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AQUINAS ON HOW GOD CAUSES THE ACT OF SIN WITHOUT CAUSING SIN ITSELF

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SAIN'T THOMAS AQUINAS MAINTAINS that, although God is neither directly nor indirectly the cause of sin,¹ still God does cause the act of sin. Having demonstrated the existence of a single unmoved source of all motion and cause of all being apart from itself, and having identified this being with God, he notes that it simply follows that the act of sin, insofar as it is a movement and a being, has God as cause. Thus, when Aquinas asks “Whether the act of sin is from God?” he derives his answer as an inevitable consequence from his prior conclusions in natural theology:

The act of sin is a movement of the free will. Now the will of God is the cause of every movement, as Augustine declares (*De Trin. iii. 4, 9*). Therefore, God’s will is the cause of the act of sin.

The act of sin is both a being and an act; and in both respects it is from God. Because every being, whatever the mode of its being, must be derived from the First Being, as Dionysius declares (*Div. Nom. 5*). Again every action is caused by something existing in act, since nothing produces an action save insofar as it is in act; and every being in act is reduced to the First Act, viz. God, as to its cause, Who is act by His Essence. Therefore, God is the cause of every action insofar as it is an action.²

¹ *STh* I-II, q. 79, a. 1.

² *STh* I-II, q. 79, a. 2, s.c. and corp. Translations from the *Summa Theologiae* are from St. Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province (Westminster, Md.: Christian Classics, 1981). Although in these passages Aquinas appeals to the authority of Augustine and Dionysius in support of the key premises, anyone familiar with

Within the context of Aquinas's overall metaphysics, consistency requires one to conclude that God causes the act of sin.³

A problem remains, however, regarding how God could cause the act of sin without causing sin itself. Aquinas attempts to solve this problem by arguing that a sin is not just an act, but an act with a defect, and that it is the defect that renders the act sinful. To cause a sin, therefore, one must cause both the act and the defect.⁴ But, while the creature causes both,⁵ God does not cause the defect, but only the act:

God is the cause of every action, insofar as it is an action. But sin denotes a being and an action with a defect: and this defect is from a created cause, viz., the free will, as falling away from the order of the First Agent, viz., God. Consequently, this defect is not reduced to God as its cause, but to the free will. . . . Accordingly, God is the cause of the act of sin: and yet He is not the cause of sin, because He does not cause the act to have a defect.⁶

Although God causes the act of sin, he does not cause the sin itself, since he does not cause the defect that renders the act sinful. The cause of the sin itself, therefore, is the creature, who causes both the act and the defect.

In what follows, I explicate and defend Aquinas's solution by addressing two objections to which it may appear vulnerable. The objections will serve a heuristic purpose, enabling us better to understand Aquinas's solution by seeing how it escapes the objections. The first objection is set out as a dilemma, and resolved in section I; its resolution gives rise to a second objection, set out in section II. There I argue that the best-known

the *Prima Pars* knows that Aquinas thinks he has also established these premises through philosophical argument.

³ For Aquinas, all creaturely acts proceed wholly from two causes, God the primary cause, and the creaturely secondary cause. See *ScG* III, cc. 67-70 and 88-89. In Aquinas's view, then, to say that God causes the act of sin in no way precludes the sinner's also being cause of the act. We can presume also that the kind of causality God exercises over creaturely acts includes efficient causality. A cause of motion or of a thing's existing is most obviously an efficient cause.

⁴ We are speaking here, of course, about sins of commission. In sins of omission, the sin is not a defective act, but a failure to act.

⁵ *STh* I-II, q. 75, a. 1.

⁶ *STh* I-II, q. 79, a. 2.

defense of Aquinas's solution—that given by Jacques Maritain—fails as a response to the second objection. Nevertheless, I argue in section III that the second objection can be answered by attending to Thomistic principles for referring effects to causes. Not only can the objection be addressed on Aquinas's terms, but the principles for addressing it are intuitively and philosophically plausible.

My approach will be systematic, rather than historical, in that I will largely ignore questions of development across texts, and focus instead on showing that there is a viable, Thomistic solution to our problem, extractable from (or at least consistent with) Aquinas's corpus as a whole. There are two assumptions I will make in my defense of Aquinas's solution. The first is that evil is privation, the lack of perfection due to some subject, which subject, considered in itself, is good.⁷ Aquinas's understanding of sinful acts clearly presupposes the privation account. The act of sin, *qua* being and act, is good; the defect that makes the act sinful is a privation, in particular, a lack of conformity to moral rule or order. As lacks or absences, evils do not have being or *esse*. Consequently, we do not have to say that God causes the defects simply in virtue of his being the cause of all *esse* apart from himself. To be sure, that privations lack *esse* does not by itself mean that God does not cause the defect in the act of sin. Privations still have causes,⁸ and given that the defect is reducible to the creature as cause, we might wonder whether it is not also reducible to God. Still, presupposing the privation view does mean that the very reason that leads us to identify God as cause of the act of sin—that God causes all *esse* other than himself—will not by itself force us to identify God as cause of the defect that renders the act sinful.

⁷ For a defense of the privation account, see Patrick Lee, "The Goodness of Creation, Evil, and Christian Teaching" *The Thomist* 64 (2000): 239-69. See also idem, "Evil as Such Is a Privation: A Reply to John Crosby," *American Catholic Philosophical Quarterly* 81 (2007): 469-88.

⁸ Indeed, Aquinas says that every evil has some sort of cause. See *STh* I, q. 49, a. 1; *ScG* III, c. 13; *De Malo*, q. 1, a. 3.

The second point I will take for granted is that God's causing creaturely acts is consistent with intellectual creatures' being free in the sense required for moral responsibility.⁹ This point would be denied by many contemporary philosophers of religion, but it seems clearly to represent Aquinas's own view. Indeed, his whole discussion of whether God can cause the act of sin without causing sin itself would make very little sense absent this presupposition. An act is not sinful if it is not one for which the agent is morally responsible.¹⁰ Consequently, were God's causing a creature's act incompatible with that creature's being morally responsible for the act, then God's causing acts of sin would be impossible, and the problem of this article would never even arise.¹¹

⁹ Although I assume that free creaturely acts are caused by God, I take no stand in the debate among Thomists regarding precisely *how* God causes these acts. For a defense of the "traditional" or Banezian approach, see any of various works by Reginald Garrigou-Lagrange, O.P.; and more recently, Steven A. Long, "Providence, liberte et loi naturelle," *Revue Thomiste* 102 (2002): 355-406, republished in English as "Providence, Freedom, and Natural Law," *Nova et Vetera* (English edition) 4 (2006): 557-605; and Thomas M. Osborne, Jr., "Divine Providence: Thomist Premotion and Contemporary Philosophy of Religion," *Nova et Vetera* (English edition) 4 (2006): 607-32. For alternative approaches, see Bernard Lonergan, S.J., *Grace and Freedom* (New York: Herder and Herder, 1971); and more recently, Brian J. Shanley, O.P. "Divine Causation and Human Freedom in Aquinas," *American Catholic Philosophical Quarterly* 72 (1997): 99-122. See also W. Matthews Grant, "Aquinas among Libertarians and Compatibilists: Breaking the Logic of Theological Determinism," *Proceedings of the American Catholic Philosophical Association* 75 (2001): 221-35. Lonergan and Shanley explicitly contrast their accounts, in certain ways, to the Banezian approach. While my approach in the article just cited probably also conflicts with the Banezian approach, it *may* not, depending on how the latter is understood.

¹⁰ Throughout the paper I am using "sin" as roughly equivalent to Aquinas's *malum culpae*. Aquinas recognizes a broader sense of *peccatum* in which it extends to any action failing of the agent's appropriate end. See, for instance, *De Malo*, q. 2, a. 2. For a helpful discussion, see Josef Pieper, *The Concept of Sin*, trans. Edward T. Oakes (South Bend, Ind.: St. Augustine's Press, 2001), 17-19.

¹¹ Although the focus of this paper is God's relation to sinful human acts, Aquinas's broader teaching on the will and its freedom should not be forgotten. Among the central claims of that teaching are the following: (1) that will is rational appetite or a power for inclining toward or desiring what reason judges to be good (*STh* I-II, q. 8, a. 1); (2) that therefore every choice, even sinful choice, is for the sake of something the agent judges to be good (*STh* I-II, q. 77, a. 2); (3) that every rational agent necessarily wills happiness, the universal good, which is good without qualification and satisfies desire completely (*STh* I-II, q. 10, a. 2); (4) that God alone lacks nothing in goodness and, hence, as constituting the

I. A FIRST OBJECTION

A) A First Objection and Aquinas's Solution

According to Aquinas, God causes the act of sin, but only the sinner causes both the act and the defect that renders the act sinful. Thus, only the sinner, and not God, is cause of the sin. Our first objection takes the form of a dilemma:

- (1) Either the sinner does something to make the act defective, or it is not the case that the sinner does something to make the act defective.
- (2) If it is not the case that the sinner does something to make the act defective, then the defect cannot be causally reduced to the sinner.
- (3) If, on the other hand, the sinner does do something to make the act defective, then, since this doing will be an action, it will be caused by God, thus making the defect causally reducible to both the sinner and God.
- (4) Therefore, either the defect cannot be causally reduced to the sinner, or the defect will be causally reducible to both the sinner and God.

The dilemma poses a clear challenge to Aquinas's position, for the conclusion denies that the defect in an act of sin could be reducible to the sinner as its cause without also being reducible to God. Premise (1) is an unimpeachable, logical truth. So, in order to escape the dilemma, Aquinas will have to reject (2) or (3).

Rejecting (3) does not appear to be an especially promising means of escape. Aquinas is clearly committed to the position that, if the creature does something to make his act defective, that doing is caused by God, the first cause of all doings. One might be tempted to argue that God could cause the doing in virtue of which the sinner causes the defect without that defect's thereby being reduced to God's causality as well. Yet it seems more

universal good, is the only object the enjoyment of which realizes happiness for the rational creature (*STh* I-II, q. 2, a. 8); (5) that, if placed in the presence of God, the rational creature wills God necessarily, being unable to choose against him (*STh* I, q. 82, a. 2; I-II, q. 5, a. 4); (6) but, when confronted with any created object, reason can judge respects in which that object is good, and other respects in which the object lacks goodness, and on the basis of these opposing respects, the rational creature is able to choose for or against such objects (*STh* I-II, q. 13, a. 6); (7) that God not only constitutes the universal good capable of satisfying the will entirely, but he also gives the will its natural inclination toward this good, and consequently he alone can move the will without doing violence to it (*STh* I, q. 105, a. 4; I-II, q. 9, a. 6).

plausible to say that the cause of an act that causes a defect is likewise the cause of the defect. Indeed, Aquinas would appear to accept this last principle. When he asks whether God is the cause of evil, he answers in the affirmative with respect to what we might call privations of first act, that is, privations of some form or part required for the integrity of a thing. Privations such as these are at least often explicable in terms of one creature acting at the expense of another. That is, the activity of one creature has as a side effect the privation of some good in another, as when a lamb is deprived of bodily integrity on account of the action of a lion, or oxygen is deprived of its form through the activity of fire. In all such cases, God is the first cause of the creaturely activities that result in such privations, and thus Aquinas concludes that these privations are reducible to God.¹² By parity of reasoning, therefore, it looks as though Aquinas should also hold that the defect in the act of sin is reducible to God, if, indeed, the sinner does something to make the act defective and the sinner's doing has God as cause. In other words, it looks as though Aquinas's own principles commit him to the truth of (3).

