

Studies in the History of Ethics

Willful Wrongdoing: Thomas Aquinas on *certa malitia*

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Thomas Aquinas argues for an account of human action that is rooted firmly within the eudemonistic tradition. On Aquinas's account, human beings always act for the sake of an end that they consider a good. Furthermore, he argues that human beings always act in light of an ultimate end, which he defines as happiness.

Ultimately, human beings do what they do because they believe that doing so will make them happy. This description of the motivation for action raises two major worries for Aquinas's account. First, obviously, there are many, many situations where human beings perform actions that they clearly recognize as wrong and therefore not good. One wonders whether Aquinas is able to reconcile such cases with his basic account of action. Thus, he faces questions about the consistency of his account. Secondly, one wonders whether an explanation that is consistent with his basic account of action will satisfactorily account for wrongdoing. Thus, he faces questions about the adequacy of his account.

Aquinas is cognizant of human wrongdoing and is aware that he needs to provide an accurate explanation of it. In this paper, I consider his explanation. Although I will touch on immoral actions committed out of ignorance or passion, I will focus on a particular group of immoral actions, those Aquinas argues are

performed *ex certa malitia*. Of the three basic kinds of wrongdoing that Aquinas discusses, it is this group of actions that is bound to be the most puzzling to us today.

This term '*certa malitia*' requires some explanation. Aquinas means 'deliberate' when he uses the Latin word '*certa*' in this context. This can be seen by his description of acts from *certa malitia* as acts that are done '*ex industria*' or 'on purpose.' The Latin word '*malitia*' creates more difficulties. It is the abstract term for the Latin '*malus*,' which means 'bad.' Thus, '*malitia*' literally means 'badness,' a term awkward at best in English. One could translate it as 'wickedness' or 'evil' or even 'malice,' as is often done, but '*malitia*' has broader connotations than any of those terms. It can include what we ordinarily think of as wicked or evil, but it also applies to what we ordinarily think of as merely bad. English terms such as 'wickedness' and 'malice' have specific moral connotations that '*malitia*' does not necessarily have for Aquinas. Thus, in order to avoid any misleading implications, I shall leave the term untranslated and trust that the context in which it is being used makes its meaning clear.

Acts from *certa malitia* result not from ignorance of what is right or wrong nor from the influence of passions. Rather, they are committed from a distinctive sort of willfulness. Aquinas characterizes them as the direct result of an agent's preference for a lesser good over a greater good, or alternatively, for a mutable good over an immutable good. Either description is bound to seem foreign and no doubt implausible to many philosophers, so I will provide the requisite background information in order to motivate it. Aquinas's conception of wrongdoing is grounded in his basic account of action. Therefore, it is necessary to consider first

his account of action in general in order to understand his account of wrongdoing. After discussing his basic account of action, I will examine his general account of bad actions, focusing on those done from *certa malitia* in particular. Finally, I will discuss the consistency of Aquinas's account. He faces two major objections. The first objection is the one I raised above, that is, the fact that people do things that they know to be bad. I argue that Aquinas can account for this in ways that maintain the consistency of his account, but that doing so raises a further dilemma. It appears that either actions done from *certa malitia* are reducible to a problem in the intellect (what I will call the reduction problem) and not in the will, as Aquinas wishes to maintain, or the will has more autonomy than Aquinas wishes to maintain (what I will call the autonomy problem).

One might wonder why we should worry about the consistency of what will strike some philosophers as an obscure account of wrongdoing. In my view, Aquinas has something important to offer to the current debate in moral psychology. First, the traditional Aristotelian line that human beings choose what they regard as good, which Aquinas accepts, has seemed plausible to many. If this position can be defended, it provides an interesting account of human motivation. Secondly, Aquinas's account, which is grounded in a rich and elaborate explanation of human action, provides additional resources for explaining human misconduct. I illustrate some of these resources in the paper when I consider a particular example of heinous evil, namely, the Holocaust.

Of course to say that Aquinas's account is consistent is not to say that it gives us a correct account of wrongdoing. Thus, questions about its adequacy are among

the more interesting and important. However, the questions of consistency are the more pressing issues. An inconsistent account would raise immediate concerns about its viability. Therefore, I shall leave the issues of adequacy for consideration in a future project and concentrate here on the consistency concerns.

