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Peter of John Olivi's Case against Aquinas's Explanation of the Causes of Moral Flaw and Failure

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Abstract: 1277. március 7-én Étienne Tempier párizsi érsek tizenhat teológus és néhány egyházi méltóság tanácsát meghallgatva elítélt 209 olyan állítást, amelyek vagy a keresztény hit ellen voltak, vagy az egyetemi hallgatók erkölcsi érzékét veszélyeztették. E kijelentések között volt néhány, amelyet nemcsak az egyetem bölcsészkarán tanító professzorok, a manapság „szélsőséges arisztotelianusoknak” tekintett csoport tagjai vallottak magukénak, hanem bizonyos részét látszólag Aquinói Szent Tamás is. A püspök elítélő határozatát követő évben Petrus Iohannis Olivi (1248k.-1298) – még ha nem is értett egyet az említett egyházi eljárás lefolytatásának módjával – számos *questiót* írt, amelyekben azt próbálta bizonyítani, hogy a szóban forgó állítások valóban veszélyt jelentettek a keresztény hitre. A jelen tanulmányban a *Quaestiones in secundum librum Sententiarum* című művének 57. *questiójával* foglalkozom, amelyben a szerző ellentétbe kerül Aquinói Szent Tamás erkölcsi hiányosságot magyarázó arisztotelészi elveivel.

In the early 1270s Thomas Aquinas wrote a sequence of texts that formulated a Christian ethical philosophy strongly grounded upon theories which Aristotle had articulated in his *Nichomachean Ethics*. The commentary that Aquinas wrote on Aristotle's text in 1271-1272 (*Sententia libri ethicorum*) can be viewed as laying the groundwork for this endeavor.¹ In this same period, he not only held a series of academic disputations on the nature of evil and the various virtues, which were published as *Disputed Questions on Evil I-XV* (ca. late 1270), *Disputed Questions on the Virtues in General* (ca. late 1270-early 1271), *Disputed Questions on the Cardinal Virtues* (1271), and *Disputed Question on Evil XVI* (1272), but also wrote those parts of *Summa theologiae* (ST) that focussed specifically upon ethical topics: ST Ia IIae (ca. 1271) and ST IIa IIae (1271-1272).²

The Franciscan, Petrus Iohannis Olivi (1248-1298), passed his most comprehensive critique of the ethical system that Aquinas had formulated in these writings in that section of Question 57 of his *Quaestiones in secundum librum Sententiarum* (Questions on the Second Book of Peter Lombard's

¹ Aquinas wrote *Sententia libri ethicorum* during his second period of teaching at the Dominican *studium generale* (International House of Studies), in all likelihood between the autumn of 1271 and the spring of 1272. He would have undoubtedly closely read Aristotle's *Ethica nicomachea* much earlier. For more detail, see TORRELL 1996, pp. 179-181.

² The dates I have given for the disputed questions (*quaestiones disputatae*) are approximate and still debated. I have generally adopted those suggested by TORRELL 1996, esp. pp. 197-230. But see also WEISHEIPL 1974, esp. pp. 242-292 and pp. 355-381.

Judgements) that is devoted to the higher human powers of intellect and especially the will.³ Question 57 was one of a group of seventeen questions that Olivi penned within a year of the Parisian Condemnation of 7 March, 1277.⁴ On this day, Etienne Tempier, the Bishop of Paris, after having consulted with a committee of sixteen theologians and a select group of ecclesiastical dignitaries, censured 219 propositions judged to be either contrary to the Christian faith or a threat to the morals of the students at the university.⁵

Although these propositions (especially those of a philosophical character) were drawn predominantly from the lectures and texts of Radical-Aristotelian masters teaching at the faculty of arts of the university (Siger of Brabant and Boethius of Dacia being the most prominent),⁶ a number nevertheless closely resembled propositions that Thomas Aquinas had or was believed to have proposed.⁷ This was not surprising, since the ethical texts that Thomas wrote in the early 1270s undoubtedly influenced those that Radical-Aristotelian masters composed in the first half of the 1270s, given that Thomas's texts also arose from a similar admiration for the depth and depth of Aristotle's thought as theirs did. As far as the articles censured in 1277 is concerned, it is therefore difficult to decide at times whether an article was intended to censure a proposition advanced by the Radical-Aristotelians or by Thomas Aquinas, as well.⁸

I not have space in this article to discuss all the theories within Aquinas's ethical system with which Olivi was unhappy. Instead, I focus on one only that is very much tied up with the issue of *liberum arbitrium* (freedom of choice or decision), and also more broadly *voluntas libera* (the freedom of the will). This is whether a person commits sins of acrasia and intemperance freely or whether he or she is in some way determined beforehand to commit such sins. In objection 18 of Question 57 of his *Summa*

³ All references to Olivi's *Summa* are taken from PETRUS IOHANNIS OLIVI: *Quaestiones in secundum librum Sententiarum*. Bibliotheca Franciscana Scholastica Medii Aevi IV-VI, vol. 1 (qq. 1-48), vol. 2 (qq. 49-71), vol. 3 (qq. 72-118), Ad Claras Aquas, Ex Typographia collegii S. Bonaventurae, Quarrachi, 1922/1924/1926. I will refer to these three volumes as *Summa* II.1, II.2, and II.3. I follow Olivi in calling his far more compendious text on Lombard's Sentences his „*summa*”, and the much shorter one that he wrote while serving as lector at the Franciscan convent of Santa Croce in Florence between 1287 and 1289 his „commentary”.

⁴ It includes eleven questions where Olivi explicitly calls the Radical-Aristotelian masters teaching at the Parisian faculty of arts „*averroistae*”: *Summa* II.1, qq. 6, 16, 33-37 in OLIVI 1922; *Summa* II.2, qq. 50-51, and 57-58 in OLIVI 1924. The last two questions were written more or less conterminously; one deals primarily deal with freedom of decision (*liberum arbitrium*) and the other with the freedom of the will (*voluntas libera*).

⁵ Bishop Tempier is very clear about whom the condemnation targeted. See PICHÉ 1999, p. 72: „*Magnarum et grauium personarum crebra zeloque fidei accensa insinuauit relatio, quod nonnulli parisiis studentes in artibus proprie facultatis limites excedentes quosdam manifestos et execrabiles errores, immo potius uanitates et insanias falsas, in rotulo seu cedulis presentibus hiis annexo seu annexis contentos, quasi dubitabiles in scolis tractare et disputare presumunt.*” An enormous amount has been written on this condemnation. For a very comprehensive study, see BIANCHI 1999, esp. pp. 165-224. A wide-ranging collection of essays can also be found in AERTSEN; EMERY & SPEER 2001.

⁶ The area in which the Radical-Aristotelian masters specialised was the interpretation of Aristotle's texts. These were deeply influenced, however, by how mediaeval Islamic thinkers interpreted Aristotle: especially, Avicenna (980-1037) and Averroes (1126-1198). The Radical-Aristotelian masters were more broadly called „*artista*”, and pejoratively (by Olivi, for example) „*averroistae*”.

⁷ For more information on the propositions concerned, see especially HISSETTE 1997; and (amongst many articles on whether or not, or the degree to which Thomas was implicated in the censure) id. 1997, pp. 3-31.