It appears, then, that Aquinas's best hope of escaping the first objection is to reject premise (2) of the dilemma. Is it the case that the defect in a sinful act can be reduced to the sinner only if the sinner *does* something to make the act defective? As it turns out, Aquinas thinks not. Indeed, for Aquinas, the defect is introduced into the act of sin precisely because of what the sinner *doesn't* do. Herein lies what, for Maritain, is "one of the most original of [Aquinas's] philosophical discoveries."¹³

¹² See, for instance, *STh* I, q. 48, a. 5; and I, q. 49, aa. 1-2. As one can see from these passages, in cases where privations of first act are brought about through the action of a creature, Aquinas does not think that the creature or its action is a *per se* cause of the *malum*. The creature is aiming not at the privation of the victim, but rather at the bringing about of its own proper form or effect, from which the privation follows as a consequence. Nor in causing the creaturely action from which the privation results is God intending the privation. What God intends, instead, is the good of the order of the universe. Thus, both God and the creature are *per accidens*, rather than *per se*, causes of such privations.

¹³ Jacques Maritain, *St. Thomas and the Problem of Evil* (Milwaukee: Marquette University Press, 1942), 23.

In addition to privations of first act, Aquinas distinguishes a second general category of evil: privations of second act. These privations consist in an absence of due operation or activity, which absence can occur either because a creature fails to perform an activity that it should, or because it performs an activity that is defective. While a substance's suffering a privation of first act is often explicable in terms of the activity of another substance, as when a lamb is deprived of limb and blood due to the activity of a lion, Aquinas tells us that privations of second act are caused by some defect in the agent:

In action evil is caused by reason of the defect of some principle of action, either of the principal or instrumental agent; thus the defect in the movement of an animal may happen by reason of the weakness of the motive power, as in the case of children, or by reason only of the ineptitude of the instrument, as in the lame.¹⁴

We are now in a position to see how Aquinas rejects premise (2) of the dilemma. Since the defect in an act of sin is clearly a species of privation of second act, this defect will be caused by some prior defect in the sinful agent. But, as it turns out, this prior defect is a certain absence of action on the part of the sinner—not a doing, but rather a not-doing. Consequently, Aquinas can deny the claim that the defect in the act of sin is reduced to the sinner only if the sinner does something to introduce this defect. On the contrary, the defect in the act of sin is reduced to the sinner precisely in virtue of what the sinner *does not* do.

What, then, is this absence of action, or not-doing, that constitutes the defect in the sinner in virtue of which the defect in the act of sin is caused? Aquinas speaks of this not-doing variously as the sinner's not subjecting himself to (*non subiicit se*),¹⁵ not attending to (*non attendere*),¹⁶ not using (*non uti*),¹⁷ not applying (*non adhibere*),¹⁸ or his moving to act without actual consideration

¹⁴ *STh* I, q. 49, a. 1. Cf. *ScG* III, c. 10; *De Malo*, q. 3, a. 1.

¹⁵ *STh* I, q. 49, a. 1, ad 3.

¹⁶ *De Malo*, q. 1, a. 3.

¹⁷ *Ibid.*

¹⁸ *STh* I-II, q. 75, a. 1, ad 3.

of (*sine actuali consideratione*),¹⁹ his proper rule, the rule of reason and the divine law. Thus, according to Aquinas, “In voluntary things the defect of action comes from the will actually deficient in as much as it does not actually subject itself to its proper rule.”²⁰ Again, “Non-use of the rule of reason and divine law is presupposed in the will before disordered choice.”²¹

If Aquinas’s teaching regarding what accounts for the defect in the act of sin proves defensible, then he can successfully escape the first objection by rejecting premise (2), since it will be possible to reduce the defect in the sinful act to the sinner on the basis of a not-doing, rather than a doing. In fact, it is not entirely clear how Aquinas’s teaching is to be understood. The places where he discusses or refers to the teaching are few and relatively brief.²² Within those texts, as we have seen, he employs diverse language to describe the absence of action at the root of sin, leading one to wonder, for example, whether “not considering” and “not using” the rule refer to one and the same type of not-doing, or whether they name different sorts of not-doings in terms of which the defect in the act of sin can be explained. Furthermore, how one interprets the not-doing at the root of sin may pivot on one’s understanding of other issues in Aquinas’s general action theory.²³

One thing that is clear is that Aquinas thinks this not-doing, this defect in the sinner that gives rise to the defect in the act of sin, must satisfy the following four conditions.²⁴ First, this defect

¹⁹ *De Malo*, q. 1, a. 3. See also *ScG* III, c. 10.

²⁰ *STh* I, q. 49, a. 1 ad. 3.

²¹ *De Malo*, q. 1, a. 3. Translations of *De Malo* come from St. Thomas Aquinas, *On Evil*, trans. Jean Oesterle (Notre Dame, Ind.: University of Notre Dame Press, 1995).

²² The primary locations for the teaching are *ScG* III, c. 10 and *De Malo*, q. 1, a. 3.

²³ For example, as we shall see below, whether or not one can choose a sinful act at the same instant one considers the rule against that act makes a difference in how we understand Aquinas’s teaching.

²⁴ Thomists sometimes resist referring to the non-consideration or non-use of the rule as a “defect.” This resistance has to do with the fact that “defect” may be thought to imply “privation,” an implication that raises both textual and systematic concerns. With respect to the textual concern, Aquinas denies that the not-doing that causes the defect in the act of sin is a privation, whether of fault or punishment. (For the division of privation in rational creatures into fault and punishment, see *STh* I, q. 48, a. 5.) On the contrary, he says that the not-doing is a “pure negation” (see *De Malo*, q. 1, a. 3, ad 6 and 13). With respect to the

is a defect in the will rather than being in some other power.²⁵ This condition is especially worth noting since, as I will point out, the proximate or immediate cause of the defect in the act of sin is actually something missing in the sinner's reason, not in his will. Tracing this lack in the reason to a non-performance of the will is necessary to secure the sinner's responsibility for the defect in the act of sin. It is also fitting that the defect in the sinner that gives rise to the defect in the act of sin be located in the will rather than in the reason. For, although both will and intellect are

systematic concern, there is a problem with saying that the not-doing is a privation. For, as I will point out below in discussing the fourth condition, if the not-doing were a privation of fault, itself a sin, then it would merely push the question concerning the cause of the sin we first set out to explain a step back. We would now have a new and prior sin that needs explaining in order to account for the first sin, and presumably we would then have to explain this new sin by a yet prior sin, and so on. On the other hand, if the privation were a punishment, then the creaturely agent would not be morally responsible for the defect in the sinful act resulting from that punishment, unless perchance that punishment were the consequence of a prior sinful act for which the creature was responsible. But, of course, this scenario would, in a similar way, merely push back the question of what explains the defect in the act of sin we first set out to explain to the question of what explains the defect in the prior act of sin that caused the punishment that explained the defect in the first act of sin. Presumably, the defect in the prior act of sin would then have to be explained by a punishment caused by an even prior act of sin, whose defect was caused by an even earlier punishment caused by an even earlier act of sin, and so on. In short, unless the defect in an act of sin can be explained without reference to a prior fault or punishment in the sinner, an infinite regress of explanations would seem to lurk around the corner. We can see, then, why Thomists have sometimes resisted referring to the non-consideration or non-use of the rule as a "defect." Nevertheless, at key locations such as *ScG* III, c. 10 and *De Malo*, q. 1, a. 3, Aquinas explicitly calls this not-doing a defect. He even does so in passages such as *De Malo*, q. 1, a. 3, ad 13, a passage where he simultaneously denies that this not-doing is a privation: "The defect which is presupposed in the will before sin is neither a fault nor a punishment, but a pure negation" (emphasis added). Aquinas's referring to the not-doing as a "defect" is likely an attempt to harmonize his teaching on the cause of the defect in the act of sin with his more general teaching, cited above (*STh* I, q. 49, a. 1), that a defect in action is caused by a defect in some principle of action, either in the principal or in the instrumental agent. To effect this harmony, Aquinas seems willing to countenance a category of defect that is not privation, but pure negation. My explication will follow Aquinas's use. However, were one inclined to understand "defect" as implying "privation," one need not differ from Aquinas as regards the substance of his response to the first objection. Whether we call the not-doing a "defect" makes absolutely no difference to the success of Aquinas's strategy for answering that objection. All that matters is that this not-doing satisfies the four conditions I am about to discuss, that it explains why there is a defect in the act of sin, and that this explanation is in terms of a not-doing rather than a doing, enabling us to reject premise (2) of the dilemma.

²⁵ *STh* I, q. 49, a. 1, ad 3; *STh* I-II, q. 75, a. 1, ad 3; *De Malo*, q. 1, a. 3; *ScG* III, c. 10.

principles of action,²⁶ the will, as an appetitive faculty, takes primacy over the intellect as a principle of action, since all action is for the sake of an end desired by appetite.²⁷

The second condition is that the defect in the sinner be voluntary, not just in the sense of being of the will, but in the sense that it is something with respect to which the sinner has control.²⁸ Were the defect that gives rise to the defect in the act of sin not something the sinner could have avoided, then the sinner would not be responsible for the defective character of the sinful act that results. By characterizing the defect in the sinner as a not-doing, Aquinas not only locates the defect in the will, the chief principle of doing, but also highlights the character of the defect as voluntary, since although the sinner does not in fact consider the rule, he could have.

The third condition required of the defect that gives rise to the defect in the act of sin is that it be in some relevant sense prior to the defect in the sinful act.²⁹ Were the defect not prior, it could not serve as an explanation or cause of the defect in the act of sin. The fourth condition is that this prior defect not itself be sinful, not even a sin of omission.³⁰ If the not-doing were a sin, this would merely push the question concerning the cause of sin a step back, for then the non-consideration or non-use of the rule would constitute a new sin that needs explaining. If we had to explain this new sin by appeal to yet a prior sinful non-consideration, we would be headed for an infinite regress in our attempt to account for the defective character of the first sin we set out to explain. Aquinas, therefore, insists that the non-consideration of the rule, though voluntary, is not itself a sin.

²⁶ *STh* I-II, q. 75, a. 2.