I

Since Aquinas's account of wrongdoing follows from his account of action, first, we need to examine his explanation for how human actions come about. For Aquinas, all action insofar as it is distinctively human results from the interaction between intellect and will.¹ The intellect is the human cognitive capacity and enables human beings to deliberate and arrive at judgments about what actions to perform. The will is the human capacity to incline toward particular alternatives for action in light of the agent's reasons for acting one way rather than another.

Human action is always goal-directed. The will, by its very nature, is directed toward particular goals or ends. Agents always have a will for something specific (*ST I-II, q.1, a.1*). Thus, human beings always act in light of a particular goal or aim that they wish to achieve. Aquinas argues that ultimately human beings do what they do in light of their final end, which he calls the ultimate end. An ultimate end is a goal or aim beyond which there is no further goal or aim. It is the highest end at which we aim, that end for the sake of which we do everything else.² Aquinas argues that this ultimate end is happiness (*ST I-II, q.1, aa.6-8*). He has a specific idea in mind for what constitutes human happiness, but we need not be concerned with the details of his view here.³ Aquinas takes it as uncontroversial that all human beings desire happiness, but he is willing to grant that not all will accept

his specific account of happiness (cf. *ST* I-II, q.5, a.8). For the purposes of this project, it doesn't matter what happiness actually consists of.

For Aquinas, the will is an appetite for the good as it is conceived of by the intellect; one never inclines toward a given goal or end or object unless one judges that goal or end or object to be good in some respect.⁴ Thus, Aquinas gives us the following picture of the genesis of action. Human beings deliberate over their ends,⁵ that is, what they wish to accomplish. They pursue these ends ultimately in light of what they take to be conducive to their happiness. They also deliberate over suitable means for accomplishing their ends. They are moved as a result of their deliberations and judgments to perform particular actions in order to accomplish their ends. What enable human beings to achieve all of this are their cognitive and motive powers, that is, in Aquinas's terms, their intellects and wills.

In technical terms, on Aquinas's view, the intellect deliberates over and makes a judgment about what to do. The intellect then presents a particular alternative for action to the will, which is the will's object. In turn, the will chooses the action and moves the appropriate powers of the body to execute the action. Although Aquinas explains this process on what we might call the microscopic level in terms of individual powers and capacities, it is of course the human agent who does these things in virtue of those powers or capacities (cf. *ST* I, q.75, a.2, ad.2).

This is a very general overview of a topic that Aquinas himself spends a significant amount of time discussing in the first part of the second part of *Summa theologiae*, as well as in other important texts. Obviously, much more could be said. The production of an action is a complex operation for Aquinas, with many other

complications. One factor in particular will be important for my purposes in this paper: the passions. Aquinas acknowledges that human beings act in the face of passions, which he identifies as having their source in what he calls the sensory appetite, that is, the appetite that moves one on the basis of sensory apprehensions. Passions such as anger can make certain courses of action appear good that would not otherwise appear good were it not for the influence of the passion (*ST I-II*, q.77, a.2). The phenomenon of road rage is an obvious example. Passions can also distract the agent's judgment away from what she knows she ought to do (*ST I-II*, q.77, a.2). Nevertheless, Aquinas argues that an agent who has a functioning intellect and will is capable of stepping back, resisting, and overcoming the influence of passion (*ST I-II*, q.10, a.3). Thus, while passions are important influences upon our actions, in the final analysis, the intellect and will play the central roles in Aquinas's account.

Now that we have considered Aquinas's general theory of action, let us go on to consider his explanation for wrong action.

II

Aquinas's explanation for how human beings could choose badly, the account of what goes wrong so to speak in the process of choosing (and ultimately acting), has its roots in the basic processes of action. As we have seen, ultimately for Aquinas, action is a function of the interaction between intellect and will with the possible influence of the passions. So the explanation for bad choices and deeds rests with the intellect, the will, and the sensory appetite, which is the seat of the passions.

