

GUIDO ALLINEY
THE TREATISE ON THE HUMAN WILL IN THE
COLLATIONES OXONIENSES
ATTRIBUTED TO JOHN DUNS SCOTTUS *

I. THE COLLATIONES ON THE WILL: PRINTED EDITIONS
AND HANDWRITTEN TRADITION

We do not exactly know the academic occasion testified by Scotus's *Collationes*: in spite of their title of 'Collationes', which approximately means 'lectures',¹ the *Collationes* have the form of questions. On the basis of their literary genre too, Pelster supposed that the *Collationes* were exercises carried out by Scotus as a bachelor in the Franciscan houses of Paris and Oxford; moreover, along this line goes the evidence of William of Alnwick, who testified that Scotus in Paris had verbally given the answer reported in a *Collatio*, probably the first question of the *Collationes Parisenses*.² So we can reasonably share the opinion that the *Collationes*

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1. On the general sense of the word see S.D. Dumont, *William of Ware, Richard of Conington and the Collationes Oxonienses of John Duns Scotus*, in L. Honnefelder-R. Wood-M. Dreyer (eds.), *John Duns Scotus: Metaphysics and Ethics*, Brill, Leiden 1996, 59-85; p. 79, and the literature thereat mentioned.

2. On this point see F. Pelster, *Handschriftliches zur Überlieferung der Quaestiones super libros Metaphysicorum und der Collationes des Duns Scotus. 2. Die Collationes Parisenses und Oxonienses*, « Philos. Jahrb. », 44 (1931), 79-92, in particular 89-90; on Alnwick see Guillelmus de Alnwick, *Quaestiones disputatae de esse intelligibili et de*

record actual discussions among the Franciscan environment, even though our research will change to some extent this point of view.

The first difficulty we run into when examining the *Collationes* is the lack of an useful edition – both Wadding edition³ and the partial edition of Harris⁴ are quite unreliable, as is well known. Furthermore, it seems unclear even the number and the order of the questions.⁵ Scholars on medieval thought appear to agree upon one point only that is the authenticity of this work, proved in the first place by the references to it that Scotus himself makes in his *Ordinatio*,⁶ and also by the above mentioned explicit evidence of William of Alnwick and the handwritten tradition: all the manuscripts transmitting the text of the *Collationes* seem to agree – at least tacitly – on the authorship of these questions, as does the index of the *Collationes* included in MS Vatican City, Vat. lat. 890, and the subject-index draw up by James of Ascoli and transmitted by MS Vatican City, Ottob. Lat. 869.⁷ At any rate, confining ourselves

in these papers to the *Collationes* devoted to the theory of the will, we shall examine just a few questions; consequently, it must be said that all the hypothetical conclusions of this paper refer only to these particular texts.

Wadding reports five questions on the action's modality of the human will, numbered from 14 to 18. These *Collationes* make up a strange cluster which, considered as a whole, contains some repeated handling of the same topic – e. g. both q. 16 and q. 17 deal with the general subject of whether or not the human will is able to null (*non velle*) the ultimate end in the present state. There is at least one unplanned change of topic: the first three sections of q. 16, consistently with the title, contemplate and then rule out the possibility that human will in the present state can act under necessity, while sections 4 and 5, suddenly changing the subject at issue, investigate the reason of the impossibility for the blessed to sin. Furthermore, this aggregate of questions also lacks consistency: for instance, q. 16 and q. 17 appear to hold different views on the same point, that is the ability, admitted in q. 17 only, of the created will to will the evil for its own sake.⁸ Above all there are various discrepancies between some *Collationes* and the main theological works of Scotus, as the editor Hugh Cavellus, slightly bewildered, noted in his *scholia* on q. 15 and mainly on q. 14. Here is upheld the thesis that the inclination of the will to its own object – i. e. the beatitude – is a natural one, while in the *Ordinatio* and in the *Quodlibet* Scotus repeatedly states that the will is a rational power and therefore it never acts as a nature.⁹ So, with just a cur-

quodlibet, ed. A. Ledoux, Quaracchi, Florentinae 1937 (Bibliotheca Franciscana Scholastica Medii Aevi, 10), xxvii: «Ad primum istorum potest dici sicur responderet Scotus in *Collatione* illius questionis, 'An virtutes morales sint necessario connexae', ipse enim ore suo, me praesente et postea notante, sic respondebat [...]». On the identification of this *Collatio* quoted by Alnwick and *Collationes parisienses*, q. 1 see Dumont, *William of Ware*, 70, note 27.

3. Ioannes Duns Scotus, *Collationes*, in *R.P.F. Ioannis Duns Scoti, doctoris subtilis, ordinis minorum, Opera Omnia*, quae hucusque reperiri poterunt, collecta, recognita, notis, scholiis et commentariis illustrata, a pp. Hieronymi Collegii Romani s. Isidorii professoribus, sumptibus Laurentii Durand, Lugduni 1639, (repr. G. Olms Verlag, Hildesheim 1968) (from now quoted as '*Coll.*'), followed by references to the number of question and paragraph, and then by 'Wadding' and the reference to the volume and pages of the edition), vol. III, 341-430.

4. C.R.S. Harris, *Duns Scotus*, 2 voll., Clarendon Press, Oxford 1927 (repr. Thoemmes Press, Bristol 1994; from now on Harris), II, 361-378 (*Collationes in editione Waddingii non inditase*).

5. See Dumont, *William of Ware*, 69-70. The most important studies on the *Collationes* are C. Balic, *De Collationibus Ioannis Duns Scoti doctoris subtilis ac nanitani*, «Bogoslorni Vestnik», 9 (1929), 185-219 and Pelster, *Handschriftliches zur Überlieferung*. For a schema of the results of these two papers, at any rate not always consistent each other, see V. Doucet, *Descriptio codicis 172 Bibliothecae communialis Assisensis*, «Arch. Francisc. hist.», 25 (1932), 257-274, 378-389 and 502-524 (p. 502, note 8).

6. Dumont, *William of Ware*, 69, note 25.

7. For this point see hereabove, note 13.

8. In q. 16 is stated that «[...] potest intelligi quod voluntas potest [non] velle oppositum boni in communi apprehensum et nolle illud, scilicet bonum in communi, sed hoc est impossibile» (*Coll.*, q. 16, § 2, Wadding, III, 382), while in the subsequent question is claimed that «[...] peccatum sub ratione peccati est voluntarium; sed peccatum sub ratione peccati malum est; ergo voluntas potest velle aliquid sub ratione mali» (*Coll.*, q. 17, § 8, Wadding, III, 385²). Scotus maintains the latter position in other works too, namely in *Ordinatio*, II, d. 43, q. 2, § 2, in *R.P.F. Ioannis Duns Scoti Opera Omnia*, VI/2, 1072-1073.

9. «Videtur resolvere etiam hinc inclinationem habituales voluntatis ad finem esse naturalem, sed actualem, liberam. Saltem id resolvit, I, dist. I, quaest. 4 a num. 12 et IV, d. 49, quaest. 6 et *Quodlibet* q. 16, ubi ostendit voluntatem nunquam agere naturaliter et loquendo de creatura docet eam minime necessitari». Cavellus in a quite

soy glance we realise that as a first step it is necessary to rearrange and to reconstruct the texts of this set of questions on the will, and only later will it be possible to broach the subject of its doctrinal contents.

Fortunately, on the basis of the few extant manuscripts Balic and Pelster, in the two main studies on this topic, laboured to reconstitute the *Collationes* as a whole. Unlike Wadding edition, they divided the *Collationes Oxonienses* from the *Collationes Parisienses*, included the many questions previously omitted, and so made two complete lists of all the questions.¹⁰ Even though not in full accord with each other on all occasions, particularly on the number of the *Collationes* themselves,¹¹ the two scholars agree that the five *Collationes* on the will included in Wadding edition are not an homogeneous whole, but two of them – namely questions number 17 and 18 – belong to the Parisian set of *Collationes*, while the three others – namely the questions number 14, 15, and 16 – to the Oxonian one.

With more precision, accepting from now on the numbering of Vatican edition, taken in turn from MS Oxford, Magdalen College 194,¹² the two Paris *Collationes* must be numbered as q. 8 and q. 9, while the case of three Oxford *Collationes* needs a little more elaborate explanation. We can easily see that q. 14 of Wadding edition corresponds to q. 18 of the Vatican list, q. 15 to q. 21, and q. 16 to q. 19: this different numbering on the one hand arranges the questions more consistently with the various arguments at issue, on the other makes clear that Wadding edition lacks some questions, at least number 20. Actually, the *Collationes Oxonienses* dealing with the subject of the human will are altogether six, namely the questions from number 18 to number 23.¹³ Oxford *Collationes*

iterical way then concludes by saying that « argumenta non probant de appetitu elicitio, sed de innato, qui non distinguitur a potentia sic inclinata » (Hugo Cavellus, *Scholium*, in *Coll.*, q. 14, Wadding, iii, 379b).

10. See Balic, *De Collationibus Iuannis Duns Scoti*, 196–97 and Pelster, *Handschriftliches zur Überlieferungsgeschichte*, 84–87.

11. For a clear comparison between Balic's and Pelster's results see Doucet, *Descriptio codicis 172*, 502, note 8.

12. See Dumont, *William of Ware*, 70, note 26.

13. Under the heading '*voluntas* Ascoli, with reference to the capability of the human will, refers almost exclusively to all the Oxford *Collationes*: « Utrum appre-

q. 19 and q. 22 were published as q. 4 and q. 5 of a series of unpublished *Collationes* in 1927 by Richard Harris who, making use of only one of the extant manuscripts, obtained really defective texts, no better than the ones of Wadding edition.¹⁴ At any rate, it appears that just one question, i. e. number 23, remains unpublished, but, as we shall see, the situation is more involved.

For the present, summing up what has been said, we can schematize these first results in this way:

i) Wadding edition contains a disorderly and incomplete cluster of *Collationes* both from Paris and from Oxford:

Q. 14, *Utrum voluntas naturaliter determinetur ad volendum*, which corresponds to Oxford *Collationes*, q. 18.

Q. 15, *Utrum voluntas informata charitate possit non velle Deum visum per essentiam in patria*, which corresponds to Oxford *Collationes*, q. 21.

Q. 16, *Utrum apprehensio in universali sine ultimo voluntas possit non velle illum*, which corresponds to Oxford *Collationes*, q. 19.

Q. 17, *Utrum voluntas necessario velit ultimum finem sibi ostensum a ratione*, which corresponds to Paris *Collationes*, q. 8.

Q. 18, *Utrum voluntas per aliquid aliud a se, ut per habitum gratiae et gloriae, possit necessitari ut possit non velle (!) finem ultimum sibi clare ostensum*, which corresponds to Paris *Collationes*, q. 9.

ii) According to the handwritten tradition studied by Balic and Pelster, we must arrange all the *Collationes* in this way (we provisionally make use of the headlines provided by Pelster in his list):

Collationes Parisienses:
Q. 8, *Utrum voluntas necessario velit ultimum finem sibi ostensum a ratione* [= Wadding, q. 17].

hensio in universali sine ultimo voluntas possit non velle illum: *Collationes*, q. 19 et q. 23 (ms 33 q.). Utrum apprehensio per intellectum in via bono in communi possit voluntas non velle: *Collationes*, q. 20. Utrum voluntas informata caritate possit non velle Deum visum: *Collationes*, q. 21. Utrum voluntas est impeccabilis: *Collationes*, q. 22 et 11, d. «...», q. un. Utrum necessario velle et libere velle stent simul: *Collationes*, q. 22 et *Quodlibet*, q. 16. [...] Utrum beatus videns Deum et amans eum possit non velle Deum et sic peccare: *Collationes*, q. 22 » (Jacobus de Aesculo, *Tabula Scoti*, MS Vatican City, BAV, Ottob. lat. 869, 52va).

14. Harris, *Duns Scotus*, 376–378.

Q. 9, *Utrum voluntas per aliquid aliud a se, ut per habitum gratie et glorie possit necessitari, ut non possit nolle aut non velle finem ultimum sibi dare ostensum* [= Wadding, q. 18].

Collationes Oxonienses:

Q. 18, *Utrum voluntas naturaliter determinetur ad aliquid volendum* [= Wadding, q. 14].

Q. 19, *Utrum apprehenso fine ultimo in universali voluntas viatoris potest non velle illum* [= Wadding, q. 16].

Q. 20, *Utrum apprehenso per intellectum bono in communi et via(i), voluntas non velle illud* [= Harris, q. 4].

Q. 21, *Utrum voluntas informata caritate possit non velle Deum visum per essentiam in patria* [= Wadding, q. 15].

Q. 22, *Utrum beatus videns Deum et omnia amans eum posset primo non velle eum et sic peccare* [= Harris, q. 5].

Q. 23, *Utrum qui (1. quod) sic vult Deum, ut dictum est, necessario stet cum isto quod libere vult illud et libere feratur in Deum* [unpublished].

It should be noted that each reorganized set of *Collationes* shapes a little treatise on the will; this is particularly true for the more developed Oxonian set, which is made up of six questions, even if q. 19 and q. 20 ultimately repeat the same topic.

As regards the two *Collationes Parisienses*, which are not the main object of this research, but are interesting for us mostly as a touchstone for judging the consistency of the *Collationes* on the will as a whole, we can note that the texts transmitted by Wadding edition and by the handwritten tradition basically are rather similar. They are quite long, well structured questions which, as we shall see at once, take up characteristic positions of Scotus's thought. The first one maintains, against Thomas Aquinas, and in a sense against Henry of Ghent too, that the created will in the present state acts just for internal reasons, and therefore contingently in all circumstances, regardless of the perfection of the object presented by the intellect;¹⁵ the second one that holds that not even the habit

of charity in Heaven can change the free and contingent act of the will in a necessary one, because an instrumental agent as charity cannot command the principal agent, i. e. the will itself.¹⁶ The only inconsistency in these questions lies in the last two paragraphs of the former question: according to them i) the will is necessarily delighted of the ultimate end on account of the presence of its convenient object,¹⁷ and ii) as the will necessarily suffers the evil, so it necessarily enjoys the good.¹⁸ In this respect it is worth noting firstly that Scotus himself counters these arguments;¹⁹ but also that several manuscripts²⁰ do not contain these conclusive paragraphs, so we can presume that they are a subsequent addition. Apart from that, anyway, we are dealing with typical Scotus's texts,

causam suae actionis, quia ipsa sola agit suam actionem, et eandem recipit; igitur in agendo suam actionem non dependet ab intellectu [...] omne quod movetur ex se in aliquid, movetur in illud secundum modum naturae suae; si igitur voluntas movetur necessario in finem ultimum et contingenter in ea quae sunt ad finem, sequitur quod non erit eadem potentia et natura, quoniam eadem natura non potest esse principium agentis necessario et contingenter quantum est ex se » (*Collationes Parisienses*, q. 8 (from now *Coll. Par.*) [= *Coll.*, q. 17 § 6, Wadding, iii, 383b]).

16. « [...] si voluntas immobiliteatur et necessitate per habitum charitatis [aut ergo] ad necessario volendum ultimum finem clare ostensum, aut igitur habitus respectu voluntatis est ut agens instrumentale aut ut agens principale non necessitate per instrumenta. Nec etiam est ut agens principale voluntatis, quia tunc voluntas principaliter non eliceret actum tendendi in finem ultimum, sed charitas » (*Coll. Par.*, q. 9 [= *Coll.*, q. 18, § 2, Wadding, iii, 386s]).

17. « Item, apprehenso ultimo fine per intellectum, voluntas necessario delectatur, quia delectatio est coniunctio convenientis cum convenienti [...] » (*Coll. Par.*, q. 8 [= *Coll.*, q. 17, § 14, Wadding, iii, 385b]).

18. « Item, apprehenso malo sub ratione mali voluntas necessario restringit et trahitur [...] ergo apprehenso bono sub ratione boni voluntas necessario diligit » (*Coll. Par.*, q. 8 [= *Coll.*, q. 17, § 14, Wadding, iii, 385b]).

19. See for the exposition of the former argument *Doctoris subtilis et maritimi Ioannis Duns Scoti Lectura in librum primum Sententiarum. A distinctione prima ad septimum*, d. 1, p. 2, q. 2, § 85; in Eiusd. *Opera Omnia*, studio et cura commissionis scotisticae ad fidem codicum edita, Typis Polyglottis vaticanis, Civitas Vaticana 1960, xvii, 89 (quoted as *Lectura*), followed by references to book, distinction, part, question and paragraph, and then by 'Vaticana' followed by the number of volume and pages), xvi, 89; and for Scotus's response thereat, *ibid.*, § 123, 101-102; As for the second, i. e. for Scotus's attitude on the possibility for the will to will the evil, see the references here above in note 8.

20. At least MSS Vatican City, BAV, Vat. lat. 876, Cambridge, Peterhouse 241, Oxford, Magdalen College 194, and Oxford, Merton College 90.

15. « [...] agens quod in se habet totam causam suae actionis non dependet ab alio in agendo; sed voluntas, si necessario vult ultimum finem, habet in se totam

with regard both to the doctrinal contents, its wording, and the opposing theories.

Turning back to the *Collationes* of Oxford, as a first step it is proper to analyse the texts of Wadding and Harris editions.

Collationes Oxonienses, q. 18 is a complete question on the will's possibility of acting in a natural way (*naturaliter*) which starts the analysis of free will's operational modality. Here the Author provides with great precision the definition of the terms involved in the discussion, as '*velle*' and '*naturalis*', in order to demonstrate the coexistence of nature and freedom in the act of the same active power.