²⁷ *STh* I, q. 83, a. 3. For some discussion of this point, see Lawrence Dewan, O.P., "St. Thomas, James Keenan, and the Will," in idem, *Wisdom, Law, and Virtue: Essays in Thomistic Ethics* (New York: Fordham University Press, 2008), 157, 160-61.

²⁸ *ScG* III, c. 10; *De Malo*, q. 1, a. 3.

²⁹ *STh* I, q. 49, a. 1; *ScG* III, c. 10; *De Malo*, q. 1, a. 3.

³⁰ *STh* I, q. 49, a. 1, ad 3; *STh* I-II, q. 75, a. 1, ad 3; *ScG* III, c. 10; *De Malo*, q. 1, a. 3, corp. and ad 6 and 13.

B) Two Ways of Understanding Aquinas on the Non-Consideration or Non-Use of the Rule

Having specified the conditions that must be satisfied by the non-consideration, or non-use, of the rule if it is to be the defect that explains the defect in the act of sin, we will shortly be in a position to discuss two ways in which Aquinas's teaching might be understood. As a preface to this discussion, however, it will be helpful to return to the remark above, that the proximate or immediate cause of the defect in the act of sin is actually something missing in the reason, rather than the will.³¹ As is well known, although Aquinas holds that choice is substantially an act of the will, he also holds that each choice is for an object as presented to the will by reason. Every choice is made according to some order of reason. Thus, even though reason does not move the will with respect to its exercise, its choosing or not-choosing, nevertheless by providing the object and order according to which a choice is made, it does move the will in the manner of a formal principle, supplying the species for that choice.³² For every sinful choice, therefore, the proximate cause or explanation of the defect in that choice will be something lacking in the reason that provides the order according to which the choice is made. Something will be missing from that order of reason with the consequence that there will be a privation in the act elected under that order.

The foregoing can be made more concrete by recalling that, for Aquinas, choosing has a syllogistic structure. Choice, or at least the judgment from which choice follows, is understood by Aquinas to be the conclusion of a practical syllogism, a conclusion

³¹ See, for instance, Patrick Lee, "The Relation between Intellect and Will in Free Choice according to Aquinas and Scotus," *The Thomist* 49 (1985): 337: "The direct cause of the lack of order in the free choice . . . is a lack in the reason, namely, the lack of consideration of the rule of right reason or of divine law." See also David M. Gallagher, "Free Choice and Free Judgment in Thomas Aquinas," *Archiv für Geschichte der Philosophie* 76 (1994): 259: "The defect of the will comes from the fact that there is a defect in reason." For Aquinas, see *STh* I-II, q. 75, a. 2, ad 1; and I-II, q. 77, a. 2. In the latter Aquinas tells us that, "the will would never tend to evil unless there were ignorance or error in the reason."

³² *STh* I-II, q. 9, a. 1; and I-II, q. 13, a. 1; *De Malo*, q. 6.

drawn from a general, major premise about what is desirable, or what ought (or ought not) to be done, together with a minor premise that frames the act chosen as an instance of the general type referred to in the major. On this analysis, my choice to take a walk this morning was a conclusion drawn from the major premise “Would that I take some exercise,” or alternatively, “I ought to take some exercise,” and the minor, “To walk this morning would be to take some exercise.” The premises of the syllogism constitute at least a portion of the content of reason’s deliberation prior to choice, a deliberation that terminates the instant a choice is drawn as a conclusion from these premises.³³

Since my present concern involves sinful choice, I will take a sinful choice as an example. Suppose I choose to lie for the sake of averting embarrassment. Such a choice is drawn from the following premises, which premises also constitute the order of reason according to which the choice is made:

³³ For Aquinas’s understanding of choice in terms of the practical syllogism, see *STh* I-II, q. 13, a. 3; *STh* I-II, q. 76, a. 1; and *De Malo*, q. 3, a. 9, ad 7. For some general discussion, see Daniel Westberg, *Right Practical Reason* (Oxford: Oxford University Press, 1994), 149-64, 204-13; and Kevin L. Flannery, S.J., *Acts amid Precepts: The Aristotelian Logical Structure of Thomas Aquinas’s Moral Theory* (Washington D.C.: The Catholic University of America Press, 2001), 3-14. Precisely how Aquinas understands the relationship between choice and the conclusion of a practical syllogism is a difficult question. In some texts, choice and the conclusion are identified (see *STh* I, q. 86, a. 1, ad 2). In others, the conclusion is identified with a judgment of reason that is followed by choice (see *STh* I-II, q. 13, a. 1, ad 2; I-II, q. 13, a. 3). In still others, Aquinas says that the conclusion is a judgment, choice, or operation, not making it clear whether he is listing various options for identifying the conclusion of the syllogism, or whether he takes these terms to refer coextensively to the conclusion (see *STh* I-II, q. 76, a. 1). Among contemporary readers of Aquinas, there is no consensus on whether the conclusion of a practical syllogism is a choice itself, or a judgment from which choice follows. Flannery (*Acts amid Precepts*, 11), presumably speaking for Aquinas as well as for Aristotle, identifies the conclusion with an action or choice. McInerney sees the conclusion as a judgment of reason that guides choice and from which choice follows. See Ralph McInerney, *Aquinas on Human Action* (Washington, D.C.: The Catholic University of America Press, 1992), 230. Westberg (*Right Practical Reason*, 151) would appear to hold that the conclusion is at once a judgment of reason and a choice. I make no attempt to adjudicate this debate. For the purposes of explaining the defect in the act of sin, it does not matter which of these ways we understand the relationship between choice and the conclusion of the practical syllogism. For our purposes, what matters is that the practical syllogism contains the order of reason under which a choice is made. I will typically speak of choice as the conclusion of a practical syllogism, but the substance of the explanation would be the same if, *mutatis mutandis*, we identified the conclusion with a judgment of reason from which choice follows.

- (A) Would that I avert embarrassment.
- (B) Telling this lie will avert embarrassment.

My choice to lie is, of course, largely explained by my desire to avert embarrassment coupled with my recognition that lying will help me avert it. Yet the defect that renders my act sinful, its lack of conformity to moral rule, is explicable by the fact that the order of reason according to which I make this choice has something important missing, namely, the precept against lying. Consider the alternative pair of premises:

- (C) No lie is to be told.
- (D) The act I am contemplating is a lie.

(C) is the precept against lying and (D) the judgment that the act in question constitutes a lie. To choose under this order of reason is to choose to refrain from lying. Since one cannot choose to lie and to refrain from lying at the same instant, any choice to lie will be made under an order of reason other than that given by (C) and (D). Speaking more generally, any choice of a sinful act will be made under an order of reason that does not include the precept against that act. Thus, in every sinful act, the defect in the act, the act's lack of conformity to moral rule, can be explained by the fact that the moral rule was missing from the order of reason according to which the choice of the act was made. The proximate cause of the defect in the act of sin, therefore, is something missing in the order of reason that specifies the act.

With these preliminaries behind us, we are now in a position to consider the aforementioned two ways of understanding the non-consideration or non-use of the rule. On a first way of understanding the teaching, the fact that the rule was missing from the order of reason according to which the sinful choice was made can be explained by the sinner's not actually considering or attending to the relevant precept at the moment of choice.³⁴ This

³⁴ To be actually considering the rule means to be actually thinking about it, to actually have it before one's mind's eye. One can, of course, consider something in different ways or under different aspects, a point that may be relevant to the evaluation of certain interpretations of Aquinas's teaching. See note 42.

not attending can consist in a failure to think about the rule at all prior to choice, or it can consist in thinking about the rule, but then turning one's thoughts away from the rule and toward what makes the act attractive at some time before the choice is made.³⁵ To return to the example above, I may never think about (C) and (D), or I may, prior to choosing, abandon my thought of (C) and (D) in order to focus on (A) and (B). Either way, the defect in my act of lying can be explained by the fact that I was not actually considering the rule at the time of choosing. Thus, I did not have in mind the rule from which I might have chosen to refrain from lying, and the rule was missing from the order of reason specifying my choice.³⁶ On this first interpretation, the reason the

³⁵ Aquinas sometimes explains reason's not considering the rule as due to distraction by sense appetite. See, for example, *STh* I-II, q. 75, a. 2 ad 1.

³⁶ Maritain would appear to favor this interpretation, at least in his last major treatment of the issue. See Jacques Maritain, *God and the Permission of Evil*, trans. Joseph W. Evans (Milwaukee: The Bruce Publishing Company, 1966), 51-54. For others who expound Aquinas's teaching along these lines, see Lawrence Dewan, O.P., "St. Thomas and the First Cause of Moral Evil," in his idem, *Wisdom, Law and Virtue*, 195-96; Michael D. Torre, "The Sin of Man and the Love of God," in *Jacques Maritain: The Man and His Metaphysics*, ed. John F. X. Knasas (Mishawaka, Ind.: American Maritain Association, 1988), 207-8; and Desmond Fitzgerald, "Without Me You Can Do Nothing," in Knasas, ed., *Jacques Maritain: The Man and his Metaphysics*, 232. From the fact that these authors have expounded Aquinas's teaching along the lines of our first interpretation, it does not follow that they would not approve of the second interpretation as a complement to the first. In at least one location, however, Maritain would appear to think the second interpretation impossible. See Maritain, *God and the Permission of Evil*, 44-45.

As Aquinas notes (*STh* I-II, q. 76, a. 1; *De Malo*, q. 3, aa. 6 and 9), knowledge of a universal negative precept can be applied in choosing to refrain from a particular act only if one recognizes that the act in question falls under the universal. To choose to refrain from a particular lie, therefore, one needs to be *actually* considering both (C) and (D). If the sinner knows (C) habitually, but is not actually considering (C) at the moment he chooses, this type of non-consideration clearly accords with our first interpretation of Aquinas's teaching. What, then, about a scenario on which, at the moment he chooses, the sinner is actually considering (C), but not (D)? Such a scenario, I suspect, is uncommon. Why, after all, at the very instant of sinful choice, would one be *actually thinking* of the precept against lying if one were not actually thinking of the act in question in such a way that the precept bears on it? In the course of this paper, I will simplify matters by assuming that if the sinner is actually considering the rule [such as (C)], he is also actually considering that the act being contemplated is of a type that falls under the rule [as in (D)]. Nevertheless, were there a case in which the sinner considers the rule, but not that the act in question falls under the rule, one could still explain the defect in the act of sin, along the lines of our first interpretation, in terms of the sinner's not having in mind what is required for choosing to refrain from the sin. The only difference

choice is made according to an order of reason lacking the rule is that the creature does not have the rule in mind at the moment of choice.