Aquinas argues that human beings act badly in virtue of a defect in those powers or capacities from which human action is produced:

That the appetite of a human being inclines toward what is bad comes about from some corruption or disorder in humanity's principles. [...] But the principles of human action are the intellect and the appetites, both the rational appetite, which is called the will, and the sensory appetite. Therefore, just as fault comes about in human actions sometimes from a defect of the intellect, for example, when one errs through ignorance, and sometimes from a defect of the sensory appetite, as when one errs through passion, so too fault comes about from a defect in the will, which is a disorder of it.⁶

Because the intellect's primary function has to do with knowledge, a defect in the operations of the intellect gives rise to a transgression from ignorance. A defect in the sensory appetite results in a transgression from passion, insofar as the passions are a function of the sensory appetite. Finally, a defect in the will produces what Aquinas calls a transgression from *certa malitia*.⁷

If an agent chooses badly out of a failure to know, she is blameworthy if her lack of knowledge involves information that she ought to have known, was capable of knowing, or was such that even had she possessed this knowledge, she would have performed the action anyway.⁸ As we saw above, passions act on human cognitive capacities in two ways. A passion might distract the agent away from what she knows she ought to do, or an alternative that ordinarily would not look good to a given agent might look good to that agent under the influence of a passion (*ST* I-II, q.77, a.1-2). However, Aquinas denies that passions are able to overwhelm an agent

completely who possesses a functioning intellect and will. To the extent that an agent is able to retain the use of her rational capacities in the face of passion's influence, she will be blameworthy for choosing badly under the influence of passion (*ST* I-II, q.77, a.7). Moreover, if an agent becomes incapacitated under the influence of passion through her own voluntary choices, as Aquinas notes in the case of ordinary drunkenness, she is blameworthy in these cases as well.⁹ Although ignorance and passion raise interesting issues, especially the problem of akrasia in the case of the passions, for the most part, I am going to set them aside for the purposes of this paper. In what follows, I will discuss them only insofar as they are related to my discussion of what I am most interested in, actions done from *certa malitia*. Hereafter, I will refer to *certa malitia* as CM.

Aquinas's discussion of CM is found in two different texts.¹⁰ He devotes one question consisting of four articles in prima secundae of *Summa theologiae* to the topic. He also examines the same topic in two articles of a question concerning the causes of sin in *De malo*. In the two works, he frames the account in different albeit compatible ways. I will focus on the account from *Summa theologiae* but will bring in the important variations from *De malo*. I have chosen to emphasize the account from *ST* for two reasons. First, in *ST*, Aquinas situates his discussion of CM more squarely within his larger discussion of action that provides the necessary framework for understanding his account of immoral action. In *QDM*, Aquinas presupposes a familiarity with this framework, and the connections between action in general and immoral action are not so clearly indicated.¹¹ Secondly, although in neither text does Aquinas go into as much detail as one would wish, the account in *ST* is more

elaborate.

As we saw above in the passage taken from *ST*, Aquinas defines CM in terms of a defect or disorder in the will. Of course, what Aquinas means by a defect in the will is not immediately apparent. Aquinas describes disorder in the will in the following way:

The will is disordered when it loves a lesser good more. This follows insofar as one chooses to suffer harm to the good loved less in order to obtain the good loved more, as, for example, when a human being wills to suffer the amputation of a limb, even knowingly, in order to conserve life, which he loves more. In [an analogous] way, when a disordered will loves some temporal good (for example, wealth or pleasure) more than the order of reason, or the order of the divine law, or love of God, or something of this sort, it follows that it wills to suffer the loss of some of the spiritual goods in order to obtain the temporal good. But what is bad is merely the privation of some good. Accordingly, one knowingly wills something spiritually bad, which is bad absolutely speaking, by which a spiritual good is lost, so that a temporal good might be obtained. Thus, one is said to sin from *certa malitia*, or to sin deliberately, as if one chooses what is bad knowingly.¹²

As the passage indicates, for Aquinas, the will does not become disordered simply by pursuing its greater preferences. Rather it becomes disordered when its preferences are not properly ordered, that is, when the will prefers what is in fact a lesser good to a greater good. If one is suffering from gangrene, for example, and will die unless the gangrenous limb is amputated, she does nothing wrong in undergoing the

surgical removal of the diseased limb. Obviously, the surgery is the correct choice. Limbs are great goods, and their removal is in and of itself something bad, but life is a greater good, and it appears in this case that amputation is the only means available to preserve that greater good. Of course, one would wish to avoid amputation and rely on less drastic means (antibiotics for example), but the circumstances in this case will not allow it. In making this choice, the agent wishes to preserve a good (life) and avoid an evil (loss of life). Thus, her preferences are ordered properly, and she makes the correct choice. She pursues a lesser evil (amputation) in order to avoid a greater evil (death) and obtain the greater good (life). For Aquinas, the problem arises when agents prefer what is in fact a lesser good to what is in fact a greater good and are willing to forgo the greater good in order to obtain the lesser good.

