1. Burley and Aquinas: Gomes’ Results

Walter Burley’s *Expositio super libros Ethicorum Aristotelis* has been neglected by most scholars of medieval moral philosophy. In addition to the extensive unpublished dissertation by G.J. Gomes, one can find some analyses of Burley’s treatment of *Nicomachean Ethics* (EN) in my own study of weakness of will and in a very helpful article by Rega Wood. All these studies find Burley’s contribution to medieval ethics highly significant, but they evaluate his evident debt to Aquinas to some extent differently. I will therefore begin (1.) by clarifying once more the relationship between Burley and Aquinas with the help of Gomes’ study. In keeping with this clarification, I will then (2.) reconsider my earlier findings concerning Walter Burley’s view of Aristotle’s *akrasia* (*incontinentia*, weakness of will) and (3.) address the problems which Wood and Jeffrey Hause have seen in my interpretation of Burley. After that (4.) I will have a closer look at Burley’s preferred “fourth solution” of *akrasia*. In the last part of this article (5.) I will summarize my reading of Burley as the “insufficient reasoning” explanation of *akrasia*.

Throughout his exposition of Aristotle’s ethics, Burley borrows heavily from the *Sententia libri Ethicorum* of Aquinas. Although Aquinas is hardly ever mentioned by name, this debt is so evident that nobody can fail to see it: often Burley is simply paraphrasing the text of Aquinas. In addition to the exposition, however, Burley’s commentary contains some questions and above all a great number of *dubia, notanda* and *intelligenda*. As Gomes points out, the longer *dubia* have a full *questio* form: opposing view-

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1 In the following I will use the Venice 1521 edition.
4 In the present issue of Vivarium.
points and their reasons are set out, a resolution is given, and the opposing views are answered. Thus Burley’s commentary employs a method which adds a lot of new material and new perspectives to Thomas’ literal exposition. Gomes calls this methodological feature the “double orientation” of Burley’s commentary. After extensively comparing Burley with Aquinas, Gomes comes to the conclusion that it is the dubia, notanda and intelligenda that mark the widest departure from Aquinas’ commentary. Gomes stresses that this departure pertains not only to the structure and methodology of Burley’s commentary but also to its content. Burley departs from Aquinas on some crucial points of doctrine.

The two commentators are, however, in agreement on a number of important issues. Both affirm that natural law is the norm for the moral justification of action and, consequently, they accept ethical naturalism, rationalism and cognitivism. Here Ockham according to Gomes clearly parts company with Burley, Aquinas and also with Buridan. Moreover, these three authors generally agree on the concepts of the supreme good and the ultimate end and on their identification with happiness. Gomes further notes an agreement between Burley and Aquinas on the doctrine of justice and on the place of desire, will, the voluntary and choice in moral action.

In addition to a number of differences in detail, Gomes observes a major doctrinal difference between Aquinas and Burley in their view of the speculative intellect. Whereas for Aquinas the practical reason in the habit of synderesis contains the first principles of action, Burley holds that the speculative intellect knows and establishes the universal precepts of the natural law. In a Scotistic manner Burley denies any real distinction between the speculative and the practical intellect: they are formally distinct but denotatively the same on the level of natural reason. Burley thus emphasizes the unity of the intellect and consequently restores the function of the speculative intellect in ethical theory. According to Gomes, Burley’s view anticipates the later conception that the two intellects are not different faculties but different functions of the same mind.

7 Gomes 1973 (op.cit., above n. 2), 103.