

Duns Scotus on Disability: Teleology, Divine Willing, and Pure Nature

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Richard Cross

University of Notre Dame, Notre Dame, USA

Abstract

According to the so-called “religio-ethical” model of disability accepted in some sense by Aquinas, disability is fundamentally a punishment for wrongdoing. Duns Scotus rejects this view and holds that disability could simply have been part of God’s plan, and that its presence could have been explained simply by virtue of God’s finding beauty in some of the bodily configurations of the disabled. I conclude by showing how Scotus’s view relates to the so-called “social” model of disability.

Keywords

disability, original justice, pure nature, Duns Scotus, social model of disability

The history of notions of disability is complex and contested. One reason is that our contemporary notions of disability are themselves complex and contested: there are popular, pre-theoretical notions and highly theorized notions, and, between the two, varieties of practical and political notions—I mean notions identified with governmental administration, and with the activism of identity politics.¹ Another

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1. For some sense of the variety of possible theoretical approaches, see the opening chapter of Dan Goodley, *Disability Studies: An Interdisciplinary Introduction* (Los Angeles: Sage, 2011).

Corresponding author:

Richard Cross, University of Notre Dame, Notre Dame, IN, USA.

Email: richard.cross@nd.edu

reason is that the very notion of disability is itself modern.² So the history of disability involves the isolation and examination of concepts ancestral to our own ones, along with a frank acknowledgement that our own ones are far from clear.³

This might make the topic of this essay seem hopeless at best. But it is possible to find ways into this complex problem, and, for reasons that will become clear in just a moment, I want to begin with what is sometimes labelled the “religio-moral” construction of disability, according to which disability—whatever it might comprise—is typically seen as some kind of punishment for sin. Nancy L. Eiesland, for example, draws attention to the way in which the Bible—both the Hebrew Bible and the New Testament—reinforces this particular interpretation of disability:

The persistent thread within the Christian tradition has been that disability denotes an unusual relationship with God and that the person with disabilities is either divinely blessed or damned. . . . In the Hebrew Scriptures, in particular, the conflation of moral impurity and physical disability is a common theme. . . . The New Testament also supports this theme of a link between sin and disability.⁴

Unsurprisingly, contemporary disability theory finds this approach to disability unacceptable and even offensive.⁵ In the middle ages, the view is central to Thomas Aquinas’s thinking on the matter—though by and large in relation not to the actual sins of an individual but to the original sin that is a feature of all post-lapsarian human existence. According to Aquinas—as I shall show shortly—the punitive component of disability is a necessary feature of it.

Now, while this approach to disability is found pervasively in the Middle Ages, it is not universal.⁶ Here I attempt to show that Duns Scotus rejects the strong punishment view found in Aquinas. He agrees that there is *de facto* a punitive element to disability in the context of a theology of original sin, but he disagrees with the view that it is a necessary feature of disability. He considers various counterfactual situations in which we can find disability in the absence of sin, and thus in the absence of punishment. Scotus develops, instead, a theory according to which disability could simply be part of the divine plan, and in which disability might indeed have its own particular intrinsic beauty. It is, in other words, a fully natural state, one that God could have caused

2. See e.g. Lennard J. Davis, “Dr. Johnson, Amelia, and the Discourse of Disability in the Eighteenth Century,” in *“Defects”*: *Engendering the Modern Body*, ed. Helen Deutsch and Felicity Nussbaum (Ann Arbor: University of Michigan, 2000) 54–74 at 57.

3. The standard recent history of disability with a theological focus is Henri-Jacques Stiker, *A History of Disability*, trans. William Sayers, Corporealities: Discourses of Disability (Ann Arbor: University of Michigan, 2000).

4. Nancy L. Eiesland, *The Disabled God: Toward a Liberatory Theology of Disability* (Nashville, TN: Abingdon, 1994) 70–71.

5. See for example the discussion in Goodley, *Disability Studies* 5–10.

6. On this, see Irina Metzler, *Disability in Medieval Europe: Thinking about Physical Impairment during the High Middle Ages, c. 1100–1400*, Routledge Studies in Medieval Religion and Culture 5 (London: Routledge, 2006).

quite independently of human sin, and have done so on the basis of some beauty perceived by God in the relevant bodily configurations.⁷

Still, given the fluidity of our contemporary notions of disability, we need to discern which bodily configurations are relevant. The medieval theologians have a notion that they label “defect” (*defectum*), and for the purposes of our discussion, the “defect” that Scotus most often considers is blindness, something that I suppose all recent pre-theoretical accounts, and many theorized accounts of disability, would plausibly count as a disability, just as political accounts would too. So I generalize from what Scotus says about blindness, and about defects in general, to give some kind of account of what he might say about disability more generally, however construed.⁸

We can best appreciate the distinctiveness of Scotus’s contribution by drawing some relevant points of contrast with Aquinas’s views, since these views are the most well developed of those that I know among the schoolmen, and, as I have already pointed out, form a nicely contrasting position. So before I sketch a reconstruction of Scotus’s views, I give a very brief overview of the salient features of Aquinas’s more elaborated account, as context for Scotus’s. After that, I will deal with Scotus’s fundamental view of disability as the absence of one or more teleologically normative powers—powers that would naturally be had by a substance (section 2). In a third section, I consider the relation between divine justice and the possession of such powers. Scotus holds that disability could simply have been part of God’s plan for the universe. But he believes that it could have been so only if the absence of certain teleologically normative powers served some wider teleological function for the overall good of the agent, or of the community, or of the universe as a whole. So in the fourth section I deal with the relation between such powers, on the one hand, and original sin and pure nature, on the other.

In the fifth section I consider some examples that Scotus gives in relation to the perfection of resurrected bodies, and in so doing relate Scotus’s view to recent “social”

7. For the role of the aesthetic in Scotus’s moral thinking more generally, see in particular Mary Beth Ingham, “Duns Scotus’ Moral Reasoning and the Artistic Paradigm,” in *Via Scoti: Methodologica ad mentem Joannis Duns Scoti*, ed. Leonardo Sileo, (Rome: Edizioni Antonianum, 1995) 2:825–37; also Ingham, *The Harmony of Goodness: Mutuality and Moral Living according to John Duns Scotus*, 2nd ed. (St. Bonaventure, NY: Franciscan Institute, 2012) 95–113, and the literature she cites there. See also my “Natural Law, Moral Constructivism, and Duns Scotus’s Metaethics: The Centrality of Aesthetic Explanation,” in *Reason, Religion, and Natural Law: Historical and Analytical Studies*, ed. Jonathan Jacobs (Oxford: Oxford University, 2012) 175–97. I discuss this, along with its relation to Scotus’s views on disability, below.

8. Scotus’s inchoate discussions contrast strikingly with those of Thomas Aquinas, who, as I show in “Aquinas on Physical Impairment: Human nature and Original Sin,” *Harvard Theological Review* (forthcoming), develops a fully fledged theory of the nature and existence of bodily defects, and places what we would call disabilities as a distinct subclass of such defects. We should keep in mind that Scotus, contrariwise, only occasionally uses terms such as “defect” outside of the context of action theory, using them, with few exceptions, to talk mainly about the moral badness of certain actions—actions that are “defective” in the relevant moral ways.

theories of disability. The idea in social models is that disability consists in the way in which the social and physical environment fails to be suitably accommodating to bodies with certain kinds of configuration—bodies that by some criterion we might think of as being impaired. So the impaired body is “disabled” from certain kinds of activity by the lack of an appropriate environment. (The contrast is with older medical theories that see disability simply as a problem—curable or not—associated with a particular kind of bodily configuration, rather than with the body’s circumstances or environment.) What Scotus argues, in effect, is that God sees beauty in the appropriate fit of body and environment: it is this fit, not the intrinsic configuration of the body, that is aesthetically significant in Scotus’s account of disability. Hence the relation to modern social theories of disability.