There is a further difference between an action from CM and a case where one's preferences are ordered properly. In the latter case, one pursues the course of action in question reluctantly. The agent recognizes that the amputation is the right course of action, but she is loath nonetheless to follow through on it. This is understandable given the nature of the action: legs are good, surgery is painful. In the case of CM, there is no reluctance on the part of the agent. She engages in the action wholeheartedly.¹³

In *ST*, Aquinas defines disorder as the preference (and subsequent choice) of a lesser good to a greater good. The will itself becomes disorder when it prefers the lesser good to the greater good. In *QDM*, there is no talk about lesser and greater goods. The discussion there is put in terms of an agent choosing a mutable good

over an immutable good (cf. *QDM*, q.3, a.12). Despite its appearance, this is not a terribly radical change. Aquinas would have been familiar with Augustine's discussion of a hierarchy of goods in *De gratia et libero arbitrio*. In this work, Augustine contrasts the higher eternal, immaterial, and immutable goods with the temporal, material, and mutable goods, which he clearly regards as lower. Augustine explicitly links the lesser goods with the mutable, and the greater goods with the immutable.¹⁴ Within this context then, Aquinas is simply using different words to capture the same sort of contrast. Lesser goods and mutable goods are the same goods under different descriptions, and similarly with greater goods and immutable goods. This also fits well with Aquinas's contrast in the passage above between temporal goods and spiritual goods. Temporal goods are capable of being changed; they can be destroyed, for example. Spiritual goods are enduring and unchangeable; they are indestructible. A fallible human agent could lose a spiritual good such as knowledge if her memory were destroyed, for example. Still the knowledge itself cannot be destroyed. What has been destroyed is a mutable human capacity.

Aquinas's distinctions here help to address one relatively minor issue: what counts as a lesser good or a greater good. His contrasts between temporal and spiritual goods, or between mutable and immutable goods, suggest that cases of CM involve a conflict between one's duty to God and various pleasures that we might call earthly pleasures.¹⁵ One might think that that is an unduly narrow conflict, but if we include following the moral law as a spiritual good (which Aquinas does in the passage above) and a part of one's duty to God (as Aquinas would surely want), then perhaps it is not so implausible. This would also rule out certain cases that on the

face of it would count as preferring a lesser good to a greater good but seem innocuous. For example, many people would say that Mozart's music is superior to that of the Dixie Chicks, yet few people would say that the individual who listens to the latter rather than the former on the commute home from work is thereby guilty of a moral failing.¹⁶ Taking both the *ST* characterization with the *QDM* characterization restricts the scope of CM. CM involves the preference of a temporal mutable good to a spiritual, eternal, immutable good. Since preferring the Dixie Chicks to Mozart is a case of preferring one temporal good to another, it does not count as a case of CM.¹⁷

One might wonder why we should restrict CM in this way. After all, we can and do rank temporal goods, and we think that some of them should be preferred to others. One might also worry that it will follow from Aquinas's account that we should never pursue a temporal good, since there will always be some spiritual good that we could have pursued. At any moment, we could be praying to God, so we shouldn't be enjoying the hot fudge sundae. These are all worthy questions, but I am going to set them aside as they have to do with the adequacy of Aquinas's account. In this paper, I am concerned with its consistency, so I propose that we simply assume here that Aquinas can deal with such issues.

A more serious issue involves how to understand what it means for the will to be disordered.¹⁸ CM involves a problem in the agent's preferences. The agent prefers what is in fact a lesser good to a greater good, which Aquinas implies the agent ought not to prefer. On Aquinas's account of action, the will is the seat of an agent's preference for the good insofar as it is good, at least, insofar as the agent has

conceived of it. In other words, according to Aquinas, agents conceive of or recognize certain things as good and in judging them to be good, naturally incline toward them. The power that enables them to incline toward what they judge (rightly or wrongly) to be good is the will. Thus, insofar as there is disorder in the agent's preferences (she prefers what she ought not prefer), the explanation for this disorder is the will, on Aquinas's account.

