A Problem of Unity in St Thomas’s Account of Human Action

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In his many and varied writings, St Thomas presents us with both a sophisticated account of human action and a complicated moral theory. In this article, I shall be considering the question of whether St Thomas’s theory of action and his moral theory are mutually consistent. My claim shall be that St Thomas can preserve the ontological unity of human action—but only at the cost of rendering it extremely difficult to evaluate in a manner consistent with his moral theory, or, alternatively, that he can provide a viable ethical analysis of human action—but only at the cost of compromising its ontological unity. In the first section of this article I shall examine St Thomas’s account of a particular kind of moral action, namely lying. Two basic questions concerning the specificity of unicity of human action will emerge from this examination: 1) what makes an act to be a specific moral act?, and 2) what makes a specific moral act to be one act? In the second section of the article I shall attempt to show, by means of a textual examination, that St Thomas does not appear to be able to provide an account of human action that will satisfactorily answer both these basic questions at the same time.

The Case of the Lying Dutchman

Here is a version of a standard case which has appeared many times in the philosophic literature, in one form or another.² The place is the Netherlands; the year is 1943. At 3 a.m. one morning, Pieter van Breda is awakened by a furious pounding on his door. Four people are outside: a man, a woman, and two children. They explain that they are Jews wanted by the Gestapo and ask if they may take shelter in Van Breda’s home. Unsure of what to do, he allows them to come in while he thinks about it. Five minutes later, the door suffers again. This time the Gestapo are outside. The four strangers rush to the cellar while Van Breda

1 I would like to thank the Graduate Students in Philosophy at the Catholic University of America for their invitation to speak in their Annual Spring Lecture Series. The talk was an embryonic version of this article. I would also like to thank the National Endowment for the Humanities which made it possible for me to give more thought to these matters during the summer of 1985.

opens the door. Van Breda sees them running toward the cellar door, and he knows there is only one way out of the house and that is through the door at which he is standing. The Gestapo officer asks him "Are there any Jews on these premises?"

Before answering the question, Van Breda considers his options.

Option I: He may, of course, refuse to answer the question. In this case, the Gestapo will certainly search his premises and the refugees will be discovered.

Option II: Van Breda may answer the question. In this case he has three sub-options:

(a) He may tell the literal truth. (Remember, he has made no promise of any kind to his uninvited guests, and he is not in any special way obligated to them);

(b) He may attempt to conceal the truth without actually lying, for example, by the use of a "broad mental reservation." In this situation it is difficult to see how one might construct a broad mental reservation and so, effectively option II (b) is ruled out;

(c) He may lie like a trooper!

If he adopts options I, II (a), or II (b), Van Breda knows, beyond a reasonable doubt, that the Gestapo will search his premises and that the refugees will be discovered. Only the adoption of option II (c) allows any real hope of preventing their discovery. On this scenario, option I is inadvisable though certainly not wrong. Option II (b) is, as already noted, practically impossible. Option II (a) is not an attractive option and its adoption would not excite universal admiration though it is difficult to say exactly what if anything is wrong with it. The adoption of option II (c), on the other hand, is one which, I think, would meet with almost universal approbation. Let us suppose that Van Breda answers the Gestapo officer's question in the negative. I believe I am correct in thinking that most people would approve of his action. Not only would they consider him not to have done anything wrong; on the contrary, they would consider his action to be positively meritorious. What would be St Thomas's opinion?

Thomas on Lying

Thomas begins his discussion of lying with a reminder of his teaching on the species of a moral act. The moral species of an act is determined primarily by two factors: its moral object—the object of the power moved by the will, and its end—the object of the will as first mover. The moral object of the act is to the end of the act as matter is to form. Formally, the essence of lying consists in a person’s intending to say what he believes to be

