PEDRO DA FONSECA AND LUIS DE MOLINA, ON ANIMAL FREEDOM. A WAY TO UNDERSTAND CONTINGENCY

PEDRO DA FONSECA Y LUIS DE MOLINA, SOBRE LA LIBERTAD DE LOS ANIMALES. UNA FORMA DE ENTENDER LA CONTINGENCIA

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Abstract

The question of whether or not there is a vestige of freedom in irrational animals has been present throughout all the stages of the history of philosophy. Yet, in the sixteenth century, the Jesuits deepened their studies on this subject in a rather particular way. In this paper we will show how, by pointing to the possibility of finding a trace of freedom in irrational animals, the Jesuits sought to identify the very basis of the concept of freedom, to make it clear that, while signs of freedom can be found in some developed levels of irrational life, freedom is, in a most singular way, the fundamental characteristic of human beings. In this paper we analyze the Jesuit doctrines on animal freedom that can be found in texts, either published or handwritten, from the teachings of two Jesuits who worked in Portugal during the second half of the 16th century: Pedro da Fonseca and Luis de Molina.

Keywords

Animal Freedom; Contingency; Dignity; Pedro da Fonseca; Luis de Molina

Resumen

La cuestión de si existe o no un vestigio de libertad en los animales irracionales ha estado presente a lo largo de todas las etapas de la historia de la filosofía. Sin embargo, en el siglo XVI, los jesuitas profundizaron sus estudios sobre este tema de una manera bastante particular. En este artículo mostraremos cómo, al señalar la posibilidad de encontrar un vestigio de libertad en los animales irracionales, los jesuitas trataron de identificar la base misma del concepto de libertad,

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para dejar claro que, si bien se pueden encontrar signos de libertad en algunos niveles desarrollados de la vida irracional, la libertad es, de una manera muy singular, la característica fundamental de los seres humanos. En este artículo analizamos las doctrinas jesuitas sobre la libertad animal que se pueden encontrar en textos, tanto publicados como manuscritos, de las enseñanzas de dos jesuitas que trabajaron en Portugal durante la segunda mitad del siglo XVI: Pedro da Fonseca y Luis de Molina.

Palabras clave

Libertad animal; contingencia; dignidad; Pedro da Fonseca; Luis de Molina

1. Introduction

The question of whether or not irrational animals have some kind of freedom is a central topic in contemporary debates on the philosophy of mind. However, although today this discussion benefits from advances in knowledge in the fields of consciousness and sentient life, the issue has been debated at all stages of the history of philosophy.

Ancient and medieval philosophers developed their thinking about the distinction between human and non-human life based on an analysis of the distinction between the powers and functions of irrational animals and humans, trying to identify the psychological mechanisms and metaphysical structures which establish the boundary between the two. However, as Anselm Oelze rightly observes, ancient and medieval philosophers were not interested in this subject as an object in itself, but rather for the heuristic value that the analysis of animal behavior provided them with, so that, by contrast, they could better understand the nature of human behavior.[1]

In the 16th century, the Jesuits also directed their attention to this theme in their teaching of theology and philosophy. In this article, we present the arguments on this subject explained at the end of the 16th century by the Jesuits Pedro da Fonseca and Luis de Molina. Their metaphysical doctrines on freedom were innovative and played an important role both within the Society of Jesus and in the further development of the theme. Their approach to the question "do irrational animals have freedom?" clearly shows the scope of their philosophical and theological concerns: to explain how human

[1] Anselm Oelze, *Animal Minds in Medieval Latin Philosophy. A Sourcebook from Augustine to Wodeham* (Cham: Springer, 2021), 7: "[...] within the medieval academic curriculum, animals seldom were the explanandum, that is, the scholarly object that is to be explained (seldom, because there were exceptions to that rule such as the commentaries on Aristotle's zoological writings). Instead, they mainly functioned as an explanans, that is, the factor by which something else is explained. Therefore, they became a topic whenever a discussion in metaphysics, ethics, theology, or any other subject seemed to benefit from a look at the minds of nonhuman animals." See also Juhana Toivanen, "Making the Boundaries. Animals in Medieval Latin Philosophy", in *Animals. A History*, edited by P. Adamson and G. F. Edwards (Oxford: Oxford University Press, 2018), 121-122.

dignity is rooted in the exercise of reason and freedom and to defend a metaphysical model contrary to all forms of determinism. In our conclusion, we will show how relevant this model still is today and the advantages of promoting these philosophical principles in contemporary society.

2. On Animal Freedom: Aristotle, Thomas Aquinas, and Scotus

To understand how innovative this approach resulted in the 16th century, we must go back to the context of the 13th-century controversy over the nature of the human will, its relationship with the intellect and with the lower faculties of the soul.[2] One of the characteristics of this controversy is that it revolved around the different interpretations assumed at the time by various teachers of Aristotle's doctrine regarding the characteristics of rational and irrational action. To explain the nature of human action, Aristotle had developed a rather complex theory about the active powers of living beings. On the basis of this theory, he explained the difference between rational and irrational living beings through the powers or faculties of the soul and through the analysis of the difference between the actions derived from these powers. For Aristotle, sensory cognition and the appetite for good characterize irrational animals. However, he considered that man, a rational animal, also possesses this type of cognitive and appetitive activity. Hence, what is the difference between irrational and rational action? Concerning the mechanism of cognition, irrational life is limited by sensory perception, which is produced by the organs and faculties of the external and internal senses. Human life, in turn, is characterized by having, in addition to these faculties, the power of judgment. This power consists in the ability to compare the properties of known objects and to establish relationships between them.