⁸ Examples of such articles are as follows: „*Quod uoluntas, manente passione et scientia particulari in actu, non potest agere contra eam.*” („*As long as passion and particular knowledge remain in act, the will cannot act against them.*”) [pp. 129/169]; „*Quod si ratio recta, et uoluntas recta*” („*If reason is right, the will is also right.*”) [pp. 130/166]; „*Quod uoluntate existente sic disposition quod natum est nouere, impossibile est uoluntatem non uelle.*” („*That it is impossible for the will not to will when it is in the disposition in which it is natural for it to be moved and when that which by nature moves remains so disposed.*”) [pp. 131/160]. The first numbering is that of PICHÉ 1999; the second that of HISSETTE 1977. These and all other translations from the Latin are my own, unless stated otherwise. Art. pp. 129/169 is especially relevant to the topic of this article: i.e. the causes of the moral flaws of acrasia and intemperance.

II, Olivi presents through the persona of his opponent a Radical-Aristotelian case which argues that such acts are indeed predetermined (cf. *Summa* II.2, q. 57, a. 18 in OLIVI 1924, pp. 311-312). While Olivi's opponent will often cite Aristotle as his authority, his explanation of the causes of acrasia and intemperance is also influenced by Avicenna's views on the relation between the intellect and the will in human acts of choice and decision: in this case, of a morally flawed type.⁹ In his solution 18 (cf. *Summa* II.2, q. 57, ad. 18 in OLIVI 1924, pp. 360-362), however, Olivi does not criticise Avicenna's more deterministic reconstruction of Aristotle's theory of human decision-making (this he does elsewhere in Question 57),¹⁰ but rather turns to how Thomas Aquinas uses Aristotle as his prime authority for explaining the causes of acrasia and intemperance.

Of the 22 objections and solutions (OSs) in Question 57 devoted to the higher powers of intellect and higher will in the human economy, OS18 is not only the one that treats specifically and in considerable detail the causes of acrasia and intemperance, but is also the place where Olivi in his solution criticises most explicitly texts of Thomas Aquinas. This solution can thus be regarded as the apex of his overall critique of Thomas's Aristotelian theory of *liberum arbitrium* in Question 57.¹¹ It is here that his critique is at its most sardonic. For it is on the issue of the degree of responsibility that humans bear for the sins that they commit where Olivi sees Aquinas's Aristotelianism as most imperiling a core tenet of the Christian faith.

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Olivi structures OS18 around the two psychological states of *aestimatio* („rational stance, judgement or opinion”) and *complacentia* („affective attraction or attachment”), together with the acts that produce them. These states involve either a rational or affective bias that, in the opponent's argument in the objection, pre-determine the intellect's act of decision and consequently the higher will's act of command (that is, its act of willing to implement the intellect's act of decision). In the case of *aestimatio*, a rational judgement already made about the utility or benefit (*utilitas*) of one of the available or apparently available possibilities pre-decides the act of *liberum arbitrium*. In the case of *complacentia*, an affective attraction towards a particular option pre-determines this act (whether it should be one of consent (i.e. accepting or rejecting the one choice truly or only seemingly available) or of a choice between two or more possibilities).¹²

More central to the pro and contra arguments of OS 18 is the opponent's use of the states of *aestimatio* and *complacentia* as categories for interpreting Aristotle's theory as to what produces acts of intemperance and acrasia.¹³ In O18, Olivi's Radical-Aristotelian opponent is not concerned so much with *aestimatio* and *complacentia* in general more as with *mistaken* opinion or judgement (*falsa*

⁹ For Avicenna's philosophy of how the intellect relates to the will in acts of human decision, see especially AVICENNA 1977, IV.2, p. 198; II. pp. 65-70.

¹⁰ See, in particular, objection and solution 22 of Question 57 (cf. *Summa* II.2 in OLIVI 1924, pp. 313-314; 368-369).

¹¹ The earlier objections and solutions concerning the intellect and the higher will build towards the explicitness of Olivi's criticism of Thomas's Aristotelianism in solution 18. In the first (OS11), for example, Olivi alludes to the fact that Aquinas's ethical texts have inspired the heterodoxies of the Radical-Aristotelians (*Summa* II.2 in OLIVI 1924, p. 354): „scio enim bene quod aliqui sic exponunt dicta eius, unde et dicunt quod ad bona apparentia et vitio immixta nunquam ducitur, nisi intellectus seducatur a phantasmatis seu a phantasia, aut nisi ipsa moveatur et trahatur ab appetitu inferiori.” („for I well know that some people explain his [Aristotle's] words in this way, and therefore say that it [the higher will] is never drawn to apparent goods or to goods mixed with vice unless the intellect is seduced by either phantasmas or the [sensory] imagination, or unless it [the will] is moved and dragged about by the inferior appetite.”).

¹² Literally translated, *complacentia* is „a feeling of pleasure in some object.” This division between pre-determining states of *aestimatio* and *complacentia* comes from Avicenna rather than Aristotle himself.

¹³ Olivi sometimes calls „*aestimatio*” and „*complacentia*” acts rather than dispositions. By this, he underlines that the commencement of the state or disposition is either an active act that establishes an opinion or a passive one that submits itself to an affective attraction. It is for this reason that he calls *aestimatio* and *complacentia* examples of „*praelectio*” („a choice already made”).

aestimatio) and *inordinate* affective or sensual attachment (*perversa complacentia*). Even if *falsa aestimatio* and *perversa complacentia* are usually both involved in producing acts of intemperance and acrasia, mistaken judgement is principally responsible for intemperate acts of consent or choice, while *inordinate* or *perverse* desire for acratia ones.

Falsa aestimatio predominates in cases of intemperance, because intemperate acts arise from a disposition that has been produced in an agent through the habitual performance of vicious or evil acts. In terms of Aristotle's syllogism of reason, the agent loses (in most cases, virtually, in my opinion) the knowledge of the major premise (i.e. the universal moral principle) of the syllogism of reasons as well as its minor premise (i.e. how this principles applies to a particular set of circumstances). Owing to this loss of knowledge of both premises, the intemperate person takes the syllogism of desire (which is antithetical to the syllogism of reason) as the one to follow. Aquinas formulates this thoroughly Aristotelian explanation of intemperate acts in his *Disputed Questions on Evil*:

„And the intemperate person completely follows his desires, and so even such a person employs a syllogism with three propositions [as do continent and temperate people] and quasi-deduces like this: everything pleasurable should be enjoyed; this act would be pleasurable; therefore, I should do it.”

(THOMAS AQUINAS 2003, Question 3, art. 9, ad. 7, p. 172)¹⁴

Appetite and passion, on the other hand are the primary causes of acrasia. According to both Aristotle and Aquinas, the acratia person differs from the intemperate one in that the former knows the general moral principle; however, owing to some form of passion, he or she temporarily forgets how this principle applies to a particular set of circumstances. Put in terms of the syllogism of reason, the acratia knows the major (universal) premise but not the minor (particular) one. The cause of this temporary rather than extended or virtually permanent state of occlusion is the agent's decision to follow the syllogism of desire rather than reason. Aquinas explains this in *De malo* as follows:

„properly speaking, such a person [the acratia] is one who sins out of weakness. And so it is evident that such a person, although knowing the universal, nonetheless does not know regarding the particular, since the person subsumes according to concupiscence and not according to reason.”

