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WHETHER AN ACT OF CHOICE IS FREE (Utrum actus electionis sit liber)

I suppose that after the intention and with deliberation having been completed that sometimes one means is discovered and sometimes multiple means and that these are either equally or not equally good for attaining the end.

Suppono post intentionem et facto consilio aliquando reperiri unum medium,
interdum plura : et hæc vel æque, vel inæqualiter bona ad finem.

1. The first view, therefore, is the one which affirms that every choice if free, even with a posited intention and a single means. The nominalists think this. The reason is that nothing thereupon occurs that would impose necessity. For it ought to be the intention itself, which, nevertheless, when it is a free act, cannot be necessitated. It is confirmed first by examples. For if someone by an absolute will wishes to give alms and cannot do so except through theft, he does not by necessity choose such a means. Similarly, he who wills to pursue happiness does not by necessity keep the commandments. It is confirmed, second, from disagreeableness: otherwise, there would be no merit in choice once an absolute intention had been posited, just as an exterior act has no merit when it follows by necessity from an intention. Therefore, etc.

Est ergo prima sententia, quæ affirmat omnem electionem esse liberam, etiam posita intentione et unico medio. Ita tenent Nominales. Ratio est, quod nihil tunc occurrat, quod inferat necessitatem : nam deberet esse intentio ipsa : quæ tamen cum sit actus liber, non potest necessitare. Confirmatur primo exemplis, nam si quis voluntate absoluta velit facere eleemosynam, et non possit nisi per furtum, non necessario eligit tale medium. Similiter qui vult consequi felicitatem, non necessario servat mandata. Secundo confirmatur ab inconvenienti : alias posita intentione absoluta, nullum esset meritum in electione : sicut quando actus exterior necessario sequitur ex intentione : non habet meritum : ergo, etc.

2. *The second view.*—The second view affirms that the choice is necessary if only a single means exists. Choice is free only with the existence of multiple means, to the extent that

¹Latin text is from the Vivès edition.

the will can apply the intellect so that it searches for more reasons of agreeability and utility in one means than in another. If the intellect finds this [greater agreeability and utility] and judges it to be in one means, then the will by necessity chooses that means. If the intellect judges the means to be equal, then the will would not be able to move to either of them. St. Thomas indicates this view in [*ST* IaIIæ.13.6 ad 3. Cajetan [also] here. The foundation is that freedom of the will arises from indifference of the intellect. Therefore, once the determination of the intellect has been made and the posited judgement that this is more useful has been demonstrated, the will cannot not will. It is confirmed because since the will is a blind power, it ought to be ruled by the judgement of the intellect. Otherwise, judgement and deliberation would be useless and not reason could be given for why the will loves this and not that. This is the view of Durandus in 2, 2, d. 24, q. 3, who says rather that choice insofar as it is from the will is not free, but all the freedom is in the judgement. For the intellect, he says, can be free to judge this to be choiceworthy or that, to which judgement the will consents by necessity.

Secunda sententia.—*Secunda sententia affirmat existente unico medio electionem esse necessariam : tamen existentibus pluribus solum esse liberam, quatenus voluntas potest applicare intellectum, ut inquireat plures rationes convenientiæ et utilitatis in uno medio, quam in alio : quas intellectus si inveniatur, et judicet esse in uno medio, voluntas necessario eligit illud. Quod si intellectus æque judicet de utroque medio, voluntas in neutrum eorum poterit moveri. Hanc sententiam indicat divus Thomas 1, 2, quæst. 13, art. 6, ad 3, Cajetanus ibi. Fundamentum est, quia libertas voluntate oritur ex indifferentia intellectus : ergo facta determinatione intellectus, et posito judicio demonstrante, hoc esse utilius, voluntas non potest non velle. Confirmatur quia cum voluntas sit potentia cæca, debet regi judicio intellectus : alias judicium et consilium essent inutilia, et nulla posset reddi ratio, cur voluntas hoc amaret et non illud. Hæc sententia est Durandi, in 2, 2, d. 24, quæst. 3, qui potius dicit, electionem prout est a voluntate, non esse liberam, sed totam libertatem esse in judicio : nam intellectus, inquit, libere potest judicare hoc esse eligendum, vel illud, cui judicio necessario consentit voluntas.*

3. *First assertion.*—I say first: It is certain by faith that a human being is free in choices. For it is of the faith that a human being acts freely. Moreover, choices especially are human actions and maximally human, because they turn more on contingencies and depend more on the deliberation and reason of a human being. Therefore, etc. Hence, in *Ecclus.* 15[14] is called especially free because 'he was left in the hand of his deliberation'. And immediately the examples concerning means are brought in, which a human being can freely use. But I leave aside the heresies which are overcome by this conclusion: see disp. 1, sect. 2 and the book *De Gratia*.