Aquinas on Disability

Aquinas thinks of disabilities as cases of what we might think of as teleological failure, in which something that in some sense “should” be present in a substance is lacking. Aquinas puts the point as follows:

Evil . . . is a privation of good. Good consists principally and of itself in perfection and actuality [*actu*]. But actuality is two-fold, first [actuality] and second [actuality]. First actuality is the form and integrity of a thing. Second actuality is activity [*operatio*]. Therefore evil can obtain in two ways: in one way, by the loss of form, or of some part which is required for the integrity of a thing—just as blindness is an evil, or the absence of a limb [is an evil]; in the other way, by the loss of due activity—either because this is entirely lacking, or because it does not have its due order.⁹

“Due” here captures the “should,” the teleological intentionality or purposiveness, and the thought is that a thing can be defective either by lacking some power that it should naturally have, or by being such that the power is rendered inactive.

As Aquinas sees it, the presence of teleologically normative powers is, other things being equal, a matter of *justice*: there is a sense in which human nature is *owed* such powers, and thus a sense in which, other things being equal, God is in some way obligated to provide human beings with appropriately functioning bodies:

In divine activity, what is due [*debitum*] can be regarded in two ways: either in as much as something is due to God, or in as much as something is due to a created thing. In each way God pays what is due. For it is owed [*debitum*] to God that what his wisdom and goodness require, and what manifests his goodness, should be fulfilled in creatures. . . . And it is owed to each created thing that it have that which is ordered to it: for example, [it is ordered] to a human being that he have a hand. . . . And in this way God exercises justice when he gives to each thing what is owed to it according to the notion of its nature and condition.¹⁰

9. Aquinas, *Summa Theologiae* I, q. 48, a. 5 c. [hereafter cited as *ST*.] Translations of Aquinas and Scotus are my own.

10. *ST* I, q. 21, a. 1, ad 3.

(I said “in some way obligated” because strictly speaking Aquinas holds, as he immediately points out, not that God is obligated—“God is a debtor to no one”¹¹—but that God necessarily acts in ways that would count as obligations were he obligated.)

Now, these kinds of appropriate features cannot be part of human nature as such, since, as we see in the world around us, they are frequently lacking.¹² So, second, given that their presence is a requirement of justice, Aquinas holds that their absence can be just only if punitive. He situates these claims in the context of a theological narrative. God’s “obligation” to human beings entails, given his perfection, that he created them with a special virtue that enables them to possess and use properly functioning natural powers. This virtue is original justice: “[Original] rectitude consisted in the fact that reason was subject to God, the lower powers to reason, and the body to the soul. The first subjection was the cause of the second and third, for as long as reason remained subject to God, the lower powers were subject to it.”¹³ Reason includes the power for rational choice; and the lower powers include bodily desires. With original justice, we are able to avoid irrational choice, and we are able to avoid simple subjection to our bodily desires. But with original justice the body is also subject to the soul: the body is such as to allow us to do what we can reasonably desire to do in accordance with human nature, and the body is thus lacking (Thomist) defects. In fact God creates with original justice, according to Aquinas: it is part of the pre-lapsarian condition. There was therefore no place for intellectual or bodily impairment in the pre-lapsarian state: as we shall see in a moment, Aquinas maintains that bodily defects are “consequent” on the loss of original justice.

Justice thus construed is what Aquinas, following Aristotle, elsewhere calls “justice taken metaphorically”—the kind of justice that refers to the “required coordination” of the powers of an individual human being in moral activity.¹⁴ But note that the role of original justice has to do with properly functioning *natural* powers. It is neither necessary nor sufficient for a human person’s *supernatural* functioning: her salvation, and the divinely meritorious action that precedes it. Grace, *gratia gratum faciens*—distinct from original justice—is what achieves this.¹⁵ Aquinas undertakes a complex counterfactual exploration of the possible activities of a human being with original justice but without grace to make just this point.¹⁶ Grace is what secures the human being’s achievement of her *ultimate* teleological function—the vision of God. Adam’s fall forfeited original justice, and thus the teleologically normative ordering of substance and powers that original justice secured.¹⁷ The lack of original justice, and thus the

11. *ST I*, q. 21, a. 1, ad 3.

12. See e.g. *ST I-II*, q. 85, a. 1 c.

13. *ST I*, q. 95, a. 1 c.

14. *ST II-II*, q. 58, a. 2 ad 1; see Aristotle, *Ethica Nicomachea* 5 c. 11 (1138b5–14).

15. See *ST I-II*, q. 110, a. 2 c, and *I-II*, q. 111, a. 1 c.

16. See *ST I-II*, q. 109, aa. 1–8. For a thorough discussion of the rather complex relation between grace and original justice, see William A. van Roo, “Grace and Original Justice according to St. Thomas,” *Analecta Gregoriana* 75 (Rome: Gregorian University, 1955).

17. See *ST I-II*, q. 81, a. 1 c, and *I-II*, q. 85, a. 5 c.

universal punitive absence of certain teleologically normative powers and activities, is inherited by Adam's progeny.¹⁸ On this view, then, all human beings descended from Adam are automatically guilty of original sin, and deserving of punishment. And Aquinas claims that the defects that are the automatic consequences of the loss of original justice are included among the relevant punishments: "The removal of original justice has the character of a punishment. . . . Therefore also death and all the consequent bodily defects are particular punishments for original sin . . . ordered according to the justice of the God who punishes."¹⁹ This view has, as a consequence, the claim that there could be no *pure* nature, by which I mean no nature lacking both original justice and punishment for sin. The only morally acceptable explanation for the absence of original justice is that this absence is a punishment for sin.

Human Nature and its *Propria*

Scotus agrees with Aquinas's general analysis of disability as an absence of teleologically normative powers, as spelled out above—though with some very significant modifications that I draw attention to below. He agrees too that Adam's sin lost the gift of original justice.²⁰ But he disagrees with all other parts of Aquinas's account. He does not believe that original justice has any role in securing the presence of teleologically normative bodily powers. He does not believe, more generally, that there is any sense in which the possession (as opposed to the absence) of such powers is a matter of justice in the sense specified above. Neither does he believe that the absence of such powers is necessarily punitive. A consequence of this view is that there is nothing incoherent in the notion of pure nature in the sense just outlined: human nature existing with neither original justice nor punishment for sin.

Seeing disability as teleological failure requires a strong sense in which substances naturally have—and are supposed to have—certain properties. And this is just what Scotus maintains. There are things that, other things being equal, "a nature requires" (*exigit*), and that God "gives" (*communicet*) to the nature:²¹

Just as the primary goodness of a thing (which is called its essential goodness), which is the integrity or perfection of a thing in itself, positively implies the negation of imperfection though which imperfection and decrease [*diminutio*] are excluded, so the secondary goodness [of a thing] (which is accidental or supervenient [*superveniens*] on entity) is the integrity of fit [*convenientiae*], or the integral fit, of a thing with something else with which it should [*debet*] fit, or of something else with it. And these two kinds of fit are connected. An example of the first: health is said to be good for a human being because it is fitting [*conveniens*] to him, and [—an example of the second—] bread is said to be good because it has a taste that

18. *ST I-II*, q. 81, a. 1 c.

19. *ST I-II*, q. 85, a. 5 c.

20. See e.g. Scotus, *Ordinatio* II, dd. 30–2, qq. 1–4, n. 53 (Vatican 8:341).

21. Scotus, *Ordinatio* IV, d. 46, q. 1, n. 48, in *Opera omnia*, ed. C. Balić et al. (Vatican City: Vatican Polyglot, 1950–2013) 14:210 (hereafter cited as Vatican). I quote the full passage below.

is fitting [*convenientem*] to it. An example of both can be had from Augustine, *De trinitate* VIII, chapter 3: “Health without pain and fatigue is good”: and this is for the first type, because health is good for a human being, because it is fitting to him. And Augustine adds: “And the face of a human being with regular features, a cheerful expression, and a glowing color is good”: and this is for the second type, because such a face is said to be good when it has what is fitting to it.²²

Relevant for our purposes is accidental or supervenient goodness. The examples that Scotus gives of these in this passage are something like Aristotelian *propria*: those properties that belong to an individual and that are in some sense necessary to the individual’s kind, but that are not in any way constituent parts of the kind-essence.²³ They are, in other words, in some sense necessary to the individual, but not included in what about the essence is *defined*. As I show below, the kinds of defects that, according to Scotus, constitute what we would think of as disabilities consist in the absence of one or more such properties. The claim in the passage just quoted is that it is teleologically appropriate, other things being equal, that certain *propria* attach to particular kinds of substance, and that substances have their *propria*. The substance is appropriate for the properties, and the properties for the substance. In some sense it satisfies the *purpose* of each of these things that they go together.