(THOMAS AQUINAS 2003, Question 3, art. 9, ad. 7, p. 172)¹⁵

Crucial, as far as Olivi's criticism of this theory of what gives rise to acrasia is concerned, is the sequence of psychological events: (1) reason submits to appetite or passion (*concupiscentia*), (2) a temporary state of ignorance results with regard to how the major premise of the syllogism of reason applies to its minor premise; and (3) reason, under the sway of some passion, chooses to commit, or consents to committing, the acratia act. Since the agent does not really choose or consent to the acratia act *per se* but to the desire

¹⁴ Quaestiones disputatae de malo. In: *Quaestiones disputatae*, vol. II, p. 512a: „*Intemperatus vero totaliter sequitur concupiscentiam; et ideo etiam ipse utitur syllogismo trium propositionum, quasi sic deducens: omni delectabili est fruendum, hic actus est delectabilis, ergo hoc est fruendum.*”

¹⁵ Quaestiones disputatae de malo. In: *Quaestiones disputatae*, vol. II, p. 512b: „*Et ideo patet quod licet sciat [incontinens] in universali, non tamen scit in particulari; quia non assumit secundum rationem, sed secundum concupiscentiam.*” Besides „weak” acrasia, there is also an „impetuous” or „unthinking” type, as described in EN VII.11 [7], [11]50b19-28. Pierre Destree explains the distinction between the two in DESTREE 2007, esp. p. 158: „*when he opposes the weak acratia to the impetuous acratia, Aristotle underlines the fact that the first does not persist in what he has deliberated upon, and hence in his particular resolution, whereas the second does not deliberate at all.*” Olivi has explained and criticised how Aristotle's practical syllogisms of reason and desire operate in OS13 of Question 57 (*Summa II*. in OLIVI 1924, pp. 309-310, 356).

that precedes that act, Aquinas describes it as a sin committed „in choosing” (*peccare eligens*), in contrast to a sin of intemperance, which is done „from choice” (*peccare ex electione*).¹⁶

In Aristotle’s theory, and (in Olivi’s opinion) Thomas’s one, as well, someone who commits an acratice or intemperate act is not to blame at the actual moment when they consent or choose to perform it, since, owing to an ingrained *habitus* of *falsa aestimatio* in a case of intemperance) or an occasional *dispositio* brought about by a powerful appetite or passion in a case of with acrasia, the agent is either ignorant of the moral principle and how it applies to a particular set of circumstances (the intemperate person) or has lost this knowledge temporarily owing to a powerful appetite or passion (the acratice person).¹⁷ Nevertheless, in the theories of Aristotle and Aquinas, the state of ignorance (whether it be ingrained or occasional) does not excuse the act of choice or consent, since the agent is responsible for the state of ignorance that has precipitated the vicious (Aristotle) or sinful (Aquinas) act, even if he or she is not responsible, strictly speaking, for the act itself. Therefore, In this explanation of these two types of moral flaw or failure (intemperance being rather a moral flaw, and acrasia a moral failure), culpability is displaced from the act of choice or consent itself to either a preceding act with the acratice or to a series (usually extended) of such acts in the case of the intemperate.

But we still might ask want to ask whether Olivi has interpreted Thomas (if not necessarily Aristotle) correctly. In both *De malo*, q. 3, art. 9, ad. 7 and ST Ia IIae, q. 77, art. 2, ad. 4, Aquinas seems to take on board the temporal consequences of Aristotle’s theory. The intemperate person, as the consequence of a history of intemperate action, takes the syllogism of desire rather than reason as the right one to follow. The intemperate genuinely thinks that „everything pleasurable is be enjoyed,” citing the major premise of the syllogism that Aquinas gives for the intemperate person in Question 3, art. 9, ad. 7 of *De malo*. In this solution, he is even clearer about this as it relates to the acratice: „*such a person, although knowing the universal, nonetheless does not know [my italics] regarding the particular.*” Later, in the same article, he states, using the categories of *habitus* and *actus* rather than those of the practical syllogism, reason and desire, that:

„*As emotions resting in the irascible and concupiscible powers cause choices insofar as such emotions fetter reason for the moment, so habits belonging to those powers cause choices insofar as such habits fetter reason as immanent forms, not as presently transient emotions.*”

(AQUINAS 2003, q. 3, art. 12, ad 12, p. 180)¹⁸

In this passage, which contrasts intemperate and acratice states and their consequent acts, *corrupta complacentia* fetters the choice of reason *beforehand* in both cases, whether transiently with acrasia („emotions fetter reason for the moment”) or far more permanently with intemperance („habits fetter reason as immanent forms”).

In Question 156 of ST Ia IIae, which deals principally with acrasia, Thomas makes two kinds of statement that require clarification. This example (a contrast once more between the intemperate and acratice person) is of one kind:

¹⁶ ST Ia IIae, q. 78, a. 4, ad. 3: „*aliud est peccare eligentem, et aliud peccare ex electione. Ille enim qui peccat ex passione, peccat quidem eligens, non tamen ex electione, quia electio non est in eo primum peccati principium, sed inducitur ex passione ad eligendum quod extra passionem existens non eligeret.*”

¹⁷ Acratice lose their *actual* knowledge of both the major and minor premises of this syllogism, but not their *habitual* (i.e. passive or dispositional) knowledge of those premises. Where the agent has no knowledge of either the major or minor premise of this syllogism, we have a case of ignorance rather than acrasia. If the agent is responsible for his or her ignorance on either count, then the sin is one of omission.

¹⁸ Quaestiones disputatae de malo. In: *Quaestiones disputatae*, vol. II, p. 516b: „*passio in irascibili vel concupiscibili existens, causat electionem in quantum ligat rationem ad momentum, ita habitus in his potentiis existens causat electionem, in quantum ligat rationem, non iam per modum passionis pertranseuntis, sed per modum formae immanentis.*”

„According to Augustine sin is chiefly in the will, because »by the will we sin and live aright.« Consequently where there is a greater inclination of the will to sin, there is a graver sin. Now in the intemperate man, the will is inclined to sin in virtue of its own choice, which proceeds from a habit acquired through custom: whereas in the incontinent man, the will is inclined to sin through passion.”¹⁹

On the basis of what Thomas says here, we might wonder why Olivi should take such exception to his theory of acrasia and intemperance, since Thomas seems to say that it is the will that bears responsibility for these two kinds of moral failing or flaw. Olivi, however, knows better than some of Aquinas's modern interpreters. When Aquinas talks about the will, he is not talking about the will as an autonomous power, but as the subject either of right reason or passion or appetite. Bonnie Kent underlines the importance of this distinction in interpreting Thomas's meaning in this regard in *Aquinas and Weakness of Will* (2007):

„Attempting to explain the incontinent's failure by weakness of will, other commentators focus on either the agent's choice or consent to act against her better judgement. Since both choice and consent can be regarded as acts of the will, either would accord with Aquinas's well-known claim that every sin consists principally in the will [ST Ia IIae, q. 77, art. 3, ad 2]. A close reading of Aquinas nonetheless shows that neither choice nor consent can do the explanatory work wanted. A person can choose what she regards as in some way good, at least at that particular moment. When she chooses to follow disordered passion, there is always some ignorance or error on the part of the intellect. In technical terms, choice is »materially« an act of will but »formally« an act of intellect [ST Ia IIae q. 6, art. 8; q. 13, art. 1]. In non-technical terms, Aquinas never casts the will as a soloist. The will does not have its own reasons; the reasons for which it chooses an act must be supplied by the intellect.” (KENT 2007, pp. 82)²⁰

An example of the second type of statement made by Aquinas can also be found in Question 156 of ST IIa IIae:

„I answer that, Things are ascribed to their direct causes rather than to those which merely occasion them. Now that which is on the part of the body is merely an occasional cause of incontinence, since it is owing to a bodily disposition that vehement passions can arise in the sensitive appetite[,] which is a power of the organic body. Yet these passions, however vehement they be, are not the sufficient cause of incontinence, but are merely the occasion thereof, since, as long as the reason remains, man is always able to resist his passions.”