In addition to sensory cognitive power, Aristotle considered that all living beings are also endowed with an appetitive power or desire. The activity of this power is to move the living being toward the possession of certain objects or ends. As with cognition, Aristotle also sought to establish differences between irrational and rational desire. He considered that both the desire associated with the powers that support and preserve life and the desire generically considered as a movement toward the good, are common to all living beings, rational and irrational. Conversely, the desire that results from a deliberation of reason is characteristic only of rational beings, as it stems from a judgment of practical reason or decision.[3]

[2] For a state of the art, see Monika Michałowska and Riccardo Fedriga (eds.), *Willing and Understanding. The Complexity of Late Medieval Debates on the Will* (Leiden and Boston: Brill, 2023), spec. 1-13 for a historical-systematic summary of the problem of the will from antiquity to the 13th century; and Robert Pasnau, *Construire la volonté. Débats sur le libre arbitre à la fin du Moyen Âge* (Paris: Vrin, 2025), 131-161.

[3] For this typology of desire, see Devin Henry, "Aristotle on Animals", in *Animals. A History*, edited by P. Adamson and G. F. Edwards (Oxford: Oxford University Press, 2018), 14: "Aristotle typically

Based on the distinction between these powers and activities of irrational and rational life, Aristotle analyzed the characteristics of choice. He considered that the act of choosing is a voluntary movement but stated that there is a difference between this movement and choice. Since the field of voluntary action is broader than the field of choice, the latter is integrated into the former. This distinction allowed Aristotle to affirm that the actions of children and animals are voluntary, without, however, being considered a rational way of acting—that is, done through choices.[4] In turn, the essential characteristic of choice is that it is an act that results from deliberation.[5]

Aristotle's explanation of human action had an enormous impact on debates about the nature of free action that took place in the 13th century. Scholastic philosophers and theologians directed their attention to Aristotle's explanations for the actions of rational and irrational living beings because of the novelty and explanatory potential of these two types of actions. However, they considered that some interpretations of Aristotle's doctrine conflicted with either aspects of religious belief or of Christian anthropology. Thomas Aquinas and Duns Scotus played important roles in this controversy, and although they took opposing positions on the subject, both positions influenced the 16th-century Jesuit doctrine on this matter.

Thomas Aquinas resumed the Aristotelian doctrine which understood voluntary action as an intrinsic principle of the agent's movement toward the good. Therefore, he

distinguishes three forms of desire: (1) sensual appetite (epithumia), (2) wish (boulēsis), and (3) decision (proairesis). Appetite is a non-rational desire for food, drink, and sex, while wish and decision are both types of rational desire that are directed toward an agent's conception of the good. Wish is a desire for certain ends—ultimately for happiness, which Aristotle thinks is the supreme end of all our actions—while decision is a desire to execute those actions that deliberation has shown to be the best means for achieving those ends. (*Nicomachean Ethics*, 1111b26-29, 1113a14, *Eudemian Ethics*, 1226b7-17, *Magna Moralia*, 1189a7-11)."

[4] A canonical text in which Aristotle explains the nature of both the voluntary and the involuntary, allowing us to distinguish between voluntary action in general and voluntary action by deliberation, is *Nicomachean Ethics* III, 2-3. The first type of voluntary action is not necessarily accompanied by cognition. The essential characteristic of voluntary action considered in a broad sense is that it is a type of action or movement whose principle is intrinsic to the agent. A particular case of voluntary action is choice (EN III, 2, 1111b). This is a type of free action in which "children and other animals" do not participate, whereas voluntary action derived from anger or desire is characteristic of them (EN III, 2, 1111a).

[5] See Aristotle, EN III, 3, 1113a. Choice is distinguished from appetite and passion or desire: "for choice is not common to animals, but appetite and passion are." On the contrary, choice is a movement of reason followed by an appropriate desire: "after deciding as a consequence of deliberation, we have desires in accordance with this." Every choice is preceded by a prior judgment of reason and by the decision, taken by the agent, to organize the different alternatives presented to them in a certain direction in order to achieve a certain end. The rational voluntary movement is therefore distinguished from the irrational voluntary movement (characteristic of children and other animals) precisely by the fact that the former originates in a judgment which, prior to the action, decides the circumstances of the agent with regard to contingent things. Conversely, living beings that are not capable of deliberation do not act by choice, but by appetite or passion.

adopted the distinction between two types of voluntary movement, imperfect and perfect. The first one results from an intrinsic principle of movement toward an end, but without cognition of the end, while the second one implies knowledge of the end.[6] This knowledge, in turn, admits degrees that are established according to the greater or lesser perfection of the cognitive activity of living beings. According to Thomas, given that man knows the end of his action perfectly, it is in the rational agent that the perfect voluntary is found in the highest degree.