Privations—among which we can include various disabilities (here the example is blindness)—are the absence of one or more such properties:

Privation can be distinguished in many ways: into privation properly speaking, for example when something lacks a thing which it naturally has in relation to *when*, and *as such-and-such*; and into privation said more generally, when something lacks what is naturally has, but not merely according to the aforesaid conditions; and again more generally, when it lacks that which it naturally has, not in itself, but according to its genus—as a mole is said to be blind, because vision, which is deprived through blindness, is not incompatible with animals in general, even though it is incompatible with a mole in itself.²⁴

It is not completely clear to me what the first sense of “privation” here is supposed to be—I assume the lack of something that is proper to an individual, but I do not quite see how the text means that. The second is the absence of what is proper to a species—and is the kind that is relevant for our discussion here. The third obtains when a species lacks what is proper to its genus. The example is the blindness of a mole. “Blindness” is a term that signifies the lack of a *proprium*; we call moles blind not because they lack something proper to their species, but because their species lacks something

22. Scotus, *Quodlibetum*, q. 18, n. 3, in *Opera omnia*, ed. L. Wadding (Lyon, 1639) 12:475 (hereafter cited as Wadding), referring to Augustine, *De trinitate* VIII, c. 3, n. 4, ed. W. J. Mountain, 2 vols., Corpus Christianorum Series Latina 50 (Turnhout: Brepols, 1968) 1:272. Scotus says something similar at *Ordinatio* I, d. 17, p. 1, q. 2, n. 62 (Vatican, 5:163) 1:272, quoted below.

23. See e.g. Aristotle, *Topica* I, c. 5 (102a18–30).

24. Scotus, *Ordinatio* I, d. 28, q. 2, n. 14 (Vatican 6:112).

proper to its genus. So we do not call, for example, stones blind; we only call moles blind because moles are animals, and animals in general can see.

Given that the kinds of thing that we would think of as disabilities consist in the absence of some of a substance's *propria*, what causal mechanism could account for this lack? Aristotelian theory has it that there is some kind of explanatory relationship between a substance and its *propria*. In one case—that in which the properties are *necessary* features of the kind—Scotus maintains that the properties are, in his technical vocabulary, really the same as the substance (inseparable from it, and vice versa), but formally distinct from it: they are—we might say—the same as the substance without being identical to it.²⁵ And in this case the properties are said “to flow from the essence.”²⁶ Their existence, while necessary (given the substance's essence), is somehow explanatorily dependent on this essence. Scotus's paradigms for such properties are the powers of the human soul—intellect and will. Intellect and will are not constituent parts of the soul, but they are necessarily present whenever a human soul is present. (This is sufficient to show, incidentally, that severe cognitive impairments, on Scotus's view, must be wholly the result of bodily configuration: the powers of the soul—its intellect and will—are inseparable from it, and are present in any and every human soul.)²⁷

But some other *propria* are not necessary in quite this way, and it is in these cases that teleological failure can occur. These properties are, in Scotus's terminology, really distinct from the substance, since the substance can exist without them.²⁸ And the explanatory relation between the substance's essence and *propria* is simply (efficient) causation:

It is necessary for something sometimes to be the material and efficient cause of the same thing. This is clear, because otherwise a *proprium* would not be predicated *per se* in the second mode of its subject. Proof: something is predicated of it *per se* in the second mode, it is a material cause, just as matter is for accidents, because it is posited in their definitions as something added.²⁹

The worry that this argument addresses concerns self-motion: in particular, the thought that an efficient cause cannot also be the subject, the “material cause,” of the thing it

25. Scotus, *Reportatio* II, d. 16, q. un., n. 18 (Wadding 11:348b).

26. Scotus, *Reportatio* II, d. 16, q. un., n. 17 (Wadding 11:348b).

27. There is nothing distinctive about this view; it is standard among the medieval thinkers, as far as I know. For Aquinas on this, see Miguel J. Romero, “Aquinas on the *corporis infirmitas*: Broken Flesh and the Grammar of Grace,” in *Disability in the Christian Tradition: A Reader*, ed. Brian Brock and John Swinton (Grand Rapids, MI: Eerdmans, 2012) 101–51.

28. See e.g. Scotus, *Ordinatio* II, d. 2, p. 1, q. 5, n. 45 (Vatican 7:176). Note that this represents a shift from an earlier Scotist view, that a *proprium* always inheres in its subject: see Scotus, *Quaestiones in librum Porphyrii Isagoge*, q. 33, n. 7, in *Opera philosophica*, ed. Girard J. Etzkorn et al. (St. Bonaventure, NY: Franciscan Institute, 1997–2006) 1:208.

29. Scotus, *Ordinatio* I, d. 3, p. 3, q. 2, n. 518 (Vatican 3:307). See too Scotus, *Quaestiones in libros Metaphysicorum* VII, q. 2, n. 33 (*Opera Philosophica* 4:113).

causes. The assumption is that a substance is the efficient cause of its *propria*. If the substance were not also the material cause of these properties—the subject of these properties—then it would not be the case that these properties are predicated “*per se* in the second mode of their subject.” Predication *per se* in the second mode obtains when the definition of the subject is included in the definition of the predicate. *Propria* are the only cases in which something predicated of a substance-kind includes the kind in its definition. (Consider “man has a capacity for laughter,” on the assumption that the only things that have a capacity for laughter are human beings.) And the criterion could not be satisfied—the argument goes—unless the subject term referred to something in which the predicate inheres—that is, the material cause of the thing signified by the predicate term.

Indeed, a subject is the total cause of its *propria*: any *proprium* automatically results from its subject unless some other cause prevents it.³⁰ But other things can block this causal process, and so this second kind of property results only *ut in pluribus*—only “for the most part”:

Sometimes there is experience of a principle such that . . . we need to come to a stop in something that is true for the most part [*ut in pluribus*], the extremes of which are known to be frequently united—for example, that this herb of such-and-such a kind is hot. Neither is there found any prior medium through which the passion can be demonstrated of its subject in an explanatory way [*propter quid*], but we stop in this as in the thing that is known first, by means of experiences.³¹

The context here is rather complex. Scotus is trying to justify inductive knowledge on the basis of a principle to the effect that “an effect of some non-free cause that obtains for the most part (*ut in pluribus*) is the natural effect of [that cause].”³² So we can know that heat is the *proprium* of such-and-such a herb provided that we know that the herb is hot for the most part—this latter is the thing that is “known first,” experientially, and that allows us to demonstrate “the passion . . . of its subject”: that is, that heat is a *proprium* of the herb. (“Passion” or “proper passion” is another term used by Scotus for *proprium*.)

What we would call disabilities are a case in point. Scotus’s example is the capacity for sight, a *proprium* of human nature, but one that, as we know through experience, obtains only for the most part among human beings. Indeed, Scotus claims that blindness is a defect (“it is as much an evil in an eye that is made to see . . . as vision is a

30. “That thing which, if it existed, and (*per impossibile*) everything else is excluded, would perfectly cause something, is the total cause of that thing. But a subject, if it existed, and everything else is excluded, would cause its proper passion [i.e. *proprium*]; therefore the subject is a total cause of its passion”: Scotus, *Ordinatio* II, dd. 34–37, q. 5, n. 106 (Vatican 8:413).