(ST IIa IIae, q. 156, co.)

The problem here relates to what Aquinas means by „as long as the reason remains”. Does he mean that reason remains up until the acratia gives in to, or is overcome by, a passion or appetite (Olivi's preceding passive or receptive act of *complacentia*) or until the acratia consents or chooses the acratia act itself? However, fine the distinction might seem to be, Olivi takes it to be pivotal, since, if the act of consent

¹⁹ ST IIa IIae, q. 156, art. 3. co.: *„peccatum, secundum Augustinum, praecipue in voluntate consistit, voluntas enim est qua peccatur et recte vivitur. Et ideo ubi est maior inclinatio voluntatis ad peccandum, ibi est gravior peccatum. In eo autem qui est intemperatus, voluntas inclinatur ad peccandum ex propria electione, quae procedit ex habitu per consuetudinem acquisito. In eo autem qui est incontinens, voluntas inclinatur ad peccandum ex aliqua passione.”*

²⁰ But I also think that Aquinas here and elsewhere conceals his real views somewhat, largely owing to two articles censured in the condemnation of 12 December, 1270: art. 3 (*„Quod voluntas hominis ex necessitate vult et eligit”*) and, in particular, art. 9 (*„quod liberum arbitrium est potentia passiva, non activa; et quod necessitate movetur ab appetibili”*).

or choice itself is performed „unknowingly,” then the acratia cannot be blamed for performing the act *per se* but only for the preceding *act* [my italics] of *complacentia* which has occasioned it.

In S18, therefore, Olivi attacks Aquinas’s (far more than Aristotle’s) explanation of acrasia and intemperance from two angles: the first is that (1) acts of acrasia and intemperance do not result from a failure of the practical intellect to govern the passions and appetites of the sensitive faculty of the human soul but from a decision of the will (and not the intellect) to opt for a lesser good in preference to a higher one (a perspective that is both biblical and Augustinian); and the second is that (2) an act of consenting or choosing to perform an acratia or intemperate act is not determined by a preceding act (or series of acts) of consent or choice by which the practical intellect yields to a state of *corrupta complacentia* and/or *falsa aestimatio*. Although Olivi develops his arguments in support of these two propositions beyond the confines of S18, as well, especially in questions 85 and 86 of *Summa II* as far as acrasia is concerned, I will consider his two counter-propositions primarily as presented in S18.

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Olivi divides S18 into five sections that, in their organisation, are structured as an altarpiece. The central panel contains Olivi’s two pivotal arguments for his proposition (contra Thomas) that acratia and intemperate acts of consent or choice are committed knowingly and not in a state of ignorance that arises because the syllogism of reason has been forgotten or its nature misconceived. Olivi flanks this central panel with two blocks of argument, one focusing on *falsa aestimatio* and the other on *corrupta complacentia*, these being, in the Aristotelian *schema*, the two dispositions (together with the act or acts engendering these two dispositions) that produce intemperate and acratia action.²¹ Olivi then places outside these two sections a sizeable introduction and a coda. S18 is thereby organised symmetrically around its central panel as follows: (1a) Introduction – (2a) section on *falsa aestimatio* – (3) section on Olivi’s two pivotal arguments – (2b) section on *corrupta complacentia* – (1b) coda.

This symmetrical design is reinforced by other formal features. In the introduction, for example, Olivi establishes the disputational approach that he will take in each of the subsequent four sections. This consists of one or two arguments based on natural reason and one or two drawn from either Scripture or subjective human experience. In the sections on *falsa aestimatio* and *corrupta complacentia*, he bases his argument from scripture on the narrative of the Fall of Adam and the rebellious angels. In each of these two sections, he also places a barbed criticism of Aquinas’s reformulation of the Aristotelian theory of acrasia and intemperance, so that it might accord with a Christian conception of sin. In the coda, Olivi turns his attention to Augustine’s interpretation of the fall of Adam in his *Unfinished Work in Answer to Julian (of Aeclanum)*. Olivi’s citation of this text has a polemical intent, since the message that he implicitly communicates is that Augustine is a far more trustworthy authority for a Christian as concerns the causes of acrasia and intemperance than either Aristotle or his latter-day Christian disciples. Olivi’s arguments from reason and Scripture or innate personal experience in his coda more or less join hands, since Augustine’s interpretation of the fall of Adam serves, on the one hand, as Olivi’s argument from reason, while the argument that Olivi has proposed on the basis of the same narrative in the previous section on *complacentia* serves retrospectively as his argument from Scripture.²²

²¹ They are the proximate necessary causes of these moral flaws or sins rather than one or the other being the sufficient cause of one or the other moral flaw or sin. The sufficient cause of both is the failure of the practical intellect, or right reason, to govern the appetites and passions of the sensitive part of the human soul.

²² Olivi might also intend an analogy to be made: just as Augustine had opposed the heterodox teachings of Julian of Aeclanum on the nature of human sin (Julian had been far more profoundly influenced than Augustine by Greek philosophical writings on human virtue and vice) in the age of the Church fathers, the third of the seven periods that constitute the history of the Church in Olivi’s vision of salvation history, so Olivi himself, living at the close of the fifth period, is called upon to oppose the heterodox teachings of the 13th century disciples of the pagan

In the introduction of S18, Olivi advances two arguments based on reason and two founded on Scripture. They are organised chiasmically: rational – scriptural – scriptural – rational. The first rational argument is essentially a statement of Olivi’s own position. He distinguishes between two ways in which the opponent’s term, „*per causam praelectionis*” („through a choice previously made”) can be understood.²³ If the opponent means by the phrase the active power of the will itself (i.e. its power to make a free decision), then this understanding explains every instance of „*per causam praelectionis*”²⁴. Here, Olivi has interpreted „*praelectio*” as the will’s power of *voluntas libera* (free choice). However, if the opponent means some motivating reason or passion that precedes the act of choice, and pre-determines what the will subsequently chooses, then the opponent’s assertion is completely false.²⁵ Since the opponent could have hardly intended the first interpretation, Olivi’s real purpose is to state the two key propositions that he will place in opposition to the Aristotelian conception of acrasia and intemperance: the first is that (1) the will is an absolutely free power, and (following from this proposition) that (2) the will’s act of *voluntas libera* is determined neither by a preceding act or series of acts, nor by a *habitus* or *dispositio* instilled by a preceding act or (more likely in this case) series of acts. In the second part of the introduction, Olivi forwards two arguments from scripture: the first is based upon the first creation story in *Genesis*, while the second upon lines from the hymn in the *Letter to the Ephesians*. These arguments bring out the theological consequences that follow from the opponent’s interpretation of „*per causam praelectionis*”.