Q. 19 and q. 20 treat the same subject. Here the situation is somewhat involved. It is worth noting that both the questions lack the traditional *incipit* (comprising the exposition of arguments *pro* and *contra* the thesis at issue) but instead are opened with the wording '*dicto quod...*'; a firm claim of the Author that traditionally hallmarks the *determinatio* of a disputed question. Therefore, it is not clear if we are concerned with fragments of two questions or with the Author's answers to specific questions actually asked, as the subsequent discussion may prove. Anyway, both questions deal with the same subject matter, which is: what does the shared statement 'the will can will (*non velle*) the ultimate end' mean? But, while the former has a more theoretical profundity, the latter seems as a survey of the prior solution. Actually, it is plain that q. 19 precedes q. 20 because of the reference in the latter to the general solution of the problem, which is cleared up in another place (*sicut patuit alias*), and more precisely to the falsity of an argument on the basis of a precedent reasoning, in fact present in q. 19 (*hoc patet prius*).²¹

However, we are still no nearer to an elucidation of the relationship between these two twin questions. Although q. 19 precedes q. 20, the former inexplicably contains the replies to three arguments reported in the beginning of the latter. But that is not

all: with regard to q. 19 we must bear in mind, as already hinted above, that the text continues after the section n. 3 of Wadding edition with sections handling a completely different argument, i. e. the state of the blessed in *patria*; thus, as we are going to show better hereafter, we must insert this part of the question in q. 21 devoted to this subject.

Finally, the text of q. 19 from the beginning to the end of the section n. 3 and the text of q. 20 appears to be the reassembly of the records of a two-session debate on the freedom of the human will *in via*.

Q. 21 has a really strange structure: as usual, at the beginning there is an argument in favour of a positive response to the question, but all at once a new issue arises that is *Utrum beatus videns Deum et amans eum posset non velle eum et sic peccare*. This is precisely the headline of the following q. 22, and indeed also the body of q. 21, insofar as the first paragraph of section n. 4 of Wadding edition, exactly agrees with the text of q. 22 as it is published by Harris. In fact, rather astonishingly we can find the awaited development of q. 21 not in q. 21 itself, but in the final sections, namely number 4 and 5, of q. 19. Even though a part of the text is lost,²² we can be certain of this reconstruction because of the reply, put in the ending of q. 19,²³ to the unique argument left together with the headline of q. 21. So we have recomposed, as far as possible making use of Wadding edition, the question dealing with, and refuting, the possibility for the human will endowed with the habit of charity to will the Essence of God in Heaven.

Q. 22, as we have just seen, is published as a part of q. 21 in Wadding edition, and as a separate question, without significant alteration to the text, in Harris edition, and offers a meaningful

21. In the close of the question the Author counters two arguments *quod sic* supposed placed in the beginning of the same question, but in fact only the first of them lies there: see *Coll.*, q. 16, § 5; Wadding, III, 382^a. See *Coll. Ox.*, q. 21, §§ 1 and 3 (Appendix, 261; quoted as *Coll. Ox.*), for the arguments, and §§ 10-12 for the replies (Appendix, 262-263).

22. *Coll. ox.*, q. 21, § 10 is the answer to the argument reported in *Coll. Ox.*, q. 21, § 1 in the following Appendix (261), but in Wadding edition the argument lies in *Coll.*, q. 15, § 1, Wadding, III, 380^a, while the answer is in *Coll.*, q. 16, § 5, Wadding, III, 382^a.

21. *Coll.*, q. 4, Harris, 376. See *Collationes Oxonienses* (from now *Coll. Ox.*), q. 20, § 1 and § 7, Appendix, 259-260, and the references to q. 19 in the apparatus.

discussion of the reason why the blessed in Heaven already loving God has not the possibility of ending his love's act. But this playing with Russian nesting dolls is still not over: also in the case of q. 22 the text is composed of two questions, the former within the latter. In both Harris and Wadding editions²⁴ the final part of the question begins with the question: *Utrum igitur qui sic necessario uult, etiam libere uult*, to quote the Wadding title of the supposed unedited q. 23. In this way, in Wadding edition q. 21 is the receptacle of both q. 22 and q. 23, while the body of q. 21 itself is shifted in q. 20. Q. 23 ends the treatise on the will by explaining what sort of necessity can coexist with the freedom in the perpetual act of beatitude of the blessed.

Given the unsatisfactory, confused structure of the published texts of these Oxford *Collationes*, it is necessary to take into consideration their handwritten tradition. The number of manuscripts transmitting the *Collationes* is relatively small: just nine in all. Moreover, only some of them contain the text of the questions that are of interest for this study. Referring to the specialized literature for an accurate description of these codices,²⁵ we can shortly make a list of them, consistent with the one made in Vatican edition.²⁶

At first, we can leave out the codices that do not contain the six Oxford *Collationes* concerning the topic at issue, which are: i) MS Vatican City, BAV, Vat. lat. 876, dates from the XIV century and contains just seventeen Paris *Collationes*, including the questions on the will number 8 and 9, but none of the Oxford ones; ii) MS Vatican City, BAV, Vat. lat. 890, dates from the XIV century too and contains just an *Abbreuiatio Scoti* with an index of the *Collationes*, and two of the English questions, but none on the will; iii) MS Assisi, Biblioteca Comunale 172, a XIV century manuscript which

contains four *Collationes*, two belonging to the Paris set and two to the Oxford one, but none of them concerns the topic here at hand; iv) MS Oxford, Merton College 90, dates back to the XV century and contains just the first eight questions of the Oxford *Collationes*, which are not relevant to this research.

The *Collationes Oxonienses* constituting the short treatise on the topic of the created will are contained in five manuscripts, four of them dating from the XV century, the other from the XIV century.

i) The oldest witness of the Oxford *Collationes* is the manuscript Oxford, Magdalen College 194, dating from the XIV century. This manuscript, escaped Ballié's notice owing to a mistake in the Core catalogue,²⁷ but noticed by Longpré²⁸ and used by Pelster, includes twenty-four Oxford *Collationes*.

ii) MS Cambridge, Peterhouse 241, sets out the *Collationes* continuously, from 1 to 46, without distinguish the Paris and Oxford questions.

iii) MS London, British Library, Add. 7969, drawn up in 1478, includes also an index of the 46 reported questions, numbered as the prior MS Peterhouse 241.

iv) MS Oxford, Merton College 65, dating from 1456 and written by Ioannes Reynbold,²⁹ contains the Oxonian *Collationes* from number 7 to number 24 except for number 23, which text, however, is included in the prior q. 22.

v) The final appearance of our *Collationes* is MS Oxford, Balliol College 209, written in 1465 by the same copyist as the prior MS Merton College 65. Also this manuscript seems to exclude q. 23, but again the text is included in the prior q. 22.

Now we can make a comparison between Wadding edition and the handwritten tradition, in order to reconstruct as far as possible a reliable text of qq. 18-23 of the Oxford *Collationes*. This comparative analysis leads us to the following conclusions:

24. In the third page of the text of q. 5 in Harris edition (Harris, 378^b); in the second paragraph of the section § 4 of q. 15 in Wadding edition, III, 382a.

25. Namely Ballié, *De Collationibus Ioannis Duns Scoti*, 186-189; Pelster, *Handschriftliches zur Überlieferung*, 80-83; Doucet, *Description codicis 172*, 502-503, and E. Longpré, *Le MS. 194 du Magdalen College d'Oxford*, «Arch. Francisc. hist.» 22 (1929), 588.

26. *De Ordinatione historice considerata. Disputationes variae*, Vaticana, I, 151*.

27. Pelster, *Handschriftliches zur Überlieferung*, 80.

28. Longpré, *Le MS. 194 du Magdalen College*, 588.

29. On Ioannes Reynbold and his important role in the Scotist revival in Oxford during the fifteenth century see L. Meier, *Die Skotusangabe des Johannes Reinbold von Zierenberg*, «Scriptorium», 7 (1953), 89-114.

- i) All the extant manuscripts contain quite similar texts, which do not imply conclusive variants. Therefore we can conclude that they report different versions of the same redaction of the questions.
- ii) All the extant manuscripts include the lost section of q. 21, i. e. two other arguments *quod sic* and the whole *respondet*, consequently we could recompose in its totality this question.
- iii) Wadding edition's replacement of a large section of q. 21 with q. 22 is not corroborated by any of the extant manuscripts; therefore, it seems to be the consequence of a mistake of the editor.
- iv) Wadding edition's inclusion of q. 23 in q. 22 is corroborated by two of the extant manuscripts, namely Merton College 65 and Balliol College 209;³⁰ therefore, it reasonably seems to be the consequence of a mistake of the manuscript used by Wadding himself.
- v) Wadding did not use any of the extant manuscripts, basically for two main reasons: a) he made use of a manuscript of the Vatican Library, which now is evidently lost; b) q. 23 in Wadding edition includes a lively exchange of views that is not reported by any of the extant manuscripts – as we shall see hereafter.³¹ This different text of q. 23 implies that were drawn up at least two different redactions (maybe *reportationes*) of some *Collationes*.
- vi) The only mistake shared both by Wadding edition and by all the extant manuscripts is the move into q. 19 of the reply to the arguments placed in the beginning of q. 20, and of the discussion on the various opinions contemplated in q. 21. I cannot imagine any particular reason for this split, but to recompose the complete questions it is anyhow necessary to reassemble the torn pieces of q. 21 (in part unedited, in part edited but unsettled), and of q. 20.

Even if the study of the handwritten tradition is still at the beginning, in the attached appendix I have included a text directly

based upon the most reliable of the extant manuscripts, which is MS Oxford, Magdalen College 194. This has been collated where required with the others, not to get a critical edition, but just a text more useful than those provided by the printed editions.

We can conclude this section by saying that the questions so restored do not have the fault often attributed to the *Collationes*, namely a lack of completeness and coherence as through these texts reported the record of disputations that actually happened in the Franciscan study and were not determined by the *magister*, Scotus himself. Even if it is fairly probable that we have to deal with real disputed questions, nonetheless they are well structured texts presenting a complete treatise on created will's freedom to act.

To understand the attitude of the Author on this subject, in the next section we are going to approach these texts from a doctrinal point of view. However, before finishing this theoretical work it is advisable to be prudent with regard to the authorship of the questions. Actually, as we shall see below, the theory of the will we shall draw from the analysis of these *Collationes* is fairly different from the one formulated by Scotus in all his other works, including the two *Collationes Parisienses* on this subject. Furthermore, the Author of these Oxonian questions appears to set himself up against Scotus's traditional doctrine, and frequently he opposes Scotus's characteristic arguments, which are often proposed at the beginning of the question. It will be a really hard task to decide on the authenticity of these questions, but at present let us go on working: we shall take up the question again after the doctrinal analysis of the *Collationes Oxonienses*.

2. DOCTRINAL STUDY

2.1. Will and nature

The first question of our treatise on the will (*Utrum voluntas determinetur naturaliter ad aliquod volendum*³²) is devoted to the problem of whether the will is determined by nature (*naturaliter*) to elicit its volition. The Author, whose identity at the moment remains un-

30. As is well known, Harris edition is a mere transcription from the MS Balliol College 209; for this reason, from now on we shall make no more reference to it.

31. See text around notes 90-92, and around note 96.

32. From now on the titles of the questions are those of MS Magdalen College 194.

certain, maintains that each power has a natural relationship with its proper object and (thus) with the act towards that object, because the definition of the power falls within the definition of the object. Each definition, indeed, means the nature of the thing that is having natural relationship, and being naturally determined.³³ Thus is the most authoritative demonstration of the naturalness of the act of the will towards the good in itself, but the beginning of the question brings forth many other more traditional arguments in its favour, such as that every man wills the beatitude in Paradise, thus on account of a natural principle,³⁴ or that God wills Himself in the greatest glorious way, that is with necessity of nature, and therefore naturalness does not antagonize freedom.³⁵

The *opponens* counters this opinion by saying firstly that, according to Aristotle, the nature and the intellect are opposite principles, but the will is a rational power, therefore the will cannot be a nature in its turn;³⁶ secondly that the will does not act towards the intermediate goods like a nature (because it acts freely and contingently), and therefore, since it causes the two acts in the same way, does not act like a nature either towards the ultimate end.³⁷ Then he adds that a power which is acted on rather than acts does not operate freely; but this is exactly the case of a power naturally determined by the object.³⁸

We have recounted fairly diffusely these initial arguments *pro* and *contra* so that the reader will realize how much they dovetail with the two characteristic sets of arguments often criticized (the former) or upheld (the latter) by Scotus in many of his works.³⁹

33. *Coll. Ox.*, q. 18, § 2, Appendix, 255.

34. *Coll. Ox.*, q. 18, § 3, Appendix, 255.

35. *Coll. Ox.*, q. 18, § 7, Appendix, 255.

36. *Coll. Ox.*, q. 18, § 9, Appendix, 256.

37. *Coll. Ox.*, q. 18, § 10, Appendix, 256.

38. *Coll. Ox.*, q. 18, § 13, Appendix, 256.

39. For instance, against *Coll. Ox.*, q. 18, § 2 see *Doctoris subtilis et mariani Iohannis Duns Scoti, ordinis fratrum minorum, Ordinatio. Liber primus. Distinctiones prima et secunda*, d. 1, p. 2, q. 2, § 131, in *Etiusd. Opera Omnia*, studio et cura commissionis scotisticae ad fidem codicum edita, Typis Polyglottis Vaticanis, Civitas Vaticana 1950, vol. II, 87-88 (there is used the same way of quoting as *Lectura*. See note 19); against *Coll. Ox.*, q. 18, § 3 see *Ordinatio*, I, d. 1, p. 2, q. 2, § 152, *Vaticana*, II, 103; against *Coll. Ox.*, q. 18, § 8 see *Ordinatio*, I, d. 1, p. 2, q. 2, § 132, *Vaticana*, II, 88; for *Coll. Ox.*, q. 18, § 9

But, before trying to express any opinion, let us continue to analyze the question.

In the body of the question the Author settles the subject from a semantic viewpoint, and so he starts by explaining the meanings of the terms involved in the question. First of all, he clarifies that at times 'to will' ('velle') is considered meaning every inclination of the will, both innate and impressed by the object, whereas in another sense it means the performed act of the will.⁴⁰ For the Author it is also important to bear in mind that 'natural' too is a polysemous word with four distinct meanings: firstly, natural differs from violent; secondly, it differs from deliberate; thirdly, it differs from supplementary; fourthly, it differs from spontaneous and internal. According to this classification, to will the ultimate end (*velle finem*) is a natural act only in the first three senses of the word, but in the fourth it is a free act, because it is spontaneous.⁴¹

Carrying on with his semantic distinctions, the Author again marks out two different meanings of 'spontaneous will'. Spontaneous will can be an active assessment of the power (*latio activa*), or a passive assessment (*latio passiva*).⁴² The passive assessment has a threefold meaning in turn: firstly the assessment makes reference to the determination of the will towards its act (*determinatio*), and so it is fairly natural.⁴³ Secondly, it refers to the exercise of the act (*exercitium*), or more exactly its prosecution, and so it is quite free, because it is in the power of the will to continue its act towards the object.⁴⁴ Thirdly, the passive assessment refers to the beginning of the action (*inchoatio*), and in that case '*latio passiva*' means 'an act in accord with a convenient impression done on the will'.⁴⁵

see *Ordinatio*, I, d. 1, p. 2, q. 2, § 80, *Vaticana*, II, 60; for *Coll. Ox.*, q. 18, § 10 see *Ordinatio*, I, d. 1, p. 2, q. 2, § 80, *Vaticana*, II, 60-61. See also Iohannes Duns Scotus, *Reportata Parisiensis*, I, *Additiones magna*, d. 1, q. 2, § 1, in *R.P.F. Iohannis Duns Scoti Opera Omnia*, XI/1, 25 (quoted as *Reportata Parisiensis*, with the reference to Wadding edition).

40. *Coll. Ox.*, q. 18, § 16, Appendix, 256.

41. *Coll. Ox.*, q. 18, §§ 17-18, Appendix, 256.

42. *Coll. Ox.*, q. 18, § 18, Appendix, 256.

43. *Coll. Ox.*, q. 18, § 19, Appendix, 256.

44. *Coll. Ox.*, q. 18, § 20, Appendix, 257.

45. *Coll. Ox.*, q. 18, § 21, Appendix, 257.

This act of the will follows the received impression like the motion of a body follows the form of the body itself (*forma gravis*), and thus the assessment is natural, because what the intellect presents us is not in our power. Nevertheless, before eliciting an act the will is able to keep the intellect from a particular object, and in that way it is still free. The Author concludes by saying that (because the will can choose the object of its act) when an action is concerned, 'to will' is quite free.⁴⁶

To sum up, 'to will' taken in its twofold meaning – i. e. as a tendency and as an elicited act – as an habitual tendency it is quite natural, whereas as an actual tendency, which properly speaking is the beginning of the elicited act itself, it is only indirectly free (because the previous choice of the object, as we have already seen, always lies in the power of the will).⁴⁷

Lastly, there are some points worthy of remark in the Author's attitude. From a theoretical viewpoint, the Author appears to consider the act of the human will duplicated in an active act ascribed to the internal activity of the will, and therefore constitutively free, and in a passive act determined by the intellectual impression of the extra mental object, and for this reason basically natural, and just marginally free. It is worth noting that for the Author these acts are not two different logical aspects of the same real act, but they are actually distinct from each other, and consequently both true real acts. So, the unexpected conclusion of the question is that there are two opposite simultaneous acts of the will, passive and active. For the Author this does not pose any problems, as in his mind it is clarified with the example of the active act of the will and the subsequent passive delight.⁴⁸

From a historical viewpoint, on the other hand, it is easy to recognize in the heart of this solution the one held by Thomas Aquinas and others, which is the distinction between *determinatio* and *exercitium* in order to preserve the freedom in the acting of the will in spite of the lack of any self-determination of the will itself.

As is well known, Henry of Ghent,⁴⁹ and then almost all the Franciscan theologians, judged unacceptable such an arbitrary separation of the one simple act of the will, so that it seems quite improbable that now Scotus himself would resurrect a theory he never stated before. Furthermore, the theoretical aim of the Author is to demonstrate that nature and freedom can coexist in the acting of the same power but this is exactly the opposite of Scotus's view in his handling of the subject.⁵⁰ These are considerations that we must bear in mind when we reach a final decision on the authenticity of the *Collationes Oxonienses* on the free will.