Prima assertio.—Dico primo. Certum est de fide, hominem esse liberum in electionibus. Nam de fide est, hominem libere operari : præcipuæ autem operationes hominis, et maxime humanæ, sunt electiones, quia magis versantur

circa contingentia et magis ex consilio et ratione hominis pendent : ergo, etc. Unde Eccles. 15, homo liber maxime dicitur, quia *relictus est in manu consilii sui*. Et statim adhibentur exempla de mediis, quibus potest homo libere uti. Hæreses vero, quæ ex hac conclusione evincuntur, omitto : vide in tr. 2, disp. 1, sect. 2, et libr. de Gratia.

4. *Second assertion.*—I say secondly: when there is one means only to the end, the choice is free to the extent that it is in the power of the will to remove the intention. Nevertheless, if the intention is effective and it perseveres, the choice follows by necessity. [This view] is common to St. Thomas in the passage cited above ad 1 and 10.2 ad 3 and Aristotle in *DA* 3, text. 47 and 48, and it can also be gathered from John 14[:21]: ‘He who loves me, will keep my commandments.’² And the reason is that an absolute will, if it can, does what it wills. Because if it can and does not, it is certainly not on account of something other than that it does not wish to and because it wishes to follow some end to good effect. And it can. Therefore it does. Therefore, if it can by only one means, that one will be used. If it is not used, that is a manifest sign that the will was not effective, etc.

Secunda assertio.—Dico secundo. Quando unum tantum est medium illius electio in tantum libera est, in quantum est in potestate voluntatis tollere intentionem, tamen si intentio est efficax, et illa perseveret, necessario sequitur electio. Est communis D. Thomas, supra ad primum, et quæst. 10, art. 2, ad 3, Aristotelis 3, de Anima, text. 47 et 48, et potest colligi ex Joanne, cap, 14 : *Qui diligit me, mandata mea servabit*. Et ratio est, quia voluntas absoluta, si potest, facit quod vult : quia si potest et non facit, certe non propter aliud quam quia non vult, et quia efficaciter vult consequi finem : et potest : ergo facit : ergo si potest, unico medio, illo utitur : quod si non utitur, manifestum signum est, voluntatem non fuisse efficacem, etc.

5. Note, however, that the necessary means ought to be judged and cognized and the intellect actually to think about it, because otherwise the will will not be moved. Accordingly, it is necessary that the means be judged necessary here and now for the will to be moved by necessity here and now. Because if it is judged necessary but only for another time, the will can postpone choice, even if it persists in that intention. And the reason is because the will does not undergo necessity except by way of the necessity of the means.

Nota tamen debere medium necessarium judicari et cognosci, et intellectum actu cogitare de illo : quoniam alias voluntas non movebitur. Itaque oportet ut voluntas necessario hic et nunc moveatur, medium hic et nunc judicari necessarium : quoniam si judicatur necessarium, sed pro alio tempore, potest voluntas differre electionem, etiamsi persistat in illa intentione. Et ratio est, quia voluntas non patitur necessitatem, nisi pro modo necessitate medii.

²‘He who holds my commandments and keeps them, he it is who loves me’ (*Qui habet mandata mea, et servat ea: ille est qui diligit me*). Cf. v. 15.

6. Nor do the foundations of the first view in n. 1 stand against this. To the argument I say that this efficacy and necessity comes from the intention. Nor does it imply that an act of intention is free, because with a free act another act can be conjoined by necessity. And then it flows from that necessity. With respect to the first confirmation, the induction is denied. To the first example, say that that will to give alms is not absolute which is explained by this word 'I wish' (*volo*) but is 'I would wish' (*vellem*). Yet this act, because it proceeds from the complete disposition to honest good, is esteemed as if it were an absolute will. To the second example is responded that those sinners do not judge here and now to be necessarily penitent but at their own time.