In the first of these arguments, Olivi states that, if the opponent’s interpretation of *per causam praelectionis* in respect to the act of *liberum arbitrium* is correct, then God would not have been able to choose between the creation of this world, along with all the other things that he ordained to be created, and the creation of another world equivalent to it.²⁶ Olivi is undoubtedly alluding to a proposition that was censured on 7 March, 1277:

„*The First Cause cannot make more than one world.*”²⁷

It disturbed Olivi for much the same reasons that it did Bishop Tempier and his committee. In *Enquête*, Hissette cites Étienne Gilson’s explanation as to why the proposition was censured:

„*on account of the essentially deterministic character of the Greek [cosmological] world, which at the time was accepted as being true, one could not deny to God the power to create either one world or several worlds, each with a different structure.*”²⁸

To Olivi’s mind, not only did this article throw God’s freedom into question but the freedom of the human will, as well. For, in Olivi’s opinion, what makes the will the noblest of all the powers of the human subjective economy is the fact that it is made in the image of God’s absolute freedom (barring self-contradiction, which was irreconcilable with God’s very being):

thinker Aristotle. For more on Olivi’s vision of salvation history, see MANSELLI 1955; BURR 1971, pp. 15-29; id. 1976, pp. 17-24; id. 1981, pp. 237-60; and id. 1993. The most important primary text is OLIVI 2015.

²³ The opponent begins his objection as follows (*Summa* II.2 in OLIVI 1924, p. 311): „*Omnis praelectionis est dare causam quare hoc potius praeeligat quam alia.*”

²⁴ *Summa* II.2 in OLIVI 1924, p. 311: „*si per causam praelectionis intelligamus ipsam virtutem activam voluntatis: sic omnis praelectionis est dare causam.*”

²⁵ *Summa* II.2, in OLIVI 1924, p. 311: „*Si autem ultra hoc per causam electionis intelligatur aliqua ratio motiva voluntatis ad hoc potius eligendum quam alia: sic simpliciter est falsum.*”

²⁶ *Summa* II.2 in OLIVI 1924, p. 360: „*Secundum hoc enim Deus non potuisset praeeligere facere mundum istum et alia quae facere disposuit uni alteri mundo isti aequivalente.*”

²⁷ Art. 34/27, as given in PICHE 1999, p. 90: „*Quod causa prima non posset plures mundos facere.*”

²⁸ HISSETTE 1977, p. 64: „*C’est précisément ce que rejette ici Tempier. Brisant le cadre fini où la pensée grecque avait enclose l’univers, il a voulu affirmer, en théologien respectueux de la toute-puissance divine, «qu’on ne pouvait interdire à Dieu, au nom des nécessités essentielles du monde grec alors tenu pour réel, de créer un ou plusieurs mondes de structure différente».*” The citation is from GILSON 1944, p. 460.

„But every intellect judges nothing to be nobler than freedom; and the more it thinks correctly, the more it judges that this to be so, whether freedom is posited to be in us or in God.”²⁹

Olivi next alludes to a passage in the *Letter to the Ephesians* (perhaps together with other similar passages in the Pauline letters):

„and [God] would not have been able to choose sons of grace from the sinful mass of human beings beforehand, many of whom were initially no worse [sinners than they].”³⁰

The allusion, I would suggest, is to the hymn in the first chapter of the letter, which Olivi would have sung or recited regularly as part of the hour of Vespers:

„just as he chose us in Christ before the foundation of the world to be holy and blameless before him in love. He destined us for adoption as his children through Jesus Christ, according to the good pleasure of his will.”³¹

If we consider not only the first creation-story in *Genesis* but also the Pauline hymn in the New Testament, then the Aristotelian theory of the causes of continence and acrasia is irreconcilable, to Olivi’s mind, not simply with the freedom that he sees the human will as possessing but also with the freedom of God.³²

In the third part of the introduction, Olivi advances his second argument from reason. It is (like the first one) semantic. He proposes different interpretations to those that the opponent gives of the two answers which his interviewees have given when asked why they desired or chose one object or option rather than another when making a choice or decision. Their two answers were either that „I chose it because it seemed to me the best choice” (*quia melius videbatur*), or „I chose it because it appealed to me (*quia mihi placuit*)”³³. In regard to the first answer, Olivi points out that, even if a person views one of the options apparently available as the best one, this does not mean that he or she will necessarily choose that option.³⁴ Olivi explains his statement by saying that what might seem to be the best alternative from one angle, might not be so from another; also, it might even be the case that no one option seems better than the others.³⁵ As for the second answer, Olivi says that what we usually mean when we answer, „because it appealed to me”, is that it is a question of my own free choice.³⁶ He also adds that, if we want to say that my act of choice was predetermined by some pleasurable bias towards

²⁹ OLIVI, q. 57, resp., *Summa* II.2 in OLIVI 1924, p. 322: „Sed omnis intellectus iudicat libertatem esse quid nobilissimum et, quanto rectius intelligit, tanto magis hoc iudicat, sive in nobis ponatur esse sive in Deo.”

³⁰ *Summa* II.2 in OLIVI 1924, p. 360: „nec filios gratiae potuisset de massa peccatrice multis ab initio non peioribus praeeligisse”. This conclusion might at first seem to ring of Augustine’s doctrine that God has predestined a very small number of elect from the „massa damnata”. However, Olivi’s choice of „massa peccatrix” suggests a more benign meaning. The allusion’s source in Eph 1,4-5 makes this clear (see the citation in the next footnote).

³¹ Eph 1,4-5: „sicut elegit nos in ipso ante mundi constitutionem, ut essemus sancti et immaculati in conspectu eius in caritate, qui praedestinavit nos in adoptionem filiorum per Iesum Christum in ipsum, secundum beneplacitum voluntatis suae.”

³² Olivi’s two arguments presage Ockham’s thoughts on the nature and extent of God’s power of *liberum arbitrium*.

³³ *Summa* II.2 in OLIVI 1924, p. 360: „Quod autem ad huius probationem affertur quod quaerentibus »quare hoc praelegisti« semper respondemus »quia mihi placuit« et aliquando »quia mihi melius videbatur«.”

³⁴ *Summa* II.2 in OLIVI 1924, p. 360: „quandam rationem ex melioritate obiecti sumptam inducentem quidem voluntatem, non tamen necessitatem”.

³⁵ *Summa* II.2 in OLIVI 1924, p. 360: „uia idem [obiectum] secundum unam rationem potest videri melius et appetibilius, secundum aliam vero e contrario, et praeterea frequenter nulla apparet melioritas in praelectione”.

³⁶ *Summa* II.2 in OLIVI 1924, p. 360: „sola voluntas mea est in causa”.

one of the possibilities, as the opponent has interpreted this answer, then we would be more likely to say that „*passion, fear or something similar tempted me, impelled me, seduced me*”³⁷.

In re-interpreting these two answers, Olivi underlines once again that the will is absolutely free in its acts of *voluntas libera*. Contrary to what the opponent asserts, this act is necessitated neither by some preceding judgement or opinion (*aestimatio*) nor by some preceding appetite or passion (*complacentia*).

*

In the second section of S18, Olivi focuses on *aestimatio* (both as act and consequent *habitus*) that predetermines the will's decision to perform an acratia or intemperate act. In the context of sin or moral failing, *aestimatio* becomes *falsa aestimatio*: that is, an erroneous judgement as to the rightness or wrongness of an act. Olivi this time advances one argument founded on reason and one on Scripture.