2.2. *Will and necessity* in *via*

And now, let us move to the two twin questions concerning the modality of will's action in the present state, namely q. 19

49. Henricus de Gandavo, *Quodlibet* xi, q. 6, *Quodlibeta Magistri Henrici Goethals de Gandavo*, J. Badius Ascensius, Parisius 1518 (repr. Éditions de la Bibliothèque S.J., Louvain 1961), 456v K-L: « [...] nulla est distinctio qua dicunt quod voluntas potest moveri vel ad determinationem actus vel ad exercitium actus, quia determinatio ad obiectum nihil aliud est quam ablato unius exercitium actus, quae non potest antefieri alia manente ». On Ghent's innovative attitude on this subject see for instance R. Macken, *Heinrich von Gent im Gespräch mit seinen Zeitgenossen über die menschliche Freiheit*, « Franz. Stud. », 59 (1977), 125-182, on this point 167-168.

50. See for instance *Ordinatio*, I, d. 1, p. 2, q. 2, § 80, Vanciana, II, 60; *Ordinatio*, I, d. 1, p. 2, q. 2, § 131, Vanciana, II, 88. Already Henry of Ghent states that « si voluntas movetur ad alio naturaliter, determinaretur ad actum absque omni libertate » (Henricus de Gandavo, *Quodlibet* IX, q. 5, ed. R. Macken, in *Henrici de Gandavo Opera Omnia*, vol. XVI, Leuven University Press, Leuven 1983, 130-131) – but for a deeper handling of the question of the relationship between nature and will in Henry's thought see J.C. Flores, *Intellect and Will as Natural Principles: Connecting Theology, Metaphysics and Psychology in Henry of Ghent*, in G. Guldentops-C. Steel (eds.), *Henry of Ghent and the Transformation of Scholastic Thought. Studies in Memory of Jos Deorte*, Leuven University Press, Leuven 2003, 277-305, in particular 290-294. As it has been hinted before, Cavellus traces back the attitude of the Author to the distinction, made by Scotus too, between *volitio habitivus* and *volitio actualis*. As a fact, Scotus makes use of this distinction, but he admits a *volitio habitivus* in the sense that towards the beatitude *actualiter* offered by the intellect the will is really prompt to have a sudden inclination, which however does not entail any necessity: see *Ordinatio*, I, d. 1, p. 2, q. 2, § 152, Vanciana, II, 103-104; also in Book III Scotus states that « voluntas naturalis non est voluntas nec velle naturale est velle, sed by naturalis distrahitur ab utroque » (*Ordinatio*, III, d. 17, cod. A [= MS Assisi, Bibliotheca Comunale 137], 160ra-b, quoted in *Duns Scotus on the Will and Morality. Selected and Translated*

46. *Coll. Ox.*, q. 18, § 21, Appendix, 257.

47. *Coll. Ox.*, q. 18, § 22, Appendix, 257.

48. *Coll. Ox.*, q. 18, § 26, Appendix, 257.

(*Utrum apprehenso in universali sine ultimo, voluntas victoris possit non velle illud*) and q. 20 (*An apprehenso per intellectum bono in communi in via, possit voluntas non velle illud*). In the first question dealing with the relationship between nature and freedom the Author drew the general framework of the modality of the will's activity; now he has to handle the subsequent knotty problem, lurking in the former, of the relationship between freedom and necessity. In these questions the Author treats the subject in the particular case of the act of the human will in the present state towards good in general. It is a classic *locus* where the Franciscan theologians follow Scotus in opposing both Thomas Aquinas and Henry of Ghent maintaining that the will is free in its choice, so that it can will its ultimate end – i.e. the good conceived in general – or not, and therefore it acts freely and contingently in one. The Author agrees with this conclusion, and argues coherently for it with what he stated in the former question. Now, for once we shall not follow closely the discussion, but we shall confine ourselves to exposing the general attitude the Author has.

In the first question devoted to this topic the Author begins by making use of the distinction between the two senses of the term 'to will' ('*velle*?) he stated in the prior question. If 'to will' is assumed in the broad sense of the word – which is to say every inclination of the will, both impressed by God or by anyone else –, it concerns a passive tendency that actually is not in the power of the will.⁵¹ But, if 'to will' is assumed in its other sense – which is to say an elicited act of the will –, the will can will (*non velle*) the ultimate end in general.⁵²

We can follow the treatment of the case concerning the second meaning of 'to will' in the more extensive development given in q. 19, and also in the clear and schematic framework of q. 20, which is the report of a subsequent session of the discussion. The begin-

with an Introduction by A.B. Wolter, O.F.M., The Catholic University of America Press, Washington 1986, 182).

51. *Coll. Ox.*, q. 19, § 1, Appendix, 257-258.

52. *Coll. Ox.*, q. 19, § 3, Appendix, 258.

ning of q. 20 finally establishes the will's power to will the good in general or not. In succession the Author expounds three arguments in favour of this conclusion: firstly, because nothing is in our power as the will itself; but the will is able to order the intellect to leave every object, and then the good in general too (and, therefore, the will cannot will that good since it is not a present object).⁵³ Secondly, because each power moving itself in a necessary way, also removes every obstacle to its so acting. Therefore, if the will necessarily willed the good it would compel the intellect to stay in continuous apprehension of the good itself.⁵⁴ Thirdly, because each power moving itself in a necessary way always moves itself the utmost it can, but the will moves itself more intently towards the clearly known good than towards the obscurely known.⁵⁵

As is well known, these are the standard arguments advanced by Scotus starting from his first *Lectura*;⁵⁶ therefore, it is worth noting that the Author, despite his agreement on the general conclusion, firmly opposes the reasoning of Scotus himself.⁵⁷ The body of the question reports an interesting discussion that clarifies the Author's attitude.

The matter under dispute is to determine the right sense of the statement 'the will is able to will (*non velle*) the good in general' among the three possible ones: i) the will can will (*nolle*) the good and therefore can will its opposite, i. e. the evil; ii) the will is able to shift the intellect's attention from a good to another; iii) the will can cease all acts.⁵⁸ In the Author's view, the first and the third in-

53. *Coll. Ox.*, q. 20, § 2, Appendix, 259.

54. *Coll. Ox.*, q. 20, § 3, Appendix, 259-260.

55. *Coll. Ox.*, q. 20, § 4, Appendix, 260.

56. *Lectura 1*, d. 1, p. 2, q. 2, § 96; *Vaticana*, xvi, 93; § 97, 94; § 98, 94; *Ordinatio 1*, d. 1, p. 2, q. 2, § 92; *Vaticana*, ii, 66-67; § 93, 67-68; § 100, *Textus interpolatus*, 77-78; *Reportia Parisiensis 1*, *Additiones magna*, d. 1, q. 2, § 1, xv/1, 25. See also *Coll. Par.*, q. 8 [= *Coll.*, q. 17, § 6, Wadding, iii, 383b]: «[...] si vero voluntas quantum est ex parte sua necessario vult finem ultimum, eadem necessitatem faciet illud obiectum, quod est ultimus finis, sibi presentari per intellectum, cum hoc potest, ergo necessario tenet intellectum in consideratione ultimi finis, quantum est ex se, sicut magnes tenet ferrum ».

57. *Coll. Ox.*, q. 20, §§ 9-11, Appendix, 260-261.

58. *Coll. Ox.*, q. 20, §§ 5-7, Appendix, 260.

terpretation must be refused, the former without reasons apart from the authority of Augustine,⁵⁹ while the latter needs some further considerations, which are presented in a clear way in q. 19. There the Author develops his criticism countering a real or supposed upholder of the possibility for the will not to act at all. He denies that the will could cease every act because, if this was granted, 'to cease' might have just two meanings: firstly, to do the act of ceasing – but in this case the statement contradicts itself, because 'to cease' would mean to cease also the act of ceasing in its turn; secondly, to do nothing – but also in this case the reasoning contradicts itself. Actually, the Author's argument runs, the impression of the perceived object is a weight and an inclination for the will, but each inclining weight necessitates the power on which it works unless the inclined power would be reluctant. On the other hand, this power can not be reluctant but through an act, and therefore 'not to act' contradictorily implies to do an act of repulse the acting itself.⁶⁰

In conclusion, assuming '*velle*' means a performed act, the aforementioned statement 'the will is able to nill the good in general' adds up to saying that the very instant that the intellect apprehends the good in general, the will, before eliciting an act, can shift its attention to another good (because every good is the good in general, even if not in particular⁶¹), and in this way it does not will the former. Soon after the will must will either of them, and this is a natural motion following the natural tendency impressed by the Creator:⁶² So, whatever the sense of 'to will', the obscure known good is just an attractive aim, but never a compelling one, because of the capability of the created will to avert the intellect from its consideration – as the Author states in countering Scotus's arguments.⁶³

This controversy on one hand makes us clear the Author's mind on this subject, on the other it explains the reasons of his op-

59. *Coll. Ox.*, q. 19, § 5, Appendix: 258.

60. *Coll. Ox.*, q. 19, §§ 7-8, Appendix: 259.

61. *Coll. Ox.*, q. 19, § 4, Appendix: 258.

62. *Coll. Ox.*, q. 20, § 6, Appendix: 260.

63. *Coll. Ox.*, q. 20, § 11, Appendix: 261.

position to Scotus's view. Unlike Scotus, the Author bases the contingency of the will on its capability to choose the object of the volition imposing its consideration on the intellect, and not on its capability not to act at all.⁶⁴ In conclusion, even if the Author's position is compatible with the general attitude of Scotus himself, all the same it is possible to contend the assumed authenticity of the text.

2.3. *Will and necessity in patria*

Now we will confront the kernel of the matter at issue. In the subsequent three questions the Author devotes himself to determining the way the will acts towards the clearly known ultimate end. The Author treats this problem through three logically connected questions: firstly, whether in Heaven the will endowed with the habit of charity is able to nill (*non velle*) the Essence of God seen with clarity; secondly, whether the will of the blessed already loving God is able to nill (*non velle*) it, and so to sin; thirdly, whether the blessed that will necessarily God, will it freely as well. The last question announces the final solution in advance – the necessity of the voluntary act of the blessed – so that we can freshadow the discrepancy between these *Collationes Oxonienses* and all the main works of Scotus, the aforementioned *Collatio Parisiensis* included. But let us analyse more closely this set of texts before investigating this matter.

The *questio* 21 (*Utrum voluntas informata caritate possit non velle Deum visum per essentiam in patria*) reports a lively debate on the

64. On this point see *Ordinatio* IV, suppl. d. 49, qq. 9-10, cod. A. 281va-282va:

« Unde quodlibet obiectum potest volumus non velle nec nolle, et a quolibet actu in particulari potest se suspendere circa hoc vel illud » (quoted in Wölter, *Dinus Scotus on the Will*, 194). In *Quodlibet*, q. 16 Scotus with more accuracy explains that « hoc (scilicet quod in potestate voluntatis est quod non habere actum circa illud obiectum determinatum) non intelligo sic quod ipsa possit voluntarie suspendere omnem actum suum, sed voluntarie potest non velle illud obiectum, sed habet tunc aliud velle, scilicet reflexum super suum actum; isnd scilicet, 'volo modo non elicere actum circa illud obiectum' » (*Quodlibet*, q. 16, § 17, in *Opus del Doctor Sutil* Juan Dims Escoto: *Cuestiones quodlibetales*, ed. F. Allniny, La Editorial Católica, Madrid 1968 [from now on Allniny], 587-588).

possibility that the will, although helped by charity, never acts necessarily towards the Essence of God in Heaven. The first argument *quod sic* is a summary of perhaps the most classic demonstration of created will's absolute contingency even in the beatific state worked out by Scotus – to say, the same active principle under the same conditions does not act towards the same object at times necessarily and at times contingently; but this is the case of the created will, which *in via* elicits its act towards its ultimate end contingently; therefore, although endowed with charity that, being an extrinsic attribute, does not modify the intrinsic modality of the principal agent, it will act in exactly the same way *in patria* too.⁶⁵ Furthermore, it is added in succession, what could be the cause of this necessity? If it was the object, the will wouldn't be free; if it was the will itself, the clearness of the vision wouldn't have any role in the act.⁶⁶

The first point worthy of note is that this defence of will's contingency remains the one and only reasoning of the question in line with Scotus. Indeed, the whole subsequent controversy concerns the discussion of the unique argument *quod non*, which runs as follows: the blessed in Heaven cannot sin; but if he does not will God, he commits a sin of omission.⁶⁷ Actually, these argument is shared by all the theologians involved in the debate, which considers the reason why the will is able to act of necessity in the face of its apparent weakness: is it in consequence of the determination of God's will, or because of the perfection of the beatific object, or owing to the capability of the will itself? We shall analyze these arguments, but first we must emphasize the fact that none of the theologians involved in the debate takes the Scotus's part.

Returning to the doctrinal contents of the *quaestio*, in the *responsio* the Author repeats the argument, already expounded in the prior question, based on the impossibility for the will to not act at

all (because to not act contradictorily is an act in turn).⁶⁸ He adds that the angel (or the blessed) cannot will another object because God is everywhere, so that the angel, turning his intellect to everything, in any case sees the divine Essence,⁶⁹ but the will that sees God cannot will Him.⁷⁰

In an important passage the Author states that this necessity is not a determining cause (*causa determinativa*) of the will, because the will is free. The sequence of the causes that produce the act of the will is the following: i) the continuous exhibition of the object connected with the intellect (which in Heaven is able to see God in His Essence) is the cause of the necessary contemplation. ii) The continuous necessary contemplation is the necessary cause of the impression in the will, and therefore the cause of the continuous inclination by nature (*per modo naturae*) of the will towards God. iii) The inclination in its turn is the not-determining cause of the will's necessity to act in some way, either to will or to mill.⁷¹ iv) The will is the only free cause of the act, and wills necessarily God for the absence of a reason (*defectus cuius*) to mill the supreme good.⁷²

The subsequent discussion starts by making reference to the argument *contra* based on the authority of both Augustine and Anselm in order to state that the blessed cannot sin.⁷³ The first opinion states that, although some wills could not will God, God Himself as an efficient cause holds fast for the blessed in the Beatitude.⁷⁴ But there are several other explanations given for the impeccability of the blessed: as the Author reports, if *isti* maintain this elucidation, *alii* on the other hand believe that the reason why the blessed cannot sin, is his will itself,⁷⁵ while *aliqui* think that the efficient cause is the divine will confirming the created will so that

68. *Coll. Ox.*, q. 21, § 5, Appendix, 261.

69. *Coll. Ox.*, q. 21, § 6, Appendix, 261.

70. *Coll. Ox.*, q. 21, § 8, Appendix, 262.

71. *Coll. Ox.*, q. 21, § 11, Appendix, 262-263.

72. *Coll. Ox.*, q. 21, § 12, Appendix, 263.

73. *Coll. Ox.*, q. 21, § 14, Appendix, 263.

74. *Coll. Ox.*, q. 21, § 15, Appendix, 263.

75. *Coll. Ox.*, q. 21, § 16, Appendix, 263.

65. *Coll. Ox.*, q. 21, § 1, Appendix, 261; see *Lectura* 1, d. 1, p. 2, q. 2, § 102, Vaticana, xvii, 94-95; *Ordnatio* 1, d. 1, p. 2, q. 2, § 136, 91 and § 137, 92-93.

66. *Coll. Ox.*, q. 21, § 3, Appendix, 261; see *Lectura* 1, d. 1, p. 2, q. 2, § 103, Vaticana, xvii, 95.

67. *Coll. Ox.*, q. 21, § 4, Appendix, 261, and § 14, Appendix, 263.

the blessed can will nothing but what God wills.⁷⁶ Other *aliqui* state that the certainty form a part of the beatitude, thus the blessed (which do not know the false) are certain of their impeccability.⁷⁷

But the Author upholds a different explanation in turn.⁷⁸ In his mind the non-efficient cause of the necessary volition of the blessed is the beatific object in itself. Here the Author repeats the reasoning already used in the prior *response*, that is that the blessed necessarily always sees God, because God is everywhere. So, the blessed could will (*non velle*) God merely by not performing any act towards God or averting the intellect from the thought of God Himself, but, according to what the Author stated in the former question, the first option is impossible to practise.⁷⁹ Even if the previous statement had already ruled out the second chance too, the Author prefers to provide a further reason for refusing it: the will cannot order the intellect to avert itself from the apprehension of God because there is no reason why the will could will (*ut non velle*) the divine Essence, that is the supreme Good that includes all the partial goods.⁸⁰

Here a point of particular interest is the response the Author gives to Scotus's argument – i. e. that the same power in the same condition always acts in the same way. The Author admits that neither the will, nor charity, nor the object will change in Heaven, nonetheless the same power previously acting contingently then acts necessarily owing to an actual alteration made in the intellect, so that the faith will be a vision. Therefore, the object will remain the same, but it will be grasped by the intellect of the blessed in a brand-new way.⁸¹

Such a kind of reasoning is rather unexpected if we continue to attribute the question to Scotus, because Scotus himself explicitly

76. *Coll. Ox.*, q. 21, § 17, Appendix, 263.

77. *Coll. Ox.*, q. 21, § 19, Appendix, 263-264.

78. Even if the wording is introduced by a generic *alii dicunt*, the whole analysis of the reasoning proves that this is the actual position of the Author.

79. *Coll. Ox.*, q. 21, § 19, Appendix, 263-264.

80. *Coll. Ox.*, q. 21, § 20, Appendix, 264.

81. *Coll. Ox.*, q. 21, § 21, Appendix, 264.

rules out the possibility that a clearer vision of the ultimate end could entail a new necessity (*nova necessitas*) in the action of the will.⁸² Of course, Scotus might have changed his opinion over time,⁸³ but before considering this suggestion let us analyse the remaining questions and clarify the historical context of this debate.