31. Scotus, *Ordinatio* I, d. 3, p. 1, q. 4, n. 237 (Vatican 3:143–44).

32. Scotus, *Ordinatio* I, d. 3, p. 1, q. 4, n. 237 (Vatican 3:144).

good”),³³ but, since “natural states [*naturalia*] remain in the sinner,”³⁴ blindness must be a natural defect. So although the capacity for sight results from the human essence for the most part, the causal relation can sometimes fail. And this gets us Scotus’s general account of what we would call disabilities: cases in which human nature fails to cause one or more teleologically normative *propria* in a human individual—in particular, teleologically normative *powers*—whatever the explanation for this failure.

Divine Justice and the *Propria* of Human Nature

Disability and Justice

Clearly, God could see to it that the causal relation between human nature and all of its *propria* obtains, not merely for the most part, but universally. But we know by observing the world in which we live that God does not in fact do so. As I shall show in the next section, this situation is, according to Scotus, de facto a punishment for original sin. But first I want to consider an antecedent question: Does divine justice require that, other things being equal, God secure that this causal relation between a substance and its *propria* obtain universally? For example, does divine justice require that, in some state in which there was no original sin (with or without original justice—on which more below), God secure that this causal relation obtain universally? Aquinas, we recall, believed that God could not deprive human beings of teleologically normative functioning other than as a punishment for sin.

Scotus’s answer is negative. In contrast to Aquinas, Scotus does not believe that it is necessary, other things being equal, that God secure the presence of creatures’ non-necessary *propria*—their proper functions or their proper activities. Now, Scotus agrees with Aquinas that the presence of *propria* is in a loose sense a matter of justice:

In one way, the just is said to be in a creature from the correspondence of one created thing to another (as it is just, on the part of the creature, for fire to be hot, and water cold; and for fire to rise, and water fall, and such-like), because this created nature requires that as something corresponding to it.³⁵

And, a little like Aquinas, Scotus does not believe that this kind of justice results in any strict obligation in God:

God is not a debtor other than to his own goodness, so that he love it. But he is a debtor to creatures as a result of his liberality, so that he give to them what their nature requires—which exigency is posited in them as something just, as it were a secondary object of that justice [viz. God’s primary justice]. But in truth nothing outside God is determinately just

33. Scotus, *Ordinatio* II, d. 2, p. 1, q. 4, n. 178 (Vatican 7:234).

34. Scotus, *Ordinatio* II, d. 29, q. un., n. 5 (Vatican 8:306).

35. Scotus, *Ordinatio* IV, d. 46, q. 1, n. 35 (Vatican 14:206–7).

other than qualifiedly [*secundum quid*], namely, with this qualification “as from the side of the creature”; what is simply just is merely what is related to the primary justice, namely, because it is actually willed by the divine will.³⁶

The primary justice that Scotus talks about here is the justice that does indeed impose obligation and necessity on the divine willing: and that is that he love himself—he has an obligation “to his own goodness.” And there is a kind of qualified justice involved in the intrinsic structure of creaturely natures—namely, that a given essence has appropriate *propria*.

But, unlike Aquinas, Scotus does not believe that this qualified justice results in any kind of necessity in the divine will. God’s primary justice is the justice that imposes obligation and necessity on some of God’s volitions, and, as Scotus puts it, “as [God’s] primary justice relates to a [created] object it does not determinately incline [God’s will].”³⁷ So, again unlike Aquinas, Scotus is explicit that God could have created things with features quite other than those that he in fact gave them:

This single justice, which does not determinately incline [the divine will] other than to its first act, modifies its second acts—though none of them necessarily, such that it could not modify the opposite [act]. Neither does [this justice] precede his will, inclining naturally to some second act. Rather, his will first determines itself to any secondary object. And from this, the act is modified by the first justice because it is consonant [*consonans*] with the will to which it is conformed, as it were in accordance with the rectitude that inclines [the will, namely] divine justice.³⁸

The “first act” that Scotus talks about here is God’s necessary act of love directed to God, an act that God is in strict justice obliged to undertake. The “second acts” are God’s actions directed towards creatures—the “secondary objects” of God’s will. The idea is that God could, in relation to creatures, simply do the opposite of what God has done, at least in any given case. That God does what God does is “consonant” with God’s will, in “harmony” with it—how could it be otherwise? But, it seems, in any such case the opposite would be consonant with God’s will too.

Given that Scotus’s examples in the first passage quoted in this section are substances and their *propria*, it follows from what Scotus says about divine justice that, without any fault, God could have made creatures that lacked (at least some) such *propria*. Scotus puts the issue very starkly, claiming to be paraphrasing Augustine: “If God had created nature in all the miseries in which it now is, he would still have been praiseworthy. From which it is clear that, if there had then been death, it would not have been a punishment.”³⁹ So the absence of at least some teleologically normative

36. Scotus, *Ordinatio* IV, d. 46, q. 1, n. 48 (Vatican 14:210).

37. Scotus, *Ordinatio* IV, d. 46, q. 1, n. 36 (Vatican 14:207).

38. Scotus, *Ordinatio* IV, d. 46, q. 1, n. 34 (Vatican 14:206).

39. Scotus, *Lectura* II, d. 19, q. un., n. 19 (Vatican 19:186); see too *Reportatio* II, d. 19, q. un., n. 9 (Wadding 11:367b). There is nothing quite like this in Augustine. Augustine considers two cases, one counterfactual (in which we are created “at some lower level of

powers is not a matter of injustice. God does in fact secure the possession of such *propria* for the most part. But this is because, as a passage quoted above makes clear, God is generous.

Justice and Beauty

Still, we might wonder *why* God might have created a world with disabilities. What constraints are there on what God could will in this respect? Scotus makes a great deal of use of aesthetic considerations in discussing God's ethical choices—the “harmony” or “consonance” of a state of affairs. The crucial thought is that God's justice inclines God—which is to say, *motivates* God—in God's actions,⁴⁰ both towards God and towards creatures (though of course only contingently in this latter case). And what it inclines God to do, in the latter case, is to create things whose substances and *propria* correspond to each other (as we saw in the first passage quoted in this section). Correspondence is the same as fittingness and consonance (these are all terms that Scotus uses to describe the relation between a substance and its *propria*).⁴¹ So what motivates God is the harmony—the beauty—that God perceives in these kinds of arrangements.

But, as it turns out, Scotus's God can see beauty in many kinds of bodily configuration, and in many global orderings (we know this, since God's freedom means that God could have changed any one of these configurations); and it is in virtue of one or more of these beauties that God wills to actualize those that are actualized, whatever those be. The constraint, I assume, is that there be some teleological function, be it of the parts of a substance, the substance itself, or some whole of which the substance is a part. This because it seems that, according to Scotus the presence of some kind of teleologically appropriate feature or function is one of the things that God perceives to be harmonious in the created order—as in the case of *propria*, properties that are teleologically normative for substances or parts of substances, and the presence of which generally leads to beauty of the relevant kind. It is teleology that provides the “fit” and “correspondence” of one thing to another that is aesthetically appealing; and, as I have just argued, the justice of the aesthetically appealing configurations motivates God in his dealings with creatures.

We shall examine in section 5 below some cases in which there is a mismatch between the teleology of the parts of a substance and the teleology of the whole

creation”) and one factual (in which we are created in such a way that “even the filth of sin could in no way make [us] inferior to corporeal light”), and notes that in either case God is to be praised: see Augustine, *De libero arbitrio* III, c. 5, n. 42, ed. W. M. Green, Corpus Christianorum Series Latina 29 (Turnhout: Brepols, 1970) 282; translation from Augustine, *On Free Choice of the Will*, trans. Thomas Williams (Indianapolis: Hackett, 1993) 79.

40. Scotus, *Ordinatio* IV, q. 46, q. 1, n. 29 (Vatican 14:205).

41. Compare the parallel passages at Scotus, *Reportatio* I, d. 2, p. 1, qq. 1–3, n. 72, ed. Allan B. Wolter and Oleg Bychkov, 2 vols. (St. Bonaventure, NY: Franciscan Institute, 2004–8) 1:137; *Ordinatio* I, d. 2, p. 1, qq. 1–2, n. 136 (Vatican 2:208).