In his scriptural argument, Olivi considers the consequences that the Aristotelian theory of the role *falsa aestimatio* plays in acts of acrasia and intemperance has for the biblical narrative of the fall of Adam and the rebellious angels.³⁸ He reasons that, if the respective primal sin of Adam and these angels had resulted from some form of erroneous *aestimatio*, then their sin could hardly have been as serious as it has been made out to be. If we apply the Aristotelian theory to these two falls, neither Adam nor the rebellious angels would have been aware of either the major or the minor premise of the (practical) syllogism of reason at the moment that they actually performed their sinful acts:

„For it follows from this that some kind of erroneous judgement preceded the first sin of the angels and Adam, and that this error of judgement was in no way sinful, and that this state of ignorance or error was the cause of their first sin.”³⁹

For Olivi (good Augustinian that he essentially, if not uncritically, was), this amounts to questioning God's justice. He does not feel he needs to explain why in S18, but he does do so later in Question 86 of *Summa II*: if Adam and the rebellious angels could not be held accountable for their sin at the time it was actually committed, there is no way that the terrible miseries that God inflicted, or allowed to be inflicted, upon them, could be justified.⁴⁰ If Olivi's counter-argument stands, then the acceptance of Aquinas's account entails the collapse of the whole mediaeval eschatological order, which was grounded upon Augustine's conception of the enormous gravity of original sin and its consequences.⁴¹

Olivi's argument from natural reason in this section is in the form of an *exemplum*. Olivi imagines the case of a master of theology who is extremely knowledgeable in all matters pertaining to divine law

³⁷ *Summa II.2* in OLIVI 1924, p. 360: „*passio concupiscentiae vel timoris et consimilium tentavit me, impulit me, seduxit me, aut aliqua verba equivalentia*”.

³⁸ The reason why he discusses the original sin of both Adam and the angels, I suggest, is because Olivi sees the former as the archetypal example of acratia sin, and the latter of intemperate sin.

³⁹ I would hazard that Olivi, already in this first section of O18, has in mind Augustine's debate with Julian of Aelclanum in his *Contra Iulianum* over the reality of a first original sin, whose consequences fell upon consequent generations of human beings. Olivi in fact tells us that he will look at the argument that the sins of Adam and the angels were due to erroneous estimation more closely in a later question or set of questions (*Summa II.2* in OLIVI 1924, p. 360): „*Cuius contrarium in materia sua habet plenius ostendi*.” For the promised sequel, see especially *Summa II.3* in OLIVI 1926, qq. 110-117, pp. 261-374.

⁴⁰ *Summa II.3* in OLIVI 1926, p. 189: „*Talis autem attenuatio primae culpae eorum est summa vituperatio gravissimi iudicii Dei quo primum angelum in peccatum labentem mox irremediabiliter et aeternaliter damnavit et primum hominem cum tota sua posteritate tam morti temporali quam aeternae astrinxit, nisi per gratiam Redemptoris liberarentur. Quis enim dubitet quia tam graves poenae non debuerunt a Deo iustissimo sic subito dari nisi pro maxima et inexcusabili culpa?*” („*But such an attenuation of their first sin is the highest censure of the portentous judgement of God, by which He straight away damned irredeemably and eternally the first angel who fell into sin and bound the first human being with all his posterity both to temporal and eternal death, unless they are freed by the grace of the Redeemer. Who would doubt that such grave punishments should so swiftly be given by the most just God, unless [they were] for the greatest and most inexcusable fault?*”).

⁴¹ Augustine's was not the only conception, but because of his enormous influence in the Latin West, it became, to all intents and purposes, the only one.

and the human virtues and vices. This master, despite all his knowledge, commits an act of theft, fornication, or murder. The first question that Olivi poses is whether such a person – even if his act were an intemperate one that had arisen from a deeply ingrained *habitus* – would not have been able at the very moment of committing his sin to have considered and understood that his act went against the laws of God and right (natural) reason.⁴² The next question he asks is whether Aristotle had in fact proved that the human intellect is necessarily so bound by a *habitus* of mistaken *aestimatio* that it cannot recognise an act of theft, Murder or fornication to be against the law of God and natural reason at the moment when the agent makes the decision to perform that act. Although Olivi leaves it to his readers to answer these two questions, he does give them two pieces of advice: the first is that they should to read Aristotle’s arguments again to see if he has really prove his case concerning the causes of acrasia and intemperance; and the second is that they should test Aristotle’s theory against their own personal experience of having committed a sin. Olivi’s two suggestions thus fall into one or other of the two categories according to which he organises his arguments in S18: either the rational (suggestion one) or the scriptural, or alternatively the experiential (suggestion two).

It is only at the close of this second section on *falsa aestimatio* that Olivi makes very clear that he is criticising not so much Aristotle as Thomas Aquinas:

„However, if Aristotle in the passages that have been cited [i.e. the four that the opponent has quoted from Nicomachean ethics in his objection], as well as in similar passages, wants to say that ignorance and mistaken judgement always precede the viciousness of sin, as certain of his disciples seem to want to say in matters that pertain to theology, this is simply heretical.”⁴³

By „certain of his disciples”, Olivi is doubtless referring above all to Thomas Aquinas, the most renowned and influential Aristotelian theologian of the period. He also makes this clear intratextually: firstly through the „*secundum quosdam*” (according to certain people) of objection 11,⁴⁴ and, within S18, through a second accusation that he places at the start of the section on *corrupta complacentia* – the panel in Olivi’s altar-piece that stands symmetrically on the other side of the one devoted to *falsa aestimatio*:

„If Aristotle, either in the passages cited or elsewhere, wants to say that complacentia always necessarily precedes the will’s act of consent, and that, if it does not precede it, then the will cannot consent to that which is offered to it [by the intellect], and similarly cannot dissent, unless some [experience of] displeasure precedes what is offered to it, as certain Christians and theologians [my italics] seem to want to have it.”⁴⁵

⁴² *Summa* II.2 in OLIVI 1924, p. 361: „*Quis enim dicet quod aliquis magister secundum intellectum valde peritus in rationibus divinarum legum et moralium virtutum et vitiorum, quando furibitur, vel occidet aliquem vel fornicabitur, non possit per rationem actu cogitare et intelligere quod hoc est contra legem Dei et contra rationem.*”

⁴³ *Summa* II.2 in OLIVI 1924, p. 360: „*Si autem Aristoteles in verbis allegatis et consimilibus vult quod ignorantia et falsa aestimatio semper praecedat malitiam peccati, sicut et quidam eius sequaces etiam in theologis videntur velle: hoc quidem est simpliciter haereticum.*” As the members of the arts faculty had decreed on 1 April 1272 that their members should not enter into fields that more properly belong to the theologians, it is unlikely that Olivi would have had any of the Radical-Aristotelian masters in mind. For more detail on this statute, see BIANCHI 1999, pp. 165-202.

⁴⁴ In objection 11, Olivi’s Radical-Aristotelian opponent implicitly tells us that one of his principle sources of inspiration are the ethical writings of Thomas Aquinas.

⁴⁵ *Summa* II.2 in OLIVI 1924, p. 362: „*Si etiam Aristoteles vult, sive in locis praedictis sive alibi, quod aliqua complacentia semper necessario praecedat consensum voluntatis, ita quod, si illa non praecederet, non posset voluntas consentire in illud quod sibi offertur, et similiter, nisi quaedam displicentia praecederet, dissentire non posset, sicut etiam quidam Christiani et theologo hoc velle videntur.*” The criticism has a sardonic edge: for a

Olivi positions his central panel between those of *falsa aestimatio* and *corrupta complacentia*. In this section, he proposes that human beings possess two modes of moral knowledge. The first mode is either a discursive form (*per intellectualem ratiocinationem*) or knowledge gained from the Christian faith (*per fidem credentem*), while the second mode is experiential. The first form of moral knowledge comes from an exterior source that lies outside the subject, whether this should be, on the one hand, from events that occur in the world or from an observation of, or a reflection upon, human nature or, on the other, from scripture or some other channel of revealed knowledge.⁴⁶ This first mode encompasses the knowledge that human beings have of universal moral premises, as well as their application to particular sets of circumstances (i.e. the major and minor premises of Aristotle's syllogism of right reason). In S18, Olivi does not attempt to prove discursively that this first mode of knowledge indeed exists, or to show how it exists; he simply states that he himself is certain that, through this mode, „*the mind is able to recognise the wickedness of what it does and the goodness of the virtues from which it turns away both before, with [i.e. coterminous with], and after a vicious or evil act.*”⁴⁷ He clearly wants his readers firstly to reflect again upon his *exemplum* of the grievously sinning master that he has given in section one, and secondly upon their own experience of having sinned, and in this way arrive at the same conclusion as he has in the passage I have just cited. Consequently, while his first mode of moral knowledge is predominantly discursive, it nevertheless also relies upon the personal (we might say „moral intuitive”) experience of the individual human being.