But how does the will become disordered? How is it able to choose the lesser good over the greater good?¹⁹ Aquinas describes two different mechanisms:

One sins from *certa malitia* when the will is moved of itself toward what is bad. This can come about in two ways. [It comes about] in one way from the fact that a human being has a corrupt disposition inclining it toward what is bad, in such a way that something bad comes about in the human being in accordance with that disposition as if it were suited and similar to him. And in this way, by reason of suitability, the will tends to [what is bad] as if it were something good, because it tends to anything whatsoever in and of itself in which there is something suitable to it. But such a corrupted disposition is either a habit that is acquired by habituation, which [habit] is inverted in nature, or is a diseased condition on the part of the body, for example, an individual who has some natural inclinations toward certain sins, on account of a corruption of nature within him.

It comes about in the other way that the will tends to something bad in and of itself by the removal of some impediment. For example, if one is kept from sinning, not because the sin in and of itself displeases him, but on

account of the hope of eternal life or the fear of hell. If the hope is removed through despair or the fear through presumption, it follows that he would sin from *certa malitia* in the absence of this restraint as it were.²⁰

Aquinas describes two ways in which the disorder resulting in CM can arise in the will. One way involves an acquired habitual disposition toward what is bad, while the other way involves the removal of a prior restraint.²¹ A thorough appraisal of the first way would require an examination of Aquinas's account of habit formation, which is beyond the scope of this paper. Aquinas's basic idea involves agents who come to regard what is bad in and of itself as something good and therefore suitable for choice. Such agents have acquired habitual dispositions to wrongdoing. Their orientations have been altered in such a way that what is objectively bad appears good to them in some respect. The will is then able to choose what is in fact unsuitable. This can come about in two ways, one of which is voluntary, by acquiring a bad habit, and the other of which is not, by developing some sort of organic disease. Aquinas clearly thinks that voluntariness is a necessary condition for holding one responsible for one's actions, so only the voluntary case is blameworthy and counts as CM (cf. *ST* I-II, q.76, a.4).

The other way in which the will becomes disordered arises when a prior impediment to a bad choice is removed. Aquinas gives the example of agents whose sole reason for avoiding a particular immoral act rests in the hope of eternal salvation or the fear of landing in everlasting hell. If an agent loses this hope or no longer takes the threat of hell seriously, what previously curbed her desire to engage in bad acts is lost, and the way is cleared for CM. These agents regard such choices as bad

only insofar as these courses of action stand in the way of their obtaining something else that they regard as good. If the judgment that constrained their choices is removed, they lose the motivation to avoid these actions. If an agent no longer believes in an afterlife, for example, she may think that she has no reason not to pursue actions that she previously deemed incompatible with her prior belief in an afterlife and the requirements for its attainment. Thus, the removal of certain impediments enables agents to regard such courses of action as permissible and suitable for pursuit.

What we have seen so far is that Aquinas defines CM as the pursuit of a lesser or mutable good to the detriment of acquiring a greater or immutable good. An agent who engages in such a pursuit does so because her will is disordered, either because her preferences have been warped in such a way that what is objectively bad appears good to her, or because of the removal of what previously provided an impediment to the choice of the lesser, mutable good. Aquinas regards this state of affairs as differing in kind from the transgressions that result from disorder in the passions or disorder in the intellect. I will consider the case of the passions first.

In the case of the passions, Aquinas argues that the agent under the influence of passion has a good end in mind but fails to achieve that end because of the passion's interference. The passion hinders the agent's judgment about what to do. The obese dieter intends to eat the broccoli, which is a means that will contribute to achieving her good end of attaining an optimal weight, but ends up eating the piece of chocolate cake. She would not have chosen the chocolate cake had her passion for chocolate been absent. Her passion hindered her making the choice that would

have helped her achieve her good end. In cases of CM, there is no such hindering; the agent chooses on the basis of her clear-eyed preferences. If the obese dieter were acting from CM, she would simply disregard the fact that the broccoli was a better choice than the chocolate cake, given her objectives, and eat the chocolate cake. Furthermore, the end in question in a case of CM is never good in and of itself. The agent pursues what is in fact bad.²² The will has a prior disordered orientation toward what is objectively a bad end and pursues that end propelled toward it by its own power, independently of any particular passion.²³ Thus, the agent (in virtue of the will) chooses the bad action directly in a certain sense, and not as a result of any influence external to the will.

