

OMISSIONS AND THEIR CAUSES

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1. INTRODUCTION

SEVERAL aspects of Aquinas's teaching on omissions found in the *De malo* are problematic¹ and conflict with the parallel treatment in the *Summa*, written at almost the same time.² First, Aquinas claims that an omission consists essentially in no action at all. In the *Summa*, he notes that some omissions consist in no action at all, while other omissions consist in an interior act of will together with the absence of an exterior action. Second, in the *De malo* Aquinas claims that we cannot directly will an omission. In the *Summa*, he maintains the more intuitive position that sometimes we can choose simply not to do something. Finally, in the *De malo* Aquinas claims that the cause of an omission can itself be a morally good action. In the *Summa* he neither affirms nor denies this claim, but he provides certain clarifications that would qualify any sense in which a good action could cause an omission.

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¹ See *De malo*, 2, 1.

² See I-II, 71, 5. My thesis is not essentially historical. Therefore, I will not argue that the *De malo* text was written prior to the *Summa*, although this conclusion seems probable. The evidence for this historical thesis derives from a comparison to the parallel treatment in the *Sentences*. In both of the later treatments, Aquinas has clearly rejected the treatment in the *Sentences*. Nevertheless, the *De malo* still shares one feature with the *Sentences* that is not present in the *Summa*, namely, that an omission is always essentially the absence of action. Dating the texts in the order of *Sentences*, *De malo*, and then *Summa*, provides a smoother development of thought. To place the *Summa* before the *De malo* would mean that Aquinas changed his mind on this point and then changed it back again. This scenario, of course, is not impossible, so nothing absolutely conclusive concerning the ordering of the texts can be drawn. One additional point can be made. The treatments in both the *Sentences* and the *De malo* have troubling inconsistencies (the latter of which are the main focus of this paper), which are absent in the *Summa*. On the assumption that Aquinas's later thought will be clearer and more consistent than his earlier, we can conclude that the *Summa* is the latest text.

Different teachings concerning omissions and their causes			
	<i>Sentences</i>	<i>De Malo</i>	<i>Summa</i>
the essence of omissions	consists in no action at all	consists in no action at all	sometimes consists in no action; sometimes consist in the lack of an exterior action together with an interior act of will
The causes of omissions	Directly willed omissions	Aquinas does not insist that every omission needs a cause; insofar as he speaks of causes, he implies that omissions are always caused <i>per accidens</i>	Not possible
	Indirectly willed and foreseen omissions		Are caused <i>per se</i>
	Indirectly willed and unforeseen omissions		Are caused <i>per accidens</i>
			Are caused <i>per se</i>

In his earliest treatment, in the *Sentences*, Aquinas seems to say that omissions do not always require a cause, although the matter is not entirely clear, since he makes no explicit distinction between the essence of an omission and the cause of an omission.³ This distinction, made in the *De malo*, appears to be a first attempt to rectify the inadequacy of his earlier position. In the *De malo* Aquinas still maintains, as he did in the *Sentences*,

³ See *Super Sent.*, lib. 2, d. 35, q. 1, a. 3.

that an omission consists essentially in no act whatsoever. He recognizes, however, what he seems to have denied in the *Sentences*, that every omission must have some action for its cause. Furthermore, he tries to identify – again contrary to his position in the *Sentences* – a *per se* relationship between some actions and some omissions. A better explication of this *per se* relationship, together with its implications for the essence of omissions, is found in the *Summa*.

All three of the problematic claims of the *De malo* concern the causes of omissions, the latter two directly and the first by implication. While the first claim directly concerns what belongs essentially to an omission, it is intimately linked with the second claim, as Aquinas states in the *Summa*. In what follows I will examine all three of these claims, as they are treated both in the *De malo* and in the *Summa*. The third claim, which concerns a good action causing an omission, will occupy the most space. In the end, however, it will return us to the first claim. The entire analysis will have implications concerning Aquinas's teaching on the first moral action of an unbaptized child. The treatment of omissions in the *De malo* cannot account for this first act, at least when it is a sin. The treatment in the *Summa*, however, provides the tools to account for this first sin. We will begin, then, by examining the first two claims, as treated in the *De malo* and then as treated in the *Summa*. We will proceed to the third claim, and we will close by considering Aquinas's teaching on the first moral action of an unbaptized child.

2. ESSENCE VERSUS CAUSE

In the *De malo*, Aquinas maintains that an omission is essentially no act at all. The essence of missing mass, for instance, is precisely the lack of some action that the agent is obliged to perform. Perhaps someone stays up late, so that he ends up sleeping through mass. He did not plan or choose to miss mass, but nevertheless he did. This omission essentially involves no action.

But what about the choice to stay up late? Is not that part of the omission? No, says Aquinas. This choice does not belong to the essence of the sin. Rather, it is the cause of the sin. Every omission, says Aquinas, requires some voluntary action for its cause, but this action is itself not a part of the sin of omission. Every omission needs a cause because an omission, says Aquinas, is something out of the ordinary, or rather, it is unnatural. An agent naturally performs those operations that are proper to it, and an omission is precisely a failure to perform some proper operation. Some cause, therefore, must prevent an agent from carrying out the proper operation.