(with the teleology of the whole apparently trumping the teleology of the parts). And I take it that there can be a mismatch between the teleology of a whole substance and that of the community or universe to which it belongs (again, with the teleology of the community trumping the teleology of the substance). Scotus gives explicit examples of such mismatches in the context of a discussion of various ethical norms. For example, he clearly thinks that there are some moral norms that God could shift even while holding everything else fixed. One example is permitting killing.⁴² And there are certainly some moral norms that God could shift in consequence of a change in circumstances. One example is permitting bigamy.⁴³ Perhaps God could not, as Allan B. Wolter has claimed in relation to the second table of the Decalogue “dispense from all its precepts at once,” since, as Wolter puts it, “this would be equivalent to creating man in one way and obligating him in an entirely different fashion.”⁴⁴ But perhaps God could: Scotus does not say. At any rate, the point in these discussions—both derived from the Hebrew Bible—is that shifting the norm enables the achievement of some higher teleological goal: testing Abraham’s faith (and thus allowing Abraham to achieve his ultimate, God-directed, *telos*); or providing, by profligate polygamous reproduction, for sufficient worshipers in a case in which there is a deficit of such.

Scotus does not provide general criteria for beauty beyond appeals to harmony or appropriateness (*convenientia*):

Beauty is not an absolute quality in a beautiful body, but the aggregate of all the things appropriate to that body—for example, size, shape, and color—and the aggregate also of all of the relations of these things to the body and to each other.⁴⁵

What the appropriate size, shape, and color might be is left unspecified. And Scotus insists that a grasp of these things is a matter simply of perception, not of judgment, which might suggest that there is no antecedent way of specifying these various conditions.⁴⁶ As we saw in section 2, Scotus accepts Augustine’s account of facial beauty; and as we have seen he treats the presence of due *propria* as something aesthetically pleasing. But the class of beautiful configurations is not exhausted by these, and, as it seems, must include configurations contrary to at least some of them too, for the sake of the overall good of the substance, community, or universe.

42. Scotus, *Ordinatio* III, d. 37, q. un., n. 13 (Vatican 10:276–77); see also Scotus, *Ordinatio* III, d. 38, q. un., n. 17 (Vatican 10:298–99).

43. Scotus, *Ordinatio* IV, d. 33, q. 1, nn. 16–17 (Vatican 13:426–27).

44. Allan B. Wolter, *Duns Scotus on the Will and Morality* (Washington, DC: Catholic University of America, 1986) 24.

45. Scotus, *Ordinatio* I, d. 17, p. 1, q. 1, n. 62 (Vatican 5:163).

46. For the view that aesthetic responses are perceptions, not judgments, see e.g. Scotus, *Reportatio* I, d. 2, p. 1, qq. 1–3, n. 72 (Wolter and Bychkov I, 208).

The hardest case is one that Scotus himself considers in a passage I quoted a little earlier: that God could make human nature “in all the miseries in which it now is.” Here, I take it, the relevant divine motivation would just be the overall beauty of the order of a universe containing such miseries. At one point Scotus claims that “the intention of nature comes in itself to a stop in those things that pertain . . . to the order and beauty of the universe,”⁴⁷ suggesting that the suboptimal counterfactual universe that Scotus describes would nevertheless satisfy requirements of beauty. Of course, God could make a better universe (Scotus believes that God did so). But any possible divine creation is a simple act of generosity, on Scotus’s view; a failure to be more generous than God has been is no failure in divine goodness.

Human *Propria*, Pure Nature, and Original Sin

All this all relates very straightforwardly to the question of disability. If, as Aquinas holds, it is a requirement of justice that creatures lack certain defects (i.e., that they have certain *propria*), then a just God can only deprive creatures of these *propria* as a punishment. But in the absence of any such requirement, the lack of such *propria* need not be connected with punishment, although, of course, it could be. And, as I shall show in this section, this is exactly what Scotus holds.

More precisely, I want to consider here three ways in which this breakdown could occur according to Scotus, two counterfactual and one factual. Could God have created human beings in a state of pure nature, with neither original justice nor original sin, that is, without the guaranteed presence of the *propria* that I have been discussing thus far? Could God have created human beings in the pre-lapsarian state, with original justice, but without the guaranteed presence of such properties? And is the actual absence of such properties a punishment for original sin? As far as I can see, Scotus’s answers to all three questions are positive.

Disability and Pure Nature

As we might expect given some of the material I have just discussed, Scotus believes that there is no impossibility in supposing that human beings could have lacked both original justice and original sin: they could have been created in a state of pure nature. Scotus’s explicit account of pure nature has it as a state that includes neither justifying grace nor sin.⁴⁸ In this sense, Aquinas too accepts a state of pure nature, as we have seen. But, as we shall see, the thrust of Scotus’s usual discussion of pure nature in our context is that it is a state that includes neither *original justice* nor sin (nor, indeed, justifying grace—but for my purposes justifying grace is irrelevant, since original

47. Scotus, *Ordinatio* II, d. 3, p. 1, q. 7, n. 221 (Vatican 7:497).

48. See Scotus, *Ordinatio* II, d. 28, q. un., n. 23 (Vatican 8:300).

justice is the gift that makes a difference to the internal configuration of a human person's natural capacities).⁴⁹

As we have just seen, Scotus considers the whole panoply of human configurations found in people in the current fallen world as something that God could have simply created, without human sin, and without any fault on God's part. I assume, then, that God would affirm that the state of pure nature could have included bodily defects, including what we would label disabilities. Scotus lays out for explicit consideration two features of human existence: mortality and the disorder of the passions. He expressly states that, for someone lacking both original justice and original sin,

The opposites of these [viz. of immortality and of well-ordered passions] . . . are not punishments, but natural conditions, just as it is natural to a human being, and not a punishment, that he dies, and that his appetite is led to what is pleasant to it. For from the fact that a human being is composed of many organic parts, and that there are thus in him many natural appetites, it follows that it is natural for each one to be led to what is pleasant to it; and also [that it is natural] that the body can waste away, unless there are remedies that abundantly supplement it, so that wasting away does not overcome it.⁵⁰

I assume he would say something similar about bodily defects such as disability: they would have been not punishments but simply natural.

Aquinas's views form a nice contrast. He holds that "every involuntary passion is a punishment," and that "death is a passion that is maximally involuntary"; on the basis of which he concludes that "death and other such things are punishments."⁵¹ The idea is that we do not want to die, and that we do not want to be in thrall to our passions; that these things are against our teleological inclinations; and thus that their presence can only be a punishment for sin. Scotus expressly rejects this view: "If you say that these are involuntary because they are against an act of the will, I say that they were not punishments that are involuntary for a will existing in the purely natural condition [*in puris naturalibus*]; for if it did not want its nature to have had a condition that is

49. The "official" account—neither grace nor sin—is puzzling, since Scotus generally (though not unambiguously) seems to agree with Peter Lombard's view that pre-lapsarian existence did not include a principle of meritorious action (i.e. what Scotus would count as justifying grace): see e.g. Scotus, *Reportatio* IV, d. 1, q. 5, n. 4 (Wadding 11:571b); also *Lectura* II, d. 29, q. un., n. 5 (Vatican 19:289), repeated at *Lectura* II, dd. 30–2, qq. 1–4, n. 50 (Vatican 19:306), quoting Lombard, *Sententiae* II, d. 24, c. 1, n. 2, in *Spicilegium Bonaventurianum*, 3rd ed. (Grottaferrata: Collegium Sancti Bonaventurae, 1971–81) 1:450–511. Occasionally, Scotus asserts various conditionals the antecedents of which affirm the presence of pre-lapsarian grace or merit: see e.g. *Reportatio* II, d. 19, q. un., n. 6 (Wadding 11:356b); *Lectura* II, d. 30–2, qq. 1–4, n. 53 (Vatican 19:307); but he never as far as I know simply asserts the antecedents of the conditionals.

50. Scotus, *Ordinatio* II, d. 29, q. un., n. 21 (Vatican 8:315).

51. Aquinas, *In sententiis*, II, d. 30, q. 1, a. 1, ad 1 in opp.

natural to it, it would have sinned.”⁵² Here, someone existing with neither original justice nor sin would naturally have disordered passions, and would naturally die, without any of these things counting as a punishment for sin (since such a person is, of course, without sin). Counterfactually, our sinless and graceless lot is our sinless and graceless lot; if we do not accept it, we sin.