82. See *Ordinatio*, I, d. 1, p. 2, q. 2, § 137, Vaticana, II, 92: «[...] necessitas agendi non potest esse nisi per aliquod intrinsecum principio activo; per hoc autem quod intellectus nunc videt obiectum, nihil novum est intrinsecum principio activo in fructuone; ergo nec nova necessitas agendi», and *Coll. Par.*, q. 8, quoted above in note 15. As is well known, Scotus argues that the diverse modes of knowing God (through faith and intuitively) are at most sufficient to render the *fructio in via* and the *fructio in patria* specifically different: see *Reportata Parisiensis*, IV, *Reportatio examinata*, d. 49, q. 5, § 10, Wadding, xv/2, 902; on this point, however, see S.D. Dumont, *Did Duns Scotus Change His Mind on the Will?*, in J.A. Aersten-K. Emery, Jr.-A. Speer (eds.), *Nach der Veröffentlichung von 1277. Philosophie und Theologie an der Universität von Paris im letzten Viertel des 13. Jahrhunderts. Studien und Texte*, De Gruyter, Berlin-New York 2001 (Miscelanea Medievalea, 28), 719-794, in particular 778-782. In spite of the clear statement of Scotus, the idea of a new necessity arising in the crossing from the present state to Heaven, as we shall see better hereafter, is shared also by some Scotists, for instance by William of Alnwick: «[...] conceditur quod ibi sit nova necessitas, non tamen propter aliquid novum intrinsecum absolutum, nec hoc oportet, sed propter novam habitudinem potentie ad obiectum; nam ex nova habitudine necessaria creatur nova necessitas agendi [...] tale autem habitudo creatur ex hoc quod obiectum prius obscure visum postea videtur clare et per consequens magis ostenditur, et ita voluntas magis allicitur (quam prius [...])» (Guillelmus de Alnwick, in *libros Sententiarum*, I, d. 1, q. 1, § 77, ed. Alliney (in Id., *É necessario amare Dio? Una questione inedita di Guglielmo di Alnwick sulla fructione beatifica*, in G. Alliney-L. Cova [eds.], *Papa Medievalea. Studi per Maria Elena Reina*, Università degli Studi, Trieste 1993, 87-128, p. 127).

83. There is no evidence of a similar change in the last works of Scotus. For instance, in the *Additiones magne* (compiled by William of Alnwick principally from Scotus's lecture at Paris, they faithfully represent the last teaching of the Master) Scotus goes on with claiming that the act of the will towards the ultimate end is free and contingent: *Reportata Parisiensis*, I, *Additiones magne*, d. 1, q. 2, § 2, Wadding, xv/1, 25: «Igitur, cum quantum sint articuli in ista questione (scil. de fine obscure cognito et in universal, vel de fine obscure cognito et in particulari, de fine ultimo clare viso in comparationem ad voluntatem vel per charitatem elevatam vel in punctis naturalibus), in nullo istorum futur voluntas necessario ultimum finem». Also in q. 8 of the *Paris Collationes* Scotus claims – in a wording very similar to that of *Lectura*, I, d. 1, p. 2, q. 2, § 88, Vaticana, xvi, 90 and *Ordinatio*, I, d. 1, p. 2, q. 2, § 80, Vaticana, II, 60-61 –, that «si igitur voluntas moveatur necessario in finem ultimum et contingenter in ea que sunt ad finem, sequitur quod non erit eadem potentia et natura, quoniam eadem natura non potest esse principium agentis necessario et contingenter quantum est ex se» (*Coll. Par.*, q. 8 [= *Coll.*, q. 17, § 9, Wadding, III, 384b]; on q. 8 see also herein, note 15). It is worth noting, however, that in his last

At this point, however, it must be noted that the crux of the matter is different from the one anticipated. Actually, according to its title, the question should concern the possibility of the will to *will* (*non velle*) God in Heaven but, as we have just seen, the reported argumentation concerns the cause of the capability of the created will, in spite of its characteristic weakness and changeability, to stand firm in the necessary volition of God. This is not the same subject matter because, as it is clear enough, in one case the question is *if* the will acts necessarily towards God, in the other *how* the will can act in that way.

That is the reason why the *quaestio* 22 (*Utrum beatus videns Deum et omnino amans eum possit prius non velle eum et sic peccare*), dealing with the question whether the blessed, seeing God and already loving Him, could *will* (*non velle*) Him, and therefore sin, is rather similar to the prior one. The Author enumerates four different hypotheses in order to explain in the first place the impeccability of the blessed already loving God, and consequently the certainty of his beatitude: firstly, God himself wills that the angel (or the blessed) continues his beatific act – but this possibility is rejected, because it entails that the angel, left alone, could see the Essence of God and all the same sin.⁸⁴ Secondly, that the certain consciousness of the impeccability belongs to the essence of the beatitude itself – but that is not true, because this consciousness is not

work; the *Quodlibet*, Scotus does not face the question whether the will *in patria* can will God, but restricts himself at the question of the will *in via*: «[...] saltem probabiliter potest dici quod non omnis voluntas creata necessatur ex natura sua ad volendum finem, non solum absolute, quod manifestum est, sed nec posita apprehensione obscura illius obiecti, sicut modo apprehendimus » (*Quodlibet*, q. 16, § 25, Alluinis, 593). As far as I know, this is the one and only passage where Scotus does not explicitly state the contingence of the fruition *in via* as well as *in patria*. At any rate, although in this passage Scotus hedges the question whether the blessed in Heaven necessarily wills God seen in His Essence, he does not assume a position similar to that of the Oxford *Collationes*. Furthermore, we must bear in mind that in the same question, as the only example of an act of the will simultaneously free and necessary, Scotus indicates the case of the God's volition towards His Essence: «[...] non est contradictio quod voluntas infinita habeat actum infinitum circa obiectum infinitum, et per consequens actum necessarium [...] » (*Quodlibet*, q. 16, § 2, Alluinis, 584).

84. *Coll. Ox.*, q. 22, §§ 6-7, Appendix, 265-266.

contained in the essence.⁸⁵ Thirdly, that charity is the reason for the impeccability – but charity may be the same *in patria* as *in via*, whereas *in via* the will acts contingently towards the ultimate end; moreover, charity bends in a natural way (*modo naturae*), and consequently the will should not act freely.⁸⁶ Fourthly, the cause is the unbridled will (*voluntas effrenata*) – but the will produces the act of will (*velle*) the sin before willing God.⁸⁷ As is clear, this kind of reasoning is similar to that of the prior question, and also the further wording repeats what the Author has said.

In resolving the question the Author singles out four factors contributing to prevent the act of will (*non velle*) the Essence of God before the execution of the positive act of will the Essence Itself. Those factors are: i) the continuous exhibition of the presence of the object seen through its essence; ii) the excellence of that object; iii) the cause of the continuous contemplation: as already stated before, who sees the Essence of God, whatever he turns his attention to, he still sees It; iv) the continuous contemplation of the object – that is a quasi-weight bending the will to produce an act towards that object –, and the (consequent) continuous fruition in the will.⁸⁸ In this way the Author describes how the acting of the will happened, just in the very instant in which the act of fruition – and not its opposite – is elicited. Apart from its own interest, this exposition, giving rise to a lively controversy, makes us aware of Author's precise idea on what kind of necessity may be compatible with the freedom of the will,⁸⁹ and once again

85. *Coll. Ox.*, q. 22, §§ 8-9, Appendix, 266.

86. *Coll. Ox.*, q. 22, §§ 10-12, Appendix, 266.

87. *Coll. Ox.*, q. 22, §§ 13-14, Appendix, 266.

88. *Coll. Ox.*, q. 22, § 15, Appendix, 266.

89. It is worth noting that a similar reasoning is reported (as an argument *secundum mentem alicuius*) by q. 9 of the Paris *Collationes*: «[...] voluntas non necessatur ad volendum ultimum finem per habitum charitatis et gratiae, quia prius natura oportet obiectum beatificum ostendi voluntati, quam voluntas per habitum inclinaret in illud; sed in illo priori instanti naturae, cum obiectum beatificum sit ostensum ut continens omnem rationem boni et appetibilis, necessitat voluntatem ad elicendum actum volendi circa ipsum, ita quod non possit non velle ipsum; ergo in illo instanti voluntas non potest averiti ab eo; igitur in secundo instanti naturae habitus non necessitat voluntatem ne avertatur » (*Coll. Par.*, q. 9 [= *Coll.*, q. 18, § 4,

the rotation of the arguments seems to testify a real controversy among Franciscan theologians.

A counter-argument states that a weight bends like a nature, so that the will is necessitated, and therefore is not still free, but the Author counters that it is a necessity of immutability, and not of violence.⁹⁰ A further objection points out that this necessity is caused by an extrinsic agent (therefore implying violence).⁹¹ This criticism the Author deems to be without foundation because here the extrinsic agent is more a final cause than an efficient one; moreover, even if this cause should be efficient, in any case it does not inflict violence on the will. Making use of his above-mentioned semantic method, the Author draws a distinction between two acceptations of the term 'violently', which implies not only the presence of an extrinsic cause, but also that this cause provides the force to act. In the case at issue, however, it is the will itself that provides the force for its own act, because it sees in the object the reason (*causa*) to will it more than anything else, and this is why it acts necessarily (but freely), and therefore why is not capable of sinning.⁹²

As is well known, Scotus, again unlike the Author, repeats un-
tiringly until his last works that the perfection of the object is able

Wadding, iii, 386b). Unfortunately, q. 9 lacks a complete *solutio*, thus we cannot know Scotus's reply to this argument. Moreover, also in this case, for a proper use of the text it would be necessary to take into consideration its handwritten tradition. Scotus opposes a position in a sense similar to the Author's one, i. e. based on the assumption of the «necessitas conditionata», by saying that «hic est necessitas conditionata, scilicet alio praesupposito; et concedo quod est per intrinsecum principii agenti et quod ipsa est ad media sicut extremorum inter se, sed totum est conditionatum, scilicet praesupposita ostensione obiecti. Contra: agens impeditibile non simpliciter necessario agit sed conditionalter, si non sit impeditum, sed tamen necessario remouet impedimentum si potest; ergo ita hic» (*Ornithia*, I, d. 1, p. 2, q. 2, § 99, *Vaticana*, II, 76-77; see also the *textus a Duns Scotus signatus litteris a-4, 69-72*, where Scotus counters the statement that «in primo instanti naturae est actio praevia, in secundo actio principalis »).

90. This argument is reported only by Wadding edition: *Coll.*, q. 16, § 2, Wadding, iii, 381a. For the text see Appendix, 266-267, apparatus of q. 22.

91. This argument is reported only by Wadding edition: *Coll.*, q. 16, § 2, Wadding, iii, 381a. For the text see Appendix, 266-267, apparatus of q. 22.

92. This argument is reported only by Wadding edition: *Coll.*, q. 16, § 2, Wadding, iii, 381a. For the text see Appendix, 266-267, apparatus of q. 22.

to prevent a positive act of recoil (*nolle*) towards itself, but not to impose a positive act of acceptance (*velle*), so that from the statement: 'the will can not will if' does not follow that: 'the will necessarily will if', but the will remains capable of neither will nor will that object.⁹³

The last *quaestio* (*Utrum qui sic vult Deum, ut dictum est necessario, stat cum illo quod liber vult illud, et libere feratur in Deum*) is devoted to studying the question whether or not who wills necessarily, wills also freely. In other words, its main issue is to explain definitively how necessity and freedom can coexist in the same agent making the one and only act. In the *solutio* the Author first reports the statement that, according to Augustine and to Anselmus, God wills Himself necessarily but at the same time freely,⁹⁴ and then, coming to the point, broaches the thorny subject. There is a kind of necessity, the Author's argument runs, that includes a sort of submission of the subject to something else which prevents it either from the inside of the subject or from the outside, or which provides the force to act. This necessity, that is servitude, is incompatible with the freedom because it entails subjection, as is exemplified by the case of a projectile moved by an external force, or by the case of a weight (or an irrational animal) moved by a natural

93. *Quodlibet*, q. 16, § 20, Alliny, 589: «[...] ista posset concedi, quod voluntas non potest resilire ab obiecto sive nolle obiectum in quo non ostenditur aliqua ratio mali nec aliquis defectus bonus, quia sicut bonum est obiectum huius actus qui est velle, ita malum vel defectus boni, quod pro malo reputatur, est obiectum huius actus qui est nolle; et non sequitur ultra, non potest nolle hoc, igitur necessario vult hoc, quia potest hoc obiectum neque nolle, neque velle ». See also *Reportata Parisiensis*, II, *Reportatio examinata*, d. 22, q. un., § 8, Wadding, xi/1, 363: «[...] beatitudine apprehensa non necessario tenderet voluntas in ipsam: licet non posset eam nolle positive, potest tamen eam non velle negative ». Scotus specifically counters the Author's argument in his last *Lectura* delivered at Paris: «[...] tertius modus dicendi est quod ex natura potentiarum cum obiecto praesente est perpetua in actu beatitudinis: nam [...] de natura voluntatis est tendentia in obiectum tale visum, quod non habet in se rationem mali, et ideo necessario tendit in illud per suum actum qui est velle. Sed contra: [...] de voluntate oportet dicere, ut dixi in primo libro, distinctione prima, [non] quod (non) necessario tendat in obiectum, videlicet finem suum » (*Reportata Parisiensis*, IV, *Reportatio examinata*, d. 49, q. 5, § 9, Wadding, xi/2, 904).

94. *Coll.* ox., q. 23, § 8, Appendix, 269.

inner force.⁹⁵ Then, there is another kind that is a spontaneous necessity, which does not precede the act itself, (but is simultaneous with it), and which is compatible with the freedom.⁹⁶

In conclusion, against the opinion usually attributed to Scotus⁹⁷ the Author assumes that in the whole of creation the necessity is not a characteristic restricted to natural agents, but is shared by each agent eliciting its perfect act which, according to the Aristotelian theory of active powers, implies the ceasing of every motion, and therefore a necessity that is a necessary, spontaneous in-action utterly unlike the natural necessity that in any case entails violence. Now, it is hard to imagine such a revolution in Scotus's last thought, so that the authorship of the questions appears more and more questionable, especially taking in account that the position held by the Author is similar to the one Henry of Ghent maintained in well-known passages of his works.⁹⁸

95. *Coll. Ox.*, q. 23, § 10, Appendix, 269.

96. This argument is reported only by Wadding edition: *Coll.*, q. 16, § 2, Wadding, II, 38r. For the text see Appendix, 269, apparatus of q. 23.

97. For references to Scotus's works see note 100.

98. For a quick survey of Henry of Ghent's attitude on this subject we can bear in mind that Ghent maintains that each will necessarily wills the general concept of good: «per se de necessitate et naturaliter velit illud (scil. bonum simpliciter) voluntas» (Henricus de Gandavo, *Quodlibet* III, q. 17, 79r H). This natural bent to the good is working yet in our present state of *viatores*, but we must remind that, in accord with Ghent, the created will is a two-faced power: as a good being created by God is inclined to the good, but as a defective being deriving from the nothingness is inclined to the evil: «Flectitur voluntas per se ipsam solum et ad bonum, ratione suae libertatis naturalis qua est bone creatura Dei [...] flectitur etiam per se ipsam omnino solum ad malum, ratione naturalis defectibilitatis qua est ex nihilo, per quam potest deficere» (*Quodlibet* I, q. 16, in *Henrici Opera Omnia*, 109). For this reason the natural tendency to the good is not already completely effective, so that the will «depravata per vitium naturae [...] dilectione deliberata pro tali statu Deum super omnia diligere non potest» (*Quodlibet* IV, q. 11, 103v Y). Roughly speaking, that happens because «nihil potest diligere nisi cognitum», but for now we are not able to know clearly *Deus in seipso*, that is the Essence of God, so that we can act necessarily only towards the good in general, but not towards God known as now we can, that is by faith or by species (*Quodlibet* IV, q. 11, 102r R). Nevertheless, Ghent stresses that each will acts with immutable necessity when it sufficiently knows the ultimate good, because it is the «obiectum summe diligibile, a quo, cum cognitum est, nulla voluntas, neque creatura neque increata, potest se divertere». (*Henrici de Gandavo Summa quaestionum ordinariam*, apud Badium, Parisiis 1530 (repr. The Franciscan Institute, New York-Louvain-Paderborn 1953), II, 2, 6, q. 1,

But the really deeply-rooted difference between the Author and Scotus (in his doubtless genuine works) concerns the basis of the two theories. Scotus grounded all his handling of this subject on two basic assumptions. Firstly, his ontological belief that every creature is endowed of a defective being (*esse limitatum vel defectibile*), so that the human will is never able to will necessarily the ultimate good.⁹⁹ Secondly, his anthropological persuasion that this instability of the will represents a perfection referred to the finite being that is a characteristic of each creature, since every kind of firmness should be just that of an irrational natural agent.¹⁰⁰ The

155v Z). This necessity annexed to the act, rather than opposing the freedom of the will, originates from the free will itself acting towards the highest good clearly seen: «(actio) est elicita a voluntate [...] cum sola naturalitate necessitatis immutabilis annexa ipsi actioni, ut est illa quae procedit a libertatis arbitrio et tendit in summum bonum amatum et aperte visum» (*Henrici Summa quaestionum ordinariam*, 2, 60, q. 1, 157vL). So, this necessity is fairly compatible with the freedom because the divine Essence as object of the will makes the blessed more free in his acting than he was in any prior state, since the perfection of the object – with the helpful participation of charity – exceeds the weakness of the will. Actually, this necessity of immutability denotes – in God as well as in the blessed – the perfection of the will's act, so that we may easily distinguish this from other kinds of necessity: «Et de hac necessitate subdistinguerendum est in proposito, quia potest considerari ut praevia vel quasi praevia ad voluntatem, ut voluntas ipsa intelligatur cadere sub ipsa necessitate in eo quod ab ipsa egressitur actus voluntatis, vel potest considerari ut est concomitans ipsam voluntatem, ut ipsa necessitas intelligatur cadere sub ipsa voluntate in eliciendo actum. Necessitas primo modo procul dubio auferret libertatem in eliciendo actum [...]. Necessitas secundo autem modo considerata dico quod non auferet libertatem sed magis firmat eam in actu suo eo quod voluntas talem actum volendit electabiliter et quasi eligibiliter elicit, licet propter obiecti bonitatem immutabiliter actu suo inheret. Hoc modo etiam beati in patria in volendo Deum libere erant voluntatis, et libertatis quam modo sint, licet necessitas immutabilitatis concomiter immutabiliter tenens eam in actu suo» (*Henrici Summa quaestionum ordinariam*, 2, 47, q. 5, 28v Y).