This cause could be either voluntary or involuntary. If it is involuntary, however, the agent himself is not responsible for the failure, so that properly speaking there is no sin of omission, for example, if someone misses mass be-

cause of illness or on account of being hit by a car on the way to church. Only a voluntary action, then, can serve as the cause of an omission.

Aquinas divides the causes of omissions into two kinds, either *per se* or *per accidens*. He begins to describe the difference as follows:

«[The will causes] *per se* when it acts intentionally to attain some effect, for example, if someone who wants to find a treasure finds it by digging; it causes *per accidens* when the effect is outside of intention, for example, if someone who wants to dig a grave finds a treasure while digging».⁴

Aquinas proceeds, however, to classify all omissions as outside intention. Why? Because, he says, nonbeing and evil cannot be directly willed. It seems to follow that the will must always cause omissions *per accidens*. Inexplicably, however, Aquinas does not reach this conclusion. Sometimes what is indirectly willed or outside intention – contrary to Aquinas’s initially presented standard – is caused *per se*. When? Aquinas makes no explicit statement of his new standard, but one can only conclude that the difference between what is *per se* and *per accidens* depends not on whether the effect is intended or outside intention but whether the effect is foreseen or unforeseen.

«Therefore, a voluntary act is sometimes a *per se* cause of an omission, not that the will is directly led into the omission, because nonbeing and evil are outside intention and the will, as Dionysius says in book 4 of the divine names, that the object of the will is being and good. Rather, the will is led into one thing positively with foresight of the consequent omission, for example, when someone wills to play, knowing that at the same time he will not be able to go to church. Similarly, in transgressions we say that the thief wills gold but does not avoid the deformity of injustice».⁵

His example of an omission caused *per accidens* also fits this standard:

«Sometimes a voluntary act is a *per accidens* cause of an omission, as when the deed he ought to do does not enter the mind of someone who is busy with some other action».⁶

⁴ «Per se quidem, sicut quando per intentionem agit ad talem effectum, puta si aliquis volens invenire thesaurum, fodiens inveniat; per accidens autem, sicut quando praeter intentionem, puta si aliquis volens fodere sepulcrum, fodiendo inveniat thesaurum» (*De malo*, 2, 1).

⁵ «Sic ergo actus voluntarius quandoque est *per se* causa omissionis, non tamen ita quod voluntas directe feratur in omissionem, quia non ens et malum est praeter intentionem, et voluntatem, ut Dionysius dicit IV capite de Divin. Nomin., voluntatis autem obiectum est ens et bonum; sed indirecte fertur in aliquid positivum cum praevisione omissionis consequentis, sicut cum aliquis vult ludere, sciens quod ad hoc concomitatur non ire ad Ecclesiam; sicut et in transgressionibus dicimus, quod fur vult aurum non refugiens iniustitiae deformitatem» (*De malo*, 2, 1).

⁶ «Quandoque vero actus voluntarius est causa *per accidens* omissionis; sicut cum alicui occupato circa aliquem actum non venit in mentem id quod facere tenetur» (*De malo* 2, 1).

Aquinas has presented us with three cases and he has rejected the first as impossible. First, someone could directly will an omission, for example, someone intends not to go to mass because he does not like it.⁷ Second, someone could directly will something else, foreseeing a consequent omission, as when somebody chooses to read during the time of mass, knowing that he will thereby miss mass; in the *De malo*, Aquinas claims that these omissions are caused *per se*. Third, someone directly wills something else and does not foresee the consequent omission, for example, someone chooses to read and becomes so engrossed in the book that he does not notice when the time of mass arrives; in the *De malo*, Aquinas claims that these omissions are caused *per accidens*.

In the *Summa*, Aquinas uses the same terminology of the will being led directly or indirectly to an omission, but he explicitly acknowledges what he denies in the *De malo*, namely, that someone can be led directly to an omission.⁸ Furthermore, what is indirectly willed, even when it is foreseen, does not belong to *per se* causality. Rather, direct and indirect define the difference between *per se* and *per accidens*, for what is directly willed is *per se* and what is indirectly willed is outside intention and *per accidens*. This new teaching conforms better both with common experience and with Aquinas's usual usage of the terms *per se* and *per accidens*.

«Sometimes the act of will is directly led into the omission itself, for example, when someone wills not to go to church, in order to avoid the work. Such an act of will belongs *per se* to the omission, for the willing of any sin belongs *per se* to that sin, since it belongs essentially to a sin to be voluntary. Sometimes, however, the act of will is led directly into something else, through which the person is prevented from doing what he ought to do. Either the will is led into something to which the omission is joined, for example, when someone wills to play when he ought to go to church, or the will is led into something that comes before the omission, for example, when someone wills to stay up late, from which it follows that he does not wake in the morning in time for church. Then the interior or the exterior action [that causes the omission] relates *per accidens* to the omission, since the omission follows outside intention».⁹

⁷ Aquinas's claim that we cannot directly will the absence involved in an omission is highly unusual; he seems to ignore the possibility that we could view the absence as a means to something else, for example, to avoid the displeasure associated with mass. This oversight is especially unusual since in *De malo* 3, 8, Aquinas recognizes that ignorance can be willed directly. The *De malo* text on omissions, then, is especially anomalous on this one point. I can suggest only one possible explanation for it. This teaching was necessary to maintain, as will become clear further along, that an omission is always simply the absence of action.

