VOLUNTARY INCONSIDERATION, VIRTUAL COGNITION, AND FRANCISCO SUÁREZ

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Imagine the classic case of an archer who, although she is not typically negligent, voluntarily shoots an arrow into a wooded, dense forest and unintentionally kills someone who happens to be hidden there. Let it be the case that this archer knows she is shooting an arrow but just happens, in this particular instance, not to consider how dangerous shooting the arrow into that area can be. Moreover, she does not even cognize the fact that she should consider how dangerous shooting the arrow can be. She just simply shoots it without further consideration. We desperately want to say that she *should* have considered the possible dangers and thereby hold her morally responsible for failing to perform such consideration in this instance. Ascribing moral responsibility for her lack of consideration (hereafter "inconsideration"), in turn, entails that she voluntarily failed to perform such consideration. It is unclear, however, how the inconsideration itself could have been voluntary despite the fact that shooting the arrow was. *Ex hypothesi*, she never happened to think about the fact that she should consider the dangers of shooting the arrow. She simply shot it "without thinking" and "without thinking about the fact that she should think." And if she never cognized the fact that she should do some such thing as consider her act of shooting the arrow and how dangerous it could be, then it is not at all clear how the subsequent inconsideration of those dangers could itself be voluntary.

Explaining the voluntariness of cases of inconsideration similar to this one is a problem generally overlooked in philosophical discussions of action. The problematic nature of voluntary inconsideration arises from the fact that what is typically required for voluntariness—a mental, intentional state—is in many cases specifically precluded by the fact that consideration is being omitted. Although sometimes an agent may be cognizant of the fact that she is not considering some *considerandum* and hence voluntarily intend to perform such inconsideration, such a description does not apply to all cases of putatively voluntary inconsideration. Sometimes an agent, such as the archer, does not intend nor explicitly cognize the fact that she is failing to consider some *considerandum* and is nonetheless held to have voluntarily performed inconsideration.

Francisco Suárez is perhaps the only philosopher in the history of philosophy to have worried about this specific problem and to have proposed an answer based upon what he calls "virtual" cognition. Unfortunately, his discussion has been overlooked, and his proposed solution to the problem is far from clear. In what follows, I will elaborate upon the problematic nature of such voluntary inconsideration by discussing the conditions of voluntariness. This will help us understand Suárez's own diagnosis of the problem of voluntary inconsideration and why he rightly rejects a common-sense solution to the problem. I will then explain how his notion of "virtual" cognition, though underdeveloped, is supposed to solve the problem. The investigation will conclude by suggesting how Suárez's concept of virtual cognition can be understood so that it can indeed serve as a viable solution to the problem of voluntary inconsideration.

So far as the conditions for voluntariness are concerned, we can look at Suárez's own description which follows a traditional line. He states that the voluntary "arises from (V1) an intrinsic power of the will (V2) with cognition" (4: 177). (V1) expresses the fact that any action or omission must somehow be under the executive control of the agent. I will

assume all executive powers are functioning normally and are not being controlled extrinsic to the agent. Therefore, we will not concern ourselves with (V1) and will instead focus on problems that may arise in relation to (V2). (V2) gives expression to the expectation noted above that the agent must be aware she is committing or omitting some *x* if that commission or omission is to be voluntary. If an agent is not aware that she is committing or omitting *x*, then committing/omitting *x* cannot be voluntary; one must be aware of what one is doing in order to be doing it voluntarily.

Given this description of voluntariness, we can examine what an instance of voluntary inconsideration might look like. To do so, we must first delineate two varieties of inconsideration: (a) inconsideration viewed as being intentionally brought about, and (b) inconsideration viewed as being sustained even if not intentionally brought about. In voluntary (a)-type inconsideration, (V2) would require the agent to have been aware of the fact that she would not consider some *x* when she brought about that inconsideration. Alternatively, (V2) would demand in voluntary (b)-type inconsideration that the agent be aware of the fact that she is engaged in inconsideration of some *x*.