99. Ioannes Duns Scotus, *Ordinatio*, II, d. 37, q. 2, § 10, in *RPE Ioannis Duns Scoti Opera Omnia*, VI/2, 995: «[...] illam differentiam specifiacam qua voluntas in communi contrahitur ad voluntatem creatam [...] circumloquimur cum hoc, quod est esse limitatum, vel defectibile, vel ex nihilo», thus «voluntas contracta [...] est proxima causa defectiva respectu peccati» (quoted as *Ordinatio* with reference to Wadding edition); see also note 100.

100. *Ordinatio*, I, d. 13, q. un., §§ 6r-6z, in *Doctoris subtilis et mirantii Ioannis Duns Scoti Opera Omnia*, studio et cura commissionis scotisticae ad fidem codicum edita, Typis Polyglottis Vaticanis, Civitas Vaticana 1959, vol. V, 96-97: «[...] determinatio ad necessitatem illam naturalem quae competit intellectui, voluntati repugnat, alia

Author, in accord with Ghent and the Franciscan-Augustinian tradition, but against Scotus (at least the way we know him), considers this weakness a transitory state, which is surmountable through divine help, i. e. the grace of charity, and above all through the attractiveness of God Himself, that is the most perfect object realising the tendency of the will

It amounts to saying, in Aristotle's words, that the proper object of the will, when it is known with sufficient clarity – to say *in patria* but not *in via* –, is able to make perfect the act of this power. Consequently, the will completely realises its nature and therefore settles itself in the stillness of its absolute actualization. So, the assumption of the Aristotelian dynamic of the active powers out of Scotus's ontological metaphysics of the modes of being brings the Author back to a traditional position shared, as we will see, by many other Franciscan theologians of the time.

3. THE QUESTIONS IN THEIR TIME

3.1. Historical context

Turning now to the last question and summing up what has been said, we can state that where the acting of the will in Heaven is concerned all the theologians involved in the debate assume as proven the necessity of the will's action towards God, while they are seriously at variance with each other regarding the means by which the will can do it. Such a wide variety of opinions on one hand testifies to a lively controversy amongst the Franciscan

autem non potest comperere voluntati ex perfectione voluntatis in communi, sed tantum voluntatis infinitae. [...] Unde haec indeterminato voluntatis? Responso. Non ab intellectu, qui necessario determinatur ad quodcumque [...]. Est ergo indeterminato radicaliter ab essentia, formaliter autem ex ratione voluntatis propriae». In Book IV of his last *Lectura* Scotus maintains that «acto intellectus non dicitur mala quia non est in potestate intellectus eligere intellectionem, et hoc est imperfectionis, sed ex voluntatis perfectione est quod actus suus possit esse malus et impurus» (*Reportaria Parisiensia*, IV, *Reportaria examinata*, d. 49, q. 2, § 18, Wadding, XI/2, 897). In Book II Scotus denies that the capability of the human will to sin derives from the creation *ex nihilo*, but states once again that «habet igitur posse peccare nihil sit liberi arbitrii absolute nec voluntatis absolute, est tamen aliquid voluntatis creatae» (*Rep. par.*, II, *Reportaria examinata*, d. 24, q. un., § 9, Wadding, XI/1, 364).

theologians in Oxford but on the other, as already hinted before, shows that all of them agree at least on countering Scotus's accredited doctrine.

So the problem is not just to verify the possible authenticity of these *Collationes*, but also to account for the spread of this unforeseen attitude in the Franciscan milieu. In this respect, it is probably correct to remember that in Paris as well as in Oxford very few Franciscan masters shared Scotus's revolutionary theory of the will. Before the first half of the second decade of the fourteenth century, Franciscan theologians, keeping up a tradition already present in their environment, maintained a moderate in-between position. On one hand they agreed with Scotus (against Henry of Ghent) on the contingency of the will's action in the present state towards each good; the supreme too. On the other, agreeing with Ghent and against Scotus, they believed that in Heaven the created will acts freely and necessarily towards the Essence of God.

This was the common Franciscan opinion in Paris for the first fifteen years of the century, shared at least by Alexander of Alexandria, by James of Ascoli, loyal follower of Scotus, by William of Alnwick,¹⁰¹ one of the most independent of Scotus's scholars, and by Peter of Auriol, as well as by some *magistri* belonging to other Orders, such as the Carmelites. Francis of Meyronnes, around 1320, seems to be the first Franciscan theologian in France to support the opinion of Scotus.¹⁰²

The considerable influence of Henry of Ghent during the first decades of the fourteenth century meant that the Scotist doctrine was far less successful in Oxford than in Paris, so that Robert Cowton himself, one of the most influential Franciscan theo-

101. On Alnwick see Alliney, «È necessario amare Dio?» (with the edition of Guillelmus de Alnwick, *In Sent.*, I, d. 1, q. 1, *Utrum necesse sit voluntatem fieri nihilum sine sibi ostenso a ratione*), especially 93, where Alliney points out that on this topic Alnwick, tacitly referring himself to Henry of Ghent, does not follow Scotus.

102. Regarding this subject, and the authors here mentioned, see G. Alliney, *Lectioe della teologia scolastica della volontà nell'ambiente teologico parigino (1307-1316)* (with the edition of Hugo de Novocastro, *In Sent.*, I, d. 1, q. 3, *Utrum nihilum sine apprehensione in universali in via, voluntas necessario feratur in illum et veli ipsam*), «Doc. Studi Trad. Filos. med.», 15 (2005), forthcoming.

gians at the time, with respect to this subject strictly follows Henry of Ghent,¹⁰³ as do many others, including Richard of Conington¹⁰⁴ and Richard Drayton.¹⁰⁵ Perhaps the first significant purveyor of Scotus's thought in Oxford is William of Alnwick who, returning from Paris, holds the office of master regent presumably in 1315-16, but we have already said that his attitude on this subject matter is in line with most of the Parisian theologians. Not even the knowledge of the thought of Peter Auriol, on this very point quite similar to Alnwick, altered the Oxonian doctrinal atmosphere. It is only with John of Reading around 1317 that there appears on the theological scene of Oxford an upholder of a theory theoretically akin, even if more radical, to that of Scotus.¹⁰⁶ So, in the years just before and just after Scotus's death the most widespread theory of the will in the Scotist environment is almost the same as that held in the Oxford *Collationes*.

It must also be highlighted, as hinted above, that in the Oxford *Collationes* the focus of attention in treating the act of the blessed towards the Essence of God is to demonstrate the certitude of the beatific state, but this is quite unexpected from Scotus. It is a fact that Scotus – like his close contemporaries – in discussing the modality of the act of the will towards its ultimate end broached the question from a metaphysic and not a theological point of view, so that in Book I on the *Sentences* he never touched the question of the perpetuity of the beatitude, confining it in Book IV.

103. Dealing with the relationship between necessity and freedom in the act of the will towards God seen through His Essence, Cowton literally quotes the above-mentioned passage of the *Summa* of Ghent (see hereabove, note 98), with the adjustment of referring the reasoning to the human will rather than to the divine will acting towards God Himself as the original does: see Robertus Cowton, *In Sent.*, I, d. 1, q. 4. MS Oxford, Merton College 17, 23vb, published in G. Alliney, *Fra Scoto e Ockham: Giovanni di Reading e il dibattito sulla libertà a Oxford (1310-1320)* (with the edition of Ioannes de Reading, *In Sent.*, I, d. 1, q. 6, *Utrum sine ultimo appetitu ab intellectu creato voluntas necessario velit illum finem*), «Doc. Studi Trad. filos. med.», 7 (1996), 243-368: 262, note 53.

104. See Alliney, *Fra Scoto e Ockham*, 263-269.

105. See Alliney, *Fra Scoto e Ockham*, 277-278.

106. For a more circumstantial report on this point, see Alliney, *Fra Scoto e Ockham*, in particular 274-288.

Furthermore, assuming once again a position different to the Authors, there Scotus states that this perpetuity is caused neither by the form of the beatitude, nor by the nature of the power, nor by the *habitu* of the power itself, but only by the divine will which makes perfect the nature of the blessed and preserves it in that state,¹⁰⁷ so that it is an extrinsic cause that produces the firmness of the created will.¹⁰⁸

Scotus's solution is rather unsatisfactory, because the theologian is quite unwilling to abandon the assumption that the blessed's choice is meritorious, in spite of the inconsistency in saying that the blessed entirely and contingently acts through his own will when his act is right, and therefore laudable, whereas when it might be unordered the blessed still acts contingently by himself, but the effect of the acting is co-produced by the divine will as a superior cause.¹⁰⁹ Contrary to the Author, here the created will is

107. *Ordinatio*, IV, d. 49, q. 6, § 10, Wadding X, 454: «Dico ergo quod causa huius perpetuitatis nec est forma beatitudinis, quasi per ipsam beatitudo formaliter sit necessaria; nec natura potentiarum illarum, quasi circa obiectum necessario perpetuo operentur; nec habitus in potentis, quasi necessario determinans potentiam ad perpetuo operandum, sed est ex sola voluntate divina quae sicut perficit naturam intensivam, ita conservat eam in tali perfectione perpetuo».

108. *Ordinatio*, IV, d. 49, q. 6, § 11, Wadding X, 455: «Sic dico, quod nulla est causa intrinseca in voluntate [...] beati per quam excludatur potentia ad peccandum [...] sed per causam extrinsecam est impossibilis potentia illa propinqua ad peccandum, videlicet per voluntatem Dei praevenientem illam voluntatem ut semper contineretur actum fruendi [...]». See also *Reportata Parisiensis*, IV, *Reportatio examinata*, d. 49, q. 5, § 10, Wadding, XI/2, 904: «Unde igitur haec perpetuitas? Dico quod sola causa est voluntas divina», and *ibid.*, § 12, Wadding, XI/2, 905: «[...] nulla alia causa impecabilis est illi, nisi per actum secundum conservatum continue a voluntate divina. Habitus tamen charitatis et iumen gloriae bene inclinaret semper [voluntatem] ad non peccandum, non tamen necessario nec ex natura sua».

109. *Ordinatio*, IV, d. 49, q. 6, § 15, Wadding, X, 457-458: «[...] propter determinationem eius [scil. voluntatis] in suo ordine est aequalis contingencia, sed quod effectus qui provenit ab ipsa et aliis non omnino contingenter provenit ex contingencia eius, hoc est quia alia causa prior est determinata ad illum effectum. [...] laudabilis est pro quanto ipsa voluntas in suo ordine contingenter se determinat. [...] contingencia voluntatis in suo ordine conclusit contingentiam simpliciter effectus [...] et per consequens simpliciter contingens est quod non peccet, tamen nunquam eveniet, quia causa superior semper praeservat». Francis of Meyronnes will lambaste his Master with this wording: «Dicunt aliqui quod quantum est ex se [beatus] potest dimittere, sed Deus preservat eum, quia videt quod, si dimitteret eum, oporteret eum causare talem actum. Sed hoc nihil est, quia hoc positio volun-

deemed always able to sin, so that just the preventive intervention of God can avoid this eventuality.

During the last years of the first decade of the XIVth century the problem of the certitude of the beatitude rose to prominence in the environment of the University of Paris, and many theologians faced Scotus's unsteady solution in order to attack his general attitude on the bounds of will's contingence, as is testified by the Commentary of John of Bassoles among others.¹⁰ It is during this time that the subject became a heated debate, and its treatment is wrapped in the questions on the will traditionally placed in Book 1 on the *Sentences*. Returning to the *Collationes*, the centrality of this subject matter is apparent, so that we can suppose they represent the analogous development in Oxford of the discussion on Scotus's theory.

3.2. *A date and a comparison*

Obviously, whilst we cannot avoid the problem of dating the *Collationes*, the subject poses a tricky question. Since the titles of the questions are mentioned as subject-headings in the *Tabula Scoti*, i. e. the above mentioned subject-index of Scotus's works drawn up by James of Ascoli around 1310, we must assume this date as the *terminus ante quem* for their composition. Even supposing the questions are not authentic this result is not quite meaningful compared to the determination – if possible – of the *terminus post quem*. In this regard it is advisable to recall that in 1996 Stephen Dumont devoted a paper to studying the *quaestio* 14 of the *Collationes Oxonienses*.¹¹ According to Dumont, who correctly deemed q. 14 genuine, the question testified to an actual debate between Scotus and Richard of Conington¹² on the generation of

tas nihil ageret» (Franciscus Meyronnes, *In libros Sententiarum*, ed. Mauritius de Porta, Venetis 1520 (repr. Minerva, Frankfurt a.M. 1966), I, d. 1, q. 7, art. 3, 157b E).

110. See Alliny, *La nazione della terra scotiana*.

111. In accordance with the numbering of the questions in MS Magdalen College 194; q. 14 corresponds to q. 27 of Wadding edition.

112. On Richard of Conington see V. Doucet, *L'œuvre scolastique de Richard de Conington, O.F.M.*, «Arch. Francisc. hist.», 29 (1936), 396-442, and Dumont, *William of Ware*.

the Son in the Trinity. In this discussion Conington defended the position of Henry of Ghent through the argument already advanced against Scotus in his earlier *Quodlibet*.¹³

On the basis of Conington's biography we can establish with certainty the chronological range of the writing of his *Quodlibet*, drawn up in the years between 1305 – the likely year of his appointment as *magister regens* – and 1310 – the year in which Conington was nominated English provincial of Franciscan Order. But, since *Collationes* q. 14 follows Conington's *Quodlibet*, the latter must obviously have been drawn up prior to Scotus's death in 1308, so that we obtain a dating restricted to 1305-08; furthermore, since Scotus began teaching in Cologne in October 1307, it is hard to believe that he countered Conington the last year of his life, therefore we may conclude that Conington probably delivered his *Quodlibet* around 1305-07. This is the same chronological range as Scotus's *Collationes Oxonienses* because, assuming 1305 to be the earliest year possible for Conington's regency, we must admit that the dispute with Scotus took place in Oxford during the same year or soon after. In the opinion of Dumont, indeed, this chronology enables us to date all the Oxford *Collationes* in turn, even though it also «has the unexpected result of putting Scotus in Oxford during 1305 or later»,¹⁴ an unexpected but not impossible outcome, as Dumont himself highlights thereafter.

Undoubtedly Dumont had good grounds for believing *Collationes* q. 14 to be genuine, since Scotus himself in the *Ordinatio* made cross-reference to two of his *Collationes Oxonienses*, namely q. 1 and q. 14,¹⁵ but that is not our case: the prior doctrinal survey of Oxford *Collationes*, qq. 18-23, cast doubt on the authenticity of these texts. Now, in trying to advance an alternative hypothesis, let us suppose that these questions are not authentic. Also in this case, anyway, because of the numberings of the main coeval manuscripts – which include in their list the Oxford *Collationes* on the will too – and also the evidence of contemporaries, as well as Ascoli, it is reasonable and necessary to consider all the questions to

113. Dumont, *William of Ware*, 83.

114. Dumont, *William of Ware*, 84-82.

115. Numbering of MS Magdalen College 194; see Dumont, *William of Ware*, 84.

be drawn up around the same time. Nonetheless, since Scotus never intervened in the debate, seems odd that the discussions reported by our questions were conducted in his presence, thus we can reasonably assume they took place a short time after his departure. Then, on the basis of these assumptions we can point to the very last years of the first decade of the century – perhaps even shortly after Scotus's death – as the chronological range of the writing of the Oxford *Collationes* we are dealing with.

Furthermore, the doctrinal context just examined appears to indicate the end of the first decade of the century as the most probable date of these *Collationes*. In order to verify this statement it might be useful to make a comparison between the doctrine exposed in the Oxford *Collationes* and the near contemporary one taken up by Richard of Conington in his above-mentioned first *Quodlibet*. The influential status of Conington, formerly Scotus's fellow bachelor in Oxford, at the Franciscan study of that city, where he was regarded as a disciple of Henry of Ghent¹¹⁶ is well known. In *Quodlibet* I three questions, namely q. 6, q. 7 and q. 8, were devoted to the problem of will's freedom of action, and therefore will fit our purpose perfectly.¹¹⁷ In trying to make this comparison adequately clear we can attempt to survey briefly the main aspects of Conington's doctrinal ascent from the base-questions of whether or not the will acts as a natural agent, to the extreme interrogative of what kind of necessity can coexist with the freedom of the blessed.

In the first question Conington states i) that the will acts as a natural power because it has a natural bent to the good in general, and ii) that this naturalty implies a natural necessity in the deter-

116. See Doucet, *Leuine scolastique*, 420, note 1, and Dumont, *William of Ware*, 68.

117. The Conington's first *Quodlibet* survives anonymous in only one manuscript, Vatican City, BAV, Ottob. lat. 1126, of which Doucet demonstrated the Conington's authorship in 1936. The questions to the point are already examined and partially transcribed a eight years ago by myself in a paper on the reception of Scotus's theory of the will in Oxford. Without doubts about the authenticity of the Oxford *Collationes* as a whole, that time I supposed an influence of the late Scotus on Conington, but then, having changed my mind about the authenticity, I have also reconsidered the mutual influences between the two texts. Anyway, see Alliney, *Fra Scoto e Ockham*, 263-269.

mination and in the beginning of the act, but not in the prosecution of the act itself. According to Conington the will is determined by its own natural tendency and therefore begins its act spontaneously and without violence. Therefore the act is not free, because freedom and nature are not compatible with each other.¹¹⁸

In the second question Conington points out that in the present state the will can suspend its natural act towards the good in general because of the uncertainty of the sensible knowledge, thereby implying an imperfection in the object. In Heaven, at last, the will continues to act with necessity owing to the perfection of the object now perfectly known;¹¹⁹ but this necessity is not caused by an extrinsic agent, i.e. God Himself which created the will endowed of that particular bent to the good. Here the will is not subject to anyone, and its necessity is not natural at all, but stems from the absence of a reason to will anything else. Therefore, this necessity may coexist not only with the freedom of the will, but even with its contingency, as is clarified in the third question, because if the

118. *Quodlibet* 1, q. 6, MS Vatican City, BAV, Ottob. lat. 1126, f. 10va: «Voluntas de se est in potentia essentiali ad operandum [...] ex quo patet quod voluntas de se non est naturaliter determinata ad aliquem actum. Sed voluntas affecta per impressionem in ea factam a bono in communi apprehenso est naturaliter determinata ad actum volendi ipsum subitum et indeliberatum, et hoc ostendo: voluntas enim, ut sic, non est in potentia nisi accidentaliter ad velle ipsum; ipsa etiam exercet illum necessario nisi impeditur ab aliquo, et hoc totum habet ab aliquo efficiente et huiusmodi necessitante in potestate sibi ». As Conington explains more clearly later, in that case the will «licet sponte et non coacte velit, sed convenienter sine inclinationi, non tamen libere sed naturaliter, unde illa necessitas repugnat libertati» (*Quodlibet* 1, q. 8, MS Vatican City, BAV, Ottob. lat. 1126, f. 11rb).