⁸ See S. BROCK, *Action and Conduct: Thomas Aquinas and the Theory of Action*, T. & T. Clark, Edinburgh 1998, p. 224, note 66.

⁹ «Qui quidem actus quandoque directe fertur in ipsam omissionem, puta cum aliquis vult non ire ad Ecclesiam, vitans laborem. Et tunc talis actus *per se* pertinet ad omissionem,

One finds here a direct repudiation of the first two problematic claims in the *De malo*. Aquinas asserts that we can directly will an omission; furthermore, when we do so the omission consists not only in an absence; it also includes the interior act of will.

3. GOOD ACTIONS AS THE CAUSE OF OMISSIONS

The third error – if indeed it can be called an error rather than an imprecise statement – is expressed in the *De malo* laconically in two replies:¹⁰

«A sin can sometimes be caused by some other act, which itself is sometimes a sin (as when one sin is the cause of another sin) and sometimes not a sin».¹¹

«It is not impossible [for an act done well] to be a per accidens cause of an omission, because the good can be a per accidens cause of evil».¹²

Intuitively, it seems that a person should not be held responsible for an omission if its ultimate cause is some good action, for example, if someone misses mass because, on the way, he helps someone in dire need.

According to Aquinas, good can cause evil only per accidens. In the *De malo*, omissions are caused *per accidens* when they are unforeseen consequences. In the *Summa*, on the other hand, foreseen omissions can also be caused per accidens, for an omission is caused per accidens just so long as it is indirectly willed, whether foreseen or unforeseen. We have, then, three cases. First, an omission can be directly willed. This possibility is denied in the *De malo* and classified as *per se* causality in the *Summa*. Under either analysis, then, this case cannot involve some good as the cause of the omission. Second, an omission can be indirectly willed and foreseen. In the *De malo*, this case is classified as

voluntas enim cuiuscumque peccati per se pertinet ad peccatum illud, eo quod voluntarium est de ratione peccati. Quandoque autem actus voluntatis directe fertur in aliud, per quod homo impeditur ab actu debito, sive illud in quod fertur voluntas, sit coniunctum omissioni, puta cum aliquis vult ludere quando ad Ecclesiam debet ire; sive etiam sit praecedens, puta cum aliquis vult diu vigilare de sero, ex quo sequitur quod non vadat hora matutinali ad Ecclesiam. Et tunc actus iste interior vel exterior per accidens se habet ad omissionem, quia omissio sequitur praeter intentionem; hoc autem dicimus per accidens esse, quod est praeter intentionem, ut patet in II Physic» (*Summa Theologiae*, I-II, 71, 5).

¹⁰ Bonnie Kent, (*Aquinas and Weakness of Will*, «Philosophy and Phenomenological Research», 75, 2007, p. 83) recognizes the possibility of an omission arising from some good action.

¹¹ «Culpam contingit causari ab aliquo actu, qui quandoque est culpa (sicut cum peccatum est causa peccati), quandoque vero non culpa» (*De malo*, 2, 1, ad s. c. 2).

¹² «Si tamen daretur quod aliquis actus non posset male fieri, non esset inconveniens, si esset causa per accidens omissionis; quia bonum potest esse per accidens causa mali» (*De malo*, 2, 1, ad s. c. 7).

per se causality; therefore, the cause cannot be a good action, since the good causes evil only *per accidens*. In the *Summa*, this case is classified as per accidens causality, so it could possibly involve a good action as a cause of the omission (a possibility that Aquinas does not mention in the *Summa*). Third, an omission can be indirectly willed and unforeseen. In both the *De malo* and the *Summa*, this case is classified as *per accidens* causality, so that it could conceivably involve a good action as the cause. We will begin, then, with this third case, which we will call negligent omissions.

4. NEGLIGENT OMISSIONS

Both texts allude to the possibility of negligent omissions, in which a person does not foresee his omission, as when someone becomes so engrossed in a book that he does not even think to go to mass.¹³ Although his act of reading is conjoined to the omission, he never perceives it as such. This per accidens cause not only prevents the person from fulfilling his obligation; it prevents him from making any choice in the matter. He is too engrossed in his book even to make a choice of any sort with respect to mass. The man staying up late, thereby sleeping in and missing mass, appears to be a similar case, except that the causal action precedes the omission. Nevertheless, it can operate in the same manner.

These failures are what Aquinas describes elsewhere as voluntary in their cause.¹⁴ Aquinas explains a parallel case, in which the passions remove the ability of reason to make a judgment, as follows:

«Something can be voluntary either according to itself, as when the will is led directly into it, or according to its cause, when the will is led into a cause but not into its effect, for example, when someone gets drunk voluntarily, then what he does while drunk is attributed to him as voluntary... The passions are sometimes such that they entirely remove the use of reason, as is plain in those who go insane on account of love or anger. In this case, if the passion was voluntary in its origin, then the action is considered a sin, because it is voluntary in its cause, as was said concerning inebriation. If the cause itself was not voluntary but natural, as when someone, on account of sickness or some such cause, falls into a passion which entirely removes the use of reason, then the act is entirely involuntary and consequently the person is entirely excused from sin».¹⁵

¹³ Jeffrey Hause, in *Voluntariness and Causality: Some Problems for Aquinas's Theory of Responsibility*, «Vivarium», 36 (1998), pp. 55-66, uses this terminology.