Olivi's second mode of moral knowledge is an innate, quasi-sensory knowledge of what is right and wrong. He can only define this mode through an approximative analogy with the sense of taste, as well as with what he simply calls a form of „sense” (*sensus*). Olivi means a „sense” (similar to the way the bodily organ of taste senses) of what is right and wrong. Through this analogy with taste, Olivi underlines the quasi-organic or „built in” character of his second mode of moral knowledge:

„*In another way, one can perceive these things [the wickedness of what one does and the goodness of the virtues from which one turns away] through a mode of taste or sense, so that one senses or tastes an intellectual sweetness in things that are good and a terrible bitterness or insipidity in things that are vicious or evil.*”⁴⁸

In this central panel of S18, Olivi's description of his second mode of moral knowledge substitutes for the scriptural argument that we find in the other four sections. This is undoubtedly because Olivi sees such archetypal stories as the fall of the rebellious angels and the fall of the first humans in *Genesis* as

Christian to think this is bad enough, but for a Christian who is a theologian to think so is much worse. Thus, whereas Olivi accuses Aristotle of ignoring human experiential knowledge (as well as not having really proven his case), he accuses Thomas of having more or less fallen into heresy.

⁴⁶ Olivi's term, „believing faith” (*credenda fides*), is very compressed. Olivi hardly means „blind faith”, but rather writes in the tradition of Augustine's „*Crede, ut intelligas*” (Tract. Ev. Jo. 29.6 in PL 35,1630), as well as Anselm's „*Credo ut intelligam*” (Proslogion 1 in PL 158, 227). Olivi's best clarification of what he means by this phrase is perhaps found in the question, *Quaeritur an sit possibile ac debitum et virtuosum credere sine ratione* (cf. OLIVI in id. 1981, esp. p. 326, ll. 17-22): „*[fides] non principaliter innititur rationi. Non enim est causa huius, ut vitiose infra rationem se praecipitet, aut ut a recta ratione deviet et discordet, sed potius ut Deo et divinis altius et firmiter et rectius, ac verius et celerius et universalius, ac humiliter et subiectius inhaereat.*” („*Faith does not rely principally on reason. This is not because it mistakenly casts itself into unreasonableness, or that it deviates from right reason or conflicts with reason, but rather so that it might hold fast to God and the things of God more nobly, firmly and justly; more truly, readily and all-embracingly; more humbly and wholeheartedly.*”) I am thankful to David Flood for pointing me to this and similar passages in „*Credere sine ratione*”. I have also used his translation, though with modifications. See FLOOD 1994 in OSBORNE 1994, esp. p. 153.

⁴⁷ *Summa* II.2 in OLIVI 1924, p. 361: „*Et hoc modo non dubito quin ante vitium et cum vitio et post vitium possit [mens] percipere malitiam eorum quae agit et bonitatem virtutum a quibus se avertit.*”

⁴⁸ *Summa* II.2 in OLIVI 1924, p. 361: „*Alio modo potest ea percipere per modum gustus et sensus, ita quod sentit et gustat quandam intellectualem suavitatem in ipsis bonis et quandam amarissimam et horribilem insipiditatem in vitiis.*”

expressing a more profoundly experiential rather than a more restrictively discursive mode of moral knowledge.

Olivi well knows that the proof of what he says can only lie in his readers' reflection upon what they themselves experience inwardly when they perform a virtuous or commit a vicious or evil act. This argument from inward experience is finally, for Olivi, more decisive than any discursive one. If this innate *sensus* of what is right and wrong is indeed built into the human constitution, then (at least in most cases) it will be present not only before and after, but also at the instant when an act of consent or choice is made to commit a vicious act. The one exception, as he points out in Question 86 of *Summa* II, is with intemperate sin, where our innate *sensus* of what is right and wrong can be seriously weakened or even lost:

„the way of knowing, thinking and judging, or alternatively of believing [the two forms that Olivi's first mode of moral knowledge takes] is twofold. One way is through simple knowledge or speculation alone; the second way is with an experiential taste and with an affective approbation or disapprobation of that which is known. The first way is not taken away by sin, just as the speculative knowledge of the fleshly pleasures is not taken away by abstinence from these pleasures. The second mode, however, is taken away by sin, but relative to the gravity of the sin. 1999.”⁴⁹

To close this central panel of S18, Olivi accuses Aristotle (and, by implication, Thomas Aquinas) of having ignored this second mode of moral knowledge when he formulated his theory concerning the causes of acrasia and intemperance:

„Therefore, the mind that is led to commit vicious acts with such [intense] love experiences a taste in them that carries with it a corrupt estimation [of that taste] – if that estimation really differs from the taste. This taste, therefore, follows upon and accompanies perverse affections, in most cases. The distinction between these two modes [i.e. Olivi's first and second modes of moral knowledge] seems to have escaped Aristotle's notice.”⁵⁰

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In the fourth section of S18 (the counterpart of section two on *falsa aestimatio*), Olivi turns to *corrupta complacentia* as an act or series of acts (and the condition or disposition it produces) which predetermines the will's act of *liberum arbitrium* when sins of acrasia or intemperance are committed. He firstly states that he does not understand how an act of choice or decision must necessarily be preceded by a pleasurable attraction towards one of the alternatives available, or seemingly available,

⁴⁹ *Summa* II.3 in OLIVI 1926, p. 193: „duplex est modus sciendi vel cogitandi vel opinandi sive credendi. Unus est per solam simplicem notitiam vel speculationem, secundus est cum experimentalis gustu et cum affectuali approbatione vel reprobatione eius quod cogitatur. Primus modus non tollitur per peccatum, sicut nec per abstinentiam a delectationibus carnis tollitur speculativa notitia delectabilitatis illorum. Secundus autem modus tollitur per peccatum, verumtamen iuxta mensuram peccati.”