On a second interpretation, by contrast, the creature can have multiple orders of reason in mind at the time of choice, including the one that contains the rule. Thus, at the instant of choice, I might be thinking on the orders represented by both (A) and (B), and (C) and (D). It is within my power to choose under, and thus assent to, either of these orders. If my choice is made under the latter, then the will has applied (used, subjected itself to) the rule. If my choice is made under the former, then the will has not subjected itself to the rule, and a defective act results, which defect in the act can be explained by the fact that the rule was missing from the order under which the choice was made.³⁷

C) *The Plausibility of Aquinas's Solution*

Is Aquinas's teaching on either of these interpretations plausible? Objections could be raised against both versions of the account. It seems, however, that Aquinas's account on the whole can be defended.

would be that, instead of not considering the rule at the moment of choice, the sinner would not be considering the particular proposition that identifies the act being contemplated as of the type to which the rule applies. Once again, going forward, I will simplify matters by assuming that "to consider the rule at the moment of choice" means "to consider both the rule and that the act in question falls under the rule."

³⁷ Lee ("The Relationship between Intellect and Will," 334-36) and Gallagher ("Free Choice and Free Judgment," 276-77) would appear to allow that an agent can choose while having multiple orders of reason in mind. This would appear also to be Aquinas's position, at least in *De Malo*, q. 6: "If a good be of such a nature that it is not found to be good according to all aspects that can be considered, the will will not move of necessity even in regard to the determination of the act, for a person will be able to will its opposite, even while cogitating about it, since perhaps it is good or fitting according to some other particular consideration." Note that neither Lee, nor Gallagher, nor Aquinas, in the passages just cited, go so far as to say that an agent can act against the *moral rule* while considering it. Thus, the passages here cited cannot be read as clear endorsements of the second interpretation. Note, also, that the two interpretations of Aquinas's account do not necessarily exclude one another. It may be that the defect in the act of sin is sometimes explained along the lines of the first interpretation, and sometimes along the lines of the second.

To consider an initial objection that goes against both versions, one might argue that either version works only on the supposition that the defect in every sinful act is a lack of conformity to some rule. But, it might be insisted, not every sinful act is sinful because it belongs to an act-type or species, such as lying, that falls under negative precept. Some actions are wrong, not because they violate a rule or precept, but because of other factors, such as unsuitable circumstances or bad motives, that vitiate the act. If not every sinful act is defective because of its lack of conformity to moral rule, then we will not be able to explain the defect in every sinful act by virtue of the sinner's non-consideration, or non-use, of the rule.

In response to this objection, one may say that, while it can certainly be granted that not every sinful act is wrong through belonging to an act-type (such as lying, adultery, murder, etc.) that falls under negative precept, it remains the case that the defect in every sinful act is a lack of conformity to moral rule or principle. Even if a sinful act is not wrong by its species or type, we can still state *why* the act is wrong, and to state *why* the act is wrong always involves reference to some moral rule, principle, or consideration that the act is violating. "Taking a walk," for instance, does not fall under negative precept. Yet, if the choice to take some particular walk is wrong, we can say *why* it is wrong. Perhaps it is wrong because in taking the walk the agent is shirking more important responsibilities, and it is wrong to perform an act when doing so involves such shirking. Or perhaps the act is wrong because it has an illicit motive, and it is wrong to act from an illicit motive. The point is that in stating *why* taking the walk is wrong, we have stated a moral rule to which the act does not conform. Note, further, that had the agent considered and chosen under this rule, he would have chosen to refrain from taking the bad walk. Thus, the defect in the sinful act of taking a walk can be explained by the sinner's not considering or not subjecting himself to the relevant moral rule. Whether or not, then, a sinful act is sinful by belonging to a type that falls under negative precept, it is still sinful by lacking conformity to some

moral principle. This objection, therefore, does not undermine Aquinas's explanation of the defect in the act of sin.

Turning to the first version of Aquinas's account, it seems that it clearly satisfies the four conditions laid out above. The sinner's non-consideration belongs to the will (condition 1) and is voluntary (condition 2), since it is within the will's power to direct the intellect, or use it, to consider the rule.³⁸ The non-consideration is prior to the defect in the act of sin (condition 3): it is temporally prior, since the will either never directs the intellect to consider the rule before choosing, or it ceases to direct the intellect to consider the rule at some instant before making the election;³⁹ it is explanatorily prior, since the non-consideration explains why the rule was absent from the mind at the moment of choice, and hence missing from the order of reason according to which the choice was made. Finally, the non-consideration of the rule is not itself a sin (condition 4), for it is not the simple not-considering of a negative precept that violates obligation, but only the trespassing of that precept by acting contrary to it.⁴⁰

Some have objected to Aquinas's account, on this first understanding, that it proves untrue to our experience as agents. Desmond FitzGerald puts the objection well:

The difficulty that has always bothered me . . . is that this theory implies that you cannot psychologically consider the moral rule you are breaking while you are choosing to break it. The defect or sin arises from the non-consideration of the rule at the moment of choosing to do something immoral. But common experience confirms our ability to look a moral principle in the face and defy it.⁴¹

³⁸ The will, Aquinas tells us, moves the intellect to the exercise of its act. See *STh* I-II, q. 9, a. 1; and I-II, q. 56, a. 3.

³⁹ It may seem odd to say that a not-doing "takes place" temporally prior to the occurrence of some actual event; not-doings don't really "take place" at all. Yet, talk of the temporal location of not-doings is not uncommon, and not-doings are frequently invoked as explanations of events that follow. "Why did he fail the exam?" "Because he didn't study beforehand." "Why did he miss the jump shot?" "Because before shooting, he didn't square up."

⁴⁰ As Aquinas puts it (*De Malo*, q. 3, a. 1): "The very fact of not actually giving heed to such a rule considered in itself is not evil, neither a fault nor a penalty because the soul is not bound nor is it always possible to actually give heed to a rule of this kind."

⁴¹ FitzGerald, "Without Me You Can Do Nothing," 232.

We know from sad experience that we sometimes make sinful choices despite noting to ourselves prior to choosing that the choice in question is contrary to moral precept. Thus, a simple failure to think about the rule at all prior to choosing can hardly be the explanation for all sinful acts, even if it is the explanation for some. Yet, FitzGerald seems to think that adequacy to our experience demands not only that we be able to choose a sinful act after having considered the moral rule at some point prior to choice, but also that we be able to consider the rule and choose against it at the very same instant. Since, on the first interpretation, Aquinas's teaching explains the defect in the act of sin by our having ceased to think about the rule at the moment of choice, FitzGerald would judge the teaching, so interpreted, to be psychologically unrealistic.

Individuals will have to judge for themselves whether they have had the experience of choosing a sinful act at the *very same instant* they consider the precept against the act. It is, however, consistent with the first version of Aquinas's account that the sinner cease considering the rule just milliseconds before the sinful choice, and that he consider the rule again just milliseconds after. Since it is doubtful that one could distinguish the experience of a scenario like the one just suggested from the experience of choosing sinfully at the very same instant one considers the precept, it is likewise doubtful that experience shows Aquinas's teaching on the first interpretation to be inadequate. Certainly, this interpretation can accommodate the sinner's looking a moral principle in the face and defying it. The sinner can do just that by considering the moral principle and then abandoning that consideration to focus on, and swiftly choose for the sake of, that which makes the sinful act attractive.

Still, it must be admitted that the first version of the account provides an explanation for the defects in *all* acts of sin only on the supposition that it is not possible to choose a sinful act at the same instant one considers the precept against it. Suppose such a choice were possible. In that case, the defects in such acts would not be explicable, as the first version holds, in terms of the

sinner's having ceased to consider the rule at the moment of sinful election. Maritain, perhaps in an attempt to ward off this concern, denies that it is possible for one considering the moral rule simultaneously to choose against it.⁴² Yet he offers no argument to support this claim; nor does he refer to any text that shows that Aquinas shares this supposition. An objector might protest that unless we can establish that it is impossible to choose sinfully at the very instant one considers the rule we have not shown that the first account provides an explanation for the defects in all possible acts of sin.

Moving to the second version of Aquinas's account, however, we notice that it is not even superficially vulnerable to the sort of objections raised against the first version. On the second version, the sinner might have the rule before his mind at the very instant he chooses against it. For instance, the sinner might simultaneously have before his mind the order represented by (C) and (D) and the order represented by (A) and (B). While cognizing the rule under the order of (C) and (D), he nevertheless chooses to lie, electing under the order of (A) and (B) instead. The defect in the act of sin is explicable by the fact that the sinner did not subject his will to, or use, the rule, but instead elected under an order of reason from which the rule was missing.

No one will be tempted to think that the second interpretation of Aquinas's account describes the situation of all sinful choices. We know that in many cases of sinful choice the sinner either never considers the rule or turns his attention away from the rule

⁴² At least he does so at *God and the Permission of Evil* (44-45). A charitable reading of Maritain's claim requires that we make at least two assumptions. First, we can assume Maritain is thinking of a case where a person is not only considering the moral rule, but also that the act being contemplated is of a type that falls under the rule (see n. 36). Second, as mentioned above (n. 34), a rule might be considered or thought of in different ways or under different aspects. The rule "A child ought never to be spanked" may appear in a popular child rearing manual, and thus considered by all who read the manual. But not all who read the manual will accept the rule, that is, believe that the rule is truly normative and binding on them. When Maritain says that it is impossible to choose against the moral rule while considering it, we can assume that by "considering it" he means *considering it as being normative and binding*. Without these assumptions Maritain's claim would be highly implausible. In the remainder of the discussion, therefore, I will interpret "considering the rule" in line with these assumptions.

prior to choosing. The second version, therefore, should not be viewed as a rival account purporting to explain the defects in all acts of sin. Rather, it should be viewed as complementing the first version. By offering an explanation in terms of the sinner's not using or not electing under the rule he is considering, the second version provides an account that works even if in some cases sinful choices are made at the very instant the sinner considers the rule.⁴³

Does the second version satisfy the four conditions laid out by Aquinas? Although the proximate cause of the defect in the act of sin is the absence of the rule from the order of reason under which the sinner makes his choice, nevertheless, because it was within the sinner's power to elect under the order of reason that included the rule, this lack in the specifying reason ultimately redounds to the will and is voluntary. Conditions 1 and 2 are thereby satisfied.

Condition 4 demands that the not-doing that explains the defect in the act of sin not itself be a sin. Yet, it might be objected that, for example, not electing under the order represented by (C) and (D) is already sinful, and thus that condition 4 is not met on the second interpretation. On closer reflection, however, we can see that condition four is met. What would it be to use the rule, that is, to elect under an order such as (C) and (D), which includes the rule? To elect under (C) and (D) would be to make the choice *not to tell this lie* (the lie being contemplated). Yet, while it violates moral precept to tell a lie, and while electing under (C) and (D) would, at least at the instant in question, be to make the choice *not to tell this lie*, nevertheless, simply not making the choice *not to tell this lie* violates no moral precept. Again, I am morally obligated not to tell lies, and thus any lie constitutes a sin. But I am not under a similar obligation to draw as the conclusion of a practical syllogism the choice *not to tell this lie*. Thus, I do not sin simply by not making this choice, even though I do sin by

⁴³ Of course, if Maritain is correct that the sinner can't choose against the rule while considering it, then the second version will be impossible. But then, as we shall see below, neither will the second version be needed to escape the first objection.

lying, and even though by choosing not to tell the lie I would have avoided sinning.