To the second confirmation some concede that that choice in itself is not merit but in its cause, that is, in intention and in perseverance. Because if that intention were an act entirely necessary, such a choice would have no merit. Therefore it is a sign that the entire merit consists in that intention. But it is more truly said that that choice is in itself meritorious, because necessity by supposition does not destroy will, strictly speaking, because that supposition is in the will nor is it similar to an external act. Because that proceeds proximately by a power which has no freedom. And therefore the external act is morally one with the internal act. But it is not like that with choice. And to that concerning the perseverance of the intention I say that this perseverance of the intention consists in this that in the present circumstances it wishes to choose rather than to disregard the intention. And on that account the choice, strictly speaking, is free and in the power of choosing, but it would not be similar if the intention were entirely and strictly speaking necessary. Because then it would not be in the power of choosing to disregard it, lest for choosing it were cognized and this no freedom would remain in the choice.

Neque contra hoc obstant fundamenta primæ sententiæ in numero primo. Ad rationem dico, hanc efficaciam, et necessitatem provenire ab intentione. Neque refert, actum intentionis esse liberum : quia cum actu libero potest alius actus necessario conjungi. Et tunc ab illo necessario manat. Ad primam confirmationem negatur inductio. Ad primum exemplum dic, illam voluntatem dandi eleemosynam non esse absolutam quæ explicatur hac voce *volo*, sed est *vellem* : qui tamen actus, quia procedit ex toto affectu ad bonum honestum, existimatur ac si esset absoluta voluntas. Ad secundum exemplum respondetur, peccatorem illum non judicare hic et nunc esse necessariam pœnitentiam, sed suo tempore. Ad secundam confirmationem aliqui concedunt electionem illam in se non esse meritoriam, sed in causa, id est, in intentione et in perseverantia : quia si illa intentio esset actus omnino necessarius, electio talis nullum haberet meritum : ergo signum est, totum meritum consistere in illa intentione. Sed verius dicitur, illam electionem esse in se meritoriam, quia necessitas ex suppositione non tollit voluntatem simpliciter, quia suppositio illa est in voluntate, neque est simile de actu exteriori : quia ille proxime procedit a potentia, quæ nullam habet libertatem : et ideo actus exterior est unus moraliter cum interiori, non sic autem electio. Et ad illud de perseverantia intentionis dico, hanc perseverantiam intentionis in hoc consistere quod hic potius vult eligere, quam omittere intentionem : et idcirco electio simpliciter est libera et

in potestate eligentis, non vero esset simile, si intentio esset omnino et simpliciter necessaria : quia tunc non esset in potestate eligentis omittere illam : ne ad eligendum cogeretur, et ita nulla libertas maneret in electione.

7. This difficulty has occurred: for it follows that those who love God by necessity, when they see him, do everything by necessity, without which that love cannot be conserved. I say briefly (because the matter is in another place) that frequently the necessity is only as long as the specification, because the objects do not occur as here and now necessary. Second, it is not strongly disagreeable that sometimes that act of choice is necessary. Some freedom can always still remain, because the will can be brought to that means not only by reason that it is necessary to the end but on account of other aspects of good. And this is free. Wherefore, etc.

Occurrebat hæc difficultas : nam sequitur, eos qui diligunt necessario Deum, cum vident illum, operari necessario omnia, sine quibus non potest conservari ille amor. Dico breviter, quoniam res est alterius loci, frequenter solum esse necessitatem quoad specificationem, quia non occurrunt objecta tanquam hic et nunc <col. b> necessaria. Secundo forte inconueniens non est, aliquando actum illum electionis esse necessarium : semper tamen potest manere aliqua libertas, quia potest voluntas ferri in illud medium, non ea ratione tantum, quæ necessaria est ad finem, sed propter alias rationes boni : et hoc liberum est. Quare, etc.