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3 Summa Theologiae, II-II, q. 110.
4 Cf. Summa Theologiae, I-II, q. 18, aa. 6 and 7.
false. It doesn’t actually have to be false; it is sufficient that it be believed to be false. There need not be any material deception. St Thomas goes on to list three ways of typifying lies: the first comes from Aristotle, the second from Scripture, and the third from St Augustine. The Aristotelian typology, dealing with lies qua lies, is the proper and essential division, dividing lies into those which are so because of an excess of truth, and those which are so because of a deficiency of the same commodity. The Scriptural typology, dealing with lies qua sins, divides lies into mischievous lies (told from malice), jocose lies (told from a sense of fun); and officious lies (told for the well-being or convenience of someone.) In the case of mischievous lies, the sin is aggravated; in the other two cases, the sin is diminished. The Augustinian typology arranges lies in relation to their ends. Augustine’s first three cases correspond to the Scriptural Mischievous lie; Augustine’s fourth case is neutral between the Scriptural lie mischievous and the lie jocose; Augustine’s fifth case corresponds to the jocose lie; and Augustine’s sixth, seventh, and eighth cases correspond to the Scriptural officious lie. Since Van Breda says what he believes to be false his act is one of lying. Using Scriptural categories, St Thomas would classify it as an officious lie and, as such, sinful.

Let us focus on a passage from St Thomas which contains his reasons for characterizing the act of lying as evil:

That which is of itself evil from its genus can in no way be good and lawful, since for it to be good it is necessary that everything coincide correctly. Good comes from a complete cause, while evil comes from any single defect, as Dionysius says. However, the evil of a lie comes from its genus, since a lie is an act falling under undue matter. Since words are by nature signs of the intellect, it is unnatural and undue that anyone signify vocally that which he does not have in his mind.

This is a very important passage. It contains not only St Thomas’s argument against lying but also a clear enunciation of what we may call the ‘Dionysian principle’, namely that

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6 Note here a clear distinction between the notions of ‘deception’ and ‘lying’; one can lie without deceiving or intending to deceive, and deceive without lying or intending to lie.

7 *Summa Theologiae*, II-II, q. 110, a.2.

8 *Nicomachean Ethics*, iv, 7.

9 Psalm v, 7

10 *Contra Mendacium*, xiv.

11 *Summa Theologiae*, II-II, q. 110, a.3. “illud quod est secundum se malum ex genere, nullo modo potest esse bonum et licitum: quia ad hoc quod aliquid sit bonum, requiritur quod omnia recte concurrant. Bonum enim est ex Integra causa, malum autem est ex singularibus defectibus, ut Dionysius dicit, 4 cap. de Div. Nom. Mendacium autem est malum ex genere. Est enim actus cadens super indebitam materiam: cum enim voces sint signa naturaliter intellectum, innatnale est et indebitum quod aliquis voice significt id quod non habet in mente.” Translation from Latin is by the author, unless otherwise specified.
“good comes from a complete cause while evil comes from any single defect.” Let us examine this principle first.

To begin, we should note that St Thomas nowhere argues for this principle. He simply cites it as something graspable by the intellect as evident. The point of this evident principle is that if an action is to be adjudged morally good, it must be good in all respects. In the context of St Thomas’s thought, this amounts to saying that an action is good only if it be both good in kind and done for a good end. If an act fails to be good in either one of these respects, then it fails to be good as a whole. This being the case, one must realise that neither the goodness of the end nor the goodness of the moral object alone is sufficient to render an act completely good. The argument against lying in this passage consists of two interlinked syllogisms. Reconstructed slightly, it looks like this:

**Syllogism A**
1. The verbal signification of that which is not in one’s mind is an unnatural and undue act.
2. Lying, by formal definition, is the signification by words of that which is not in one’s mind, therefore
3. Lying is an unnatural and undue act.

**Syllogism B**
1. All unnatural and undue actions are evil in their genus.
2. Lying is an action both unnatural and undue (A2), therefore
3. Lying is an action evil in its genus.

The two syllogisms are valid. Are they sound? The question of soundness focuses our attention on premises Al and A2. The major premise, Al, brings us face to face with the problem of the Natural Law and in particular how we are to construe the term ‘unnatural’ in this context. Happily, we can avoid the knotty historical, exegetical, and hermeneutical problems associated with this topic since it is not our primary concern here.