119. *Quodlibet* 1, q. 7, MS Vatican City, BAV, Ottob. lat. 1126, f. 10vb: «Ad principale dicendum quod [...] quod voluntas fertur in Deum contingenter in via, falsum est quantum ad exertationem subitam actus indeliberati. Sed verum est quantum est ad continuationem eiusdem actus: et cum in via, ergo et in patria voluntas continet actum contingenter, concedo, cum quo stat quod necessario continet ipsam, ut patebit in proxima questione. Et si queretur quare voluntas in via continet actum necessario licet contingenter, precipue cum obiectum utriusque sit omne bonum et sub ratione omnis boni apprehensum, dicendum quod omne bonum conceptum sub ratione omnis boni via sensus non est omne bonum sub ratione omnis boni ut est in se, sed ut potest colligi via sensus [...] ideo visio Dei sub ratione qua non potest apparere in eo defectus est causa huius necessitatis in patria que non est in via ».

will, impossible, found something more desirable than God apprehended by the intellect, it could delight in that.¹²⁰

So, Conington imputes the different way of will's acting here and in Heaven to the different knowledge of the object, and the perpetuity of this act in Heaven to the absence of reason why the will would will something else. The freedom of the will, states Conington in closing, is spontaneity without subjection to other preceding causes giving it a positive necessity in acting.¹²¹

Now, in comparing the attitudes of the Author and of Conington we can observe that they both admit the natural necessity of the determination (*determinatio*) of the will towards its act. Conington, however, confines the will's operative contingency to the continuation (*exercitium*) of the act, whereas the Author attributes contingency to the will also in the beginning (*inchoatio*) of the action (as we have already seen, for the will's capability to choose the desired object imposing its consideration on the intellect). Consequently, for Conington the necessary beginning of the act of the will it is natural and then not free, while for the Author the

120. *Quodlibet* 1, q. 8, MS Vatican City, BAV, Orheb. lat. 1126, f. 117b: « Dicendum ergo quod [...] necessitas autem qua omnis voluntas creata vult commodum, quantumcumque venit in mentem, statim et necessario est ei illata a causa differente a se et preveniente, scilicet a Deo voluntatem cum tali affectione creante et obiecto imminente voluntati huius passionem naturaliter inclinantem. Unde voluntas est obnoxia et subiecta et magis agitur quam agit, et sic vult Deum, et ideo, licet sponte et non coacte velle, sed convenienter sine inclinationi, non tamen libere sed naturaliter. Unde illa necessitas repugnat libertati.

Necessitas autem qua omnis voluntas videtur Deum continuat necessario velle Deum non est immutabilitas nature voluntatis eius, sicut in Deo, nec est ei illata ab aliqua causa positiva. Manet tantum a causa privativa que est defectus cur, ut supra ostensum est; et quod cause privative non est effectus positivus patet, quia illa voluntas non est necessitas positiva, et ideo stat simul cum contingenda simpliciter, quia posito per impossibile aliquod appetibile cuius bonitatem non gustasset modo eminentiori volendo Deum, apprehensum illud per intellectum, voluntas habere cur cur posset prediligere ipsum et posset prodire in alterum prediligendum (*ms*: prediligendi), nec autem esset hoc impossibile propter defectum cur ».

121. *Quodlibet* 1, q. 8, MS Vatican City, BAV, Orheb. lat. 1126, f. 117b: « Unde dico quod, quia hec necessitas non reddit voluntatem obnoxiam nec subiectam alteri cause positive prevenienti et necessitatem positivam inherenti, ideo non includit aliquam servilitatem; et sciendum quod spontaneitas non mixta cum servilitate est libertas, patet quod voluntas videtur Deum concipit actum volendi eum libere et tamen necessario et contingenter, ut supra ostensum est ».

necessary determination of the act of the will is natural, but the elicited act is still free. Anyway, in this way they both make reference to the typical Thomist doctrine,¹²² already rejected by Ghent,¹²³ of the distinction between *determinatio* and *exercitium*. The two Franciscan theologians are in agreement on the lack of necessity in the action of the will in the present state, even if Conington, coherently with his own assumptions, claims that, because its prompt execution is absolutely natural, only the continuation of the act may be contingent. The same agreement – shared with many other theologians of the time – appears in the common justification of the change of the contingency *in via* in the necessity *in patria* on the basis of the clearest knowledge of the ultimate end in Heaven.

Once again, the two Franciscan Masters agree that the necessary volition of the blessed is both perpetual and free because of the inwardness of the cause of that necessity, and of the potential capability of the blessed's will to will something else only if it should find a reason for this choice,¹²⁴ but the wording of the two

122. For instance, in that very years the Dominican Hervaeus Nieldeltec, following Thomas Aquinas, writes that « voluntas dicitur movere quantum ad exercitium actum, et intellectus quantum ad determinationem actus » (Hervaeus Natalis Britonis, *In quatuor libros Sententiarum commentaria*, Paris 1647 (repr. Gregg, Farnborough 1966) II, d. 20, q. 1, 263^a A), as well as his confere Durandus of Saint-Pourcain, who claims that « illud quod nullo modo est activum, nec quoad exercitium, nec quoad determinationem actus, non potest esse liberum; illud, autem, quod est passivum quoad determinationem actus, dum tamen sit activum respectu exercitii actus, potest esse liberum » (Durandus a Sancto Porciano, *Quaestio "Utrum liberum arbitrium sit potentia vel actus vel habitus"*, in P. Stella (cur.), *Le Quaestiones de libero arbitrio ad Durandum da S. Porciano*, « Salesianum », 24 (1962), 450-524 (particularly 480).

123. See here above, note 49.

124. Also William of Alnwick follows the widespread opinion that it is necessary a reason (i. e. a *ratio modi* in the object) for not will an object presented to the will by the intellect (see for instance Guillelmus de Alnwick, *In Sent.*, I, d. 1, q. 1, § 45, ed. Alliney, 120). Scotus's attitude on this point is clear, as we have seen hereon, note 93, but only few years later John of Reading explicitly counters this widespread argument by saying that the human will can will the ultimate end seen with clarity (i.e. the divine essence) without reason but the exploitation of his own freedom: « Contra illud quod additur, quod non potest non velle finem, quia non habet cur in obiecto respectu aversionis; quia, licet non sit cur in essentia respectu aversionis, tamen in obiecto, quod est aversio a fine, potest esse cur potest velle aversionem; et etiam libertas, sive experientia libertatis, potest esse cur possumus aversione » (Joannes de Reading, *In Sent.*, I, d. 1, q. 6, § 228, ed. Alliney, 343).

theologians is quite different. On one hand Conington denies that the necessary natural act towards each partial good could be said to be free, but claims that the necessary free act towards God in Heaven is really contingent, so that it is simultaneously necessary, free, and contingent. On the other the Author maintains that the necessary act *in patria* is free as the contingent act *in via* because they both are executed spontaneously by the free will, while he does not appear concerned with the possibility of calling 'contingent' the free necessary act of the blessed.

Now, in my opinion this semantic fluctuation of the sense attributed to the word 'freedom' does not entail an actual doctrinal opposition: quite the opposite, it could be said that both theories appear to be derived from the same doctrinal framework. They both seem indeed to be made up of a set of elements inspired by different doctrinal contexts, namely by generic attitudes of the prior century, for the natural determination of the first act of the will (*velle finem*);¹²⁵ or by the theory of Henry of Ghent, for the conception of the necessity consistent with the freedom as the necessity which does not precede the act but, coming from the inside of the will, is simultaneous with the act itself; or by the contemporary debates against Scotus, for the explanation of will's different way of acting towards God in the present state and in Heaven through the different knowledge of the object.¹²⁶ And this is the central point: the Author and Conington both reject the ker-

125. As it has been already said, Henry of Ghent denies the naturalness of will's act: as says Scotus in his *Ordinatio*, many theologians maintain the necessity of will's act towards the ultimate end in the present state, «sed Henricus quod libere, alii scil. Thomas, quod naturaliter fertur in finem: conveniunt in hoc communi 'necessario'» (*Ordinatio*, 1, d. 1, p. 2, q. 2, § 8r, Vaticana, 1r, 6r).

126. Conington too explicitly rejects Scotus's argument in favour of the contingency of the will in each state it could be already criticized by the Author (see hereon, text around note 81): «Utrum voluntas sic passa a Deo viso possit impetire ne actum volendi ipsum statim exercent. [...] Et quod non necessatur ostenditur, quia eadem potentia non mutata secundum naturam non fertur in idem obiectum nunc necessario nunc contingenter. Sed voluntas creata fertur in Deum in via contingenter. Ergo et in patria, ubi Deus videlicet, non fertur necessario [...] Ad principale dicendum quod maior est vera de necessitate naturali que non potest stare cum contingencia» (*Quodlibet* 1, q. 7, MS Vatican City, BAV, Ortoib. lat. 1126, f. 107a-b).

nel of Scotus's theory of the will, i. e. the ontologically grounded unsteadiness of the created will *in via* as well as *in patria*: a refusal that represents the earmark of the Franciscan voluntarism in the first lustums of the Fourteenth century, and that consequently does not allows us to ascribe easily Oxford *Collationes* qq. 18-23 to Scotus.

Some differences are nonetheless evident, first of all the different space assigned to the question of the certitude of the beatitude (almost unmentioned by Conington). In trying to give an explanation for this difference we can suppose that Conington's questions, delivered around 1305-07, testify to a prior phase of the debate on the will, while the Author's ones, written during the next few years, represented a subsequent phase. Actually, we know that in Paris the problem of the perpetuity of the beatitude rose to eminence around 1310, and we can presume a similar development in Oxford too, so that the difference of about three years may explain the different attitude on this topic of the two sets of questions; but here I manifestly confine myself to suggesting what I consider to be a reasonable assumption in supposing the lack of authenticity of our questions, and not an established explanation.

4. CONCLUSION

Coming to the end of this paper we can make some conclusive remarks. As a fact, our research left unresolved many doubts, so that we could not explain the reason for the textual disorder of the Oxford *Collationes* concerned with this study; however, the fundamental question here is whether or not these texts were composed by Scotus. This is a riddle, chiefly because we could advance arguments for both the possibilities.

In favour of the hypothesis of the authenticity of the questions there are several important factors. As a matter of fact, indeed, the whole handwritten tradition is in entire agreement in attributing to Scotus all the Oxford *Collationes*, without any parting between them, and the evidence of Ascoli's *Tabula Scoti* reinforces that conviction. The reference of Scotus himself to *Collationes* q. 1 and q. 14 is another important element in favour of the authenticity of these

texts. Ultimately, if the doctrinal content was in line with Scotus's thought, nobody would deny Scotus's authorship of the whole *Collationes*.

In support of the thesis of the lack of authenticity of the questions making up the treatise on the will basically there are only doctrinal arguments. As I have tried to show, the Author of these questions expressly countered the main statements made by Scotus in his main works, which are: i) the radical opposition between nature and will, so that the will never acts as a nature;¹²⁷ ii) the absolute inwardness of the reasons of the will in making its choice, so that the perfection of the object never leads the will to act necessarily;¹²⁸ iii) the belief that contingency is a perfection in the creation, so that only the double infinity of the subject and of the object in God realizes the will as a pure perfection, and sets the divine will in a necessary act towards its Essence.¹²⁹

127. See for instance *Ordinatio*, I, d. 1, p. 2, q. 2, § 80, Vaticana, II, 60: « natura et voluntas sunt principia activa habentia oppositum modum principianti; ergo cum modo principianti voluntatis non sit cum modo principianti naturae »; *Lect.*, I, d. 1, p. 2, q. 2, § 88, Vaticana, XVI, 90; *Quodlibet*, q. 16, § 42, Alluntis, 604.

128. See for instance *Ordinatio*, I, d. 1, p. 2, q. 2, § 98, Vaticana, II, 76: « necessitas agendi non est nisi per intrinsecum principio activo principali »; *Ord.*, I, d. 1, p. 2, q. 2, § 137, Vaticana, II, 92; *Coll. Par.*, q. 8 (quoted in note 5). Actually, Scotus changed his mind in his last years, but he did so by endorsing a more radical voluntarist view, that it to say « by upholding the will as the total cause of volition and the object in the intellect as the *sine qua non* cause » (Dumont, *Dif. Dns Scotus Change His Mind on the Will?*, 780).

129. *Doctoris subtilis et mariani Iohannis Dns Scoti, ordinis fratrum minorum, Lectura in librum primum Sententiarum. A distinctione octava ad quadragesimam quartam*, d. 10, q. un., § 26, in Eiusd., *Opera Omnia*, studio et cura commissionis scotisticae ad fidem codicum edita, Typis Polyglottis Vaticanis, Civitas Vaticana 1966, vol. XVII, 124: « Et ideo oportet ponere finem et voluntatem infinitam, et sic erit necessitas in volendo finem [...] Unde tolle bonum infinitum, — igitur non est necessarium illud quod amatur, et per consequens voluntas non necessario illud amat, tolle etiam voluntatem infinitam, — igitur potest aliquando non velle. Et ideo dico quod utrumque requiritur. Unde postea infinitate in obiecto et infinitate voluntatis sequitur necessitas amandi et necessitas producendi amorem infinitam ». See *Doctoris subtilis et mariani Iohannis Dns Scoti, ordinis fratrum minorum, Ordinatio, Liber primus. A distinctione quarta ad decimam*, d. 10, q. un., § 47, in Eiusd., *Opera Omnia*, studio et cura commissionis scotisticae ad fidem codicum edita, Typis Polyglottis Vaticanis, Civitas Vaticana 1966, vol. IV, 359: « dico quod necessitas huius productionis (scilicet Spiritus Sancti) amori adequati [...] est ex infinitate voluntatis et ex infinitate bonitatis obiecti, quia neutrum sine alio sufficit ad necessitatem ». Also in the *Additiones mag-*

Therefore, it is hard to believe that Scotus would completely repudiate his prior position to the point of taking issue with himself in the last years of his life in such a way.¹³⁰ Obviously, we can take the spreading of a similar doctrine in the Franciscan environment, both in Paris and in Oxford, as an acceptance of this doctrinal changeover, and so as a corroboration of the genuineness of our *Collationes*, or on the contrary as evidence of the inauthentic nature of our *Collationes*, product of the later debate in the Franciscan milieu in Oxford. In that case we might suppose the Franciscan theologians inserted apocrypha in the report of the questions disputed by Scotus himself in the Oxonian convent, but that would be really an audacious surmise. So, here I won't pretend to have succeeded in discovering the truth, but instead I confine myself to offering material for further discussions.

In closing, let me express my opinion: I find it difficult to believe that Scotus suddenly changed the metaphysical bedrocks of his theory of the will, that is the ground of all his anthropology in turn, so, even if the circumstances of their origin remain quite obscure and unexplained, I am inclined not to believe these questions genuine.

5. EDITORIAL PRINCIPLES

This is not a critical edition: we are still far from a near-perfect reconstruction of the questions affected by this paper. My aim has

nae Scotus maintains that « voluntas enim creata circa finem, quia non est ex se necessario recta, ex se potest in finem volendo, et non volendo; sed voluntas infinita necessario est recta, et ideo voluntas infinita, in supposito convenienti actioni respectu obiecti infiniti sibi presentis, necessario spirat amorem illius obiecti infiniti sibi praesens, quia amor dicitur Spiritus Sanctus » *Rep. Par.*, I, *Additiones magis*, d. 10, q. 2, *Wadding*, xv/1, 84. See also *Quodlibet*, q. 16, § 2, Alluntis, 584.

130. As we had already seen, the *Additiones magis* and the *Ordinatio*, as well as the *Lectura prima*, testify an identical attitude on this subject, but q. 16 of the *Quodlibet* seems to be more cautious (see hereabove, note 83). The examination of the unedited *Reportatio examinata* of Book I of the Paris *Lectura* could better clarify Scotus's thought in his last years, even if in Book II Scotus refers to the solution stated in Book I by saying that the will does not necessarily act toward the object (see above, note 93).

just been to make available a sufficiently reliable text of a part of «the least studied of Scotus's theological works»¹³¹ to the scholar of medieval thought. The following text is based on MS Oxford, Magdalen College 194, the oldest witness of the Oxford *Collationes*, collated when required to compensate for omissions or evident errors with the other four manuscripts of the Oxford *Collationes* that are known to exist.¹³² Rejected readings are noted in the apparatus, as the manuscript(s) supporting the accepted ones. When in all the extant manuscripts a part of the argument has been lost due to homoeoteleutic errors, in very few cases I have made use of the text from Wadding edition. Anyway, I have pointed out these integrations in brackets in the edited text, while I offer the Wadding version in the apparatus. The orthography is standardized, and punctuation is according to modern usage.

The following signs and abbreviations have been used:

- Bl = MS Oxford, Balliol College 209
 Bm = MS London, British Library, Add. 7969
 Mg = MS Oxford, Magdalen College 194
 Mr = MS Oxford, Merton College 65
 Ph = MS Cambridge, Peterhouse 241
 (...) = word(s) supplied by the editor
 add. = *addidit*
 del. = *delevit*
 om. = *omisit*

131. Durnont, *William of Ware*, 69.

132. I thank the librarians of Magdalen College, Merton College and Balliol College in Oxford for help, the British Library in London for photographs of the pertinent folios, and the Peterhouse Library in Cambridge for complete microfilm.