Thomas also follows Aristotle in regard to the nature of choice.[7] When analyzing the question "whether choice is appropriate for irrational animals", he admits that there is only power of choice if there is the power to decide between alternatives.[8] Now, this power of choice is different from the sensitive appetite insofar as the latter is determined toward one thing only.[9] Thus, while the imperfect action of animals is rooted in the sensitive appetite and does not allow for choice, the human power of choice stems from rational deliberation, which is made precisely in consideration of alternatives. Like Aristotle, Thomas Aquinas also admits that the human will is determined toward one thing only: the common good. But, as human will is directed toward the common good through choices, Thomas admits that it is an indeterminate power in relation to the particular goods on which the choice precisely falls.[10] Now, according to Thomas, this indeterminacy of the volitional power in the face of particular goods depends on deliberation and does not belong to the sensitive appetite. Therefore, he concludes that choice does not apply to irrational animals.[11]

Duns Scotus takes a totally different position on this issue. He also starts from an analysis of the types of cognition, human and irrational. In this respect, therefore, his position does not differ substantially from that of Aristotle and Thomas. However, Scotus

[6] On this subject, see e.g. Thomas Aquinas, *Summa Theologiae*, I-II, question 6, art. 1, in *Opera Omnia*, edited by Leonis XIII P.M. (Rome: Ex Typographia Polyglotta S. C. de Propaganda Fide, 1891), 55-56. All translations of this text are ours. The example Thomas gives is that of a stone moving toward the center of the earth. The stone moves 'from itself' to its natural place, according to Aristotle's explanation for the fall of heavy objects. But the stone, as a non-cognitive being, does not know the lower place as 'its natural place'.

[7] See e.g., Aquinas, *Summa Theologiae*, I-II, q. 13, a. 1: "Whether choice is an act of the will or of reason." For Aristotle, choice is an act of practical reason, which is itself the root of the voluntary. Unlike Aristotle, Thomas admits two truly distinct faculties of the soul, intelligence and will, and asserts that, as an act, choice is generated by both.

[8] Aquinas, *Summa Theologiae*, I-II, q. 13, a. 2, resp. According to Aquinas, "since election is the preference of one thing over another," choice implies, in order to be exercised, the existence of alternatives. Therefore, if a power is "determined toward only one thing", it is not capable of electing.

[9] Aquinas, *Summa Theologiae*, I-II, q. 13, a. 2, resp.: "[...] for that [appetite] is determined to something particular according to the natural order."

[10] Aquinas, *Summa Theologiae*, I-II, q. 13, a. 2, resp.: "The will behaves in an indeterminate manner towards particular goods."

[11] Cf. Aquinas, *Summa Theologiae*, I-II, q. 13, a. 2, resp.

expounds his reasoning mainly through an analysis of the animals' faculties which are in action when it acts according to the model of the virtue of prudence. In his commentary on Book I of *Metaphysics,* Scotus criticizes Aristotle's idea that living beings endowed with memory are capable of producing a prudential judgment. Unlike Aristotle, Duns Scotus says that, in regard to the actions of irrational beings, one can only speak of prudence metaphorically, since what Aristotle attributes to prudence in irrational beings depends solely on their instinct to preserve the species. For Scotus, prudence is not based on memory, a sensory faculty. On the contrary, prudence is a deliberative habit that concerns not the end sought, but the choice of means to that end. Such a habit, therefore, exists only in rational living beings.[12]

Contrary to Aristotle's proposal, Scotus does not admit that the experience acquired by animals derives from the ability to relate past and future events through a comparison similar to a judgment. According to Scotus, it is totally inappropriate to attribute prudence to irrational beings, since the type of deliberation characteristic of this virtue implies the capacity of establishing causal relationships between past events and future situations. This operation requires a complex judgment, which is part of the deliberative process, resulting in a movement generated in and by the agent toward the means to achieve an end. To Scotus, the human agent shows in his acts that they have mastery over both the information stored in their memory and the way they organize their future. As none of these operations is possible for irrational animals, even if it can be said that irrational animals possess within themselves the intrinsic principle of movement, in the proper sense they are not agents of themselves.[13] Although Scotus acknowledges that, along with their knowledge of the present, some animals seem to act "as though they were providing for the future",[14] this is a conclusion that we establish by analogy with human action, for in fact irrational animals "act necessarily and not out of any precognition, nor is there any freedom; hence we have only the appearance of prudence in their case."[15]

[12] John Duns Scotus, *Questions On the Metaphysics of Aristotle*, translated by G. J. Etzkorn and A. B. Wolter (St Bonaventure, NY: Franciscan Institute Publications, 1997), I, q. 3, 75-76.

[13] Scotus, *Questions On the Metaphysics of Aristotle*, 78: "[...] where any action is involved, they [irrational animals] do not act but are rather acted upon and therefore they are not properly speaking masters of their acts, nor do they provide for the future on the basis of a memory of the past, but they seem to act by reason of their natures as if they were moved to act in this way [by prudence]."

[14] Cf. Scotus, *Questions On the Metaphysics of Aristotle*, 78. According to Scotus, this type of natural movement depends on the sensory experience of the animal which is limited to the present, but which, in some species, may be associated with the perception of what could be useful for the future: "But among animals some know only the present and have an instinct about what is to be done that would be useful for the future. Others, however, have along with such present knowledge an instinct about how to act as though they were providing for the future."