The minor premise, A2, is Thomas’s definition of lying. The very formal character of this definition, and its lack of reference to a social context can give rise to objections as to its adequacy as a definition of lying as distinct from, say, false utterance. It is clear that on this issue there are two views that polarise the spectrum of possible opinions: Thomas’s view, which regards lying as an intrinsically disordered act and hence as vitiating any larger act of which it may be a component, and the popular view which regards social needs and

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12 Of course, in very simple acts, such as walking for the sake of walking, there may be no real distinction between end and object. But this is merely a limiting case, and the principle still holds good. Cf. Ralph McInerny, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas* (Washington, DC, 1982), pp. 81-86.

purposes of communications as constituting the essence of both veracity and lying. Now St Thomas would have to allow that language is conventionally constructed and that words cannot be used, Humty-Dumptyishly, to mean anything one likes. If the conventional understanding of the word ‘cat’ is ‘a small to medium four-legged animal, which mews, chases mice, etc.,’ then one cannot (normally) say “There is a cat in the room” and mean by it “I have a pain in the head.” In addition, St Thomas, as a theologian, has to give a sufficiently flexible account of truth to account for the exigencies of Scripture. (In Scripture we find expressions such as “God is a rock” which, if literally construed, are false.)

St Thomas, then, would have to judge Van Breda’s officious lie to be illicit, albeit minimally so in view of the great good intended. However, using the Dionysian principle, even this minimal illicitness is sufficient to vitiate the goodness of Van Breda’s action as a whole. This adverse judgment is at variance with the popular opinion previously mentioned which would consider Van Breda’s action to be positively good! Let us examine what seems to be a prima facie objection to Thomas’s evaluation of the morality of the Lying Dutchman case. The objection consists in pointing out that St Thomas’s judges differently in a case which is apparently identical in its moral features to that of the Lying Dutchman. If this objection can be sustained, then St Thomas will have been convicted of inconsistency and his theory will have to be suitably modified.

It is right and true for all to act according to reason. It follows from this principle, as if it were a proper conclusion, that deposits ought to be returned. This is true in most cases but it is possible that in a particular case it would be harmful, and consequently unreasonable, to return deposits.14

Taking this passage as a guide one might argue, by parity of reasoning, that it is unreasonable always to tell the truth, particularly in those cases where truth-telling is injurious to self or others in a seriously disproportionate way.

St Thomas, however, makes a distinction between failure in the making of a promise, and failure in the keeping of a promise which suffices to deflect this objection.15 Moral failure in the making of a promise would be tantamount to a lie; but failure to keep a promise may be excusable because of changed circumstances. If, at the time a promise is made, the agent intends to keep that promise, he is not necessarily culpable if he subsequently fails to keep

14 Summa Theologiae, I-II, q. 94, a.4. “Apud omnes enim hoc rectum est et verum, ut secundum rationem agatur. Ex hoc autem principio sequitur quasi conclusio propria, quod deposita sint reddenda. Et hoc quidem ut in pluribus verum est: sed potest in aliquo casu contingere quod sit damnosum, et per consequens irrationabile, si deposita reddantur.”
15 Summa Theologiae, II-II, q. 110, a.3 ad 5.
it. Promise-keeping is an activity which takes place in the context of what we might call normal circumstances. If the normal circumstances fail to obtain, then it is not obligatory to keep the promise; indeed, it may be obligatory not to keep it!

So, it seems we cannot apply the ‘normal circumstances’ condition of the promise-keeping case straightforwardly to the lying case since, while we can distinguish between promise-making and promise-keeping, we cannot distinguish between lie-making and lie-keeping. The lying case and the promise-keeping case are significantly different, morally speaking. The failure of this line of inquiry, suggests that perhaps we should pay more attention to the ‘exception’ clause which occurs in a passage in response to the following objection: “Further, to avoid a great evil, the lesser evil should be chosen ... So a man may lawfully tell a lie to save one person from committing murder, or to save another from death”  

The response is as follows:

A lie is not only sinful because it harms one’s neighbour, but because of its inordinateness, as was said above. However, it is not lawful to use anything inordinate to prevent damage or loss to another, just as it is not lawful to steal to give to charity (unless perhaps in case of necessity, in which case all things are common.) Therefore, it in not lawful to tell a lie to deliver another from any danger, yet it is lawful to conceal the truth prudently under some disguise, as Augustine says. (Contra. Mend. x)  