The voluntariness of (a)-type inconsideration poses no problem. If somebody intends to bring about inconsideration of *x* and is able to do so, such inconsideration clearly fits the conditions for voluntariness. Inconsideration of the (b) variety, however, can be more problematic in light of (V2). In these cases, (V2) would require the agent to possess some cognition such as <I am not considering some *x*>, or (what amounts to the same thing while choosing not to consider *x*), <I can consider *x*>. Certainly, some instances of (b)-type inconsideration fit these conditions. For example, I currently have the cognition <I can consider Goldbach's Conjecture> and, in light of this cognition, am not bringing myself by means of my executive power to consider that conjecture. Such inconsideration is thus voluntary. Other instances of (b)-type inconsideration, however, do not clearly fulfill (V2). *Ex hypothesi*, our archer above does not have a cognition (call it "Cog_1") <I can consider the dangers of shooting my arrow>. It therefore seems that our archer's inconsideration of the potential dangers cannot be voluntary and that she cannot be morally blamed for injuries ultimately resulting from that inconsideration. This conclusion, however, certainly cannot be correct; the archer must be liable for her inconsideration. But how?

This problem has led many to posit an alternative solution which Suárez explicitly (and, in my mind, rightly) rejects. This solution, which most persons pre-reflectively find appealing and which the author has encountered in numerous conversations, goes something like this: since the archer knew in the recesses of her mind both that shooting an arrow was dangerous and that she should consider those dangers, she theoretically *could* have considered those dangers. Since she *could* have and did not, her inconsideration was under her control and was thus voluntary.

In response to this suggestion, it is asked in what sense *could* the archer have considered the dangers. She certainly *could* have considered the dangers *if* she had cognized the fact that she could have considered her act of shooting the arrow in more detail. For example, if she had possessed Cog_1 as an actual cognition, then she certainly could have performed further consideration. Moreover, her failure to perform such further consideration in light

of Cog_1 would indeed qualify as voluntary inconsideration. The problem, however, is that *ex hypothesi* the archer lacked Cog_1 as an actual cognition. And if Cog_1 was absent, then it appears that the archer could not, *in the present situation and given the precise obtaining psychological circumstances*, have caused herself to consider her action in more detail. Her inconsideration of the dangers of shooting the arrow thus seems as non-voluntary as my current inconsideration of something that I am not thinking about at all is non-voluntary.

Suárez makes this point by stressing that consideration must be possible in the "here and now" for the lack of it to be voluntary. And "habitually know[ing], or retain[ing] in memory" some *considerandum x* is not sufficient for an agent to be able to consider *x* here and now. Instead, the *considerandum* must in some sense be "offered . . . such that it is able to arouse cognition of it" (4: 225). In fact, Suárez goes so far as to claim that even if in the immediately preceding moment an agent had been performing consideration of some *x* and had then turned his attention such that "in him no source actually remains, by which he would be able to apply himself to another cognition [of *x*], even then this inadvertence here and now results in involuntariness" so far as the subsequent inconsideration of *x* is concerned (4: 226). For example, assume the archer considered the dangers of shooting the arrow at t_1. The voluntariness of her inconsideration of those dangers at an immediately subsequent time t_2 could not simply rest upon the fact that she had just considered those dangers at t_1; having just considered those dangers at t_1 does not mean that she could "here and now" at t_2 consider them. Although knowledge of those dangers would certainly be stored in her memory, her current inconsideration of them cannot be voluntary if (V2) is not being fulfilled at the present moment t_2; some sort of danger-and-arrow-related cognition (such as Cog_1) must be *currently* present to arouse cognition of the dangers for inconsideration of them to be voluntary.