Apart from Maritain's objection that it is simply not possible to act against the rule while considering it, the chief objection to the second version is that it violates condition 3. This condition holds that the not-doing that constitutes the defect that explains the defect in the act of sin must be *prior* to the defect in the act of sin. On the second interpretation the sinner does not fail to consider or cease to consider the rule before the sinful choice is made. On the contrary, the rule is before his mind at the very instant he makes the sinful election, and the not-doing is simply his failure to elect under the rule at that same instant. Thus, on the second interpretation, the not-doing that is supposed to explain the defect in the act of sin does not take place prior to the defective, sinful choice. But, in that case, it appears that condition 3 is left unsatisfied.

The answer to this objection is that, although on the second version the sinner's not-doing (his not using the rule, or not electing under the order that includes the rule) is not temporally prior to the sinful choice, it is nevertheless prior in the order of explanation. To see how it is prior in the order of explanation, we will have to wait until section III, which discusses in more detail the way in which not-doings can be explanatory. The discussion in section III will show that this chief objection to the second version can be answered.

Aquinas's solution to the problem of how God can cause the act of sin without causing the sin itself is to hold that, even though God causes the act of sin, he does not cause the defect that vitiates the act. Since the defect is reducible to the sinner alone, the sinner alone can be said to cause the sin. Thus far, I have focused on Aquinas's strategy for responding to the first main objection to this solution. This strategy involves rejecting premise (2) of the dilemma by arguing that the defect in the act of sin can be reducible to the sinner, not in virtue of anything the sinner does, but in virtue of what the sinner does not do, the sinner's non-consideration or non-use of the rule. In my view, Aquinas's strategy is successful.

As we have seen, there are two different versions of how the sinner's not-doing might be understood on Aquinas's account. Central to evaluating these versions is how we answer the question whether it is possible to make a sinful choice at the same instant one considers the rule against it. I do not know how to answer this question definitively, even for Aquinas.⁴⁴ Yet prescinding from this question, I have argued that both versions offer successful explanations of the defect in the act of sin.⁴⁵ Furthermore, the overall success of Aquinas's strategy would not appear to depend on how we answer the question. Let us suppose it is not possible to choose against the rule at the very instant one considers it. In that case, the second version of Aquinas's account turns out to be impossible, but at no great loss, since the first version will then be capable of explaining the defects in all acts of sin in terms of the sinner's not considering, or ceasing to consider, the rule before the sinful choice is made. Let us suppose, on the other hand, that it is possible to choose against the rule while considering it. In that case, the first version will not afford an explanation for the defects in *all* sinful acts. However, the second version will now be available to explain the defects in whatever acts of sin are chosen at the same instant the sinner considers the rule. It follows that however we answer the question whether it is possible to make a sinful choice while considering the rule

⁴⁴ Here let me address two attempts, on opposite sides, to answer the question definitively. On one side, it might be argued that what Aquinas says about sins of malice shows that he thinks a person can choose against the rule at the very instant he considers it. In passages such as *STh* I-II, q. 78, a. 1, Aquinas says that one who sins through certain malice "chooses evil knowingly." Yet it is not obvious that choosing evil knowingly means a person is actually considering his knowledge at the very instant of sinful choice. Such passages, then, would not seem to provide a decisive answer to our question. On the other side, it might be argued that to consider the rule in the relevant way entails considering the act that violates the rule as "bad overall," that is, as bad in the final analysis or all things considered. But, since one cannot choose an act *sub ratione mali*, it is impossible to choose an act that one takes to be bad overall, bad in the last analysis. Thus it is impossible to choose against the rule while considering it in the relevant way. In response, even if we concede that one cannot choose an act one takes to be bad overall, I do not see the evidence that Aquinas takes "considering the rule" to mean or entail "taking the act that violates the rule to be bad overall." Thus, I do not find the argument compelling.

⁴⁵ The argument for the success of the second version will not be completed until section III, where it is explained how the second version satisfies condition 3.

against it, Aquinas will have an explanation of the defect in the act of sin in terms of the sinner's *not-doing*. For the purposes of responding to the first objection, therefore, there is no need to argue for a definitive answer to this question.

II. A SECOND OBJECTION AND CAUSING BY NOT-DOING

A) *Causing by Not-Doing*

If Aquinas's solution has been vindicated against the first objection, a new question emerges. If the defect in the act of sin is caused by the sinner in virtue of what the sinner does not do (his not considering, or not using, the rule), why isn't it also caused by God in virtue of what God does not do (God's not causing the sinner's act of consideration)? After all, Aquinas holds that, "If God moves the will to anything, it is incompatible with that supposition that the will be not moved thereto."⁴⁶ Thus, God's causing the creature's considering the rule is sufficient for, and hence guarantees, the creature's considering it.⁴⁷ Moreover, from Aquinas's teaching that every action must be caused by God, it follows that the creature considers the rule only if God causes the creature's considering it. But, then, God's *not* causing the creature's act of consideration is sufficient for, and guarantees, the creature's not considering the rule.

Given that God's causing guarantees the sinner's considering, and that God's not-causing guarantees the sinner's not-considering, then if the defect in the act of sin is caused by the sinner in virtue of the sinner's not-considering, does it not follow that it is also caused by God in virtue of God's not causing the sinner's consideration?⁴⁸

⁴⁶ *STh* I-II, q. 10, a. 4, ad. 3.

⁴⁷ Here and on other occasions I simplify matters by speaking, along the lines of the first interpretation, of the sinner's not-doing as not considering the rule. The point applies equally well on the second interpretation where the sinner's not-doing is his not using, or not electing under, the rule.

⁴⁸ William Hasker raises a similar objection against Kathryn Tanner's attempt to reduce the defect in the act of sin to the sinner's non-attention to moral principle. See William Hasker, "God The Creator of Good and Evil?" in Thomas F. Tracy, ed., *The God Who Acts*:

The foregoing question constitutes a second objection to Aquinas's solution. This objection can be raised even if we grant his response to the first objection. Aquinas's response to the first objection depends on the claim that the defect in the act of sin can be causally reduced to the creature in virtue of what the creature does not do—that is, the creature's non-consideration, or non-use, of the rule. The second objection allows that the defect might be reducible to the creature in virtue of what the creature does not do, but maintains that the defect is just as reducible to God in virtue of what God does not do. Because God does not cause the creature's consideration or use of the rule, the defect in the act of sin is as causally reducible to God as it is to the sinner. In that case, however, Aquinas's solution fails. For, if God causes the defect as well as the act of sin, then, like the sinner, he causes the whole of the sin, the sin itself.

B) *The Strategy of Maritain*

In his three main treatments of God's permission of sin,⁴⁹ Maritain takes it as axiomatic that "God is the absolutely universal first cause, on the motion of whom depends the action of the creature down to the least iota—even and especially the action of the free will."⁵⁰ On the other hand, he also takes as axiomatic that "God is absolutely not the cause of moral evil, neither directly nor indirectly," a teaching he lifts from Aquinas (*STh* I-II, q. 79, a. 1).⁵¹ Convinced that God is the cause of every action, Maritain will not attempt to account for man's unique responsibility for sin with reference to anything man does, for anything man does will

Philosophical and Theological Explorations (University Park, Pa.: The Pennsylvania State University Press, 1994), 143. Tanner's essay can be found in the same volume.

⁴⁹ Maritain, *God and the Permission of Evil*; idem, *St. Thomas and the Problem of Evil*; and Jacques Maritain, *Existence and the Existent*, trans. Lewis Galantieri and Gerald B. Phelan (Garden City, N.Y.: Image Books, 1956), esp. 92-128. For a helpful study of the influences on Maritain's account, see Michael Torre, "Francisco Marin-Sola, OP, and the Origin of Jacques Maritain's Doctrine on God's Permission of Evil," *Nova et Vetera* (English edition) 4 (2006): 55-94.

⁵⁰ Maritain, *God and the Permission of Evil*, 13.

⁵¹ *Ibid.*, 6.

have God as its cause. Instead, Maritain enthusiastically advocates Aquinas's strategy of reducing the defect in the act of sin to the sinner in virtue of a not-doing, the sinner's non-consideration of the rule.

How, then, does Maritain respond to the second objection, that in virtue of God's not causing the sinner's act of consideration, God is as causally responsible for the defect as is the sinner? To the extent that Maritain has a response, it would seem to come in his concept of "shatterable" divine motion, a concept designed to relieve God of causal responsibility for sin's defect by stipulating that God gives the creature everything he needs to perform a good act, and to avoid a defective one.⁵²

Maritain holds that, by a "shatterable" motion, God causes or moves the free agent to tend to a morally good act. If the creature fails to consider the rule, then the shatterable divine motion is "shattered" and a defective, sinful act is the result. If, on the other hand, the shatterable divine motion is not shattered by the creature's non-consideration, then that shatterable motion "fructifies" of itself into an "unshatterable" motion "under which the creature, freely and infallibly, will consider the rule in its very operation and will produce the good act to which it is moved by God."⁵³

For our purposes, there are three points that need to be made concerning the fructification of shatterable motion into unshatterable motion. First, the condition of this fructification is the creature's not not-considering the rule (i.e., its not failing to consider it). Second, on the condition that the creature does not not-consider the rule, the shatterable motion fructifies *of itself* into unshatterable motion "without having the need of being completed by the slightest actuation or determination coming

⁵² For Maritain's account of "shatterable" motion, see *ibid.*, 38-43; and Maritain, *Existence and the Existent*, 99-112. I say, "to the extent that Maritain has a response," because Maritain does not explicitly formulate the objection I am considering. Nevertheless, his concept of shatterable divine motion appears to be motivated by a desire to ward off something like this objection.

⁵³ Maritain, *God and the Permission of Evil*, 39.

from the creature.”⁵⁴ Finally, the unshatterable motion is simply God’s infallibly moving the creature to a good act.⁵⁵

It might seem that Maritain’s teaching concerning shatterable motion allows for a response to the second objection. Because the shatterable motion given by God “fructifies of itself” into a good act, it may seem that in giving this motion God is doing and giving everything that needs to be done and given for a good act to be produced. And, if God is doing everything that needs to be done for a good act to be produced, and if a defective act results only because of what the sinner does not do, then it seems reasonable to say that the sinner alone, and not also God, is causally responsible for the act’s defect.