The clause I have emphasised clearly shows that St Thomas would have to judge Van Breda’s action to be a lie, and hence inordinate and sinful. Why does St Thomas add the rider “unless perhaps in case of necessity, in which case all things are common” to his example of stealing? The example is presumably meant to reinforce St Thomas’s judgment in the lying case. But as he allows an exception in the case of stealing then, if the cases of lying and stealing are parallel (as the context suggests they ought to be, otherwise why should the parallel be drawn?) then perhaps there could also be an exception in the case of lying as well. What could possibly constitute the exception in this case? What would be the equivalent to “except in case of necessity when all things are common”? Perhaps a situation of social disorder in which the norms of truth-telling are no longer operative. This is a tempting move but St Thomas will have none of it. His definition of lying, as we have seen,

16 Summa Theologiae, II-II, q. 110, a.3 obj.4. “ Praeterea, minus malum est eligendum ut vitetur mius malum . . . Ergo licet potest homo mentiri ut unum praeservet ab homicidio, et alium praeservet a morte.”

17 Summa Theologiae, II-II, q. 110, a.3 ad 4. “mendacium non solum habet rationem peccati ex damno quod infert proximo, sed ex sua inordinazione, ut dictum est. Non licet autem aliqua illicita inordinatione ut ad impedientium nocentur et defectus aliorum: sicut non licet furari ad hoc quod homo eleemosynam facial (nisi forte in casu necessitas, in quo omnia sunt communia). Et ideo non est licitum mendacium dicere ad hoc quod aliquis alium a quoquecumque periculo liberet. Licet tamen veritatem occultare prudenter sub aliqua dissimulatione: ut Augustinus dicit, contra Mendacium.
involves no reference to social context or normal conditions so their absence cannot make
the deliberate intention to say that which one believes to be false not to be a lie. The
‘exception clause’ must be understood as a mere accidental disanalogy between the two
cases.

Perhaps it would be helpful for us to consider how it is that we judge the moral object of
a human action to be what it is. If a human action has a moral object then that moral object
must be describable (at least in principle) and the description should embody its individually
necessary and jointly sufficient conditions. If we are to compare the moral object of an act
to the proximate norm of morality, which is reason, then we ought to have a clear idea of
just what the moral object of that act is, otherwise it will be difficult to make a reasonable
judgment as to whether the moral object is, or is not, in conformity with the proximate
norm of morality. What would constitute the moral object of a lie?

1. One must intend to make a statement, that is, one must intend to enunciate a proposition
which is capable of being true or false.
2. At the same time, one must believe this intended statement to be false.

Now, St Thomas considers that these two conditions are jointly sufficient for an utterance’s
(or an intended utterance’s) being a lie. 18

As I have already said, we seem, in the case of the Lying Dutchman, to have assumed
that we know what he is doing and that he is doing one thing. These assumptions
presuppose that we are able to answer the following questions.

(1) What makes an act to be a specific moral act?
(2) What makes a moral act to be one moral act?

In the next section, I shall try to show, by an examination of passages from the Summa
Theologiae that St Thomas cannot, it appears, satisfactorily answer both these questions
simultaneously. 19

The principle of human acts qua human is the end. St Thomas notes that any given act is
ordained to one proximate end and that it is from this proximate end that it derives its
species, for it can of course be ordained to several remote ends. In q. l, a.3 ad 3, St Thomas

18 St. Augustine would (reluctantly) add: (3) You must intend to deceive your auditor/s. And if Newman is to
be believed some of the Church Fathers would also require (4) Normal circumstances must obtain. (John
and Equivocation” p. 260.
19 Hereafter, all the questions and articles referred to are, unless otherwise specified, to be found in the Summa
Theologiae, I-IIae.
makes a crucial distinction between acts as natural entities and acts as moral entities. Acts which are one in their natural species can be ordained to several different ends of the will. “To kill a man” is one thing as a natural species but the killing of a man may be ordained to the end of satisfying justice, or to the end of satisfying vengeance, which ends are materially identical yet formally (and morally) diverse.

Moral ends are accidental to a natural entity, and conversely, a natural end is accidental to a moral entity. So nothing prevents acts which are the same when considered as natural species from being diverse when considered as moral species, and conversely. 20

My question, then, regarding the unity of a human act is concerned with its unity as a moral entity and not its unity as a natural entity.