If (V2) is indeed a condition for voluntariness, then we are in a quandary: habitual knowledge stored in one's memory is not sufficient to fulfill (V2), and actual cognition seems to be lacking in certain cases of inconsideration that we presume must be voluntary (e.g., the archer's). Suárez's solution is to posit, between habitual knowledge and actual cognition, a middle layer of cognition that does "suffice for the voluntary": a "virtual cognition" that one could consider some considerandum *x* (4: 231). For example, our negligent archer's inconsideration of the dangers of shooting her arrow can be voluntary because she supposedly possessed a "virtual" cognition of the fact that she could consider the dangers of shooting the arrow, and a virtual cognition is robust enough to fulfill (V2). The task that remains is to discern what virtual cognition could possibly be. Apparently, it is more robust than habitual knowledge, not as robust as actual cognition, yet robust enough to suffice for voluntariness. Explaining how such a phenomenon is possible is far from clear.

As it turns out, Suárez relies upon the triple actual/virtual/habitual distinction throughout several of his works and with regard to different phenomena (not just cognition). Space precludes a full exploration of these issues here. Nonetheless, three descriptions he gives of a virtual phenomenon relevant to the current purpose can be succinctly stated:

(D1): The virtual phenomenon must be preceded by an "actual" phenomenon.

(D2): The actual phenomenon has left behind a something, an *aliquid*, that somehow influences that which is virtual.
(D3): This *aliquid* probably consists of some sort of appetitive/phantasmatic movement. (20: 250-2)

For a cognition to count as virtual, therefore, it must be some sort of appetitive/phantasmatic movement that is not revoked and was left behind by an actual cognition. Unfortunately, these descriptions are not very precise and Suárez does not explicate them much further. Nonetheless, an understanding of virtual cognition that is compelling and helps solve the problem of voluntary inconsideration can be constructed.

At one point, Suárez notes that whenever an agent adverts to some action, the "will can at the least move the intellect *confusedly* in order that it inquire what lies under" the concept being adverted to (4:230-1, italics mine). It does this so that the agent can "more completely think about . . . that which [is] merely confusedly proposed" (4: 231-2). This phenomenon of the "will moving the intellect" I term "WMI."

One way to understand what Suárez may have in mind, suggested by the italicized "*confusedly*," is as follows. Imagine there is some sort of searchlight within the intellect acting as the mind's eye (so to speak). Upon the intellect actually considering some *consideratum y*, the intellect's searchlight gets set into motion by the will and shines its gaze *confusedly* here and there among *y*-related contents in the agent's intellect. The searchlight is being "jiggled around" (for lack of a better description), and this "jiggling" of the searchlight is what WMI is. The point of this "jiggling" is to allow the agent to uncover some particular, important detail related to *consideratum y* that was not part of the initial *consideratum y* and was thus originally hidden to the agent. If the searchlight does its job, these further details come within some sort of cognitive reach of the agent. Upon the intellect shining its searchlight upon one of these details, the agent can then decide whether to consider the original *consideratum y* further by considering this *y*-related detail. In other words, it is by means of this jiggling that further consideration can be performed.

Note that performing WMI understood as this jiggling of the intellect's searchlight is not performing further consideration itself. WMI is instead the means by which some further detail related to an initial *consideratum* can be happened upon. Once the intellect, by means of WMI, has come into cognitive access of that further detail, *then* further consideration of the initial *consideratum* can occur; at that point the agent can consider the further detail and inquire as to how it relates to the initial *consideratum*.

Phrased in terms of our archer example, assume the consideration of shooting an arrow in general (call it "consideration$_1$") with the content <I am shooting an arrow>. Assume also the related detail ("detail$_1$") with the content <somebody may get hurt if arrows are shot where I cannot see>. If our archer is voluntarily shooting her arrow, she has consideration$_1$ as an actual cognition but *ex hypothesi* is not cognizing detail$_1$. According to the current interpretation of WMI, the archer's intellectual searchlight is being jiggled among arrow-related contents on account of her having consideration$_1$. Extraneous factors notwithstanding, this jiggling permits the possibility of her coming into cognitive

contact with $detail_1$. Once the intellect's searchlight is shone upon $detail_1$, the archer could then perform further consideration regarding it and its relation to her earlier cognition, $consideration_1$. If she does so, she could then reach the conclusion that shooting the arrow could hurt somebody.