⁵⁰ *Summa* II.2 in OLIVI 1924, p. 361: „Mens igitur quae multo amore ducitur ad actus vitiosos sentit quendam saporem in eis, qui sapor corruptus habet secum annexam quandam corruptam aestimationem illius saporis, si tamen aestimatio haec differat ab eo. Hic igitur, ut plurimum sequitur et concomitatur affectus perversos. Distinctio autem horum duorum modorum Aristotelem latuisse videtur.” Olivi says „ut plurimum”, because he does not rule out the possibility that, in egregious cases of intemperance, his second mode of knowledge might be virtually quashed, with the consequence that the intemperate cannot do otherwise than act intemperately. The knowledge of the moral principle and its application to the particular circumstances remains, nevertheless, however undertrodden or overwritten this knowledge might be. There is culpability, therefore, before, with and after an acratia or intemperate act.

or that the will can only withhold its consent if a dislike for one or more of the alternatives precedes an act of *liberum arbitrium*. This could only be so, Olivi concludes sardonically, if the propositions that Aristotle puts forward are taken as first principles, as certain of his disciples [Olivi is thinking especially of Thomas] seem to want to do.⁵¹

Olivi next proposes an argument based on reason and then one founded on Scripture. In his first species of argument, Olivi distinguishes between a necessary and an accidental relation between two acts. The relation between the powers of the intellect and the will in an act of *liberum arbitrium* is a necessary one, because the will's act of *voluntas libera* depends upon the intellect offering the will alternative possibilities from which to choose. No such relation of necessity, however, exists between the will's pleasurable attraction for one of the alternative possibilities and its subsequent act of consent or choice. This second relation is therefore an accidental and not a necessary one:

„Furthermore, since the act of consent or choice, according to its essence, does not have an essential ordering to this act of pleasurable attraction [actus complacentiae], as willing includes in its principle of operation [sua rationalitate] the act of the intellect, what comes after generally including what comes before, I do not see why the act of attraction must necessarily precede the act of the will.”⁵²

If the relation is indeed accidental, then some form of pleasurable attraction towards the object chosen does not have to precede an acratia or intemperate act of the will, as Aristotle's theory supposes.⁵³

For his scriptural argument, Olivi turns once more to the story of the fall of Adam and the rebellious angels, in order to highlight the consequences of applying the Aristotelian explanation of what causes acrasia and intemperance to this particular narrative – on this occasion, as regards an act as well as a *dispositio* or *habitus* of *perversa concupiscentia* rather than *falsa aestimatio*:

„And if one considers seriously the fact that, if the wills of the angels and Adam were first inclined towards and then dragged into their first evil act of consent by some manifestation of appetite or pleasurable attraction, then perhaps one would find that they had within them, before the [actual act of] sin, some form of perverse desire.”⁵⁴

Olivi argues that, if Adam and the rebellious angels indeed had within them „some form of perverse desire” before they in fact fell, then the consequences for Christian doctrine, at least as it was articulated in Olivi's age, would be dire. The Augustinian theory that human beings were virtually perfect

⁵¹ This statement follows immediately upon the second accusation that Olivi directs primarily at Thomas Aquinas (*Summa* II.2 in OLIVI 1924, p. 362): „*Si etiam Aristoteles vult, sive in locis praedictis sive alibi, quod aliqua complacentia semper necessario praecedat consensum voluntatis, ita quod si illa non praecederet, non posset voluntas consentire in illud quod sibi offertur, et similiter, nisi quaedam displicentia praecederet, dissentire non posset, sicut etiam quidam christiani et theologi hoc velle videntur: hoc quidem unde probent aut probare possint non videntur, nisi quod omnes suum dictum volunt esse primum principium.*”

⁵² *Summa* II.2 in OLIVI 1924, p. 362: „*Praeterea, cum actus consensus vel electionis secundum suam essentiam non habeat ordinem essentialem ad illum actum complacentiae, sicuti videmus quod habet ordinem ad actum intellectus, cum etiam in sua ratione non includat rationem illius complacentiae, sicut videmus communiter quod posterius includit suum prius, ut velle in sua ratione includit actum intellectus: non video quare ipsum habeat praecedere necessario.*”

⁵³ It is important to note that Olivi does not rule out the possibility that an intense state of passion can necessitate the will's act of choice. Nevertheless, the awareness or sense of having gone against God's law and reason (in its ethical dimension here, i.e. naturally knowable ethical principles) will virtually always be there. In other words, Aristotle's and Aquinas's theory only applies to a certain number of cases, and even then only partially.

⁵⁴ *Summa* II.2 in OLIVI 1924, p. 362: „*Et si quis diligentius inspiceret quod, si primum malum consensum angeli et Aadae praecessit aliquis appetitus seu complacentia inclinans et trahens voluntatem illorum ad malum consensum: fortasse inveniet quod ante peccatum fuisset in eis aliqua concupiscentia perversa.*”

physically and spiritually before the fall becomes totally untenable, as does the belief that the rebellious angels were untarnished morally before their act of disobedience. The Aristotelian doctrine, from this perspective, necessarily entails heresy.

*

Olivi shapes his coda (the last of the five sections in S18) around a citation that he takes from Augustine's late, unfinished *Contra Iulianum [opus imperfectum]*:

„For amongst the other things by means of which Augustine, in his book, Against Julian, shows that our original concupiscence is evil, one stands out: namely, that it inclines us to evil, and that, by following that concupiscence, we are evil. Thus, we are forbidden to follow it when it is said [in Sirach 18,30]: »Do not go after your concupiscence«.”⁵⁵

By citing Augustine, Olivi implicitly gives voice to his opinion that, as far as the moral failings of acrasia and intemperance are concerned, Augustine is a far better authority for a Christian than Aristotle. Intertextual counterpoint of this kind – i.e. a text [or texts] of Augustine set against a text [or texts] of Aristotle and/or Thomas Aquinas – is one of Olivi's typical ploys. In Question 76 of *Summa* II.3, for instance, Olivi places passages that Aquinas has taken from Augustine and Aristotle in *Contra gentiles* III.46, in order to lend authority to his argument that *phantasmata* are indispensable for human self-knowledge, against citations that he himself has taken from Augustine and Anselm, so as to support the contrary position: namely, that the human soul has direct knowledge of itself.⁵⁶ In the coda to S18, Olivi in fact sets three texts against those of Aristotle and, even more particularly, Thomas Aquinas. The first is the interpretation of the fall of Adam that Augustine gives in *Contra Iulianum* (namely, „our original concupiscence is evil”), while the second is the scriptural text to which Augustine turns in order to justify this interpretation of the fall: *The Book of Sirach* (in particular, its injunction, „Do not go after your concupiscence.”). Augustine's *interpretation* of the biblical episode of Adam's fall serves as Olivi's *argumentum ad verecundiam* based on reason, while *The Book of Sirach* serves as his *argumentum ad verecundiam* grounded in scripture.

Conclusion

Olivi's critique of the Aristotelian explanation of the moral flaws of acrasia and intemperance in Question 57 of his *Quaestiones in secundum librum Sententiarum* is unquestionably the most developed and imaginatively constructed of any produced in the later -mediaeval period. It is also the only such critique built purposefully upon non-Aristotelian philosophical foundations. Regardless of the extent to which we might agree or disagree with the arguments Olivi proposes, its close study can only increase the critical acuity with which we read (and also appreciate) Aquinas's ethical writings.

⁵⁵ *Summa* II.2 in OLIVI 1924, p. 362: „Inter cetera enim per quae, in libro *Contra Iulianum*, Augustinus probat concupiscentiam nostram originalem esse malam est hoc unum de praecipuis, quia inclinat nos ad malum, et quia sequendo eam mali sumus, unde et prohibemur eam non sequi, quando dicitur: Post concupiscentia tuas ne eas [Sirach 18,30]. The citation is taken from AUGUSTINUS 1998, IV,57, p. 435: „For those who desire sins, even if they resist their desire and do not commit those sins, fulfil the words of Scripture, Do not go after your desires.”

⁵⁶ For a study of the textual dialectic that Olivi sets up between his own Question 76 on human self-knowledge and Thomas's *Summa contra gentiles* III.46, see WHITEHOUSE 2014, esp. pp. 208-211, where I discuss how Olivi's first indirect counter-argument replies to the *Respondeo*-section of *Summa contra gentiles* III.46.

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