[15] Scotus, *Questions On the Metaphysics of Aristotle*, 78. It is true that animals use their cognitive experience to act on contingent things, that is, things that could be otherwise. But Scotus refuses to

What, then, does it mean for Scotus to act freely? In his commentary on Book IX of Aristotle's Metaphysics, Scotus analyzes the distinction made by Aristotle (and followed by Thomas Aquinas) between rational powers and free powers. Although Scotus admits that a distinction must be made between these powers, he shows that Aristotle made it in an equivocal and inadequate way, because such distinction does not correctly define the specificity of free action. In his analysis, Scotus shows that if we accept Aristotle's distinction, we are led to conclude that these two types of powers are essentially identical: they act determinedly toward a single object.[16] Since both are determined, they are not free powers. He states that the distinction between rational and irrational powers must be based not on how they act (since both are intrinsic powers of the living), but on how they elicit their own acts. To differentiate them correctly, Scotus introduces his famous distinction between natural powers and free powers. The former act according to nature, that is, they elicit their own act insofar as, if not prevented by an extrinsic element, such powers cannot help doing what they are determined to do. Their power acts necessarily. Conversely, free powers are those which, by themselves, are not determined to act. They have the power to act or not to act, to act in one way or in another. And this type of power is called will.[17]

The idea of an active power that acts contingently, this being the nature of freedom and rationality, as opposed to natural necessity, leads us to think of God's own action toward the world as rational and free. Now, if, according to the definition given by Scotus, freedom requires contingency; and if God is free, then God's action must contain some kind of contingency, at least regarding his creative action. For those who adopt this way of explaining free action, it becomes difficult to accept that there can be any kind of determinism in the world. And even if it is necessary to accept this determinism, it will mainly affect the actions of natural, non-free beings, those in whom the essence of reason, that is, freedom, is least manifested.

In the 16th century, the Jesuits dealt with deterministic explanations of the world and refuted these theories. They considered these interpretations a threat to the proper

admit any kind of freedom or voluntariness in the movement of irrational agents and considers that their action should properly be called passion.

[16] Cf. John Duns Scotus, *Questions on Aristotle's Metaphysics* IX, q. 15, art. 1, in *Selected Writings on Ethics*, edited and translated by Th. Williams (Oxford: Oxford University Press, 2017), 2. The rational power of man (intelligence) is determined to one thing only—truth and goodness: it cannot fail to know the truth or deliberate on goodness. Now, Scotus shows that this is precisely the way irrational powers act: they act determined to one thing only, in accordance with the instinct of preservation of the species.

[17] Scotus, *Questions on Aristotle's Metaphysics IX*, q. 15, art. 2, 4: "Now there can be only two different ways in which a power elicits its proper activity: either (1) it is of itself determined to acting, such that, as far as it depends on the power itself, it cannot act when it is not impeded by something extrinsic, or (2) it is not determined of itself, but can do this act or its opposite act, and can also act or not act. The general term for the first sort of power is 'nature'; the second is called 'will'." Such a power is, of itself, "indeterminately a power for this action or its opposite, or for action or non-action."

understanding of the world and of man and rebutted them mainly on the theological, ethical, and political levels.

3. Freedom and Contingency: Pedro da Fonseca and Luis de Molina

Having to face the challenges that arose in the 16th century both on philosophical and theological grounds, the Jesuits felt the need to develop a doctrine on human nature. This would lead to generate innovative thinking about the definition of a free agent. Their explanations on the question "whether animals have any kind of freedom" were addressed in their philosophy and theology lessons, that is, as a heuristic tool for understanding the rational and free specificity of human action.

Throughout his commentary on Aristotle's *Metaphysics*, Pedro da Fonseca (1528-1599) analyzes the nature of irrational animals at various points. In his commentary on Book I, he discusses the nature of empirical cognition, which is common to both rational and irrational beings, and, as Scotus had also done, he too analyzes the role of memory in this process. Fonseca observes that, in the cognitive experience of recollection, there is a difference in level between irrational animals and man. In the former case, the experience is "quasi-material and [consists] in a habit of memorizing the past through the production of many memories." In the case of humans, however, the experience of memorizing is quasi-formal and results from the act of comparing things or events memory holds by means of this habit.[18]

These two ways of exercising the habit of remembering distinguish the imperfect cognitive experience, typical of irrational beings, from the perfect cognitive experience, typical of humans. And what makes the experience specifically human is the fact that it is produced by the act of collating, or comparing, one thing with another. Now, as this act implies deliberation, it is associated with the process of choice. Therefore, to Fonseca, human experimental cognition is not subject to the force of nature, but is committed to an exercise of freedom of choice. Conversely, in irrational animals, experimental cognition is operated by instinct or by the force of nature.[19] It is true that, as in irrational beings, man also has a natural appetite for science. However, according to Fonseca, man acquires all types of science through the elicitation of a free appetite. In man, therefore,

[18] Pedro da Fonseca, *Commentariorum In Metaphysicorum Aristotelis Stagiritae libros libros. Tomus primus* (Rome: Franciscum Zanettum, 1677), I, cap. 1, explanatio, 38: "Denique illud adverte [Aristoteles], in experientia proprie dicta duo spectari: unum est, multi habitus memorandi praeterita ex multis recordationibus geniti, quod est quasi materiale; alterum collatio rerum, sive eventorum, quae his habitibus memoria tenentur, quod est quasi formale."

[19] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus primus*, I, cap. 1, explanatio, 38: "Quod enim in homine facit collatio unius rei cum alia, id facit in brutis animantibus instinctus, sive vis naturae."

science is an achievement of freedom and not an imposition of nature.[20] Fonseca admits that human reason, as power to produce knowledge, is a natural power in man. To this extent, like Aristotle, Fonseca also admits, on the one hand, that the desire to know is a natural appetite [21] and, on the other hand, that man desires science for the sake of science itself.[22] Therefore, because of the former, in the case of man too, knowledge cannot but be sought.[23] This approximation between irrational and rational beings regarding the fact that knowledge, especially in terms of empirical experience, is a necessary habit of cognitive power, could legitimize the assertion that irrational and rational beings have in common, if not theoretical science, at least practical science. Fonseca, however, rejects this thesis.