To avoid confusion, it is important to observe that there are three discrete phenomena within the agent's intellect: the original cognition ($consideration_1$), WMI, and further consideration of details such as $detail_1$. My proposal is that WMI is the *aliquid* that is left behind by some actual consideration and which constitutes the virtual cognition that fulfills (V2) with regard to the subsequent inconsideration of details. Let us now proceed to see how this understanding accords both with Suárez's descriptions of virtual phenomena and with how virtual cognition is supposed to suffice for voluntary inconsideration.

According to this proposal, WMI is preceded by some actual cognition that sets WMI into motion. In the archer's case, for example, WMI results from actual cognition of $consideration_1$. This is in accordance with both (D1) and (D2). Moreover, note that WMI is really a movement of the intellect. As such, it could be considered an intellectual appetitive motion. Moreover, it is a motion the objects of which could be considered *phantasms* of a sort; the particular contents (such as $detail_1$ in the archer's case) upon which WMI is causing the intellect's searchlight to shine may be stored in the agent's intellect in a phantasmic mode. Consequently, Suárez's hypothesizing in (D3) that the *aliquid* consists of some sort of appetitive/phastasmic movement fits with the current proposal.

This approach also allows us to understand how virtual cognition, understood as WMI, may suffice for voluntariness. Recall that for voluntary inconsideration of some x, (V2) requires a cognition with the content <I can consider x>. In (b)-type cases such as the archer's, this cognition cannot be actual but must be more robust than merely stored content. If we let x=$detail_1$, then the agent voluntarily "inconsidering" $detail_1$ must possess some mental, intentional state somehow equivalent to <I can consider $detail_1$> without having this cognition in an actual, explicit manner. WMI appears especially suited to fill this role. Upon cognizing $consideration_1$, the agent's intellectual searchlight is "jiggling" among $consideration_1$-related contents such as $detail_1$. Such jiggling cannot in itself constitute any sort of explicit, actual cognition. This jiggling among contents, however, is a cognitive process and thus must constitute some semi-robust form of cognition. Since the jiggling, moreover, ideally puts $detail_1$ within the cognitive grasp of the agent and is the means by which the agent could bring herself to consider $detail_1$, it seems appropriate to state that WMI is indeed a semi-robust cognition that is equivalent to <I can consider $detail_1$>. WMI, therefore, qualifies as a candidate for virtual cognition that can help explain how certain problematic cases of inconsideration are voluntary.

Before concluding, one important caveat must be stated. The current argument does not demonstrate that *every* instance of inconsideration is voluntary. There are undoubtedly cases in which one does all she should so as to come into cognitive contact with relevant details and yet fails. It may be that sometimes one's intellectual searchlight just happens

not to shine upon the relevant detail through no fault of one's own, thus causing the agent to lack the relevant virtual cognition.

What has instead been demonstrated is, given some cases of inconsideration are blameworthy, *how* they can qualify as voluntary. For example, the inconsideration of a blameworthy archer fulfills the conditions for voluntariness because she omitted to consider the dangers of shooting the arrow in spite of a virtual cognition (WMI) equivalent to the content of Cog_1 <I can consider the dangers of shooting my arrow>. Showing how such problematic cases can be voluntary, despite initial appearances to the contrary, has furthermore been accomplished by extricating concepts from the writings of Francisco Suárez. It remains to a different paper to elaborate upon Suárez's intricate understanding of the actual/virtual/habitual relationships. Nonetheless, it has become clear that Suárez's understanding of virtual phenomena may prove useful in solving some contemporary philosophical puzzles.

WORK CITED

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