¹⁴ Gavin Colvert, in *Aquinas on Raising Cain: Vice, Incontinence and Responsibility*, «Proceedings of the American Catholic Philosophical Association», 71 (1997), pp. 203-220, provides an account of diverse ways in which sins can be voluntary.

¹⁵ «Aliquid potest esse voluntarium vel secundum se, sicut quando voluntas directe in ipsum fertur, vel secundum suam causam, quando voluntas fertur in causam et non in effectum, ut patet in eo qui voluntarie inebriatur; ex hoc enim quasi voluntarium ei imputatur

One might well replace insanity with sleep, for the effect of both is the same, namely, the loss of the ability to make the proper moral judgment. Just as inebriation prevents one from making proper moral judgments, thereby leading one into sin, so do insanity and sleep, although the latter only prevents the proper judgment without substituting some improper judgment. If the inebriation is voluntary, then so is the sin; likewise, if the insanity and sleep are voluntary, then so is the consequent sin. Of course, if either is entirely involuntary, then there is no sin. If a person sleeps in and misses mass from some unknown disposition in his body, then he is not responsible for missing mass.

Perhaps it seems a bit unfair that someone should be held responsible for what he does while insane, or for what he does not do while asleep. After all, it depends in part on luck. One person might be lucky, such that he does no additional evil while under the influence of alcohol or under the influence of his passion; another person might be unlucky and do some great evil deed, such as kill a person. Similarly, one person might be lucky and happen to wake up in time to go to mass, while another does not.

Aquinas argues that the harmful consequences of our sinful actions are not exactly bad luck, at least if they can be reasonably foreseen. Someone who drinks and then drives, consequently killing someone in an accident, is responsible for the homicide, even though another person in a similar situation might have the good luck not to encounter other cars, thereby avoiding the sin of homicide. In this case, the harm need not be actually foreseen; it need be only foreseen as possible. Indeed, even this much need not be foreseen. Responsibility for the harm follows just so long as it could have been reasonably foreseen, even if the person did not in fact consider its possibility.¹⁶

quod per ebrietatem committit. ... Quia passio quandoque quidem est tanta quod totaliter aufert usum rationis, sicut patet in his qui propter amorem vel iram insaniunt. Et tunc si talis passio a principio fuit voluntaria, imputatur actus ad peccatum, quia est voluntarius in sua causa, sicut etiam de ebrietate dictum est. Si vero causa non fuit voluntaria, sed naturalis, puta cum aliquis ex aegritudine, vel aliqua huiusmodi causa, incidit in talem passionem quae totaliter aufert usum rationis; actus omnino redditur involuntarius, et per consequens totaliter a peccato excusatur» (*Summa Theologiae*, I-II, q. 77 a. 7).

¹⁶ See I-II, 20, 5. In this article, Aquinas associates the per accidens with what happens rarely and the per se with what happens for the most part. See also I-II, q. 73 a. 8: «Quandoque autem nocumentum est praevium, sed non intentum, sicut cum aliquis transiens per agrum ut compendiosius vadat ad fornicandum, infert nocumentum his quae sunt seminata in agro, scilicet licet non animo nocendi. Et sic etiam quantitas nocimenti aggravat peccatum, sed indirecte, in quantum scilicet ex voluntate multum inclinata ad peccandum, procedit quod aliquis non praetermittat facere damnum sibi vel alii, quod simpliciter non vellet. Quandoque autem nocumentum nec est praevium nec intentum. Et tunc si per accidens se habeat ad peccatum, non aggravat peccatum directe, sed propter negligentiam considerandi nocumenta quae consequi possent, imputantur homini ad poenam mala quae

What Aquinas says concerning harm or damage applies to other bad consequences, such as a consequent omission. The person who gets drunk can expect difficulty in waking up to go to mass, so that he is responsible for this consequence, even if he did not intend to miss mass and even if he did not foresee that he would miss mass.

What of bad consequences that follow upon non-sinful actions? What if someone becomes so engrossed while reading a book that he misses mass? Or what if someone is helping a person in need, and thereby fails to notice when the time for mass arises? In short, can we be held responsible for an omission that is caused by a good action? What Aquinas says concerning accidental killing seems applicable:

«Sometimes, that which, in act and per se, is neither willed nor intended can be per accidens willed and intended, insofar as a cause per accidens is said to be that which removes what prohibits. Therefore, he who does not remove that from which homicide follows, if it ought to be removed, will in some manner be guilty of voluntary homicide. This can happen in two ways. First, when killing results from an unlawful deed, which one ought to avoid. Second, when one does not take the required care. Therefore, according to the law, if someone does a lawful deed and he also takes the proper care, but nevertheless someone dies as a result, then he is not guilty of homicide; on the other hand, if he does an unlawful deed, or if he does a lawful deed but does not take the proper care, then if death follows upon his action, he does not avoid the guilt of homicide».¹⁷

Aquinas sees two ways in which someone might be responsible for an unintended death, even when that death is not foreseen but is accidental. First, if the death follows from some action that is itself sinful, then the person is responsible for the consequent death. Second, even when someone does a morally acceptable action, he can still be responsible for the consequent death, if he does not take proper care.

eveniunt praeter eius intentionem, si dabat operam rei illicitae. Si vero nocumentum per se sequatur ex actu peccati, licet non sit intentum nec praevium, directe peccatum aggravat, quia quaecumque per se consequuntur ad peccatum, pertinent quodammodo ad ipsam peccati speciem. Puta si aliquis publice fornicetur, sequitur scandalum plurimorum, quod quamvis ipse non intendat, nec forte praevideat, directe per hoc aggravatur peccatum».