When commenting on the distinction established by Aristotle between practical and theoretical sciences, Fonseca draws on his knowledge of classical languages and observes that, among the Greeks and the Romans, the term *praxis* had a very broad meaning which Aristotle does not include. According to Fonseca, Aristotle uses the term *praxis* to distinguish practical sciences from contemplative ones, referring to the type of action involved in each of them. Now, the type of action that produces them is the deliberation or evaluation inherent to reasoning. Hence, according to Fonseca, Aristotle denied that irrational animals possessed either of them, since the actions that produce them—practical judgment and contemplative judgment—"are by their nature free, and are not exempt from deliberation and evaluation [considerationem]." Conversely, the absolutely first movements of the will occur without deliberation. They result from nature and the force of habit and, although they also generate actions, they occur without knowledge.[24]

[20] Man tends toward science with his natural appetite. In this respect, there is a common root to the pursuit of knowledge in man and irrational beings. However, man also tends toward science with an elicited appetite. Fonseca, *Commentariorum In Metaphysicorum. Tomus primus*, I, cap. 1, q. 1, sect. VI, 51: "[...] itaque, etsi libere elicimus actum appetendi scientiam, si tamen nihil obstaret, nec ex parte rerum externarum, nec ex molestia corporis, nec ex prauo aliquo animi affectu, nemo esset qui perfectae cognitionis, si non frequenter, certe aliquando appetitum non eliceret: atque hoc pacto intelligimus in hac conclusione omnes homines appetitu elicito scientiam appetere."

[21] Fonseca, *Commentariorum In Metaphysicorum. Tomus primus*, I, cap. 1, q. 1, sect. VI, 51: "Omnes homines naturaliter appetere scientiam ipsius scientiae causa." Cf. Aristotle, *Metaphysics* I, 980a.

[22] Fonseca, *Commentariorum In Metaphysicorum. Tomus primus*, I, cap. 1, q. 1, sect. VI, 51: "Ita enim homines appetunt scientiam, ut eam, quatenus scientia est, nullo modo reijcere possint." Cf. Aristotle, *Metaphysics* I, 982a25.

[23] Fonseca, *Commentariorum In Metaphysicorum. Tomus primus*, I, cap. 1, q. 1, sect. VI, 53: "Nihil magis appeti ab hominibus quam scientiam contemplativam." It is mainly in this respect that human beings, being animals, excel irrational animals, on the one hand, and on the other, being rational, participate in the condition of divine substances whose intellect is not known through sensory experience. Fonseca, *Commentariorum In Metaphysicorum. Tomus primus*, I, cap. 1, q. 1, sect. VI, 51: "Deinde, quia id rationi consentaneum est, hominem magis appetere naturaliter, quo maxime et excellit brutis animantibus, et participat conditionem diuinarum substantiarum, quod nemo negauerit esse scientiam contemplatiuam."

[24] Pedro da Fonseca, *Commentariorum In Metaphysicorum Aristotelis Stagiritae libros. Tomus tertius* (Cologne: Lazari Zetzneri Bibliopolae, 1615), VI, cap. 1, q. 5, sect. II, 39: "[...] merito Aristoteles,

In this sense, although science and action, since they result from a natural appetite, are carried out by first movements of the will, the natural appetite for science (specific to human beings) inclines them more toward the knowledge of things than toward action.[25] And although it is possible to find in some irrational animals "certain traces of human actions", no trace of rational activity is found in them.

Now, if it is not through cognitive activity that Fonseca admits there is something in common between irrational and rational beings, in what consist then these traces of human action, which Fonseca finds in the former? Moreover, what is the point in studying these traces, which would be like common principles between irrational animals and humans, if, since such traces do not belong to reason, they do not contribute in any way to a better understanding of human nature? As we shall see below, Fonseca pays great attention to the question of the traces of human actions in irrational beings. He places the approach to this subject at the core of his metaphysics, precisely by explaining the issue he claims to be the most important in all philosophy—the nature of contingency.

Fonseca formulates the problem as follows: "whether there is anything contingent in purely natural things."[26] In his answer, and following Aristotle's explanation in Book VI of *Metaphysics*, he begins by distinguishing three types of contingency: the one which occurs without intention (the casual or fortuitous); contingency *in essendo* and contingency *in eveniendo*. Of these three types, he considers that the problem he is dealing with only legitimately arises for the third type: contingency *in eveniendo.* Fonseca then reformulates the question of contingency in the natural world in a way that Aristotelian metaphysics could hardly support: "in purely natural things, is there anything that follows so certainly from their causes that, given those causes, it cannot fail to follow?"[27] In his answer, he recalls that there are two strongly opposing positions on this subject: that of Thomas Aquinas, who admitted a certain contingency in the natural world, and that of Scotus, who considered that the natural world is opposed to the free world, admitting no contingency whatsoever in the former. The question of contingency, says Fonseca, is absolutely crucial to philosophy and needs to be answered for two reasons.

quandocumque practicas scientias a contemplativas divisit, nomine actionum eas solas intelligendas esse voluit, quae liberae sunt, et quatenus tales considerantur: has enim solas, ut huiusmodi sunt, actiones esse dixit, et ea ratione in brutis animantibus esse negavit, quod omnes operationes ab illis ex necessitate naturae prodeant, per easque magis ipsae agantur, quam agant. Nam neque actiones, quae natura sua sunt liberae, a nobis ut liberae prodeunt, cum sine ulla deliberatione, aut consideratione exercentur, ut patet in motibus voluntatis omnino primis, quos primo primos appellant, qui nec meriti, nec poenae ullius digni sunt, quod a nobis solius naturae, aut consuetudinis impetu proficiscantur."