On closer examination, however, Maritain’s concept of shatterable motion does not provide the help we need. A necessary condition of the shatterable motion’s fructifying into the good act is the creature’s not not-considering the rule. But to not not-consider the rule is simply to consider it. And to consider the rule is an action, an action whose necessary and sufficient condition is God’s causing the act of consideration. Thus, God has, in fact, not given everything needed to produce the good act, unless he also causes the creature’s consideration of the rule. Hence, if he doesn’t cause the creature’s consideration of the rule, the question raised by the second objection still remains: If the defect in the act of sin is reducible to the sinner in virtue of what the sinner does not do, why isn’t it also reducible to God in virtue of what God does not do?

III. NOT-DOINGS AND CAUSES

The sinner’s not considering the rule implies God’s not causing the sinner’s act of consideration, and God’s not causing the sinner’s act of consideration implies the sinner’s not considering. There is, then, never a not-considering on the part of the sinner without a corresponding not-causing on the part of God; nor is

⁵⁴ Ibid.

⁵⁵ Thus, Maritain identifies unshatterable motion with efficacious grace. See *ibid.*

there a not-causing on the part of God without a corresponding not-considering on the part of the sinner. How, then, can Aquinas claim that the defect in the act of sin is caused by the sinner in virtue of what the sinner does not do, but is not caused by God in virtue of what God does not do?

To respond to this objection we need some principled basis for reducing the defect to the sinner, but not to God. This basis will emerge when we ask the following question: Under what conditions does a substance's not performing some act constitute an explanation of something such that we can say that the substance causes the thing being explained in virtue of its non-performance? As it turns out, Aquinas offers a fairly precise answer to this question. Indeed, there are Thomistic principles for causally reducing an effect to a substance on the basis of that substance's not-doing. Not only are these principles plausible in their own right, but when applied to the problem at hand they enable us to see why the defect in the act of sin is reducible to the sinner, but not to God, in virtue of their respective not-doings.

Let us begin with a homely example. Suppose I have an aquarium into which I drop fish food every morning before leaving for work. Every day, the fish food is gone upon my return. Today, however, I arrive home to find the food still floating about the water's surface. The fish food's still-floating calls for an explanation. What explanation should we give?

Consider the following possibilities:

- (1) The food is still floating because my goldfish didn't eat it.
- (2) The food is still floating because the plants in my aquarium didn't eat it.
- (3) The food is still floating because the water in my aquarium didn't dissolve it.

All three of these explanations purport to explain the fish food's still-floating in terms of the non-activity or non-operation of some substance. Furthermore, had any of these substances performed the activity in question, the fish food would no longer be floating. It would not be floating had my fish eaten it; but neither would it be floating had my plants eaten it, or had the water dissolved it. Yet, while the first of these explanations is perfectly reasonable—

indeed, it is the most obvious explanation of the fish food's still-floating—explanations (2) and (3) are absurd. The first explanation is reasonable because, given what fish are, we expect them to eat fish food in normal circumstances. Thus, the fish food's still-floating can be explained by the fish's not having done what we would expect it to do.⁵⁶ Explanations (2) and (3), by contrast, clearly do not explain the fish food's still-floating. Given what plants and water are, we have no reason to expect that in eight to ten hours they will eat or dissolve the fish food. These examples show that in some instances the non-operation of a substance is explanatory, but not in others.

The discussion of these examples can be recast with the help of Aquinas's views regarding natural inclinations.⁵⁷ According to Aquinas, in virtue of its species or nature, every substance has inclinations for certain ends, and to perform certain sorts of activities in suitable circumstances.⁵⁸ All activity is for the sake of some end to which the agent is naturally disposed or inclined, a point that holds true across all levels of being.⁵⁹ Thus, fire, an inanimate substance, has a tendency to give forth heat.⁶⁰ Non-rational animals intend that to which they are moved by the instincts proper to their various species.⁶¹ Human beings have a natural appetite for happiness, intending other goods because reason perceives them as contributing to or constituting happiness.⁶² For Aquinas, the proper or *per se* effects of a sub-

⁵⁶ We can also ask for an explanation of why the fish didn't eat the food. But that is to seek an explanation for a different *explanandum*. The original *explanandum* was not the fish's not acting as we would expect it to act, but rather the fish food's still-floating.

⁵⁷ For helpful discussions of the role played by inclination (and, also, by power) in Aquinas's account of agent causation, see Stephen L. Brock, *Action and Conduct: Thomas Aquinas and the Theory of Action* (Edinburgh: T & T Clark, 1998); and Michael Rota, "Causation," in *The Oxford Handbook of Thomas Aquinas*, ed. Brian Davies and Eleonore Stump, forthcoming from Oxford University Press.

⁵⁸ See *De Verit.*, q. 22, a. 1. See also *STb* I, q. 14, a. 8, where Aquinas points out that form, which makes a substance to be what it is, constitutes a principle of action insofar as it confers on that substance an inclination to an effect.

⁵⁹ *STb* I-II, q. 1, a. 2.

⁶⁰ *STb* I, q. 62, a. 2.

⁶¹ *STb* I-II, q. 12, a. 5.

⁶² *STb* I, q. 60, a. 2; I, q. 82, a. 1; I-II, q. 10, a. 1; I-II, q. 1, a. 6.

stance are precisely those to which it tends by its nature.⁶³ In this light, it is because goldfish have a natural tendency to eat fish food that we can explain the fish food's still-floating in terms of the fish's not-eating. Since plants and water do not have natural inclinations to activities that would have as a consequence the disappearance of the fish food, the non-activities of these substances do not explain the fish food's still-floating.

Aquinas's teaching on natural inclinations supplies the necessary presuppositions for the explanatory analysis offered with the foregoing examples.⁶⁴ Furthermore, Aquinas himself offers an account of the way in which a substance can cause an effect in virtue of a non-performance. Commenting on Aristotle's *Metaphysics*, he agrees that one and the same thing can be the cause of contrary or opposite effects. That which when present is the cause of some particular effect, when absent is the cause of the contrary effect, as a ship's safety is caused by the presence of a pilot, whose absence causes the ship's loss.⁶⁵ This passage does not quite say that the pilot causes the ship's loss in virtue of a not-doing. The passage is, in fact, ambiguous as to whether the cause of the ship's loss is the pilot himself or the pilot's absence. Nevertheless, it is clear in the passage that Aquinas is talking about agent causes, causes that bring about their proper effects by acting. If the presence of an agent explains some effect and its absence explains the contrary effect, it is only because when present the agent operates and when absent the agent does not operate. Aquinas could just as easily have said that it is the not-doing of the pilot, his not steering the ship, that explains the ship's loss, or that the ship's loss is causally reducible to the pilot in virtue of his not-steering.

In fact, this is precisely what Aquinas says in what is perhaps his most explicit statement regarding causing by non-performance:

⁶³ See II *Phys.*, lect. 8 (Marietti ed., 214); and *STh* I, q. 49, a. 1.

⁶⁴ For examples taken from the sciences, see Stephen Makin, "Aquinas, Natural Tendencies, and Natural Kinds," *New Scholasticism* 63 (1989): 253-74.

⁶⁵ See V *Metaphys.*, lect. 2 (Marietti ed., 776).

One thing proceeds from another in two ways. First, directly; in which sense something proceeds from another inasmuch as this other acts; for instance, heating from heat. Secondly, indirectly; in which sense something proceeds from another through this other not acting; thus the sinking of a ship is set down to the helmsman, from his having ceased to steer.⁶⁶

Under what conditions does an effect proceed from, or get caused by, a substance in virtue of its not-doing? Aquinas continues:

But we must take note that the cause of what follows from want of action is not always the agent as not acting; but only when the agent can and ought to act. For if the helmsman were unable to steer the ship or if the ship's helm be not entrusted to him, the sinking of the ship would not be set down to him.⁶⁷

An agent causes some effect by not acting only when the agent *can* and *ought* to act. What do “can” and “ought” mean here?

With respect to the helmsman, and given the context of the *Prima Secundae*, it is natural to read “can” and “ought” as having a moral connotation. The helmsman “ought” to steer the ship just in case he is under some sort of obligation to do so, and the helmsman “can” steer the ship just in case he has whatever ability is required for him to be morally at fault if he does not. Nevertheless, we should not think Aquinas means to restrict the cases when an agent causes through not-doing to rational, moral agents. For starters, he introduces the discussion with the very general “One thing proceeds from another in two ways,” and uses for his example of the first, direct way, the act of a natural agent, heat (he might better have said, “fire.”). Both the introduction and this example would be odd if, without notifying us, he means to restrict the second, indirect way to agents of a rational nature. Furthermore, the conditions Aquinas states for when an agent causes by not acting can be satisfied by substances at all levels of being. No less than rational agents, inanimate substances, plants, and brute animals “can” and “ought” to perform certain operations.

Just as a substance, in virtue of its species, is inclined to certain ends, and to perform certain activities in suitable conditions, so

⁶⁶ *STh* I-II, q. 6, a. 3.

⁶⁷ *Ibid.*

also does it have natural powers for engaging in these activities. A substance “can” perform a particular act if it has the power to do so. Thus, fire has the power to burn wood, and eagles to fly. What is more, a substance, whether or not it is rational, “ought” to perform the activities to which it is naturally inclined. That is how it “should” behave, given its nature. Indeed, if it fails so to behave, then it falls short of its good. The good of a substance consists in its achieving the end(s) to which it is naturally ordered or disposed. In the case of a rational substance, achieving its end requires fulfilling its moral obligations, but for all substances it requires performing the actions needed to realize their ends.⁶⁸ The goldfish’s not eating the fish food is not a *moral* failure. Nevertheless, by not so eating, the goldfish has failed to act as it ought, and fallen short of its good.⁶⁹

We are now in a position to set out a Thomistic principle for causally reducing an effect to a substance on the basis of that substance’s not-doing. Employing a broad sense of “ought,” where a substance “ought” to perform those activities to which it is naturally inclined, and which are needed to realize the end(s) or good(s) to which it is naturally (or supernaturally) ordered, I propose the following:

- Effect *e* is caused by substance *S* in virtue of *S*’s not ϕ -ing if and only if
- (a) *S*’s ϕ -ing would have insured or at least made it likely that *e* not occur, and
 - (b) *S* had the power to ϕ , and
 - (c) *S* ought to have ϕ -ed.

I have indicated what I mean by “ought” in condition (c). A complete defense of this principle would also need to specify the precise sort of power figuring in condition (b). One could say that the power to ϕ could be one, like the power to see, that a substance has in virtue of its species; or it could be a power, like

⁶⁸ See, for instance, *ScG* III, c. 140.