We can contrast the case of the passions with the case of CM by considering two different instances of bad behavior while driving an automobile. The external action will be the same in each case. What differentiates the cases is the internal motivation of each agent. Thus, on Aquinas's account, the two cases differ in their etiology. In the one case, we have an enraged driver who cuts off a careless driver but who would not have done so had her anger not gotten the best of her. This would be a case of acting out of passion. It is still blameworthy, since Aquinas would argue that this driver could have told herself to calm down and keep things in perspective. On the other hand, we can imagine a driver who calmly and coolly weaves in and out of traffic, cutting off the careless driver, not out of anger or any other passion, but simply out of a deliberate lack of consideration for others on the road. She has become the type of person who thinks that obeying the traffic laws are for the "little people," and she is above all of that. She will drive in this manner regardless of her

emotional state because she has a prior disordered disposition in the will that moves her to act this way. Thus, the actions taken by the two drivers outwardly might look the same and might even have the same results, but their etiologies are much different. Both come about ultimately in virtue of the will's inclination (since that will be true for all action), but in the first case, there is another influence acting on the will, i.e., a passion. The will's inclination is directed toward the bad act by the passion and would not have been so directed had the passion been absent. In the second case, the inclination comes from the will directly. The will itself directs its inclination to the bad act because of a disordered orientation within the will.²⁴

In distinguishing CM from faults in the intellect, Aquinas characterizes disorder in the intellect as a lack of knowledge. In cases of CM, although Aquinas argues that the agent who acts from CM has a certain lack of knowledge, her lack of knowledge operates differently than the lack of knowledge characteristic of disorder in the intellect. The agent's lack of knowledge in a case of CM does not alter the agent's intention. The agent intends a bad end, knowing that it is a bad end (*ST* I-II, q.78, a.1). This is not to say that Aquinas thinks that the agent *chooses* the bad end because it is a bad end, as I will discuss in greater detail in section III. In the case of ignorance, because of the lack of knowledge, the agent's direct intention differs from what she ends up bringing about. The agent thought she was doing x but in reality she was actually doing y. Aquinas gives the example of an agent who intends to shoot a deer but ends up shooting a human being because of a failure to recognize that what he is shooting is a human being and not a deer (Cf. *ST* I-II, q.6, a.8). This agent thinks he is killing a deer when in reality, he is killing a human being, which is

not what he intended to do. Or consider an agent who intends to eat a cookie from the plate on the kitchen counter but who would not have done so had she realized that the cookies had been baked for the PTA meeting that evening. The ire of her spouse, who baked the cookies, was an unintended consequence of her action, which resulted from her lack of knowledge about the purpose of the cookies. She intended to eat a cookie, not anger her spouse. Now, in each case, the ignorance might be culpable. The cookie consumer could have and should have inquired about the purpose of the cookies, and the deer hunter could have been more careful.²⁵ The point is that due to the failure to know, the actual outcomes of these actions were unintended, whereas in the case of CM, the agent recognizes that her end is bad yet intends it anyway.

This discussion raises the question of what kind of ignorance is present in a case of CM. Following Aristotle, Aquinas argues that the agent who acts from CM lacks the certainty that the evil of losing a greater good is not to be endured for the sake of acquiring a lesser good. But, he continues, the agent is aware that what he is about to perform is in fact bad.²⁶ It's not entirely clear what Aquinas has in mind here. He implies that an agent who performs an action from CM understands that she is making a bad choice. What she fails to understand fully (and therefore lacks a certain kind of knowledge) is why this is a bad choice. It is a bad choice because it involves the preference of a lesser good over a greater good. The agent fails to understand that lesser goods ought not be chosen over greater goods. She fails to understand that she should not forgo the greater good to obtain the lesser good. Maybe she has some hazy understanding of this matter, but Aquinas would say that

she lacks *scientia*, which in medieval epistemology is the strongest kind of knowledge. *Scientia* is knowledge about which there can be no doubt.