[25] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 1, q. 5, sect. II, 51: "[...] quia appetitus naturalis nos ad rerum cognitionem magis, quam ad actionem inclinat; [...] quia actionis humanae quaedam quasi vestigia in brutis animantibus cernuntur, ad contemplationis nullum."

[26] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. I, 82.

[27] Fonseca, *Commentariorum In Metaphysicorum libro. Tomus tertius*, VI, cap. 2, q. 2, sect. I, 82 D: "[...] num in rebus pure naturalibus detur aliquid contingens huius generis, quod nimirum ita eueniat a suis causis, ut ab eisdem possit non evenire."

One is circumstantial and has to do with the errors of the Lutherans and pagans regarding human freedom. The other is fundamental and consists in the need for human beings to know their own nature and dignity.[28]

Fonseca's response is thorough and reveals the complexity of the problem. As this is a crucial issue and given that, in complex matters of philosophy and theology, the Jesuits were asked to follow the doctrine of Thomas Aquinas, one would expect Fonseca to support the Dominican master's doctrine. However, not only does Fonseca fail to do so, but in analyzing Thomas' arguments, he shows that they only discuss contingency in the two aforementioned genres—casual or fortuitous, and *in essendo.* As so, the Thomistic analysis of contingency does not go beyond the cosmological and epistemological level. Now, according to Fonseca, the root of contingency is not instantiated in these two domains, but in the realm of the freedom of the rational agent.[29] From Fonseca's perspective, the crux of the problem is whether, in a causal process driven by purely natural agents, there can be room for a type of contingent agency *in eveniendo.* In contemporary language, to Fonseca, the question is whether, in a world totally determined by natural (or even supernatural) forces, there is room for the contingency of human action. In fact, it is precisely in order to distinguish contingent causality from human free will that Fonseca analyzes the behavior of irrational animals, children, and the insane. The purpose of this analysis is to define exactly what free action consists in and to show that this mode of action is the only true cause of contingency.

From the way he frames the question—"whether there is indifference in the actions of children, of the insane, and of irrational animals"—it is clear that Scotus's position on freedom plays a fundamental role in Fonseca's response. On this subject, Fonseca explains, there are those who admit that the actions of living beings that do not have or do not use reason are characterized by indifference "because when they are offered various equally desirable, equally close, and equally accessible objects, they can determine themselves for this or for that one."[30] Others go even further, stating that children and the insane, and even the irrational, have some kind of freedom, "not enough freedom to warrant merit or demerit, but enough to consider that their actions (or at least some of them) are within their power—which others also extend to the irrational in their

[28] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. I, 82 D: "Lutheranorum insaniam hac de re scripserunt. Si quis tamen in hac vita ipsam animæ nostræ essentiam quiditative cognosceret, non dubium, quin per eam priori liberi arbitrii nostræ facultatem demonstrare possit. Itaque in hac re ostendenda laborandum nobis non est, cum id ignorare nemo possit, nisi qui se hominem esse non meminerit."

[29] Fonseca, *Commentariorum In Metaphysicorum*, *libros. Tomus tertius*, VI, cap. 2, q. 2, sect. I, 82 F): "[...] contingentia in eueniendo, hoc est, quæ eveniunt, ab illa quidem aliquando; sed tamen ita eueniunt, ab iis ipsis, a quibus eueniunt, possunt non euenire; cuiusmodi sunt ea quæ à liberis agentibus fiant."

[30] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. III, 83 F: "[...] in belluis autem idem ex eo probantur atque appetibilia aeque propinqua, et quae aeque facile adiri possint."

actions."[31] Fonseca rejects both positions and therefore accepts that the actions of irrational agents can be characterized as "free". However, he admits that "in certain acts of children and the insane, a semblance of freedom can be distinguished, and also sometimes, in irrational animals, a certain obscure trace of freedom can be found."[32]

In what do then this simulacrum and this vestige of freedom found in irrational living beings consist? Like Scotus, Fonseca admits that the action of these agents is open to opposites. Nonetheless, he introduces a distinction in the way these agents are open to opposites and refers to a neutral presence of the agent in the face of alternatives. Such neutrality occurs due to the absence of deliberation. But, as we saw earlier, to Fonseca there can be no true freedom without deliberation.[33] This neutral condition of deliberation in the face of opposites corresponds to a neutral freedom.[34] It is this freedom that Fonseca says is present in children and the insane as a similitude or as vestige. This simulacrum and this vestige consist in the presence of the natural spontaneity of the actions of living beings incapable of reason. However, it is not freedom in the proper sense, but only a simulacrum or vestige of it. In fact, the spontaneity that is found in it does not mean that such beings can indifferently turn to this or that or refrain from any act—and even less can this be granted to irrational animals. It only means that, in these living beings, there is a certain indeterminacy of action or a non-coercion on the part of a specific opposite because "when confronted with equally desirable and equally proximate things that can be obtained with equal ease [such agents] are not determined by one more than by the other."[35]

Luis de Molina (1535-1600), in turn, presents a complete summary of his position on the question of freedom in animals in parts I and IV of *Concordia liberii arbitrii cum gratiae donis, divina praescientia, providentia, praedestinatione et reprobatione* (1588). In the first part, he explains the meaning of freedom as opposed to necessity and defines the free agent as one who, "once all the requirements for action are in place, can act or not, can do one

[31] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. III, 84 B: "Et quidem, quod attinet ad pueros, et amentes, non desunt, qui vtrisque non indifferentiam modo, sed etiam libertatem aliquam tribuant; non quidem, quæ satis sit ad meritum, et demeritum; sed quæ sufficiat, vt eorum operationes (saltem aliquæ) dici possint esse in eorum potestate."