¹⁷ «Contingit tamen id quod non est actu et per se volitum vel intentum, esse per accidens volitum et intentum, secundum quod causa per accidens dicitur removens prohibens. Unde ille qui non removet ea ex quibus sequitur homicidium, si debeat removere, erit quodammodo homicidium voluntarium. Hoc autem contingit dupliciter, uno modo, quando dans operam rebus illicitis, quas vitare debebat, homicidium incurrit; alio modo, quando non adhibet debitam sollicitudinem. Et ideo secundum iura, si aliquis det operam rei licitae, debitam diligentiam adhibens, et ex hoc homicidium sequatur, non incurrit homicidii reatum, si vero det operam rei illicitae, vel etiam det operam rei licitae non adhibens diligentiam debitam, non evadit homicidii reatum si ex eius opere mors hominis consequatur» (*Summa Theologiae*, II-II, q. 64 a. 8).

A similar conclusion can be reached for omissions. Someone is responsible for a failure – even when he did not intend the failure and even when he did not foresee it – in two situations: first, when his failure follows upon a sinful action, as when somebody deliberately gets drunk, thereby sleeping through mass; second, when his failure follows upon a morally acceptable action but he does not take the proper care to assure the fulfillment of his duty. If he knows, for instance, that he tends to get engrossed in his reading, then perhaps he should not begin reading before mass; he should do some less engaging activity instead.

Part of this conclusion is briefly summed up in Aquinas's treatment of omissions in the *Summa*.

«He who wills one thing that cannot exist simultaneously with a second, wills -- as a consequence -- to be without the second thing, unless perhaps he does not foresee that the deed he wills prevents him from doing what he ought to do, in which case he can still be judged blameworthy through negligence».¹⁸

In some sense, then, a good action can cause an unforeseen omission, but only when that good action is itself conjoined with negligence, which is itself a kind of omission, a failure to take the proper care.

It remains to consider foreseen omissions, which we will call, for short, indirectly willed omissions, since we have given another name – negligent omissions – to those omissions that are indirectly willed but unforeseen. We can now ask whether indirectly willed omissions can have some good action for their cause.

5. INDIRECTLY WILLED BUT FORESEEN OMISSIONS

Clearly, an indirectly willed omission might be caused by some evil action, as when someone chooses to commit adultery rather than to go to mass. It seems plausible, however, that these omissions can also be caused by a good action. Someone might, as Aquinas suggests, pray during the time that he should be honoring his father. He would then knowingly fail to honor his father at the appropriate time, yet he does so on account of the good deed of praying. He indirectly wills the omission; what he directly chooses, however, seems to be a good action.

The most obvious objection to this possibility is that given by Aquinas himself, namely, that what is usually good, such as an act of praying, becomes evil under the circumstances, for the person is praying when he should not.

¹⁸ «Qui enim vult aliquid cum quo aliud simul esse non potest, ex consequenti vult illo carere; nisi forte non perpendat quod per hoc quod vult facere, impeditur ab eo quod facere tenetur; in quo casu posset per negligentiam culpabilis iudicari» (*Summa Theologiae*, I-II, 71, 5).

«The very act of praising God in prayer can be done poorly, if it is done when it should not be, namely, when one ought to be doing something else». ¹⁹ On this account, then, the action directly willed is itself evil, precisely because it is performed in conjunction with an omission.

This manner of handling the case fits perfectly within the framework of the *De malo*, in which the omission is said to be willed *per se*. Its fit within the *Summa*, however, is attenuated. To understand the difference we must consider the distinction between an action being evil in its kind and a concrete action that is good in kind but evil through a connection with some other evil act. Adultery, for instance, is evil in its very kind. In contrast, almsgiving is good in kind but a concrete performance of it can be evil when connected with some other evil action, for instance, when done out of vainglory.

Praying when one ought to be honoring one's parents seems to belong to the latter category. It is good in kind but evil through connection with the omission. This conclusion, however, does not follow from the treatment provided in the *De malo*, according to which the omission is itself caused *per se*. Since what is *per se* belongs to the species of an action, it follows that the omission and its evil would belong – according to the *De malo* – to the species of the action directly willed. For example, the act of praying would be evil in kind because the omission belongs essentially to it.

Aquinas rejects this analysis in the *Summa*.