Now one might argue on empirical grounds that there are agents who are willing to grant that they really should not choose the lesser good over the greater good and that they are in fact choosing the lesser good. This implies that they are fully aware that one should not endure the evil of losing a greater good for the sake of acquiring a lesser good. So one might simply disagree with Aquinas that cases of CM involve ignorance of this sort.²⁷ At any rate, Aquinas denies that the sort of ignorance involved in CM affects the basic character of this fault. He maintains that the agent is cognizant that what she is considering is in fact bad. The agent knows that she ought not pursue this particular object, and so on Aquinas's account, she does so as if she were choosing what is bad knowingly.²⁸ This is in contrast to the case of ignorance where the agent does not realize what she is actually choosing.

In this section, I have been discussing the basic outlines of Aquinas's account of CM. CM involves a disordered preference in the will, a preference for a lesser or mutable good at the expense of a greater or immutable good, a preference that Aquinas regards as objectively bad. Agents guilty of CM act on their disordered preferences in full knowledge that doing so is something they ought not do. Thus, CM involves a kind of willfulness. The agent who commits them knows she ought not perform a particular action, yet she fully intends to do it anyway. She knows that what she is pursuing is wrong but goes on to pursue it, despite that knowledge.

The willfulness involved in a case of CM implies that human beings are able to choose what is bad and to choose it because it is bad. It suggests that human

beings need not choose what they choose in light of what they believe to be good.²⁹ But if this is so, it contradicts Aquinas's official position that human beings always pursue what they judge to be good. Thus, CM raises a serious challenge to the consistency of Aquinas's theory of action. As we shall see in the next section, Aquinas denies that human beings ever pursue what is bad for its own sake. This denial is also implied by his claims about disorder in the will, which I discussed earlier in this section. But I shall argue that Aquinas's answer to this challenge, if successful, sets up a further challenge. If Aquinas is successful in arguing that agents do not ever pursue what is bad for its own sake, then it appears that he is committed to the claim that disorder in the will is reducible to disorder in the intellect. This is because of the intellect's role in Aquinas's account of action in identifying what is good in candidates for choice. If Aquinas cannot answer this challenge, then it will turn out that there is nothing distinctive about CM. It is merely a variation of sins in the intellect. But answering this challenge raises further worries for the consistency of his account. Thus, as we shall see, Aquinas faces quite a dilemma.

III

In explaining how immoral action comes about, Aquinas faces a particularly acute challenge. Integral to his understanding of action is the idea that human beings choose what they choose because, rightly or wrongly, they judge that what they are choosing is something good. An alternative's being (at least judged) good in some respect is a necessary (although not sufficient) condition for choice. But this of course raises the question of how human beings ever choose what is wrong,

especially knowing that it is wrong. The acknowledgement that an agent knows her choice to be wrong also raises the question of whether she chose it because it is wrong. That human beings make immoral choices is uncontroversial. And many philosophers would also argue that agents are capable of pursuing what is bad for its own sake. They argue that the occurrence of heinous evils establishes this point. In their view, agents who, for example, sadistically torture their victims or commit acts of genocide know perfectly well that such acts are evil and are motivated to commit them precisely because they are evil.³⁰ Not surprisingly, Aquinas rejects this position. But doing so raises further questions for the consistency of his account. Aquinas faces the following, rather complicated dilemma:

In a case of CM, either agents pursue what is bad for its own sake or they do not.

A1: If they pursue what is bad for its own sake, then Aquinas's account of CM is inconsistent with his account of action.

A2: If they do not pursue what is bad for its own sake, then Aquinas's account of CM is consistent with his account of action but then either:

B1: CM is ultimately reducible to a problem in the intellect and is not a problem in the will (the reduction problem) or

B2: CM involves a certain kind of autonomy in the will, which (once again) renders his account of CM inconsistent with his account of action (the autonomy problem).

Aquinas rejects A1, which commits him to holding A2. But as we shall see in greater detail below, A2 itself generates a dilemma. First, I shall consider Aquinas's

response to A1.