⁶⁹ The “moral ought,” one might say, is really just a species of “ought” in the broad sense, whereby an agent ought to perform those activities to which it is naturally inclined, and which are needed to realize the end(s) or good(s) to which it is naturally (and, where applicable, supernaturally) ordered. To be under the specifically moral ought belongs to those substances that enjoy providence over themselves, substances able to know their end(s) and direct themselves to it (them). See *STb* I-II, q. 91, a. 2 corp. and ad 3.

the medical art, that has to be acquired.⁷⁰ The question becomes complicated, however, when we ask whether the relevant sort of power requires any of the following: (1) if the power be of the sort had by *S* in virtue of its species, that *S* be a *mature enough* member of the species to exercise the power; (2) that *S* be *perfect or healthy enough* to exercise the power, assuming the absence of impediments; (3) that, in the given circumstances, there be *no impediments* to the exercise of the power by *S*.⁷¹ My tentative suggestion is that the relevant sort of power includes none of (1)-(3). Intuitively, it seems reasonable to explain the absence of rabbit births in the hutch by the male and female rabbits' not generating offspring together, given that rabbits by nature have the power and proclivity to generate. If the rabbits do not generate, that fact may be further explained by their being too young to generate, by their being in poor health, or by the presence of impediments. But these additional factors help explain the lack of rabbit births only because that lack is first explained by the rabbits' non-performance, which non-performance these additional factors explain. The example suggests that the sort of power needed by *S* in order for *S*'s not ϕ -ing to explain *e* need not include (1)-(3), even though the absence of (1)-(3) may help explain why *S* fails to ϕ .⁷²

⁷⁰ For Aquinas on arts as powers, see IX *Metaphys.*, lect. 3 (Marietti ed., 1796).

⁷¹ Impediments are of two sorts: (a) positive obstacles to an agent's action, as the presence of moisture may prevent a match from igniting, and (b) the absence of external necessary conditions for an agent's action, as a match may be prevented from igniting because of an absence of oxygen.

⁷² Stephen Brock has argued that, for Aquinas, a natural substance fails to produce its proper effect (the effect to which it is naturally inclined) only if it is impeded (Stephen Brock, "Causality and Necessity in Thomas Aquinas," *Quaestio* 2 [2002], 217-40). Assuming Brock is correct, then if the power relevant to condition (b) included (3), no effect could be explained by the non-performance of a natural substance. Such a non-performance would always be due to an impediment, which means that the natural substance would never have the relevant sort of power. The point could be made more generally. It seems plausible that there will always (or almost always) be a natural explanation for why a natural substance fails to operate in accordance with its natural inclination. It may be that the substance's act is impeded. Perhaps the substance is unhealthy or defective. Perhaps the substance is not sufficiently mature. If, then, we say that the sort of power relevant to condition (b) of our principle is only had by a substance when there are no factors of the sort that would explain a natural substance's not operating in accordance with its inclination, then, assuming that the non-operation of natural substances can almost always be so explained, our principle would

B) Aquinas's Response to the Second Objection

Fortunately, the resolution to our second objection does not hinge on specifying the precise sort of power that figures in condition (b). Even if we leave condition (b) somewhat imprecise, the formulated principle is clear enough to show why the defect in the act of sin is reducible to the sinner, but not to God, in virtue of their respective not-doings.

Take, first, the sinner. As was made clear above (section I), had the sinner considered or used the rule, he would not have committed the defective, sinful act, and consequently the defect in the act of sin would not have occurred. Since the sinner's not-doing would have insured that the defect not occur, his non-performance clearly satisfies condition (a). Condition (b) is also satisfied. Again, as shown above, the sinner has it within his power to consider or use the rule. Though he does not, he could have. Finally, the sinner's not-considering or not-using satisfies condition (c). Just as a goldfish ought to engage in the sort of activities to which goldfish are naturally inclined, and just as failing to do so means falling short of the good for a goldfish, so, also, human beings ought to govern themselves by the moral rule, and need to do so in order to attain their end(s), whether natural or supernatural. Not considering the rule, or not electing under the order that includes the rule, is not by itself a sin. Nevertheless, when someone sins as a result of failing to consider or to elect under the rule, we rightly say that he ought to have governed himself. We expect human beings to consider and to abide by the rule, not because that is the statistical norm, but because it is the teleological norm. It is due to us by nature that we attend to and adhere to the moral law.⁷³

result in almost no effects being explained by the not-doings of natural substances. But, this result seems an unhappy and counter-intuitive one, and, therefore, constitutes further grounds for thinking that requirements such as (1)-(3) should not be included in the power relevant to (b).

⁷³ The claim that when someone sins he ought to have considered, or elected under, the rule might seem to contradict the claim that not considering (or not electing under) the rule is not itself a sin. Yet, on reflection, there is no contradiction here. When someone lies, we do not ordinarily think he has committed two sins, the sin of lying and the separate sin of not

With the foregoing in mind, we can return to the objection left on the table from the end of section I. On the second way of understanding the sinner's not-doing, the sinner's not-electing under the order of reason that includes the rule does not take place temporally prior to the defective, sinful election. Yet Aquinas insists that the not-doing that explains the defect in the act of sin must be prior to that defect. One can now see that, on the second interpretation of Aquinas's teaching, the sinner's not electing under the rule is explanatorily, even if not temporally, prior. To use the earlier example, had the sinner, at the moment of choice, elected under the order represented by (C) and (D), rather than the order represented by (A) and (B), his choice would have been to refrain from lying, rather than to lie. His electing under the order that includes the rule, therefore, would have *insured* that the sinful act, and its defect, *not occur* (at least at that instant). But the sinner had the *power* to elect under the order that includes the rule, and, what is more, he *ought* to have elected under that order so as to avoid sin. His not electing under the order that includes the rule is therefore explanatorily prior to the defect in the act of sin, since, by the principle I have formulated, the sinner is the cause of the defect in virtue of his not electing under that order.

Does God's not causing the creature's act of considering, or electing under, the rule likewise satisfy our conditions for causing by not-doing? Here we reach the critical point in responding to the second objection. Clearly, God's not causing satisfies condition (a). Had God caused the creature's act of consideration, then there would have been no sinful act, and hence no defect in the act. Just as clearly, God's not causing satisfies condition (b).

considering (or not electing under) the precept against lying. Still, we agree that he ought to have considered and elected under the precept against lying, because, as a general matter, we think people ought to govern themselves by the moral law, something the person who lies hasn't done. Saying, then, that the liar ought to have considered and elected under the precept against lying—that is, that he ought to have chosen to refrain from the lie—in no way commits us to the claim that, in addition to the lie, he is guilty of the sin of not having chosen to refrain. As Aquinas puts it (*De Malo*, q. 1, a. 3): “The fault of the will does not consist in not actually giving heed to the rule of reason or divine law but in proceeding to choose without employing the rule or measure.”

It was within God's power to cause the creature to consider, or elect under, the rule. The difference in the case of God and the sinner is that God's not causing does not satisfy condition (c). The sinner ought to have governed himself by the moral law, and hence he ought to have considered, and elected under, the rule, so as to avoid sin, and realize his good. But, for Aquinas, it is simply not the case that God ought to have caused the sinner's considering, or electing under, the rule.

Two reasons, not mutually exclusive, support this claim and appear consistent with points emphasized by Aquinas. The first is simply that God cannot fail to do what he ought, since he is subject to no rule distinct from himself, but is his own rule and measure.⁷⁴ Aquinas insists that whatever God does (or does not do) accords with his wisdom and justice.⁷⁵ Thus, when God does not perform some act, it cannot be the case that he ought to have performed it. In a passage where Aquinas has something very much like our second objection in mind, he argues as follows:

For it happens that God does not give some the assistance whereby they may avoid sin, which assistance were He to give, they would not sin. But He does all this according to the order of His wisdom and justice, since He Himself is Wisdom and Justice: so that if someone sin it is not imputable to Him as though He were the cause of that sin; even as a pilot is not said to cause the wrecking of the ship, through not steering the ship, unless he cease to steer while able and bound to steer.⁷⁶

Not giving help to avoid sin, and not causing the sinner's act of considering the rule, are not exactly the same thing.⁷⁷ Nevertheless, the passage strongly supports what I have suggested is

⁷⁴ See, for instance, *De Malo*, q. 1, a. 3, ad. 9.

⁷⁵ At *De Verit.*, q. 23, a. 6, Aquinas notes that the divine will and its correctness are identical. God's will cannot fail to conform to his wisdom and justice for they are, in themselves, one and the same.

⁷⁶ *STh* I-II, q. 79, a. 1.

⁷⁷ "Assistance" to avoid sin could consist in divine acts other than causing the creature's act of considering the rule. Furthermore, such "assistance" might be construed as referring to something God gives in the order of grace. By contrast, God's causing an act of considering the rule, at least as such, does not necessarily pertain to the order of grace. Were there no order of grace, there would still be moral rules, and a person's act of considering those rules would still need God as first cause.

Aquinas's logic for denying that the defect in the act of sin is reducible to God in virtue of God's not causing the sinner's act of consideration. The analogy with the pilot makes it clear that God would not be the cause of sin unless he were *able* and *bound* to give the assistance. Clearly he was able; so it must be that he was not bound. And he was not bound because what God does necessarily accords with his wisdom and justice, indeed, necessarily accords with the Wisdom and Justice that God is. It follows that if God does not give the assistance, he was not bound to give it. It is not something he ought to have given. The same can be said for God's causing the creature's act of consideration.⁷⁸

The second reason why it is not the case that God ought to cause the sinner's act of consideration concerns the very logic of "ought." It makes sense to say that a substance "ought" to perform certain activities only on the supposition that those activities are needed, either instrumentally or constitutively, for the substance to attain its end. Fire ought to burn wood, dogwoods ought to bloom, eagles ought to fly, and human beings ought to govern themselves by the moral rule—all because such creatures are ordered to these activities and need to perform them in order to achieve their respective goods. There is a gap, as it were, between the creature and its full perfection, a gap that must be traversed by action. But there is no such gap, and there are no such activities, in the case of God. God has the end and good in himself.⁷⁹ Thus, while the rational creature needs, in certain situations, to consider the rule in order to attain his end,⁸⁰ God

⁷⁸ I cannot here argue for the claims that there is no rule distinct from God to which God is subject, that God is his wisdom and justice, and that there is no distinction between God's will and its correctness. Clearly, these claims have implications for whether it could ever be the case that God ought to have done something he did not do. I note here only that Aquinas does not seem to be worried that these claims about God's essential justice are vulnerable to arguments by counterexample of the form: "(1) God didn't do X. (2) But an essentially just God would have done X. (3) Therefore, these claims are false." Aquinas, I take it, would say that the evidence of both reason and revelation should always give us more confidence in the truth of these claims than in our intuitions regarding the truth of particular propositions on the model of (2), where those propositions conflict with what God has actually done.

⁷⁹ See *STh* I, q. 6, a. 3; *STh* I-II, q. 3, a. 1, ad 1; *ScG* III, c. 37; *ScG* I, cc. 100-102.