«An omission, then, can have some action joined to it or preceding it, which relates *per accidens* to the sin of omission. Things should be judged, however, according to that which is *per se* and not according to that which is *per accidens*. Therefore, it is more correct to say that some sins can be entirely without an action. Otherwise, circumstantial actions and situations would belong essentially to other actual sins». ²⁰

Aquinas's rejection is even more forceful in the *Sentences*, although some aspects of his treatment there have been superseded, even by the time of the *De malo*. The *Sentences* text reads as follows:

«Even if someone wills something that is, considered in itself, an obstacle to the fulfillment of a precept, such as a contrary action, nevertheless he does not sin from the mere fact that he wills it, because the action can be permissible in itself. Still, he sins from the fact that he sets aside that which he ought to do. Nevertheless, it remains

¹⁹ «Et hoc ipsum quod est laudare Deum ore, potest male fieri, si hoc faciat quando non debet, quando scilicet alia facere tenetur» (*De malo*, 2, 1, ad s. c. 7).

²⁰ «Unde manifestum est quod tunc peccatum omissionis habet quidem aliquem actum coniunctum vel praecedentem, qui tamen *per accidens* se habet ad peccatum omissionis. Iudicium autem de rebus dandum est secundum illud quod est *per se*, et non secundum illud quod est *per accidens*. Unde verius dici potest quod aliquod peccatum possit esse absque omni actu. Alioquin etiam ad essentiam aliorum peccatorum actualium pertinent actus et occasiones circumstantes» (*Summa Theologiae*, I-II, 71, 5).

that the action willed, whether exterior or interior, relates per accidens to the sin of omission, such that the deformity of the omission does not reside in it. Nor is the deformity found in *any* act contrary to a precept, since such an act is not necessary for the omission, for the will might be led into neither of two opposites, even as God wills neither that evil be done nor that evil not be done». ²¹

In short, the only sin in such situations is the omission, and it consists in no action at all. The action to which the omission is joined is evil only by association with the omission. In a sense, then, the good action of praying can cause the failure to honor one's parents at the appropriate time. It is good in kind and remains good in kind. ²² The same conclusion seems to follow from Aquinas's explanation, in the *De malo*, of why omissions essentially have no action. He says that a sin is most essentially a receding from the proper rule or measure. Since human actions are ruled by both affirmative and negative precepts, it follows that some sins will be actions, namely, those opposed to negative precepts, and some will be the absence of action, namely, those opposed to affirmative precepts.

When someone prays at the time he should be honoring his father, surely the evil and sin is precisely in opposition to the affirmative precept to honor one's father. There is no negative precept, such as, "Do not pray when you should be doing something else". This particular act of praying is in fact opposed to no negative precept. The only precept opposed is affirmative, which means that the only sin is an omission. The cause of the omission, therefore, is in fact good.

The difficulty, however, is more complicated. When an omission is indirectly chosen, the cause is not so much the exterior action that is directly chosen as it is the interior choice or motive. If someone prefers to read during the time of mass, then in a sense the act of reading causes the omission; more fundamentally, however, the desire to read causes the omission. We must ask, therefore, whether this interior desire is good or evil.

The two actions, the act of reading and the interior desire to read, have distinct objects, and it is in relation to these objects that each action takes its spe-

²¹ «Etsi enim aliquid velit quod, quantum est in se, [non] est impedimentum expletionis praecepti, sicut oppositum, constat quod ex hoc quod vult illud, non peccat; quia illud potest esse secundum se licitum; sed peccat in eo quod praetermittit id quod facere debet. Ergo constat quod ille actus vel exterior vel interior per accidens ad peccatum omissionis pertinet; et ita in eo deformitas omissionis non fundatur: nec iterum in actu contrario praecepti: quia positum est quod talis actus non sit, cum voluntas possit in neutrum oppositorum ferri, sicut etiam Deus nec vult mala fieri, nec vult mala non fieri» (*Super Sent.*, lib. 2, d. 35, q. 1, a. 3). I could make sense of this text (especially given the material that appears immediately before the section quoted) only by eliminating the "non" that appears in brackets.

²² Since the good is integral, however, the action good in kind would be evil in this particular instance, through association with the defect of the accompanying omission.

cies. Reading, let us say, is directed to the increase of knowledge, to which the time in which it is performed relates only incidentally. The desire to read, on the other hand, is directed to the good of knowledge, and whether the acquisition of that knowledge is in fact good depends upon whether it conforms to the rule of reason. If the knowledge is pursued at the wrong time, it ceases to be good, which changes the very nature of the desire.²³

The desire is for some good, such as knowledge, but it is pursued apart from the order or good of reason, apart from the final good of the human person. Why is it separated from the human good? Because it is pursued at the wrong time, at the time one should be doing something else, such as going to mass. It is not that the omission enters into the very definition of the sinful desire. According to Aquinas, not even “at the wrong time” enters the essence of the sin.²⁴ Rather, the evil enters from the more general consideration of being “apart from reason”; the particulars of how it is apart from reason do not enter into the species of sin.

The two cases – of negligent omissions and of indirectly willed omissions – both find their causes in some prior sin, but in different ways. In the case of a negligent omission, the person does not take the proper care to remove from his action any obstacles that it might pose to his being ordered to the human good. The person who stays up late, for instance, does not remove the possibility that he will be prevented from waking and going to mass. He could do so, for example, by setting his alarm or by not staying up late in the first place, but he does not. In the case of an indirectly willed omission, it is not a matter of failing to remove any obstacles. The person is fully aware that the good he desires, such as reading, lacks the order to the end; yet he desires it anyway. He wants a good without the order to the end. He desires the obstacle itself; not of course, precisely as an obstacle, but with full awareness that it is an obstacle. It is the difference between the person who does not take the trouble to assure that he will wake up and the person who wants to sleep in, even knowing that he will thereby miss mass; the latter person wants the good of sleep, apart from the order to the human good.