In the reply to the third objection of q.7, a.3, St Thomas clarifies his prior characterization of end and object as circumstances. A condition of the cause on which the substance of the act depends is not a circumstance. So, for example, it is not a circumstance of theft that the article stolen belong to another; this ‘circumstance’ is part of the very substance of the act. So too, the end that specifies the act is not a circumstance. If a valiant man act valiantly for the sake of the good of the virtue of fortitude, it is not a circumstance. But if he acts valiantly for the sake of the delivery of the state, or for Christendom, this is a circumstance. 21

The discussion in this article advances our understanding of the determinants of the species of the moral act. Now we see that both the end and the moral object contribute to the moral character of a human action. Much of the difficulty in understanding St Thomas’s account of the moral act derives from the subtle and complicated interrelationship of these two ‘circumstances.’ In q.7, a.4, St Thomas not only singles these two determinants out for special attention, he also ranks them in order of importance: the end is the most important of all; the object is second in importance. In the response to the second objection in this article he says

While the end is not of the substance of the act, it is still the most important cause of the act insofar as it moves the agent to act. From this it follows that the moral act obtains its species chiefly from its end. 22

[Footnotes]
20 “Fines autem morales accident rei naturalis; et e converse ratio naturalis finis accidit morali. Et ideo nihil prohibet actus que sunt idem secundum speciem naturae, esse diversos secundum speciem moris, et e converso.”
21 What this means is that circumstances, qua circumstances, are never determinants of the primary quality of a moral action. As such, ‘circum-stances’ are part of the moral object of the act. When circumstances remain circumstances the most they do is modify in some respect the already morally determined act.
22 “[F]inis, etsi non sit de substantia actus, est tamen causa actus principalissima, inquantum movet ad agendum. Unde et maxime actus moralis speciem habet ex fine.”
From all this it would seem that the end occupies pride of place among the determinants of the moral species of human actions. But in q. l8, a.2, St Thomas tells us that the first thing which belongs to the fullness of being is that which gives a thing its species, and, as a natural thing has its species from its form, so an action has its species from its object. So, the primary goodness or evil of an action is derived from its object. St Thomas adds, in the fourth article of the same question that human actions have a measure of goodness from the end on which they depend, besides the goodness which is in them absolutely. Now it appears that the species derived from the end of the action is being relegated to second place.

In q. 18, a. 5, St Thomas echoes and expands the distinction between actions as natural entities and actions as moral entities which he made in q. l, a. 3. In as much as acts derive their species from objects, objects cause differences in species but only insofar as the actions are referred to one principle. Now the principle to which human actions are referred is human reason. So, for example, the conjugal act and adultery are one in species insofar as they are natural actions but they are distinct in species insofar as they are human (moral) actions, for then they are referred to reason as their principle.

So far, then, we appear to have two principal determinants of the moral species of a human action with apparently conflicting accounts of which has priority, and no account (except the bare assertion of the Dionysian principle) of how they are to be integrated and assessed in order to determine the over-all moral value of the human action. In q. l8, a. 6, we begin to get the glimmer of a solution. It appears that, in voluntary action, there is a twofold action: an interior act of the will; and an exterior action. Now we might well ask of what kind the distinction is between these two acts. It turns out that, according to St Thomas, these acts are physically distinct, though they can be morally one. The end is the object of the interior act; the object of the exterior act is that on which it is brought to bear, i.e. its object. The interior and exterior acts derive their species from their respective objects. Now, according to St Thomas, the species of the act is considered formally in regard to its end, and materially in regard to its object. On Thomas’s view, to steal in order to commit adultery is to be more properly an adulterer than a thief. No problem arises in morally evaluating those acts in which the species derived from end and object are either both good or both evil. But what of the case in which the end of an act is good but its object evil, or vice versa? On the basis of the Dionysian principle, all such acts must be judged to be evil.
How, then, do these different species of one human act relate to one another? Is the species derived from the end contained under the species derived from the object, or *vice versa*? This is the topic St Thomas discusses in q. 18, a. 7. He there indicates that the object of an external act can stand in a two-fold relation to the end of the will: either *essentially* (of itself), as fighting well relates to the end of victory, or *accidentally*, as stealing to giving alms. In the first case, where the species are essentially related, the species derived from the moral object is subsumed under the species derived from the end. In the second case, where the species are accidentally related, *neither species is subordinate to the other. The moral action is contained under two disparate species, as it were.*

