At this point in the book, we have presented most of the elements needed for a solution to Type-1 and Type-2 NO’s. Nonetheless, a few problems remain, all of which can basically be reduced to the following question: How is an agent, at the time she causes the subsequent ignorance, to be understood as knowing the description of her action by which the ignorance itself can be considered voluntary? Finding a way to ascribe knowledge of such descriptions is essential to solving these NO’s, for (as we saw in Chapter 1) voluntariness is relative to a certain description of an action or omission. If an agent is not aware of a description of her action by which she is causing subsequent ignorance, it therefore seems she can be held culpable for neither the ignorance nor the NO.

Another task remaining is to approach Type-3 NO’s. Recall from the introduction that these are cases in which the time-span to TEF and/or circumstances are such that the agent is reasonably expected to take extra precautions so as to avoid ignorance.

In this chapter, I will explore Francisco Suárez’s writings in order to address these final issues. As it turns out, the ways to resolve the questions remaining with regard to Type-1 and Type-2 NO’s and the way to ascribe culpability in Type-3 NO’s can all be found in two related concepts: Suárez’s understanding of virtual deliberation/reflection and the associated idea of voluntariness in alio. By integrating these concepts into our evaluation we will have the means by which to explain culpability for all three types, and all variations within those types, of NO. In order to understand these concepts, however, we must present some basic details of Suárez’s understanding of voluntariness.

I. The Directly vs. Indirectly Voluntary

A. General Description

The first overarching distinction between types of voluntariness is that between direct and indirect voluntariness, a distinction we saw Aquinas
appeal to in Chapter 4 so as to characterize non-actions of the will as voluntary. The distinction basically lies in whether there is an elicited action of the will or not. ‘Directly voluntary’ describes actual actions of the will that are voluntary: “[the directly voluntary] is that in which the will directly exerts itself through its own act.” Corresponding as it does to the normal understanding of the voluntary as whatever comes from the will as free, there is as Suárez says “no difficulty in explaining” this concept.

By contrast, the indirectly voluntary (voluntarium indirectum) is that type of voluntariness ascribed to a lack of an elicited action of the will. In his words, it is “that which is morally judged to be from the will, as if the will expressly wills it, although the will does not elicit a proper act by which it wills.” The indirectly voluntary therefore describes not a willing not-to-act, but rather a non-willing altogether.

This understanding of the indirectly voluntary should pose no particular problem in light of Scotus’s view of the will. Just as for Scotus the will has the ability either to non-velle some perceived good or non-nolle some perceived malum and do so freely, so Suárez is here stating that an agent can refrain from willing altogether and that the lack of willing can be voluntary and ascribable to the agent. There is, however, one worry in this regard that I want to quickly set aside.

It can seem somewhat odd to say that a particular absence of willing is voluntary because it can be “judged to be from the will, as if the will expressly wills it” when the will wills nothing. Of course, it makes sense to say a lack of an external, ordered action of the will can be voluntary if the will wills not to do something. Even a lack of a further internal act of the will could be voluntary if the will had earlier willed not to have

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1 Directum est illud, in quod directe tendit voluntas per actum suum, et ideo in eo explicando nulla est difficultas (De Voluntario et Involuntario [DVI], d. 1, sec. iv.13: IV, 176). All translations of Suárez are mine. All Latin is from: Francisco Suarez, R.P. Francisci Suarez ... Opera Omnia, 28 vols. in 30, editio nova, a D.M. André ..., juxta editionem venetianam XXIII tomos in-f° continentem, accurate recognita, reverendissimo ill. domino Sergent ... ab editore dicata (Parisiis, apud Ludovicum Vivès, 1856–78). Abbreviations to works contained in this collection are as follows: De Voluntario et Involuntario (DVI), Commentarii et Disputationes in Tertiam Partem D. Thomae (CDTP), De Voto (DV), De Oratione, Devotione, et Horis Canonici (DOD), De Vitiis et Peccatis (DVP). After noting the work and the place within that work from which a citation comes, I will make reference to the volume number and page number in that volume relevant to the citation.

2 Indirectum vero quadam generali significatione dici solet omne illud, quod moraliter censetur esse a voluntate, ac si illud expresse vellet, quamvis ipsa non elicat proprium actum, quo illud velit (DVI, d.1, sec. iv.13: IV, 176).