Pre-Lapsarian Disability

Is the presence of bodily defects such as disabilities compatible with the presence of original justice? Answering this question first requires some grasp of the role of original justice in the pre-lapsarian condition. In Scotus’s theology of the Fall, this gift has certain clearly circumscribed functions:

If original justice has this effect, namely, to make perfect tranquility in the soul in relation to all of its powers (such that no lower power is inclined against the judgment of a higher one—or, if it were inclined to the extent that it was from itself, it could nevertheless be ordered and ruled without difficulty from the side of the higher power, without any distress in the lower one), then, since it [viz. the soul] did not have this if made simply in its natural powers alone, it is necessary to posit a supernatural power in it, by which this perfect tranquility exists in the soul.⁵³

The idea is that original justice allows the will to control the sense appetites—either by causing the sense appetites to be intrinsically inclined to the objects willed by the will, or by making the contrarily inclined sense appetites such that they can be controlled by the will. (The contrast is a bit like that between the [virtuous] temperate person and the [merely] continent [*enkratēs*] person in Aristotle’s philosophical psychology.)⁵⁴ Scotus seems to favor the second alternative in his explanation of the workings of original justice.⁵⁵

Scotus provides some further insight into what he takes the relevant effect of original justice to be: “If therefore there was this effect in the first human being—namely, perfect tranquility, and if this was the effect of original justice, it follows that this justice was a supernatural gift, because it would make God more desirable to the will than anything that is desired by the senses—which could not be from some natural gift of the will.”⁵⁶ The will naturally enjoys the activities of the sense appetites, just as the intellect naturally understands the objects of the senses, and hence requires some further motivation to enable it to overcome inordinate pleasure in the objects of the sense appetite: and this is original justice.⁵⁷

52. Scotus, *Ordinatio* II, d. 29, q. un., n. 22 (Vatican 8:315–16).

53. Scotus, *Ordinatio* II d. 29, q. un., n. 13 (Vatican 8:310).

54. See Aristotle, *Ethica Nicomachea* VII, c. 2 (1146a10–46a16).

55. See e.g. Scotus, *Ordinatio* II, d. 29, n. 15 (Vatican 8:312).

56. Scotus, *Ordinatio* II, d. 29, q. un., n. 14 (Vatican 8:311–12).

57. Scotus, *Ordinatio* II, d. 29, q. un., n. 14 (Vatican 8:311).

The account is far more restrictive than Aquinas's. Aquinas holds, as we saw above, that original justice prevents the occurrence of bodily defects such as disabilities. But for Scotus, the mere presence of original justice has no bearing on the presence or absence of teleologically normative *propria*. Indeed, Scotus downplays the differences between the conditions of pre- and post-lapsarian existence—and does so increasingly as his theological thought matures.

For example, it was standard in thirteenth-century theology to hold that there is a sense in which Adam and Eve, and any non-fallen descendants of theirs, would have been immortal. There was, needless to say, considerable debate about the appropriate explanation for this feature. Scotus's views on the issue, while remaining rather naturalizing and minimalist, shift between the early *Lectura* (1298–99) and the somewhat later *Reportatio* (ca. 1304). And they shift in an even more naturalizing direction. As Scotus reports the debate, the issue is whether or not immortality is the result of some kind of natural power, allowing the soul so to “rule” the body,⁵⁸ and the body so to “obey” the soul,⁵⁹ that body and soul never separate. Henry of Ghent replies in the affirmative;⁶⁰ most other thinkers hold that immortality is the result of some kind of supernatural gift (be it grace, original justice, or something else).⁶¹

In his response to the question, Scotus points out all the ways in which bodies can be naturally destroyed, and maintains that as a matter of fact, while all of these ways remained possible in the pre-lapsarian state, none of the ways was actualized. The *Lectura* argues that usual internal bodily corruption was prevented by the remarkable suitability of the fruit of the tree of life for human nutrition, which would always have restored what was lost in the digestive process⁶²—a view standard among the earlier Franciscans.⁶³ Scotus here maintains too that pre-lapsarian humanity would not have been in danger of dying from a poor diet, because, “through its ordered intellect and sense it would always have had an ordered diet [*regimen*], lest on account of a defect

58. Scotus, *Reportatio* II, d. 19, q. un., n. 2 (Wadding 11:356a).

59. Scotus, *Lectura* II, d. 19, q. un., n. 5 (Vatican 19:182).

60. Henry of Ghent, *Quodlibeta* VI, q. 11, in *Opera omnia*, ed. R. Macken et al., Ancient and Medieval Philosophy, De Wulf-Mansion Centre, Series 2 (Leuven: Leuven University, 1979–) 10:137–388. Putting the issue this way glosses over a very profound difference between Henry and the other thinkers on the “natural” status of pre-lapsarian existence. Henry, in the manner of Augustine, believes that the pre-lapsarian state represents our natural condition; the post-lapsarian state is a condition in which nature is somehow ruined: see Henry, *Quodlibeta* VI, q. 11 (10:135–36).

61. The editors of the *Lectura* list Peter Lombard, *Sententiae* II, d. 19, c. 4, n. 2 (1:424); *Summa fratris Alexandri* I–II, n. 492 c (Quaracchi: Collegium Sancti Bonaventurae, 1924–48) 2:689a; Bonaventure, *Commentaria in libros Sententiarum* II, d. 19, a. 3, q. 1 c (Quaracchi: Collegium Sancti Bonaventurae, 1882–1902) 2:470a; *ST* I, q. 97, a. 1; Richard of Middleton, *Super quatuor libros Sententiarum* II, d. 19, a. 3, qq. 1 and 2 (Brescia, 1591) 2:247ab and 2:248ab.

62. Scotus, *Lectura* II, d. 19, q. un., n. 12 (Vatican 19:184).

63. See e.g. *Summa fratris Alexandri* I–II, n. 492, ad 1 (2:689b).

in diet corruption should happen.”⁶⁴ Here Scotus affirms that the senses of pre-lapsarian humanity were “ordered,” from which I gather that, in the *Lectura*, Scotus affirms that there was no sensory impairment, or at least none of such severity as to hinder the gathering and preparation of food.

Still, even in this text Scotus gives no sense of what the causal explanation for the lack of sensory impairment would have been (it is certainly neither original justice nor the gift of immortality, as we have seen). So my suggestion is that, at least in the early *Lectura*, Scotus does indeed believe that there would have been no bodily impairments in the pre-lapsarian condition, but that he gives no explanation for the fact, and, indeed, seems remarkably uninterested in it.

In the *Reportatio*, however, Scotus rejects the view that the fruit of the tree of life could have preserved the lives of pre-lapsarian men and women indefinitely, and he ignores the possibility that sensory perfection would allow a person to avoid possible external causes of harm. He does not believe that the body’s internal constitution was any different from what it is in the post-lapsarian state,⁶⁵ and he does not see how any kind of food, even that from the tree of life, could prevent the digestive organs from gradually decaying (since action of these organs is in principle the same irrespective of the kind of nourishment involved).⁶⁶ He even envisages a scenario in which infants in the Garden of Eden could have died of starvation: and would have, had they not been properly looked after.⁶⁷ He holds too that, had death occurred in the pre-lapsarian state, it would have been “natural” (not a punishment for original sin).⁶⁸ But Scotus denies that death was part of God’s actual plan: pre-lapsarian humanity is immortal in the sense that God would have “translated” (I suppose we might say “assumed”) the bodies of the elderly into heaven prior to the separation of soul and body.⁶⁹

Scotus expressly considers one case in which a merely human person both has grace and lacks original sin, but nevertheless suffers the “penalties common to human nature”:⁷⁰ the Blessed Virgin Mary.⁷¹ In this case, Scotus comments,

The mediator [viz. Christ] could reconcile someone such that punishments that are not useful to him are taken away, but that there are left in him punishments useful to him. Original guilt was not useful to Mary, but temporal punishments were useful to her, because she merited by them.⁷²

I assume he could say something similar about pre-lapsarian disabilities more generally, though without counting them as punishments. It is conceivable that God could

64. Scotus, *Lectura* II, d. 19, q. un., n. 13 (Vatican 19:185).

65. Scotus, *Reportatio* II, d. 19, q. un., n. 4 (Wadding 11:356b).

66. Scotus, *Reportatio* II, d. 19, q. un., n. 5 (Wadding 11:356b).

67. Scotus, *Reportatio* II, d. 19, q. un., n. 7 (Wadding 11:357a).

68. Scotus, *Reportatio* II, d. 19, q. un., n. 9 (Wadding 11:357b); see too Scotus, *Ordinatio* II, d. 29, q. un., n. 24 (Vatican 8:316).