APPENDIX

Collationes Oxonienses, qq. 18-23

Quaestio 18

Utrum voluntas determinetur naturaliter ad aliquid volendum

1. [f. 93r] Quod sic: Augustinus, *De Trinitate*, xiii, 8:1 ad volendum beatitudinem «natura compellit».
2. Item, potentia habet naturalem habitudinem ad actum et obiectum quia cadit in sua diffinitione, et diffinitio indicat naturam rei, scilicet habere naturalem habitudinem, et naturaliter determinari; ergo etc.
3. Item, que conveniunt omnibus et uniformiter conveniunt eis ex principiis nature; sed velle beatitudinem convenit omnibus, quia omnes appetunt beatitudinem, primo *Ethicomum*? ergo etc. 10
4. Item, mobile et coniungens reducit ad immobile et necessarium, sicut notitia conclusionis contingens ad cognitionem principii necessario et immobiliter not; ergo similiter in voluntate.
5. Item, anima est naturaliter capax beatitudinis; sed nulla creatura capax alicuius boni caret naturali motu ad illud, aliter natura deficeret in necessariis. 15
6. Item, omne generans determinat generatum ad motum quo conatur aliquando coniungi cum generante; ergo Deus creans determinat sic voluntatem, ut conetur etc.
7. Item, specialiter de Deo arguitur sic: gloriosius habetur quod habetur necessitate nature quam aliter; sed Deus vult se gloriosissime; ergo etc.
8. Item, divina voluntas est divinus intellectus re et intentione; ergo, si intellectus intelligit modo nature, ergo et voluntas sua habet velle modo nature. 20

10 ergo etc.] Bl Mr Bm; om. Mc 13 ergo] Bl Mr Bm Ph; item Mc 21 sed] Bl
 Mr Bm; sicut Mc

1. Aug., *trin.*, xiii, 8 (CCL 50A, 398).

2. Aristot., *phys.*, II, 49, 196 b 17-22.

9. Contra: principium ut natura distinguitur contra principium ut intellectus, si *Physionum*;³ sed voluntas est principium secundum intellectum; ergo etc.

10. Item, voluntas non fertur in ea que sunt ad finem ut naturaliter determinata; ergo nec in finem. Probatio consequentie: voluntas finis est causa latonis voluntatis in ea que sunt ad finem, ergo. Probatio istius: sicut se habet intellectus ad principium in speculabilibus, sic finis in moralibus.

11. Item, partitio non movet nisi in virtute totius; *De Trinitate*, XIII:⁴ propter beatitudinem appetunt omnes cetera que appetunt.

12. Item, quod inest naturaliter inest si volumus; sed « si nolumus non vellemus » secundum Augustinum.⁵

13. Item, potentia que in ferendo magis agit quam agit non fertur libere; sed potentia naturaliter determinata ad obiectum est huiusmodi; ergo etc.

14. Item, de Deo arguitur specialiter sic: Deus non diligit alia nisi diligendo se; sed non diligit alia ut hec ut naturaliter determinatus; ergo etc.

15. Item, intellectus divinus esset tunc eque liber sicut voluntas sua.

16. Dicitur quod 'velle' quandoque sumitur pro inclinatione quacumque in voluntate, sive innata, sive impressa noviter ab obiecto, alio modo pro actu elicto a voluntate.

17. Sed propter argumenta sciendum quod uno modo dicitur 'naturalis' quod distinguitur contra violentum; secundo modo contra delibationem; tertio modo contra adventitium; quarto modo contra spontaneum sive ultroneum.

18. Primo modo, secundo et tertio velle finem est naturale, sed quarto modo non, sed liberum. Sed de isto velle spontaneo adhuc est distinguendum, scilicet quod potest sumi pro latone passiva voluntatis, vel activa: si primo modo, hoc est tripliciter.

19. Primo, quantum ad determinationem voluntatis ad ipsam: sic pure est naturale.

30 finis] B1 Mr Bm Ph; sicut Mc
51 naturalis] Ph; nature B1 Mr Bm Mc

42 determinans] Mr Ph; determinata Mc

3. Aristot., *eth. nic.*, I, 1, 1094 a 3.

4. Aug., *trin.*, XIII, 8 (CCL 50A, 397).

5. Aug., *cit.*, V, 10 (CCL 47, 140).

20. Vel quantum ad exercitium, et hoc quantum ad continuationem, et sic est omnino liberum, et in potestate voluntatis est continuare actum suum circa obiectum.

21. Vel quantum ad inchoationem, cum non sit in nostra potestate quibus visis tangamur: dico quod, stante intellectu in actu suo, et ut sic naturaliter, potuit tamen averuisse considerationem, et pro tanto libere. Et intellige quod voco hic latonem passivam actum secundum convenientem impressionem factam in voluntate, sicut motus gravis in gravi sequitur formam gravis; velle tamen, ubi est actio, est omnino liberum. Et per hoc patet ad argumenta.

22. Sed, ut expressius est circa dicta de habituali inclinatione et actuali que dicitur 'latio passiva', velle, quod est inclinatio primo modo, est omnino naturale; sed secundo modo, quantum ad inchoationem, indirecte est liberum.

23. Sed tunc queritur utrum libere fertur in finem, et cum hoc naturaliter.

24. Dico quod sic.

25. Contra: tunc duo actus sunt simul cum tamen habeant oppositas condiciones.

26. Verum est quod sunt simul duo velle, unum ut passio, et aliud ut actio. Exemplum, sicut simul sunt actus voluntatis et delectatio sequens, que est quoddam velle quod libere fertur in finem. Probatio, quia delectabilis fertur quod spontanee fertur, quam quod necessario; sed voluntas delectabilissime fertur in finem.

Questio 19

Utrum apprehenso in universali fine ultimo,
voluntas viatoris possit non velle illum

1. [f. 93ra] Dico quod 'velle' sumitur large pro quacumque inclinatione impressa, sive a Deo, sive a quocumque in anima; unde homo potest habere aliquid impressum in voluntate non quo elicit velle, sed inclinat ad velle, tamen voluntas potest velle contra illud, et illud im-

57 hoc] vel *add.* Mc64 naturaliter] naturalis B1 Mr Bm Ph Mc

5 homo] Bm Ph; hoc Mc 7 velle] sed delectari est inclinari *add.* et *add.* Mc

pressum est velle aliquo modo; unde Augustinus super illud Psalmi: «inclina cor meum»;⁶ inclinari est velle; sed delectari est inclinari; ergo 'velle' sumitur consequenter, quia quando sumitur pro inclinatione non est tunc tantum actus elicitus. Ergo 'velle' sumitur large pro omni inclinatione passiva impressa a Deo, et sic inclinatio non est in potestate voluntatis: secundum Augustinum? «non est / [f. 93rb] in potestate nostra quibus visis tangamur»; unde, aliquo viso, passio fit in voluntate que non est in potestate voluntatis.

2. Similiter secundum Anselmum, *De concordia* (...), et *predestinatione etc.*,⁸ Deus impressit affectiones in voluntate per quas apprehenso bono consequendo inclinatur ad illud; sic non est actus elicitus sed passiva inclinatio.

20 3. Aliter sumitur 'velle' pro actu elicitio. Sic ergo sumpto potest dici quod voluntas, apprehenso fine ultimo in universali, potest non velle illum.

4. Uno modo, quod sic videtur: licet idem bonum est bonum in communi et in particulari, etsi sit apprehensum in communi, non tamen est omne in particulari; sed nullum bonum particulare est absens; ideo voluntas potest tunc averti.

5. Alio modo potest intelligi quod voluntas potest velle oppositum boni in communi apprehensi, et nolle sic illud bonum in communi: hoc est impossibile secundum Augustinum, xiii *De Trinitate*, 8⁹ et in 30 *Enchirion*, capitulo 9.¹⁰

6. Aliter potest intelligi quod voluntas est ita libera ad actum, scilicet elicere vel non elicere, ita quod, bono in communi apprehenso,

10 quia] Bm Ph; om. Mc 11 actus] B1 Mf; om. Mc 12 passiva impressa] B1 Mr Bm Ph; in: Mc e] Bm Ph; om. Mc 13 voluntatis] quin tangatur *add.* Mc 17 bono] B1 Mf; om. Mc 18 inclinatur] B1 Mr Bm; inclinor Mc 20 aliter] B1 Mr Bm Ph; similiter Mc 23-26 licet ... averti] *vide textum in editione Waddingi*: «licet idem sit bonum in communi et in particulari, etsi sit apprehensum in communi, non tamen in particulari, et sic ab illo potest averti» (*Coll.*, q. 16, Wadding, § 1, in, 381a) 25 nullam] *ideo add.* Mc 27 potest] B1 Mr Bm Ph; om. Mc 29 e] B1 Mr Bm; om. Mc

6. Aug., in *psalm.* 118, 11, 6 (*GCL* 40, 1698).

7. Aug., *lib. arb.*, 11, 25, 74 (*GCL* 29, 319).

8. Ans. Cant., *praec. et praed.*, 111, [11] (Schmitt, 1, 281).

9. Aug., *trin.*, xiii, 8 (*GCL* 50A, 397).

10. Non inveni. Vide forsitan Aug., *encl.*, xxviii, 105 (*GCL* 46, 106): «Sic enim oportebat prius hominem fieri ut et bene velle posse et male [...] postea vero sic erit ut male velle non possit, nec ideo libere carebit arbitrio».

voluntas est in potentia <ad> actum omnem suspendere, et ita nec velle, nec nolle.

7. Contra illud arguitur: 'suspendere' vel est agere, vel non; si est agere, ergo dicit opposita contradictionis: tunc enim est suspendere actum suspendendi.

8. Si non est agere, contra: impressio facta in voluntate ab obiecto est pondus et inclinatio; sed omne pondus inclinans necessitat inclinatum suum nisi inclinatum renitatur; sed non renitatur nisi per actum; ergo etc.

9. Item, si voluntas non esset libera, tale pondus in ea necessitaret eam; sed si voluntas nullam libertatem exerceat in agendo, sic se habet pondus ad eam ut non libera; ergo necessitaret eam.

10. Item, si potest nullum actum exercere, ergo hoc est quia libera, et tunc includitur in ratione libertatis posse non velle: hoc falsum; voluntas enim Dei semper est in actu, et tamen est libera.

11. Item, quod advenit a voluntate ut libera, advenit ei ut activa est, et ita advenit ei per actum. Quia si est positivum, patet hoc; si est privativum, advenit ab ea ut libera, et hoc est necessitate exercitium libertatis: hoc est agere.

50

Questio 20

An apprehenso per intellectum bono in communi in via, posset voluntas non velle illud

1. [f. 93va] Dico quod sic, sicut patuit alias.

2. Nihil enim est tam in potestate nostra sicut voluntas; actus intellectus est, quia non intelligat hoc; ergo etc.

3. Item, omne movens necessario omnimodo necessario eque necessario amovet omne prohibens si potest, quia semper movet tale nisi

34-36 contra ... suspendendi] *vide textum in editione Waddingi*: «Contra, illud 'suspendere', vel est agere, vel non; si est agere, ergo dicit opposita, quia sic suspendere etiam omnem actum suspendendi» (*Coll.*, q. 16, Wadding, § 2, in, 381b) 34 arguitur] Bm Ph; actus Mc s] similiter B1 Mr Bm Ph Mc 37 in] Bm Ph; a Mc ab] Bm Ph; in Mc 39 nisi] B1 Mr Ph; ubi Mc 44 quia] non *add.* Mc 48 ita] nihil *add.* Mc

impediatur; ergo voluntas necessario amoveret omnimodo necessario
10 inconsiderationem boni in communi.

4. Item, omne quod movet necessario, movet necessario unifor-
miter quoad omnemque moveri; sed voluntas quandoque intensius move-
tur in bonum in communi, quando clarius consideratur ab intellectu, et
remissius quando obscure intelligitur.

15 5. Sed 'voluntatem posse per libertatem suam non velle bonum in
communi apprehensum' potest esse quia potest nolle illud et velle op-
positum: hoc falsum.

6. Aliter potest intelligi quod in instanti in quo intelligitur bonum
in communi, antequam voluntas eliciat actum circa illud, potest
20 avertere intellectum ab illo ad aliud bonum: hoc patet. Tum statim
sequitur quoddam velle, et voluntas est motus naturalis, non autem
velle liberum, sed velle naturale sequens inclinationem naturalem in-
ditam a create, nec est in potestate mea quo viso tangar; tamen, an-
tequam libere velim illud, possum avertere intellectum ut consideret
25 aliud.

7. Tertio modo potest intelligi 'posse non velle' quia suspendere se
ab omni actu: hoc falsum. Hoc patet prius, ¹⁰ et arguo aliter sic: omne
quod provenit per se ex potentia actione libera, in quantum huiusmo-
di provenit ex ea per exercitium libertatis, quia provenit per se est
30 esse intentum. Si ergo suspendere omnem actum convenit ei per
liberum arbitrium, ergo.

8. Item, si est privativum illud suspendere, non est per se intentum,
quia positivum provenit ab aliquo positivo.

9. [f. 93b] Ergo ad primum in oppositum. ¹¹ Nihil subest voluntati
35 tantum sicut voluntas: concedo; sed, sicut actus intellectus subest, ita
voluntas, quia potest divertere actum volendi sicut intelligendi, non
tamen omnem actum suspendere.

10. Ad aliud. ¹² Agens necessario, ita quod per nullam potentiam
suam potest non agere, necessario agit; voluntas autem potest diver-

9 omnimodo necessario] Bl Mr Ph; om. Mc 11 movet necessario] Bl Mr Bm Ph; om.
Mc 20 aliud] Bm Ph; om. Mc patet] Bl Mr Bm Ph; potest Mc 23 a] Bl Mr
om. Mc 34-49 Ergo ... repudiando] omnes codices ponunt *hanc partem in quæstione 49 post*
finem 34 in oppositum] Bl Mr Bm Ph; modum Mc nihil] Bl Mr Ph; vel Mc

10bis. Cf. supra, q. 19, §§ 7-8, *Appendix*, 258-259.

11. Cf. supra, § 2.

12. Cf. supra, § 3.

tere intellectum et se ad aliud; ideo habet necessitatem stante conside- 40
ratione, non tamen simpliciter.

11. Ad aliud. ¹³ Agens necessario, quod per nullam potentiam suam
potest non agere, agit semper; sed voluntas potest avertere intellectum.
Visus necessitatur eque a colore et luce: nullum enim actum elicit nisi
per aliquod impressum ab obiecto, tamen eque necessitatur respectu
omnium; sed impressum in voluntate est tantum inclinans; ideo volun-
tas nunquam necessitatur ab obiecto, tamen inclinatur magis respectu
finis quam respectu alterius; sic quod non potest ferri in oppositum,
licet potest divertere ab illo, non tamen repudiando.

Questio 21

Utrum voluntas informata caritate
posset non velle Deum visum per essentiam in patria

1. [f. 93v] Arguitur quod sic: idem principium activum eodem mo-
do se habens non elicit actum modo contingenter modo necessario 5
circa idem obiectum; caritas et voluntas sunt eadem et huiusmodi ubi
fertur contingenter; ergo etc.

2. Item, visus est liber per participationem, et non necessitatur plus
respectu solis quam respectu primi obiecti.

3. Item, que causa illius necessitatis? Si obiectum, voluntas non est 10
libera; si voluntas tantum, tunc claritas visionis nihil faceret.

4. Contra. Hoc est peccatum aliquod; beati non possunt peccare.

5. Dico quod non, quia non potest esse nullum actum exercendo:
hoc enim probabatur prius.

6. Nec nullum actum exercendo circa ipsum sed circa aliud. Hoc 15
impossibile, quia non potest esse nisi divertendo intellectum ab eius

42 suam] Bl Mr Bm Ph; om. Mc 44 et luce] Bl Mr Bm Ph; om. Mc 46 im-
pressum] apprehensum Bl Mr Bm Ph Mc 47 inclinatur] Mr Bm Ph; necessario
(?) Mc 49 non tamen repudiando] Bl Mr Bm Ph; om. Mc

4-5 modo] Bl Mr Bm Ph; om. Mc 5 non] Bl Mr; om. Mc 6-7 caritas ... con-
tingenter] vide *textum aliorum codicum*: ergo caritas et voluntas eadem circa idem obiec-
tum et eodem modo se habens non fertur modo contingenter modo necessario
Bl Mr

13. Cf. supra, § 4.

consideratione: hoc autem est impossibile, cum Deus ubique est. Angelus qui potest videre Deum, quocumque se verit, videt Deum.

7. Aut hoc esset suspendendo omnem actum circa ipsum, sed Deus est presens ubique <et> ut obiectum imprimat aliquid in voluntatem; ergo pondus in voluntate inclinabit voluntatem ut velit, nisi resistat ponderi. Hoc non potest: patebit post.

8. Aliter potest intelligi quod potest non velle Deum super omnia quia potest ut illo: hoc falsum secundum Anselmum, *De veritate*, 14:¹⁴ « nihil volumus nisi habeamus cur »; sed non velle Deum supra omnia non habet cur, quia nec Deus <est> magis malum quam aliud, vel in eo quod non vis non est omne bonum et eminentius: hoc falsum.

9. Vel si dicit: idem bonum in duobus in voluntate est modo diminuto: hoc falsum, patebit post; nec videns potest habere actum respiciendi: hoc falsum, quia nihil mali in obiecto nec diminutum bonum.

10. Ad primum,¹⁵ maior potest esse falsa / [f. 93vb] propter diversam habitudinem obiecti. Deus enim ut obiectum intellectus in via, potest intellectus averti ab eo ut non intelligatur in particulari; in patria semper videtur necessario in particulari, et ideo imprimat in voluntate que inclinatur ab eo pondere et necessitate, cum non habeat cur non volendi.

