Along with Suárez, Aquinas is one of the only two in this study who explicitly address the problem of negligent omissions. Indeed, he devotes a whole question to the problem of negligence in general in IIa-IIae, q.54. As I have already indicated in the Introduction, however, that discussion and those that surround it are irrelevant for the purposes of this book. The discussions in that part of IIa-IIae (specifically qq. 47–56) are couched in terms of virtue (and prudence in particular). Since this book’s focus is more act- (as opposed to character-) based,¹ these passages will not be discussed in this chapter.

Fortunately, some of Aquinas’s discussions outside of IIa-IIae do directly relate to the problem of negligent omissions. I will accordingly focus on them. By doing so, we will ultimately arrive at the surprising conclusion that Aquinas would have to admit that the locus of culpability, and therefore of voluntariness, in NO’s such as we are interested in lies in a non-negligent omission. I will further explain that this fact need not destroy the distinction between negligent and non-negligent omissions; the distinction can still be regarded as valid within Aquinas’s framework. At the end of the book, I will show how the insights gained from attempting to render Aquinas consistent by means of this conclusion can be regarded as agreeable with and somewhat prescient of our own ultimate solution to the problem of NO’s. Before I do any of this, I must give a brief overview of Aquinas’s action theory.

I. The Structure of Human Action

A. The Voluntary

For Aquinas, an act is voluntary when two conditions are met: the principle of the action must be internal to the agent, and the agent must

¹ Please see the thorough discussion about the orientation of this book in the Introduction.
be able to move itself by this inner principle. This latter criterion, in turn, can only be satisfied by the agent having “some conception of an end” such that it acts “on account of the end.”

Describing the ‘voluntary’ in this way, though, appears to cause a problem for Aquinas: it seems to allow the possibility that the actions of brute animals, which have an inner principle of action and “some knowledge of the end,” could also be classified as voluntary. Given that Aquinas does not want to describe the actions of brute animals as ‘voluntary’ in the same sense as are the actions of rational agents, he proceeds to offer a distinction between imperfectly and perfectly voluntary actions. This distinction is itself further based upon different ways of having “cognition of the end,” namely, “partial” and “full.” Knowledge of an end is to be considered ‘partial’ when the agent merely apprehends the end but does not recognize the end as an end nor think about how it may need to act in order to achieve that end. The acts of agents, such as brute animals which possess only such ‘partial’ knowledge of the ends of their acts, can thus be called voluntary only imperfectly.

In contrast, an action is perfectly voluntary when the agent has ‘full’ knowledge of the end in that it recognizes the end as an end and moves itself purposely, through its inner principle of action, so as to attain that end. Such ‘full’ knowledge can be present only in agents endowed with ‘reason.’ Consequently, only rational beings, in contrast to brute animals, can act perfectly voluntarily, a notion which can be expressed by the following criterion:

(V1) The perfectly voluntary consists of an act in which there is (a) ‘full’ knowledge of the end by a rational agent along with (b) an inner principle of action by which it moves itself towards that end.

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2 Quae vero habent notitiam finis dicuntur seipsa movere, quia in eis est principium non solum ut agant, sed etiam ut agant propter finem (ST Ia-IIae q.6, a.1). As already mentioned in the Introduction, all Latin text of Aquinas is from the Leonine edition found at www.corpusthomisticum.org. English translations, unless otherwise noted, are mine.

3 ad rationem voluntarii requiritur quod principium actus sit intra, cum aliqua cognitione finis (ST Ia-IIae, q.6, a.2).


5 Imperfecta autem cognitione finis est quae in sola finis apprehensione consistit, sine hoc quod cognoscatur ratio finis, et proportio actus ad finem (ibid.).