69. Scotus, *Reportatio* II, d. 19, q. un., n. 6 (Wadding 11:356b).

70. Scotus, *Ordinatio* III, d. 3, q. 1, n. 16 (Vatican 9:174).

71. I say “merely human person” to exclude the Christ, who is perhaps an exceptional case.

72. Scotus, *Ordinatio* III, d. 3, q. 1, n. 27 (Vatican 9:179).

have given grace to pre-lapsarian humanity; had he done so, pre-lapsarian disabilities would have counted as meritorious. (Note too Scotus's explicit assertion that Mary died, and did so simply as a result of the natural human condition.)⁷³

My conclusion: Scotus does not explicitly affirm the possibility of disability in the pre-lapsarian condition, but his later, *Reportatio*, discussion seems quite open to the possibility of other not unrelated defects, and nothing about his views of God's activity and of the nature of teleologically optimal functioning requires that he deny this possibility. In neither account, early or late, does Scotus offer any explanation for the lack of bodily defects in the pre-lapsarian condition—since it is the result neither of original justice nor of bodily assumption into heaven, which are ultimately the only supernatural additions unique to the pre-lapsarian condition that he officially countenances.

Disability and Original Sin

As a matter of fact, according to Scotus, the presence of certain defects is punitive, a punishment for original sin. In the actual world, God gave Adam original justice, and this gift created an obligation in him to keep the gift.⁷⁴ Original sin consists in the lack of original justice, and the lack is sinful, and thus worthy of punishment, only because human beings are placed under an obligation of *not* lacking it. Original sin is

formally the lack of owed original justice, and not owed in every way, but only because it was accepted in the first parent and lost in him. (For this reason Adam did not have original sin, because the debt was not inherited from any parent, but he himself accepted this justice in himself, and lost it in his act.)⁷⁵

And the punishment consists in both death and a range of bodily defects. The example that Scotus discusses is blindness. Scotus's argumentative aim is to show that the lack of original justice is a defect for which post-lapsarian humanity is culpable. An objection to this view has it that this lack cannot be culpable because defects in general are not culpable. Scotus appeals to Aristotle to make the point: "No one will blame someone born blind; rather, they will pity him," *Ethics* III; therefore natural defects are not culpable but rather punitive."⁷⁶ The reply in effect agrees that natural defects in general are punishments for original sin, and it explicitly agrees that they are not themselves

73. Scotus, *Reportatio* IV, q. 43, q. 5, n. 8 (Wadding 11:852b); I owe this reference to Rugero Rosini, *Mariology of Blessed John Duns Scotus* (New Bedford, MA: Academy of the Immaculate, 2008) 115.

74. Scotus, *Ordinatio* II, dd. 30–2, qq. 1–4, nn. 55–66 (Vatican 8:341–8). Beyond what I report here, I do not think that the details of Scotus's account of original sin make any difference to the account, since, whatever it is, what is of interest to me here is the status of certain bodily conditions as punishments for sin.

75. Scotus, *Ordinatio* II, dd. 30–2, qq. 1–4, n. 53 (Vatican 8:341).

76. Scotus, *Ordinatio* II, dd. 30–2, qq. 1–4, n. 5 (Vatican 8:320), referring to Aristotle, *Ethica Nicomachea*, III, c. 8 (1114a25–1277).

blameworthy. The lack of original justice, however, is blameworthy: “To the other [objection], from *Ethics* III, I say that there is no defect contracted by origin that is blameworthy other than this [viz. the lack of original justice], and thus although all other defects are non-blameworthy defects, it is not so in this case.”⁷⁷ What Scotus says about death explains most clearly its relation to original sin:

De facto death is now a punishment; but it could then [i.e. in the state of innocence] have been a natural condition, if it had then been truly instituted—just as it is not a punishment for a sheep that it dies . . . but is rather a condition that follows its nature.⁷⁸

By the same token, bodily defects such as blindness are in the current order of things punishments for original sin; such defects would not have counted as punishments had there been no original justice; and clearly they would not have counted as punishments had they existed in the pre-lapsarian state.

Disability and the Resurrected Body

If the argument of this article is correct, God could have willed local teleological failure—a bodily defect—only if it satisfied some more global teleological purpose. Scotus gives some examples of the kind of more global teleological purposes that he might have in mind when discussing the resurrection of the body. One feature of the resurrected bodies of the blessed in heaven is that their overall natural teleology is fulfilled. In some cases, Scotus reasons, this means that a given bodily impairment might be incompatible with the resurrected state. The reason is that the activity of some, but not all, of the sense organs is their “proper perfection”⁷⁹—that is to say, their proper teleological function, and thus to be found in the resurrected body. For example, Scotus holds that sight and hearing are present in the resurrected body. His reason is that these senses do not involve any real bodily change, as such changes are associated with imperfection, and thus probably not part of the resurrected life.⁸⁰ The relevant “real bodily change” is one in which the recipient is made to be an instance of the relevant kind. And according to standard Aristotelian theories of sensation, accepted by Scotus, sight and hearing do not involve the subject of sensation’s becoming, for example, red or noisy. They merely involve the “intentional” or “immaterial” reception of the form, or the reception of *information* about the objects of sensation, as it were.⁸¹

But it is not the case that the appropriate perfections of all the senses obtain in the resurrected state. Some necessarily involve some “concomitant imperfection.”⁸² For example, as Scotus goes on to argue, some of the senses are associated merely with

77. Scotus, *Ordinatio* II, dd. 30–2, qq. 1–4, n. 74 (Vatican 8:352).

78. Scotus, *Lectura* II, d. 19, q. un., n. 19 (Vatican 19:186).

79. Scotus, *Ordinatio* IV, d. 49, p. 2, q. un., n. 451 (Vatican 14:407).

80. Scotus, *Ordinatio* IV, d. 49, p. 2, q. un., n. 451 (Vatican 14:407–8).

81. See e.g. Scotus, *Ordinatio* IV, d. 12, p. 2, q. 1, n. 234 (Vatican 12:366).

82. Scotus, *Ordinatio* IV, d. 49, p. 2, q. un., n. 451 (Vatican 14:407).

eating, and, since there is no food in the resurrected state, it is not an overall perfection that such senses are active.⁸³ Scotus does not say which senses he believes to be relevant to the case of eating, but I assume taste and smell. It is important in this case to see what is and is not being claimed: Scotus is not claiming that it is not a perfection of a resurrected body that it have such senses; merely that it is not a perfection that they actually sense anything.

In the case of at least one sense, however, Scotus claims something rather stronger. The idea is that at least one sense involves some kind of real change, along with the intentional change in which the content and phenomenology of sensation consists, and that this real change is (or can be) to a certain degree damaging to the organ. To avoid the problem of organ damage, Scotus argues that it is possible for God to permit the intentional change without the real one, by cooperating with the intentional change but not with the real one.⁸⁴ The paradigm case in which the real change is physically damaging to the organ is touch (consider burning); and since Scotus has dealt in other ways with the remaining four external senses, I assume that touch is the principal subject of this part of his discussion. So it will be possible, in the resurrected state, really to feel things without being physically affected by them—without undergoing the usual necessary process of physical change. Indeed, this seems to be the paradigm of physical touch in the resurrected state. The inoperability of the relevant physical receptors is *necessary* for bodily sensation (i.e. touch) in the resurrected state. Here, then, we have a case in which an apparent disability—the inoperability of the relevant physical receptors—fits in to some more global teleology: the preservation of the whole body as opposed to the appropriate functioning of a particular sense organ.⁸⁵ (Scotus holds that taste and smell presuppose touch; so, presumably, we taste and smell without physical touch, too. But Scotus does not say so explicitly.)