11. Ad secundum,¹⁶ dico quod voluntas videntis Deum non potest non velle Deum. Hec necessitas est impossibilitas non videndi. Causa istus impossibilitatis est causa alterius, non est causa determinativa voluntatis, cum sit libera. Ideo continua exhibitio et coniunctio obiecti cum intellectu, elicitio habitus glorie, <in> potente videre Deum est causa necessaria continue contemplationis. Continua contemplatio obiecti est necessaria causa impressionis in voluntate, et ideo causa continue inclinationis in Deum per modum nature est continua impressio in voluntatem, et inclinatio est causa non determinans ad ferendum sic vel sic, sed inferens vel concludens quod voluntas fertur per

18 videt Deum] Bl Mr; om. Mc 19 sed] Bm Ph; quia Mc 22 posq] Bl Mr Bm
Ph; prius Mc 29-30 hoc falsum ... respuendi] Bl Mr Bm Ph; om. Mc 35 et]
Bl Mr; om. Mc 35-36 inclinatur] Bl Mr Bm Ph; intelligatur Mc 38 est im-
possibilis] Bl Mr Bm Ph; impossibilis Mc

14. Ans. Cant., *verit.*, xii (Schmitt, 1, 194).

15. *Cf. supra*, § 1.

16. *Cf. supra*, § 2.

aliquem actum in Deum, vel per velle vel per nolle. Si esset causa determinans tolleret libertatem volendi, sed est causa inferens, quia sequitur per argumenta dictam voluntatem habere actum circa Deum necessario.

12. Sed que est causa quare per actum diligendi fertur necessario voluntas beati in Deum?¹⁷ Dico quod non est determinans causa aliqua propter libertatem, tamen est causa inferens et defectus cur volibilis obiecti, et est cur non deficit voluntati obiectum volibile et est cur voluntatis.

13. Ad aliud,¹⁸ visus potest averti ab obiecto intellectus; in patria non potest averti a Deo, patet prius.

14. [f. 93r] Ad aliud argumentum,¹⁹ Augustini in oppositum, xv *De Trinitate*, capitulo 11,²⁰ et Anselmi, *Cur Deus homo*, libro primo, capitulo 7²¹ beati angeli non possunt peccare, cuius oppositum illa opinio videtur tenere: si enim possunt non velle, possunt peccare peccato omissionis.

15. Et isti dicerent forte: licet de libertate voluntatis possunt non velle Deum, tamen quia Deus tenet eos in beatitudine ut efficiens non possunt peccare.

16. Alqui assignant causam quare non possunt peccare beati a parte voluntatis.

17. Alii dicunt quod causa est voluntas divina confirmans et efficiens, ita quod non possunt velle oppositum illius quod Deus vult. Hoc videtur secundum Augustinum, 11 *Confessionum*;²² et xxii *De civitate Dei*, capitulo ultimo.²³

18. Alii dicunt quod securitas est aliquid beatitudinis, ideo sunt securi se non casuros, et falsum non scitur, ideo etc.

19. Alii dicunt causam ex parte obiecti beaifici non ut est efficiens, sed ut est finis. Intellectus enim beatus videt Deum per essentiam; 75

58-113 omnes codices ponunt hanc partem in questione 19 post argumenta quae in hac editione transponuntur in q. 20 (vide apparatus in precedentiibus quatione, ll. 34-49) 64 beatus-dine] nisi add. Mc 74 non] scitur (?) add. Mc

17. *Cf. supra*, §. 3.

18. *Cf. supra*, § 2.

19. *Cf. supra*, § 4.

20. Aug., *trin.*, xv, 12 (CCL 50A, 492).

21. Ans. Cant., *cur Deus*, 1, 7 (Schmitt, 11, 59).

22. Aug., *conf.*, 11, 7 (CCL 27, 25).

23. Aug., *div.*, xxii, 30 (CCL 48, 864).

Deus per essentiam est presens ubique et presens intellectui beato; ideo quocumque verit̄ se videt beatus Deum ex quo potest videre Deum per essentiam: est Deus enim ubique per essentiam. Ergo si voluntas beati habentis Deum presentem per essentiam in intellectu informata per caritatem potest non velle Deum, hoc vel nullum actum elicendo circa Deum – hoc improbatum est prius –; aut divertit intellectum non cogitando de Deo – hoc improbatum est modo, quia ad quodcumque convertitur, etiam in genere proprio, videt Deum –; aut hoc est quia potest nolle Deum in preponendo aliud sibi: hoc impossibile.

20. Probatio, quia quando voluntas preponit aliquid ali, vel non vult aliquid, hoc est propter aliquid cur, secundum Anselmum, *De veritate*²⁴ sed de Deo viso per essentiam nulla potest apparere ratio nolendi ipsum, vel preponendi aliquid sibi. Probatio, quia hoc non potest esse // [f. 93va] nisi quia hoc aliud cui preponitur est malum simpliciter, vel apparens malum; sed neutrum est hic, quia est bonum in se. Sed aliud est simpliciter bonum et essentialiter bonum; sed tamen quando unum non est aliud et sunt equalia, voluntas potest preponere unum ali: hoc non est hic, quia omne bonum includitur in hoc bono melius quam in se.

21. Ad argumentum eorum: 'idem principium activum et eodem modo se habens non aliquando elicit actum contingenter, aliquando necessario',²⁵ dico quod hoc est falsum per mutationem enim in alio factam quam in principio vel obiecto. Principium prius agens contingenter post necessario agit, ut moriens in caritate est beatus: voluntas non mutatur, nec caritas, nec obiectum; diligam tunc Deum sicut modo, tamen tunc necessario, modo contingenter propter realem mutationem factam in intellectu: visio enim modo est fides, tamen obiectum non mutatur, sed alio modo se habet ad voluntatem.

82 de Deo] B] Mr Bm Ph; om. Mc 83 etiam] vel (?) Mc 84 aliud] Bm Ph; au Mc aliquod cur] B] Mr Bm Ph; aliud Mc 89 aliquid sibi] B] Mr Ph; om. Mc 90 hoc] B] Mr Bm Ph; om. Mc 91 vel apparens ... hic] B] Mr; om. Mc 95 se] Tertio modo potest esse quia aliquid potest esse minus bonum; hoc est falsum, patet *add.* Bm Ph

24. Ans. Cant., *verit̄*, xii (Schmitt, I, 194).
25. *Cf. supra* § 1.

22. Ad secundum: 'si voluntas fertur necessario in Deum in patria, 105 quid facit necessitatem?'²⁶ dico: non potest non velle Deum ibi, neque nullum actum exercendo, neque nullum actum circa eum sed circa alia exercendo, neque adimendo. Causa primi est quia non posset nisi per libertatem, hoc tunc per exercitium, et ita per actum. Causa secundi est quia Deus semper est presens voluntati movens et ito imprimens, quia non potest per libertatem imprimere, scilicet velle Deum, ut patet prius: ideo respectu illius non est libera; ergo. Similiter causa terti est idem.

Questio 22

Utrum beatus videns Deum et omnino amans eum possit prius non velle eum et sic peccare

1. [f. 93vb] Quod sic. In eo est potentia qua peccare solet, quia voluntas, que est ad opposita, et est de nihilo, et est potens deviare a regula, 5 ergo.

2. Item, posse peccare est laudabile; ergo non aufertur per statum nobilissimum.

3. Contra: xii *De civitate Dei*, capitulo 11.²⁷

4. Item, *Cur Deus homo*, capitulo 19, libro 11.²⁸ 10

5. Item, si quis videt Deum per essentiam non potest non velle Deum, ut dictum est, ergo magis videns et volens non potest.

6. Dicendum quod non secundum sanctos; cuius causa est ex parte Dei tantum, quia Deus vult quod angelus feratur continue sicut modo fertur, vide xii *Confessionum*.²⁹

7. Contra: ponatur quod Deus committat angelum sibi ipsi absque tamen velle, ita quod nec vellet nec nollet; tamen, supposita generali influenza, et quod angelus haberet habitum glorie et videret Deum 15

108 alia] Ph; aliam Mc 111 imprimere] Bm; movere Mc 112 ideo] B] Mr Bm Ph; om. Mc

2 e] B] Mr Bm Ph; om. Mc 5 et est] B] Mr; om. Mc 11-12 non potest ... est] B] Mr; om. Mc

26. *Cf. supra* § 3.

27. Aug., *cit.*, xii, 21 (CCL 48, 379).

28. Ans. Cant., *cur Deus*, 11, 10 (Schmitt, 11, 108).

29. Aug., *conf.*, xii, 9 (CCL 27, 221).

per essentiam, angelus non posset peccare nec eum nolle, nec aliud
20 sibi preponere, nec eum minus velle: patet prius; ergo.

8. Alii dicunt quod secunda scientia de non cadendo est de ratione il-
lius status, ideo status est ratio.

9. Contra: licet scientia certa non esset de eius ratione, adhuc videns
Deum per essentiam non posset peccare etc. per argumentum alterius
25 positionis.

10. Alii dicunt quod caritas, que est donum gratuitum, est ratio im-
peccabilitatis.

11. Illud non valet: tunc enim voluntas non esset libera. Caritas
enim vie et patrie sunt eiusdem rationis, et eadem que in via est in pa-
30 tria; nunquam enim excidit; ergo sequitur quod caritas immobilitabit vo-
luntatem in via sicut in patria; ergo si caritas dominatur voluntati etc.

12. Item, illud bonum inclinatur per modum nature et non libere
quantum est de se; ergo voluntas necessitatur a forma inclinante per
modum nature; ergo similiter sic non est libera.

13. Alii dant causam ex parte voluntatis effrenate ferentis se in
obiectum, et e converso de demonibus.

14. Contra: in priori per naturam quo beatus videt Deum, ante velle
habet nolle; ideo prior est impossibilitas peccandi quam effrenatio fe-
40 rendi.

15. Ideo dico: quatuor concurrunt ad non nolendum Deum per es-
sentiam in illo priori quo non vult, videlicet continua exhibitio, et evi-
dentia obiecti visi per essentiam, et causa continue contemplationis –
quocumque enim convertitur, etiam in genere proprio videndo, videt
Deum per essentiam –, et continua impressio obiecti in voluntate. Ista
45 continua impressio est quasi pondus et est causa voluntatis inferens
voluntatem exercere aliquem actum circa obiectum. Si enim nullum
actum eliceret circa obiectum, pondus se haberet ad voluntatem ut
necessitans eam; ergo non esset libera; sed defectus volendi aliud vel
speculandi est defectus cur. Ideo hiis habitus necessario vult, sed cum
50 vult, aliud requiritur ad impeccabilitatem, que est reductio potentie ad
actum perfectum ubi nulla est privatio.

30-31 ergo sequitur ... patria] Bm; om. Mc 36 e converso] Bl Mr Bm Ph; con-
tra. Mc 38 nolle] Bl Mr Ph; velle Mc 40 dico] Bm Ph; dicitur Mc
nolendum] Bm Ph; volendum Mc 44 et continua impressio] Bl Mr; continua
contemplatio obiecti est continua contemplatio Mc 50 est] Bl Mr; om. Mc
51 privatio] «Contra: istud pondus inclinatur per modum nature; ergo necessitat eam,
et sic non manet libera. Dico quod [est] necessitas non est violenta, sed immutabili-

16. Ex hoc arguo: finis ultimus habitus perfecte est causa quare qui-
etatur ultimare; in signo quo videlicet vult finem habeat perfectissime
et ultimate; ergo non potest ulterioři moto haberi.

17. Item, omne bonum reficit aliquo modo; ergo bonum infinitum 55
habitu ultimate reficit.

18. Item, voluntati habenti sic finem ultimum habetur perfectis-
simus actus nobilissimus et ultimare.

19. Item, motus est actus entis in potentia; voluntas, si habet ul-
mum bonum, habet modo perfectissimo. Unde Anselmus *De casu dia-* 60
bolii:³⁰ « beati adepti sunt » etc.

20. Ad primum,³¹ potentia illa est subiecta dispositioni tali, id est ex-
tra privationem, quod non potest in oppositum actum.

21. Ad aliud,³² laudabile est secundum quid ex parte potentie
posse peccare, sed non simpliciter, ideo aufertur. 65

tatis. Contra: est ab agente extrinseco. Dico quod illum extrinsecum magis habet ra-
tionem finis quam efficientis, et si se habeat in ratione efficientis, non tamen infert
volentiam, quia violenter est cuius causa est extrinseca et passo non confert vim; sed
hanc (*ad haec*) voluntas confert, quia habet in obiecto cur ipsam super omnia velit, et
non habet cur ab eo resiliat vel cur ad aliud convertatur. Et sic ipsum necessario vult
et est impeccabilis, primo, quia mobilis, reducto ad actum perfectum ubi nulla est pri-
vatio, necessario quiescit; sed voluntas sic videns et amans Deum reductur ad actum
perfectum, ubi nulla est privatio; ergo. Probatio minoris: quia motus est actus entis in
potentia ad terminum quo privatur mobilis; reducto igitur mobili ad terminum, ubi
nulla est privatio, iam non potest esse motus» *add. editio Waddingi* (*Coll.*, q. 15,
Wadding, § 3, iii, 380b) 52 est causa quare] Bl Mr Bm; om. Mc 53 habeat] Bl
Mr; habetur Mc 56 ultime] Bl Mr Bm Ph; utilitate Mc reficit] Bl Mr Bm;
facere (?) Mc 60 habeat] Bl Mr; om. Mc 61 etc.] Item, Boethius in *De curso-*
latione in principio *add.* Bl Mr 64 potentie] Bl Mr; om. Mc 64-65 *vide textum*
in editione Waddingi: « Ad aliud, laudabile est secundum quid posse peccare, sed non
simpliciter, ideo aufertur » (*Coll.*, 15, Wadding, § 4, iii, 380b)

30. Ans. *Cant.*, *diab.*, 25 (Schmitt, 1, 273).

31. *Cf. supra*, § 1.

32. *Cf. supra*, § 2.

Questio 23

Utrum qui sic vult Deum, ut dictum est necessario,
sret cum illo quod libere vult illud, et libere feratur in Deum

1. [f. 95vb] Quod non: Augustinus in *Enchiridion*,³³ « bonum et malum
secundum rationes speciales non compatiuntur se », quia vitium non
est in virtute, sed in homine libertas et necessitas opponantur sicut
bonum et malum; ergo non in eodem.

2. Item, in *De libero arbitrio*³⁴, ideo voluntas nostra est libera, quia est
in nostra potestate: sic non est in potestate nostra quod necessario
10 vult.

3. Item, voluntas est potentia rationalis; ergo valet ad opposita; sed
respectu illorum que necessario vult non potest in opposita.

4. Item, Augustinus, *De libero arbitrio*.

5. Contra: voluntas ut voluntas fertur in illa quia ut appetitus ratio-
nalis sequens rationem; sed voluntas ut voluntas est libera; ergo fertur
libere in illa in que fertur ut voluntas.

6. Item, in alia a fine fertur per essentiam libere; ergo et in finem.

7. Item, v *De civitate Dei*, capitulo 10,³⁵ arguitur sic: omnis actus ad
quem voluntas determinatur quia vult tantum est actus liber; actus
20 quo beatus vult Deum ad illum determinatur voluntas tantum quia
vult, quia tolle quod vult et non valet; ergo.

8. Solutio: cum queritur an necessitas ut sic tollat libertatem vel
diminuit, dico quod non. Manifestum est in Deo, quia necessario vult
se, nec potest non velle se; tamen libere vult se secundum Au-
25 gustinum, xxii *De civitate Dei*, capitulo ultimo,³⁶ et secundum Ansel-
mum, in *Curr Deus homo*, capitulo 10.³⁷

6 sed] in illo add Mc II voluntas] libertas Bl Mr Bm Ph Mc; vide textum in editione
Wadding: « voluntas est potentia realis (!); ergo valet ad opposita » (*Coll*, q. 15,
Wadding, § 4, in, 381a) 13 arbitri] Item, *Enchiridion* add. Bl Mr 18 v *De civitate*
... 10] Bl Mr; om, Mc

33. Aug., *ench*, iv, 14 (*CCL* 46, 55): « In his contrariis quae mala et bona vocantur
illa dialecticorum regula deficit qua dicunt nulli rei simul in esse contraria [...] cum
autem bona et mala nullus ambigit esse contraria, non solum simul esse possunt,
sed mala omnino sine bonis et nisi in bonis esse non possunt ».

34. Aug., *lib. arb.*, iii, 3, 8 (*CCL* 29, 280).

35. Aug., *ci*, v, 10 (*CCL* 47, 140).

36. Aug., *ci*, xxii, 30 (*CCL* 48, 864).

37. Ans., *Cur Deus*, ii, 10 (Schmitt, ii, 108).

9. Item, quod necessitas et libertas stant simul dicit Augustinus, v
De civitate Dei, capitulo ii contra scoticos.³⁸

10. Sed una necessitas includit in se subiectionem ab extrinseco vel
intrinsicco alicui alteri preventienti vel inferenti (vim); necessitas hec 30
repugnat libertati et dicit servitatem; ideo que moventur ab extrinseco
non moventur libere, ut proiecta, nec similiter que moventur ab in-
trinsicco secundum impetum nature, ut gravia et bruta, non moventur
libere, quia natura preventiens ab intrinsicco cum impetu movet ea: hec
necessitas includit subiectionem.

35

29 vel] Bl Mr Bm Ph; et Mc 30 intrinsicco] Bl; extrinseco Mc vim] vide textum
in editione *Wadding*: « sed una necessitas includit subiectionem alteri, sive extrinseco
sive intrinsicco preventienti, vel inferenti vim » (*Coll*, q. 15, *Wadding*, § 4, in, 380b)
necessitas] voluntas Bl Mr Bm Ph Mc; vide textum in editione *Wadding*: « necessitas tal-
is repugnat libertati » (*Coll*, q. 15, *Wadding*, § 4, in, 381a 31 que moventur ab] Bl
Mr; om, Mc 35 subiectionem] alter est alicui necessitas add Bl Mr; « Alia est ne-
cessitas spontanea in actu, non preventiens, et illa stat cum libertate » add. editio
Wadding (*Coll*, q. 15, *Wadding*, § 4, in, 381a)

38. Aug., *ci*, v, 10 (*CCL* 48, 140).