8. *Third assertion.*—I say third: when multiple means are by every consideration equally good, the will can by its freedom choose the one it wishes. This conclusion is common and is proved first: because in proposing the means the intellect indicates that none of them separately is necessary. Therefore, it happens that the will for that reason may love whichever one of them it pleases, because it is good and on account of what it disregards, namely, because it is not necessary. Therefore, etc. Secondly, it is incredible to say that then the will remains in suspense. For reason itself leads to choosing in that way. For it can be noticed that it is irrational not to choose a useful means and be deprived of the end that is loved merely because there happens to be another means which is good. Thirdly, freedom of the will is especially apparent in this case. For I ask whether that judgement is free or necessary. If necessary, freedom is removed. If free, [it is] because of the preceding free act of will and the same question will return. But neither is what Durandus says probable, that that judgement is *per se* free, for since someone not necessarily provides assent when he assents, therefore he does, because he wills. Just as because he is not moved by necessity, when he moves because he wills. And therefore, he believes, because he wills, etc.

Tertia assertio.—Dico tertio. Quando sunt plura media omni ratione æque bona, potest voluntas sua libertate eligere quod voluerit. Conclusio hæc est communis, et probatur primo : quia propositis mediis intellectus indicat, nullum sigillatim esse necessarium : ergo habet voluntas unde amet quod illorum

placuerit, quia bonum est, et propter quid omittat : scilicet, quia necessarium non est : ergo, etc. Secundo incredibile est dicere, quod tunc voluntas maneat suspensa : nam ipsa ratio ducit ad eligendum illo modo, nam advertere potest, esse irrationabile, medium utile non eligere, et fine amato privari, solum quia occurrit aliud medium seque bonum. Tertio in hoc maxime casu apparet libertas voluntatis : nam si tunc non potest eligere, semper determinaretur a iudicio intellectus : quo posito eligeret, sed hoc tollit libertatem voluntatis : nam peto, an illud iudicium sit liberum, an necessarium? si necessarium, tollitur libertas : si liberum, ergo ex præcedenti actu voluntatis libero, et redibit eadem quæstio. Neque vero probabile est, quod Durandus dicit, iudicium illud per se esse liberum, nam cum quis non necessarium præbet assensum, quando assentit, ideo facit, quia vult : sicut quia non necessario movetur, cum movetur, quia vult : et idcirco credit, quia vult, etc.

9. *Fourth assertion.*—I say fourth: when the means are inequal, either materially or formally or in both ways, there is freedom of the will to choose even the lesser good. Nevertheless, the choice is always according to the measure of intention and more frequently, even almost always, the will chooses under some aspect of greater agreeability. It should be noted that with means two things can be especially considered. The first is utility with respect to the end that is as if formal. The second is some proper goodness that is as if material. Therefore, means can be equally good with respect to the former, but not with respect to the latter. And these I call materially inequal. And in that case it is clear that the intention of the end by itself does not incline more to one than to another means. Wherefore, from this part the choice is free. From elsewhere, however, by a natural propensity of the will to other goods it happens that that will is more inclined to another good which is better for whatever reason. Indeed, when this inclination also does not impose necessity, then the will will be able not to grasp that greater aspect of good and therefore to choose the means that is materially less good. And thus the first part of the conclusion is clear, which is confirmed: for that greater good, as such, was not loved by choice but by intention, and yet every intention of this sort is free, as I said above. Therefore.

Quarta assertio.—Dico quarto : quando media sunt inæqualia sive materialiter, sive formaliter, sive utroque modo, liberum est voluntati eligere etiam minus bonum : semper tamen electio est juxta mensuram intentionis, et frequentius, et fere semper eligit voluntas sub aliqua ratione majoris convenientiæ. Notandum in mediis, duo posse præcipue considerari. Primum utilitas ad finem, quod est quasi formale. Secundum aliqua propria bonitas, quod est quasi materiale : possunt ergo media esse æque bona priori ratione, non vero posteriori : et hæc voco materialiter inæqualia : et tunc constat intentionem finis de se non magis inclinare ad unum, quam ad aliud. Quare ex hac parte libera est electio : verum aliunde ex naturali propensione voluntatis ad alia bona, fit ut voluntas magis inclinetur ad aliud bonum, quod est quacumque ratione melius. Verum, cum hæc inclinatio etiam non imponat necessitatem, poterit tunc voluntas non amplecti illam majorem rationem boni, atque adeo

eligere medium materialiter minus bonum. Et ita patet prima pars conclusionis, quæ confirmatur : nam illud majus bonum, ut sic, non est amatum electione, sed intentione : atqui omnis hujusmodi intentio est libera ; ut supra dixi : ergo.