Elsewhere, I have drawn attention to another salient feature of the resurrected body in Scotus's account: its *agility*, its ability to move around without using its limbs:

Glorified bodies after the resurrection will be moved by the soul non-organically. The whole body will be moved simultaneously, not such that one part is moved while another is at rest, because “they shall run and not be weary.” But this simultaneous motion of the whole body is not by means of an organ.⁸⁶ . . . The same power by which [the soul] now moves the body

83. Scotus, *Ordinatio* IV, d. 49, p. 2, q. un., n. 451 (Vatican 14:407).

84. Scotus, *Reportatio* IV, d. 49, q. 12, n. 11 (Wadding 11:924a). Scotus makes the same point, less clearly, at *Ordinatio* IV, d. 49, p. 2, q. un., n. 452 (Vatican 14:408).

85. We could perhaps conceptualize this differently, and argue that, in the medieval context, what counts as a disability depends very much on what counts as ideal function. And if we pursue this line of thinking, we will conclude that our standard tactile mode of feeling things is indeed a disability. But this way of thinking would not, I think, capture Scotus's apparent intuition that a defect is something fundamentally related to the function of the relevant bodily part, not to that of the whole.

86. Scotus, *Reportatio* IV, d. 49, q. 13; quoting Isaiah 40:31, printed as *Ordinatio* IV, d. 49, q. 14, n. 5 (Wadding 10:595), quoted in my “Disability, Impairment, and Some Medieval Accounts of the Incarnation: Suggestions for a Theology of Personhood,” *Modern Theology* 27 (2011) 639–58 at 652, doi:10.1111/j.1468–0025.2011.01706.x.

organically is the same [as the power by which] it will move it non-organically after the resurrection.⁸⁷

In this resurrected state, teleologically appropriate functioning—the proper activity of the relevant limbs—turns out to be suboptimal for the organism as a whole, just as Scotus maintains for the sense of touch. In short, not all mismatches between environment and the teleologically proper function of an organ are disadvantageous to the whole agent; and some may turn out to be highly advantageous, and have some higher teleological function.

As I have also noted elsewhere, Scotus’s approach here chimes in remarkably well with the so-called “social model” of disability, according to which there is a distinction between an intrinsic bodily impairment and the disabling environment that prevents a person so configured from satisfying her needs or achieving her goals.⁸⁸ So in Scotus’s account of the agility of the resurrected body, for example, an inability to walk, an impairment relative to the structure and function of a body’s limbs, is not disabling to the whole body in an environment in which the cognate ability is not required for motion. In the case of touch, the inoperability of the relevant physical receptor, an impairment relative to the organ of touch, is not a disability in an environment in which it is not required for the relevant sensory function. In both cases, the impaired body as a whole is, in the context of these resurrected environments, better off than it would have been with a non-impaired configuration in standard environments that would have been relatively disabling for the resurrected body.

If my analysis here is correct, what would be distinctive about Scotus’s approach is a way of cashing out the impairment–disability binary in terms of a hierarchy of teleological norms. Impairment would represent the lowest-level teleological failure: the lack of an organ, or the failure of an organ to function in the way appropriate to it (perhaps, in Scotus’s world, as God designed it to function). Disability would be a higher-order teleological failure: the absence of a higher purpose or function, or the absence of a suitable environment, for which that lower-order absence would indeed be teleologically appropriate. On this teleological reading, what would be negative about a bodily defect is not the defect itself (the impairment) but the failure of the environment to accommodate a body so configured—although Scotus does not make the point in quite this way. What is negative would, in other words, be the higher-order teleological failure—disability, not impairment, in the senses proposed by the social model.

Some Concluding Comments

Following Aristotle’s observation that both health and art represent good models for the moral life, Mary Beth Ingham has recently made the tantalizing suggestion that

87. Scotus, *Reportatio* IV, d. 49, q. 13, printed as *Ordinatio* IV, d. 49, q. 14, n. 7 (Wadding 10:595), quoted in my “Disability, Impairment” 653.

88. Cross, “Disability, Impairment” 650–51.

Aquinas “tends to favor the image of health as central to his discussion of moral goodness,”⁸⁹ while Scotus “deals with moral living more according to an artistic and, in some cases, musical dimension.”⁹⁰ Much the same can be said for the two theologians’ treatments of bodily defects and disabilities. For Aquinas, what we would think of as disability is treated as a matter of health: as that subclass of illnesses that take away a teleologically normative function and that are not susceptible to medical treatment.⁹¹ Scotus, just as Ingham’s suggestion might predict, discusses the issue in terms of beauty, as we have seen. But this makes a difference to the overall valuation of impairment. Health is in some sense an on-off attribute, the kind of attribute that can be exhibited in only one way: if such-and-such a bodily state is healthy, the opposite of that state is not. But beauty is not like this: it is a feature that can be exhibited by substances in many different and possibly incompatible ways.⁹² This allows Scotus—in distinction from Aquinas—to allow bodily defects a natural place in the universe. I do not think that Scotus’s aesthetic approach to questions of human functionality motivates his naturalizing approach to disability. Rather, the motivation has more to do with divine freedom and the function of original justice. But it allows him to express this naturalizing account in a way that is both internally coherent and consonant with his conception of divine justice.

Not only does Scotus’s account explicitly tend to naturalize disability; it tends to make it part of God’s plan for the universe, and thus downplays its punitive character by counterfactually eliminating its punitive character. This allows us to offer an (admittedly speculative) development of Scotus’s account that extends it further into the social model. If what is negative is the disability, not the impairment (as social theorists would say), it follows that if (as Scotus supposes) there is a punitive component to bodily defect, that component is the disabling environment, not the bodily impairment itself. And recall that the disabling environment is itself the result of actual human shortcomings: our sinful failure to construct appropriately accommodating environments. Suppose we set aside the punitive component, as we might wish to if we share with disability theorists a negative assessment of the religio-moral model. What we end up with, curiously and surprisingly enough, is a view of the impairment–disability binary according to which impairment is ultimately teleologically neutral (since in principle any impairment can be appropriately accommodated by a suitable environment, as in Scotus’s account of the resurrected body), and disability is a teleological lack, but one that is wholly extrinsic to the agent. Disability would indeed be the result of original

89. Ingham, “Duns Scotus’ Moral Reasoning” 825.

90. *Ibid.* 826.

91. See e.g. *ST* I–II, q. 87, a. 3 c. I hope to develop this interpretation of Aquinas at greater length in “Aquinas on Physical Impairment.”

92. At one point, Scotus highlights “health, beauty, strength” as goods of the body: Scotus, *Lectura* III, d. 30, q. un., n. 17 (Vatican, 21:237). If the argument here is correct, Scotus must see at least beauty and strength as ultimately relative to a given environment, with beauty as the normative value through which the other features are to be interpreted.

sin: not punitive, but in the sense that all human moral failures—including the failure to provide a suitably accommodating environment—ultimately derive from original sin.

Given all this, it may be that Scotus's theory has an interest that is more than merely historical. Scotus provides the tools to reconcile a robustly teleological understanding of human nature with the view that certain kinds of teleological failure—certain kinds of impairment, and in the language of the social theory, of disability—might turn out to be, in given circumstances, intrinsically desirable for an agent. As I have just noted, it is a short step from Scotus's hierarchy of teleological value to this contemporary social theory of disability. Theologians of a mind to keep teleology in their worldviews might find rather appealing Scotus's way of spelling out the role of bodily defects in an overall providential plan.

Author Biography

Richard Cross is John A. O'Brien Professor of Philosophy at the University of Notre Dame. He is the author of numerous books and articles on medieval philosophy and theology, with a particular focus on the thought of Duns Scotus.