[32] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. III, 84 C-D: "Verum etsi in quibusdam puerorum, et amentium actibus quædam expressior libertatis similitudo cernitur, et aliquando in brutis animantibus quoddam osbcurius vestigium libertatis: neutrum tamen modo in iis omnibus est vera libertas [...]."

[33] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. III, 84 E-F: "[...] nulla omnino libertas vera dari potest in pueris et amentibus, brutisque animantibus neutra poteft esse deliberatio: ergo neutra libertas."

[34] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. III, 84 D-E: "Ad argumentum igitur dicendum, in pueris ante vsum rationis, et in amentibus neque esse libertatem vllam veram, sed quandam expressiorem libertatis similitudinem, ut dicendum est: neque etiam spontaneum in eis ita cerni, ut indifferenter in hoc, vel illus ferantur, aut, ab actu se cohibeant: multoque minus id concedendum esse in brutis animantibus."

[35] Fonseca, *Commentariorum In Metaphysicorum libros. Tomus tertius*, VI, cap. 2, q. 2, sect. III, 84 F.

thing or its opposite."[36] Following this definition, he explains that the action of the will must be preceded by the judgment of reason.[37] But freedom and free will are rooted in the will.[38] The will takes the form of free will whenever it can choose or not choose an act or its opposite indifferently.[39] And neither the objects to be chosen nor the judgment of reason can force the will to perform an act. Reason shows the will the nature of the act, including its moral quality, but this knowledge does not determine the will. The will may, indifferently, choose or not choose the act.[40]

Based on these premises, Molina analyzes the capacity for free action of causes that neither have an exclusively necessary action nor possess a complete use of reason through which they could discern and deliberate between different moral qualities associated with the action. Children, the insane, those who sleep, or simply adults who do not have the preparation or time to deliberate adequately about the actions they perform are in this condition.[41] To Molina, even though it is not possible for causes that do not have full use of reason to make a complete deliberation of acts, they are still free agents endowed with will. Since neither the object of choice nor reason can determine the will, the will remains free insofar as it can choose its acts indifferently.[42] The free agent can thus be distinguished from the natural agent, insofar as the action of the natural agent is not characterized by an indifferent choice of acts, in a way that "it is not in his power to act or not to act" for, once "all the requirements for acting are in place, he will necessarily act."[43]

In the fourth part of the *Concordia*, Molina returns to this question to identify the different roots of contingency in the universe. God, the angels, and human beings are the roots of contingency with different degrees of perfection. On the contrary, natural beings are not roots of contingency in themselves, because their effects are produced by necessity of nature, without being able to choose indifferently between contrary acts.

[36] Luis de Molina, *Liberi arbitrii cum gratiae donis, divina praescientia, providentia, praedestinatione et reprobatione concordia*, edited by I. Rabeneck (Oniae-Matriti: Collegium Maximum S. I.-Soc. Edit. 'Sapientia', 1953), I, q. 14, art. 13, d. 2, 3: "[...] agens liberum dicitur quod positis omnibus requisitis ad agendum potest agere et non agere aut ita agere unum ut contrarium etiam agere posit."
[37] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 3.
[38] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 3.
[39] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 5.
[40] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 6.
[41] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 6-8.
[42] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 6.
[43] Molina, *Concordia*, I, q. 14, art. 13, d. 2, 3: "[...] agens liberum in hac significatione distinguitur contra agens naturale in cuius potestate non est agere et non agere, sed positis omnibus requisitis ad agendum necessario agit et ita agit unum ut non possit contrarium efficere."

However, as free causes establish relations with natural causes, natural causes can produce contingent effects. All purely natural beings can be included in this condition.[44]

Animals can be included among natural beings. However, since Molina's definition of free action is characterized by indifferent choice, it is necessary that animals be in some way a cause of contingency and that their condition be distinct from that of purely natural beings. Animals occupy an intermediate hierarchical place between the place of natural beings and that of free causes whose condition does not allow them to make full use of reason. It is therefore not possible to recognize in animals the same degree of freedom that can be identified in children or in the insane, but it is possible to affirm that there is an innate trace of freedom in animals that allows them some indifferent choices.[45] Molina clarifies, however, that he does not recognize such a great level of freedom in animals that when an animal has knowledge of an object and its sensory appetite inclines it toward this object, the animal may not choose it. The trace of freedom gives animals the ability to perform a variety of acts in a contingent manner, whenever knowledge of an object, an appetite, or another stimulus does not prevent it.[46] Molina argues that it is not necessary to have either complete use of reason, deliberative capacity, or knowledge of the end, to admit a vestige of innate freedom in animals.[47] Simple knowledge of space and the natural capacities with which the animal is endowed are enough to enable the animal to perform some acts with minimal freedom.[48] If in free causes freedom is rooted in the will, in animals the trace of freedom that is innate to them resides in the sensitive appetite.[49] Molina finds proof of the existence of an innate trace of freedom in animals in the fact that, when exposed to two objects with equivalent power of attraction, suited to the animal's appetite and without interference from other causes, the animal will lean toward one of the objects. The cause of the animal's inclination toward one of the objects is neither the power of attraction nor the better suitability of the object (since both are equivalent), nor is it the influence of extrinsic causes, but the freedom that the animal