10. It should be noted, second, that it can happen that means as formal means are unequal, because, of course, the end will be compared to one means, either for nearness in time or for greater perfection and certainty, and then it is clear that there is freedom for the will to choose the one it wishes, because there is freedom for it to intend the end either on behalf of such nearness or with such perfection. And the reason is because the intention is the cause of the choice and therefore the choice is measured to that as its cause. And the conclusion is also confirmed by experience: for if someone were to intend to pursue an end either for the greatest nearness in time or for the greatest perfection, with respect to this intention the more useful means would be, strictly speaking, necessary. Therefore, it will be chosen by necessity. And through this the other two parts of the conclusion are clear.

The other part is also clear, for certainly, strictly speaking, there is freedom for the will to choose the means that by every weighing is judged less good overall, because it is necessitated to nothing determinate since none is necessary and it can always throw back the intention just as it wishes. It is confirmed by experience: for although, strictly speaking, someone may judge honest good to be better than pleasure, yet he chooses pleasure if he wants to.

Notandum secundo : contingere posse, media, ut media formalia esse inæqualia, quia scilicet uno medio, vel breviori tempore vel majori perfectione, et certitudine comparabitur finis, et tunc constat liberum esse voluntati eligere quod voluerit, quia liberum ei est intendere finem aut pro tali tempore, aut cum tanta perfectione : et ratio est, quia intentio est causa electionis, et ideo electio commensuratur illi tanquam suæ causæ. Et confirmatur etiam experientia conclusio : nam si quis intenderet consequi finem aut brevissimo tempore, aut summa perfectione, respectu hujus intentionis medium utilius esset simpliciter necessarium : ergo necessario eligetur. Et per hæc patent aliæ duæ partes conclusionis. Patet etiam alia pars, nempe simpliciter esse liberum voluntati eligere medium, quod omnibus pensatis absolute judicatur minus bonum, quia ad nullum determinate necessitatur cum nullum sit necessarium, et semper potest remittere intentionem prout voluerit. Confirmatur experientia : nam quamvis simpliciter quis judicet honestum esse melius delectabili, eligit delectabile si vult.

11. Regarding the foundation of the second view, I say that freedom arises from reason, not only because it can judge this to be better than that, but especially because it can carefully assess the weight of each good. For this reason the will can love in that perfect way, that is, in that position and way in which the thing itself is lovable. And an example of this is evident in the freedom of the divine will, which confirms everything which we

have said. Because from two equals it chooses what it will not by another reason, unless because it wants to, and often it chooses what is less useful. Our freedom, moreover is a participation of that and has the same root with the proportion being kept.

Regarding the confirmation of that view, I deny that the will is determined by the intellect so that it itself does not also determine itself. Indeed, by the intellect it is determined as if until sufficiency. But it determines itself until efficacy. Nor is it necessary that another reason of this determination be given beyond freedom, and because it wills by a sufficient supposition by a reason on the part of the object. And as far as this concerning the former part of the title of the present disputation.

Ad fundamentum secundæ sententiæ dico libertatem oriri ex ratione, non solum quia potest judicare hoc esse melius illo, sed maxime quia potest pendere uniuscujusque boni pondus : propterea potest voluntas illo perfecto modo amare, id est, eo gradu, et modo, quo ipsum est amabile : et exemplum hujus evidens est in libertate divinæ voluntatis : quod confirmat omnia quæ diximus : quoniam ex duobus æqualibus eligit quod vult non alia ratione, nisi quia vult, et sæpe eligit, quod minus utile est : nostra autem libertas est participatio illius et eamdem radicem habet servata proportione. Ad confirmationem illius sententiæ nego, voluntatem ita determinari ab intellectu, ut ipsa non se etiam determinet, imo ab intellectu determinatur, quasi quoad sufficientiam : ipsa vero se determinat quoad efficaciam : neque oportet aliam rationem hujus determinationis reddere, præter libertatem, et quia vult supposita sufficienti ratione ex parte ob- <col. b> jecti. Atque hactenus de priori parte tituli præsentis disputationis.