For both of these kinds of omissions, then, the cause is found ultimately in some separate sin. Negligent omissions are caused by some separate omission. Indirectly willed omissions are caused by a sinful desire, which itself is a sin separate from the omission, a transgression of sorts. Only for directly

²³ As Aquinas says in I-II, 19, 2, ad 2, the circumstance of “when” (being done at the time when the person should be going to mass) can be applied either to the exterior action, in which case the action is good, or it can be applied to the interior act, in which case the action is bad.

²⁴ J. PILSNER, *The Specification of Human Actions in St. Thomas Aquinas*, Oxford University Press, Oxford 2006, pp. 212-216.

willed omissions, as we will see, the cause of the omission is not some separate action but part of the omission itself.

6. DIRECTLY WILLED OMISSIONS

It remains to consider those omissions, acknowledged in the *Summa* but denied in the *De malo*, that are directly willed. What the person wants is a not-doing. It is not that he wants to read, recognizing that he will thereby miss mass; rather, he wants to miss mass. What Aquinas says in the *De malo* remains true. He does not desire to miss mass because it is evil. Rather, going to Mass is perceived as itself evil, so that avoiding mass becomes a kind of good. He wishes to avoid, for instance, the unpleasantness that he experiences while at mass.

According to Aquinas, any aversion – from which directly willed omissions arise – is founded upon some positive desire.²⁵ The aversion for what is unpleasant, for instance, is founded upon the desire for what is pleasant. It follows that directly willed omissions presuppose some positive desire. This desire, however, need not be actually present at the moment of choice; only the aversion need be present. The positive desire might be, at this moment, only habitual.²⁶ Both the aversion and the positive desire, then, can be called causes of the omission, but the aversion most immediately.

We have seen that in the *Summa* Aquinas says that an omission willed per se includes the willing within its very nature. The omission is not merely an absence of action. It is the absence of some exterior action together with the presence of an interior act of will. All other omissions, those willed indirectly either as foreseen or as unforeseen, are simply the absence of some action.

The cause of a directly willed omission, then, is itself part of the omission. In contrast, other omissions have a cause separate from the omission itself. Negligent omissions are caused by some transgression or by some prior omission, which also must have some cause. Indirectly willed omissions are caused by a sinful desire, itself a separate sin. If it were not for directly willed omissions, then, every omission would be traced back to some positive sin, to a transgression of some sort or other. Such indeed might be the conclusion reached from Aquinas's statement concerning the causes of a negation:

«A negation is always founded upon some affirmation, which in some manner is its cause, so that even in nature it is essentially the same that fire should heat and that it should not cool».²⁷

²⁵ *Summa Theologiae*, I-II, 29, 2.

²⁶ In I-II, 43, 1, Aquinas says that fear is caused by a habitual love, or a disposition to love something.

²⁷ «Semper enim in rebus negatio fundatur super aliqua affirmatione, quae est quodammodo causa eius, unde etiam in rebus naturalibus eiusdem rationis est quod ignis calefaciat, et quod non infrigidet» (*Summa Theologiae*, I-II, 72, 6).

Aquinas avoids the conclusion that every omission is ultimately caused by some transgression by way of his doctrine concerning directly willed omissions, which do have something positive as their cause; this cause, however, is not some sin separate from the omission itself.

7. A FIRST OMISSION

«So what?» you might say. Why should Aquinas want to avoid this conclusion? What is wrong with omissions always being traced back to some originating transgression? Just this: he teaches that the very first sin that some human beings commit is an omission. This initial sin cannot be traced back to any prior omission nor to any antecedent transgression. It must be, therefore, a directly willed omission.

Aquinas teaches that the first moral act of someone without grace must be either an act of love of God or a mortal sin, and this mortal sin must itself be an omission. What is the nature of this sin? Aquinas clearly describes it as a failure to do something, a failure to order oneself to the proper end.

«When someone begins to have the use of reason, then he is not entirely excused from the blame of mortal and venial sin. At that time, someone's thoughts first turn toward deliberating upon himself. If he orders himself to the proper end, then he will attain the remission of original sin through grace. But if he does not order himself to the proper end, then (insofar as in his condition he has the capacity for discretion) he will sin mortally, by not doing that which is in his power to do».²⁸

In a reply to an objection, he explicitly describes it as an omission, also providing further details.

«A child who begins to have the use of reason is able to refrain from committing other mortal sins for a time, but he cannot be free of the above mentioned sin of omission, unless he turns himself towards God as soon as he is able. For the first thing that occurs to someone who has discretion is to think upon himself, to which other things are ordered as towards an end, since the end is prior in the order of intention. Therefore, at this time he is bound from God by the affirmative precept, in which the Lord says, "Turn to me and I will turn towards you».²⁹

²⁸ «Cum vero usum rationis habere inceperit, non omnino excusatur a culpa venialis et mortalis peccati. Sed primum quod tunc homini cogitandum occurrit, est deliberare de seipso. Et si quidem seipsum ordinaverit ad debitum finem, per gratiam consequetur remissionem originalis peccati. Si vero non ordinet seipsum ad debitum finem, secundum quod in illa aetate est capax discretionis, peccabit mortaliter, non faciens quod in se est» (*Summa Theologiae*, I-II, 89, 6).