⁸⁰ Here it is helpful to recall that law and rule are understood by Aquinas as directing human beings to their end, happiness. See *STh* I-II, q. 90, aa. 1-2.

need not cause the creature's act of consideration in order to attain his.⁸¹

We have, then, a Thomistic principle for causally reducing effects to substances in virtue of not-doings. Applying the principle, we see that the defect in the act of sin is reducible to the sinner, since the sinner's not considering, or not electing under, the rule satisfies all three conditions of the principle. By contrast, the defect is not reducible to God, because God's not causing the sinner's considering, or electing, does not satisfy condition (c). The principle is not *ad hoc*—it is not designed for the limited purpose of denying that God is the cause of sin. On the contrary, it has a very general applicability, and can be used to reduce effects to all genera of substances in virtue of not-doings. Moreover, the principle accords well with common sense, and is consistent with the sort of explanations we find ourselves giving in daily life. “Why is the mouse still in the basement?” “Because the poison didn't kill it, and the cat didn't catch it.” “Why is the snow still in the driveway?” “Because my neighbor didn't shovel it. Doesn't he remember that he owes me from last time?”⁸²

C) *Some Final Objections to the Foregoing Solution*

Before closing, I want to address two possible objections to the foregoing solution. The first objection is that, on the supposition that God does not cause the sinner's act of considering the rule, the sinner does not really have the power to consider the rule, after all. As we have seen, God's causing is a necessary condition

⁸¹ Aquinas tells us that, absolutely speaking, God need not will anything other than himself. He gives as his reason that God's perfect goodness does not depend on God's willing anything apart from God. See *STh* I, q. 19, a. 3.

⁸² Typically, if a non-rational substance (such as poison or a cat) has the power to perform a particular act, it will also be naturally inclined to perform that act. Thus, rarely will a natural substance's non-performance satisfy condition (b) without also satisfying condition (c) of the principle. In the case of rational substances, by contrast, a substance will often have the power to perform a particular act without it being the case that the substance ought to perform the act. Imagine if my neighbor did not owe me from last time. He would still have the power to shovel my driveway, but it would not be the case that he ought to shovel it. His not shoveling would satisfy condition (b), but not condition (c). Thus, his not shoveling would not explain the snow's still covering my driveway.

of the sinner's considering. But, then, it is not possible for the sinner to consider the rule if God does not cause the sinner's consideration. And so the objection continues: Not only would this mean that the sinner could not have avoided failing to consider the rule (a violation of the second condition for the sinner's not-doing discussed in section I), it would also mean that the sinner's not-considering fails to satisfy condition (b) of our principle for causing by non-performance: On the supposition that God does not cause the sinner's act of consideration, the sinner does not have the power to consider the rule, in which case the defect in the act of sin cannot be reduced to the sinner in virtue of his not-considering.

The response to this objection lies in the second assumption I articulated at the very beginning this article. The assumption is that God's causing our actions is consistent with the sort of freedom required for moral responsibility. The assumption is a fair one to hold in place for the purposes of this article, since the problem that I attempt to address—how God can cause the act of sin without causing sin itself—never even arises unless it is presupposed that God's causing our actions is consistent with our freedom. But since an agent is not free with respect to an act unless he has the power to perform that act, from this second assumption it follows that the sinner who fails to consider the rule had the requisite power to consider it, even though his considering it has as a necessary condition God's causing the act of consideration. Exactly *how* it can be said that the sinner retains the requisite power is a question for another article, an article devoted to reconciling human freedom with God's universal causality. Here, it is enough to note that the second assumption enables us to stipulate that the sinner had the requisite power to consider the rule, even in the case where God does not cause the sinner's considering.

The second objection to the foregoing solution is that the Thomistic principle regarding causing by not-doing conflicts with certain things Aquinas says when discussing God's ability to annihilate creatures.⁸³ Although Aquinas denies that God will, in

⁸³ The need to address this objection was brought to my attention by Michael Torre.

fact, annihilate any creatures, he maintains that it is possible for God to do so simply by ceasing to preserve them in being.⁸⁴ Moreover, in at least one location, Aquinas says that, by withdrawing his action from them, God would be the cause of creatures' being reduced to nothing.⁸⁵ Yet Aquinas denies that preserving creatures is something God ought or needs to do: He need no more preserve them than create them in the first place.⁸⁶ The upshot is that Aquinas gives an example in which an effect is said to be caused by an agent in virtue of its not-doing, even though the not-doing in question does not meet all the conditions laid out in our principle. Aquinas tells us that were God to annihilate creatures, he would be the cause of their non-existence in virtue of his not preserving them. His not preserving them satisfies condition (a) of the principle, since were he to preserve them the creatures would retain their existence. His not preserving them satisfies condition (b) of the principle, for he would have had the power to preserve them. His not preserving them does not, however, satisfy condition (c). As we have seen, Aquinas denies that preserving them is something God ought or needs to do. It looks, then, as if our principle falls short of consistency with at least one of Aquinas's examples of causing by not-doing.

There are two ways of responding to this objection. The first is to argue that Aquinas simply makes a mistake in saying that if God annihilated a creature he would be the cause of its not existing. This response points out that what Aquinas says here conflicts with what he says elsewhere (e.g., *STh* I-II, q. 6, a. 3; I-II, q. 79, a. 1). In those passages Aquinas is very clear that a substance causes in virtue of not performing some act *only if* it had the power to perform it and ought to have performed it. Since Aquinas denies that God ought, or is bound, to preserve creatures in being, he should also deny that God would be the cause of creatures' not existing in virtue of not preserving them. The first

⁸⁴ *STh* I, q. 104, aa. 3 and 4.

⁸⁵ *STh* I, q. 104, a. 3, ad 1: "Indirectly God can be the cause of things being reduced to non-existence, by withdrawing His action therefrom."

⁸⁶ *STh* I, q. 104, a. 3, ad 2.

response, in effect, gives preference to Aquinas's more formal statements on the conditions under which an agent causes by not doing, writing off the conflicting text regarding annihilation as a mere imprecision on Aquinas's part.

The second response, by contrast, takes the conflict to show that the conditions given in Aquinas's more formal statements are themselves imprecise, or at least incomplete. It then attempts to supplement those conditions, and our principle, in a way that accommodates what Aquinas says in his discussion of annihilation. The following is a possible revision of our principle, a revision that alters condition (c):

Effect e is caused by substance S in virtue of S 's not ϕ -ing if and only if
 (a) S 's ϕ -ing would have insured or at least made it likely that e not occur, and
 (b) S had the power to ϕ , and
 (c) Either (i) S ought to have ϕ -ed, or (ii) prior to not ϕ -ing, S was ϕ -ing, and in so doing bringing about the negation of e .

On this revised version of the principle, God's not preserving creatures in existence could make God the cause of their not existing. Although God was not bound to preserve creatures (and hence his not doing so fails to satisfy [c]-[i]), he was preserving them before ceasing to do so,⁸⁷ and his preserving brought about their existing, the negation of their not-existing. Thus, God's not preserving creatures would satisfy condition (c)-(ii). Since it would also satisfy conditions (a) and (b), the revised principle accommodates the claim that, if he annihilated them, God would be the cause of creatures' not existing in virtue of his not preserving them.

The revised principle enjoys some intuitive plausibility.⁸⁸ Suppose my neighbor is under no obligation to remove snow from my driveway (he does not, for instance, owe me from last time). Nevertheless, suppose out of sheer generosity he always, or almost always, shovels for me. If I discover snow in my driveway at a

⁸⁷ See *STb* I, q. 13, a. 7 for the claim that, despite God's eternity, statements that predicate of God a relationship to creatures can be predicated of God temporally, as in, "God was preserving creatures before ceasing to do so."

⁸⁸ In addition to the following example, see Brock, *Action and Conduct*, 134.

time when my neighbor would have normally removed it, it is natural to answer the question, “Why is there snow in my driveway?” by “My neighbor didn’t shovel it today.” However, the answer is natural not because I think that my neighbor ought to have shoveled it, or had an obligation to shovel it. Rather, the answer is natural because he habitually removes the snow from my driveway, and his having done it with such regularity in the past led me to expect that he would continue to do it even now.⁸⁹

There are, then, two ways, of responding to the objection raised by Aquinas’s text on annihilation.⁹⁰ Both require us to say

⁸⁹ Which is more plausible, the original version of (c) or the revised version? The question turns on whether we should think that, in examples like that of my neighbor’s not-shoveling, a substance causes some effect by not-doing, even if it is not the case that the substance ought to have performed the act, provided that the substance *has been* performing the act. Clearly, the fact that a substance has been performing a certain act gives rise psychologically to the expectation that it will continue to do so. But, such expectation is not a decisive sign that, in not performing the act, the substance causes the negation of the effect it normally brings about through the act, for what we are accustomed to expect does not always coincide with genuine causal connection. In stating that the revised version enjoys some intuitive plausibility, therefore, I do not intend to say that it is more plausible than the original version. I take no stand on that question here. My purpose is simply to show how one might develop the second of the two responses to the problem raised by Aquinas’s text on annihilation.

⁹⁰ It must be admitted that the revised principle used in the second response had to be formulated carefully. It had to be formulated carefully in order to avoid the unhappy result that, at least on the first interpretation of the not-doing in virtue of which the sinner causes the defect in the act of sin, God is sometimes also the cause of that defect. Recall that on the first interpretation, the sinner is sometimes considering the rule before turning his attention away from it and choosing the sinful act. But that means that God was causing the sinner’s consideration of the rule, and then ceased to cause it. One might, therefore, argue that God’s not causing the sinner’s act of consideration satisfies (c)-(ii) of the revised principle, for even though God is not bound to cause the sinner’s act of consideration, *he was doing so prior to ceasing to cause it*. The revised principle I have suggested was formulated to avoid this unhappy result. Strictly speaking, God’s not causing the sinner’s act of considering the rule does not satisfy (c)-(ii). Even though the sinner’s considering the rule entails that the sinner not choose the sinful act (and hence entails that there be no defect), what God’s causing strictly brings about is the sinner’s act of consideration, not the negation of the defect. In other words, what God is doing, the object of God’s act, is causing a creaturely act of considering the rule, not bringing about the negation of a defect in an act of sin. Contrast this to what God is bringing about when he preserves the universe in being prior to hypothetically annihilating it. What God is bringing about here is the existence of the universe. But the existence of the universe is the negation of its non-existence, which is what Aquinas says God would be causing were he to cease preserving the universe in being. Thus, on the revised principle, we could say that God would be the cause of the universe’s being reduced to nothing in virtue of his not preserving it. But we would not have to say that God is the cause of the defect in the

that, in one text or another, Aquinas has been imprecise or incomplete. Still, both responses preserve the core of what I have argued is Aquinas's principled grounds for thinking that the defect in the act of sin is reducible to the sinner, but not to God, in virtue of their respective not-doings.⁹¹

act of sin in cases where he ceased causing the sinner's act of consideration after having previously caused it.

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