>60</sup> But even if we make the self sufficiently elastic to embrace all human beings (phil-anthropy), and perhaps we allow in animals and plants and rocks as well, still the claim of the other as other is denied. God should be loved not merely to the extent that we have appropriated God, but also, and more importantly, to the extent that we have not. Scotus uses counterfactuals to make this vivid to us: Suppose God did not share love back with us, would we love God anyway? The extension of the 'me-self' to the 'we-self' is based by Aristotle on similarity. The father recognizes himself in his child, and the friend finds in his friend the same commitment to the good. Stoic appropriation finds the similarities of movement and perception in all animals, and of life in plants, and of material existence in rocks. But morality requires the respect for difference. In terms of our relationship to God, there are times when we understand what we see of divine action and we feel kinship, and there are other times when God seems quite remote and alien. We are called to love God in those times where we do not see the affinity. And the same is true in our relations to other people. We are supposed to love our enemies. To make happiness central is to insist on the primacy of the relation of others to the self over what those others are in themselves, independently of the self, and this is unacceptably self-regarding.

A third objection is that Scotus is confusing the nature of an agent's concern with the explicit content of an agent's purposes. It may well be that self-concern has to be, so to speak, self-effacing, in order to reach its goal.<sup>61</sup> It is a familiar point about pleasure, to take a parallel case, that if we pursue it as the focus of our efforts, we will not get it. In the long run it comes only as a side-effect of other things pursued for their own sake. But this does not mean that we have to pretend that we do not know that this side-effect is in the offing. We have to allow ourselves to pursue these other things as the focus of our efforts and energies (say, playing a Mozart piano sonata as well as possible), knowing all the while that if we succeed, there is the prospect

59. *Nicomachean Ethics* IX, 4, 1166a30f.

60. Cicero, *De Finibus* 3. 63. But see Aristotle, *Nicomachean Ethics* VIII, 11, 1161b6-8.

61. This is one way to take Aquinas, *STIIa-IIae*, q.26, a.3, *ad* 3, that one adverts less and less to the self, being more and more consumed by the goodness of God. But the question is whether at the end of such a process we have a genuine case of self-love at all. It is only the eudaimonist picture that forces such a description.



of moments of supreme pleasure. In the same way, the concern for the self may have to be self-effacing in order to reach its goal. With other people and with God, we may have to pursue their good as the focus of our efforts, not concentrating on our own benefit even in the elastic sense just described. If I focus on my friend's good as a means to my own good or even as partially constituting my own good, I will probably not achieve the kind of surrender of myself to his good that makes for the very best relationship, and hence will defeat my own good. But this does not mean that I have to pretend *not* to know all along in the background that his good will produce my good as well. The same is true in our relationship to God.

In reply, we should say that either there is a kind of self-deception in the proposed self-effacement of self-interest, or we do not have a genuine case of self-love. If happiness is central, then our attachment to other things in themselves must be secondary. It is true that we can focus on the secondary, and leave the primary as background knowledge. We do this, for example, when we concentrate on the pictures on the ceiling in a dentist's office, which are put there just so that we can be distracted from what is happening inside our mouths. We know perfectly well that the pictures have this instrumental value, and that this is more important than their intrinsic interest, but we focus our energies and attention on them nonetheless. It is also true that the secondary goods do not have to be means to the primary, but can be constitutive of the primary. An excellent concert, for example, can be constituted of several less than wonderful pieces which are juxtaposed in an interesting way, and we would not say that the separate pieces are a means to the excellence of the whole. But if a good is secondary, although we can indeed pursue it for its own sake, we cannot without self-deception make it central. So if another person's welfare is constitutive of my happiness, but my happiness is central, the commitment I have to that person's welfare is always conditional on its constituting my happiness. This conditionality is built into the structure of eudaimonism, and it is this conditionality that is unacceptably self-regarding. If it is not built in, then we do not have a genuine case of self-love.

In conclusion, we can say that there is a fruitful relation in both directions between Scotus and the contemporary discussion of the relations between morality and nature. On the one hand the contemporary discussion gives us a way to understand the complex relations that Scotus establishes. On the other hand, anyone now who wants to mount a version of divine command theory will profit greatly from working through the details of the version Scotus has given us.