²⁹ «Ab aliis peccatis mortalibus potest puer incipiens habere usum rationis, per aliquod tempus abstinere, sed a peccato omissionis praedictae non liberatur, nisi quam cito potest, se convertat ad Deum. Primum enim quod occurrit homini discretionem habenti est quod

Since this omission is the very first sin, we can conclude that it must be directly willed. No antecedent sin can provide its cause; rather, its cause must be integral to it. The nature of this sin, then, can be better understood. A child thinks upon himself and realizes that he must order himself towards God, that is, he realizes that he is not his own end but finds his completion outside himself, in God.³⁰ At this moment, he sins if he fails to order himself to God. This failure, however, cannot be some mere oversight, that is, it cannot be a negligent omission; nor can it be simply a preference, at the moment, to do something else rather than to order himself towards God, that is, it cannot be an indirectly willed omission with foresight. Rather, he must choose directly not to order himself towards God. He must find some aversion, some repugnance in the thought of ordering himself to God.

What can that repugnance be? Every aversion is founded upon some love or desire. Upon what love is this repugnance based? It seems to be none other than the love of oneself, as a good and as an end. Ordering oneself to God, then, comes to be seen as a diminution of one's own good, a subjection to another. Out of repugnance to this diminution, one chooses directly not to order oneself to God. According to Aquinas, however, a repugnance to one's own subjection is the sin of pride.³¹ This first sin, then, necessarily belongs to the sin of pride.

8. CONCLUSION

We have seen that Aquinas's teaching on omissions changed from the *De malo* to the *Summa*. In the former, Aquinas maintained three questionable propositions: first, that every omission involves essentially no action; second, that no omission is directly willed; third, that a morally good action can cause a sinful omission. In the *Summa*, Aquinas explicitly rejects the first two propositions, and he provides the tools by which better to understand the third.

The first two propositions are intimately connected; in a directly willed omission, the omission and the willing of it are per se related, such that the internal act of will belongs essentially to the omission. The third proposition stands on its own. The brief statements of the *De malo* provide no basis for an analysis, and the *Summa* is silent as to whether a good action can cause an

de seipso cogitet, ad quem alia ordinet sicut ad finem, finis enim est prior in intentione. Et ideo hoc est tempus pro quo obligatur ex Dei praecepto affirmativo, quo dominus dicit, *convertimini ad me, et ego convertar ad vos, Zachariae 1*» (*Summa Theologiae*, I-II, 89, 6 ad 3).

³⁰ Lawrence Dewan (*Natural Law and the First Act of Freedom: Maritain Revisited*, in *Wisdom, Law, and Virtue: Essays in Thomistic Ethics*, Fordham University Press, New York 2008, pp. 221-241) provides a good account of this first act of will.

³¹ *Summa Theologiae*, II-II, 162, 1, ad 3.

omission. We saw that in two cases a good action could in some manner be considered the cause of an omission, either in an omission indirectly willed with foresight or in an omission indirectly willed without foresight. In the latter case, a good action is the cause of an omission only when joined with the failure to take the proper care; in short, the good action is a cause of the omission in conjunction with another omission. In the case of a foreseen omission, an action good in kind can be the cause that prevents one from fulfilling one's duty. This action, however, is evil in the concrete, on account of its connection with the omission. Furthermore, this action good in kind must arise from an interior desire that is evil in kind. One might well say, then, that a good action can be the cause of an omission, but more properly something else is the cause, either another omission or an interior evil desire.

We closed by noting how Aquinas's teaching, in the *Summa*, that some omissions include an act of will integral to them provides an explanation for the first sin of some unbaptized children. Aquinas explicitly states that this sin is an omission. Furthermore, it is the first sin, so that it cannot be caused by any prior sin. Its cause, therefore, must be integral to it, which is the case only for directly willed omissions.

ABSTRACT: Several aspects of Aquinas's teaching on omissions found in the De malo are problematic and conflict with the parallel treatment in the Summa, written at almost the same time. First, Aquinas claims that an omission consists essentially in no action at all. In the Summa, he notes that some omissions consist in no action at all, while other omissions consist in an interior act of will together with the absence of an exterior action. Second, in the De malo Aquinas claims that we cannot directly will an omission. In the Summa, he maintains the more intuitive position that sometimes we can choose simply not to do something. Finally, in the De malo Aquinas claims that the cause of an omission can itself be a morally good action. In the Summa he neither affirms nor denies this claim, but he provides certain clarifications that would qualify any sense in which a good action could cause an omission. This paper examines all three of these claims, as they are treated both in the De malo and in the Summa. The third claim, which concerns a good action causing an omission, occupies the most space. The entire analysis has implications concerning Aquinas's teaching on the first moral action of an unbaptized child. The treatment of omissions in the De malo cannot account for this first act, at least when it is a sin. The treatment in the Summa, however, provides the tools to account for this first sin.

KEYWORDS: Aquinas, ethics, medieval philosophy, theory of action, theology.