[44] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 11. Molina gives the example of a lamp that projects light. The light projected by the lamp is a contingent effect that may or may not happen, but the root of the contingency is the free cause that lit the lamp.
[45] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 5 and 7.
[46] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 5 and 7.
[47] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 7.
[48] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 8: "[...] dicendum deinde est ad vestigium libertatis brutorum satis esse notitiam ampli spatii per quod gradiendo, volando aut natando possunt iter conficere; satis item esse, quod notitia objccti. ex cujus imaginatione ducuntur, non tam vehementer moveat, ut pro qualilate appetitus bruti illum necessitet ad actus exercitium, ut explicatum est; neque necessarias esse cognitiones, collaliones, et demonstrationes quae in argumento commemorantur, ut etiam explicatum est" ([...] it is also sufficient that knowledge of the object from whose image they are guided does not move them so vehemently that the appetite of the brute necessitates the exercise of the act [...] nor are the cognitions, collations, and demonstrations mentioned in the argument necessary).
[49] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 7 and 13.

has by nature, which makes it a root of contingency and distinguishes it from beings endowed with strictly necessary action.[50]

4. Concluding Remarks

As we said at the beginning, the question of whether or not irrational animals have freedom has always aroused the interest of philosophers. Especially with the current development of advanced computing technologies that seem to surpass and challenge the limits of human rationality, the question of defining the boundaries between types of rationality is an increasingly topical issue. In the field of the history of philosophy, studies on how the difference between human and non-human rationality has been understood, have also been promoted. This type of approach is usually centered on two major themes. On the one hand, these studies focus on understanding how different philosophers have interpreted the boundaries between humans and irrational beings in terms of the scope of cognitive faculties. On the other hand, following on from the discussion about whether irrational beings are endowed with some kind of rationality, current studies seek to understand the philosophical positions on whether irrational beings are free agents and to what extent they can be subjects of rights.[51]

The perspective of the two Jesuits whose conception of animal freedom we study here is, after all, somewhat different, without deviating entirely from an analysis of the issue within the scope of the theories of animal life available at the time. Fonseca and Molina are in fact committed to understanding the extent to which it is possible to attribute some kind of free agency to irrational animals. And there is no doubt that both are interested in knowing how to identify, in human beings, a minimum level of rationality from which they can be held morally accountable. However, the root of this investigation, in both Jesuits, is not merely psychological, but metaphysical. It is the identification of the main principle and root of contingency, present in the natural world, that both seek to identify. In their response to this question, Fonseca and Molina express the doctrinal diversity that characterizes Jesuit teaching on animals' freedom. Fonseca openly rejects Molina's doctrine when he criticizes the positions of those who admit that the actions of living beings that do not have or do not use reason are characterized by indifference (the power that these beings have to be determined to one object or another) or the positions of those

[50] Molina, *Concordia*, IV, q. 14, art. 13, d. 47, 13.

[51] This is, for example, the content of various studies compiled in the work by Adamson and Edwards, *Animals: A History*. The same line of analysis can be found in the work by Anselm Oelze, *Animal Rationality. Later Medieval Theories (1250-1350)* (Leiden and Boston: Brill, 2018). Unsurprisingly, Oelze studies animal rationality in texts by medieval authors based on the theories of cognition and action they developed, focusing on the differences between human and non-human rationality and agency. An innovative and particularly rich aspect of Oelze's study is the comparison between similarities and differences between medieval authors' theses on cognition and behavior and current developments in cognitive science in these fields. See spec. Oelze, *Animal Rationality*, 209-227.

who attribute some form of freedom to children, the insane and the irrational. However, this diversity of doctrines does not exclude a theoretical unity at the level of principles and conclusions. The Jesuit teaching placed extraordinary value on contingency as an undeniable and central characteristic of the physical world. But the Jesuit interest in contingency did not involve reducing this concept to the scope of the judicial power of reason. The Jesuits advocated the idea of an expanded rationality, according to which human dignity resides in free will and human action, the expression of that free will, effectively intervenes in the seemingly fixed structures of the natural world and accentuates the contingent nature of the world. A concept of broadened rationality, which takes into account aspects already defended by the Jesuits in the 16th century, may be relevant today as an alternative to models of technological rationality, of a computational and algorithmic nature, which increasingly interpret rational nature in a reductive way.

Being free by nature, human will is capable of uncondictionally acting in any direction. Therefore, both freedom and dignity can only be lost through the action of one's own free will, whenever it inclines, against the natural order. Human beings have all the natural conditions to freely act upon the physical world , bulding a world where they achieve maximum dignity and fulfilment.

Finally, Jesuit teaching also contributed to the debate on the status and dignity of animals. For Fonseca and Molina, animals participate actively in the contingency of the natural world. Even though they do not possess the judicious power of reason, animals are endowed with other forms of sensation, thought, and language that allow them to participate in the experience of freedom. But if animals are recognized as having freedom, it is necessary that they also be recognized as having their own constitutive and irreducible dignity.

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Date of submission: 09/10/2025
Date of acceptance: 24/10/2025