My question is a simple one—how can there be one moral act in this case? It is true that St Thomas describes the theft-for-adultery case as having a twofold malice in one action but this way of putting it seems to conflate the non-moral description of an action with its moral description. If we have two essentially unrelated moral species, surely what we have are two moral actions in one natural or non-moral action. St Thomas refers to q. 1, a.3 to justify his claim but the claim that this article supports is rather that we can have (and in this case do have) two moral actions in one non-moral action. Lest there be any doubt as to what St Thomas’s claims, I should point out that in q. 18, a.10 he says that he sees no reason why one action may not be in several, even disparate, moral species, and this time there is no ‘quasi’ about the *disparatis.*

With q. 20 a. 1 we finally arrive at the material pertinent to the case of the Lying Dutchman. The question raised is “Is goodness and evil in external acts?” The answer is, of course, in the affirmative. It appears that external acts can be good or bad in two ways. The first way is in respect to their species and/or circumstances; the second way is in respect to their end. The goodness or evil which the external act has of itself is not derived from the will but from reason whereas the goodness or evil which the external act has from the end is first in the will.

If we consider the external action with regard to the reason’s ordination and apprehension, then its goodness or evil is prior to the act of the will. But if we consider the goodness or evil of the external action in regard to the execution of the act done, then it is subsequent to the goodness or evil of the will which is its principle. St Thomas notes in the next article (a. 2) that there is a twofold goodness or malice in the external action, one deriving from the species and circumstances, which rests on reason, the other deriving from the end, which rests on the will. This much we have heard before. But, he adds, *the goodness of the will also depends on this due matter insofar as the will tends towards it.* This comment would seem
to make the species derived from the moral object prior in some absolute way since it not only determines its own moral component of the action, but also determines (at least partially) the moral character of the will.

Is the goodness or evil of the external action the same as that of the internal action? A straightforward affirmative response to this question would justify a proportional 1st reading of St Thomas’s texts. Thomas’s actual answer is that the act of will is, as it were, the form of the external action. That which results from the composition of form and matter is one thing; therefore, there is one goodness of internal and external action. From what we have seen above (Cf. q. 18, a. 6) it should be evident that the form/matter analysis may apply to those acts whose objects and ends are essentially related. It is not at all clear, however, that the form/matter analysis can apply to acts whose objects and ends are only accidentally related.

The internal act of will and the external action, considered morally, are one. But one and the same individual action sometimes has several aspects of goodness, sometimes one. There are times when the goodness or malice of the internal action is identical with the goodness or malice of the external action. At other times, this is not so. Sometimes, the goodness or malice of the means is derivative upon the end; e.g. medicine may be good only insofar as it is conducive to health. In this case, there is only one goodness, the goodness of health, which is the end of the medicine-taking activity. In some cases, the subordinate action has some goodness or malice itself, in addition to whatever it may have from being subordinate to an end. Therefore, when the goodness or malice of the external action is derivative upon the end completely, then the entire action possesses only one goodness. But where the external action possesses some goodness or malice of itself, then the goodness or malice of the external action is distinct from the goodness or malice of the end. This seems to support my contention that we have here two moral actions in one natural action yet St Thomas adds, somewhat mysteriously, that the goodness or malice of the end passes into the external action, and the goodness or malice of the external action passes into the act of the will! Lest we be tempted to think that one and the same act can be simultaneously good and evil, St Thomas explicitly denies this. One kind of action in the physical order may be many kinds of action in the moral order, and vice versa, but one action in the moral order cannot be both good and bad.

Here, then, is the crux of the matter. St Thomas wants to allow species input from various sources as determinants of the moral quality of a human action. At the same time, he wishes to maintain the unity of human action, i.e. though it derives its moral character
from many sources, a given human action can only have a single determinate moral character. Now it is perfectly clear that this is what St Thomas wants to uphold; what is not clear is how he is going to uphold it on the basis of his theories of morality and action.