Aquinas addresses A1 by arguing that no one intends what is bad for its own sake. One's choice is in fact always motivated by a good. In every case where it appears that an agent pursues what is in fact bad, Aquinas thinks that there is some good that the agent sees in the object of pursuit, a good that explains why the agent acted as she did. The following passage explains Aquinas's position:

What is bad cannot be intended by anyone in and of itself. Nevertheless, it can be intended for the sake of avoiding something bad, or for the sake of acquiring some good, as was said. And in such a case, one would choose to acquire the intended good by itself, without suffering the loss of another good. For example, an individual, out of lust, might want to enjoy a particular pleasure without offending God, but of the two alternatives under consideration, he is more willing to incur offending God by sinning than to be deprived of this pleasure.³¹

Here Aquinas argues that in every case where agents pursue what is bad, they are motivated either to avoid something else that is bad (presumably something that is worse), or to acquire something that they regard as good but that unavoidably carries with it something bad. The first alternative poses no problem. If the agent is attempting to avoid something worse, obviously she regards choosing the lesser evil as a good. The second alternative is more complex and potentially problematic. It is precisely the case we're interested in, that is, the case of CM. In Aquinas's example, the agent has competing desires. He desires to please God, and he desires to obtain a certain pleasure that Aquinas implies is incompatible with pleasing God. The agent

sees both choices as good in some respects, but because he cannot obtain both goods, insofar as they are good in incompatible respects, he must choose between them.

The virtuous agent would choose to forego the pleasure and please God, which Aquinas sees as the better good. The particular agent in Aquinas's example is willing to forego pleasing God for the sake of obtaining the pleasure, which he does not wish to do without. And so he intends something bad (offending God) not for the sake of what is bad in and of itself, but for the sake of a particular albeit lesser good that is concomitant with what is bad.

Thus, Aquinas concludes that no one intends what is bad for its own sake. One intends something bad only insofar as she wants to avoid a greater evil, or she wants a particular good and is unable to obtain what she desires without pursuing what is in fact bad (the case of CM). In either case, what the agent intends directly is what she perceives as good. The agent who is guilty of CM is willing to incur the iniquity as a price for obtaining this good, since the good in question cannot be acquired by any other means. Thus, what is bad is intended only insofar as it necessarily accompanies a good that the agent wants to obtain.³²

In CM, the agent has a bad intention in mind insofar as Aquinas thinks it is wicked to prefer a lesser good to a greater good. Agents ought not have such intentions. But Aquinas maintains that what in fact moves the agent to act is something that she perceives as a good, at least a good in some respect. This good explains why the agent acts as she does. So even though the agent acts on an intention that by its very nature is bad, she does not act on this intention because it is bad. She is motivated by what she perceives as good. Thus, the notion of a bad

intention is ambiguous. It might mean that one intends what is bad insofar as it is bad, or it might mean that one's intention is bad by nature even though she herself does not intend its badness because it is bad. It is clear that Aquinas holds the latter view.³³

So on Aquinas's account, agents who commit acts of CM are motivated by what they perceive as good about their choices, yet at the same time, they understand that they are pursuing something that is bad absolutely speaking.³⁴ The agent who is guilty of CM understands her choice to be in some sense both good and bad. The choice is bad insofar as it violates the moral law, or insofar as it is a lesser good and therefore, not what she ought to choose. But the choice is good insofar as it involves pleasure or revenge or power or something else that in the abstract, agents judge as good. The agent disregards the action's overall badness and pursues the action insofar as she wishes to obtain its good aspects. The agent does not allow its badness to count as reasons for her to refrain from performing the action.

But given Aquinas's view that agents always act for the sake of a good, why would an agent choose something she knows to be bad all things considered? Aquinas's answer to this question is that the agent's will is disordered. We saw in section II that according to Aquinas, there are two ways in which the will can become disordered: (1) by the acquisition of a disordered orientation toward what is bad, or (2) by the removal of a prior constraint. In each case, the agent no longer views the choice as unsuitable. The agent retains the knowledge that there is something bad about her choice, but that knowledge no longer plays a restraining role in her choices. It no longer counts as a reason for her to refrain from engaging

in certain sorts of acts. She has undergone a change in character; she has become the sort of person who is no longer moved by such considerations. Some recent work in psychology (and other fields) provides empirical evidence that human beings are in fact capable of changing their character in order to view their wrongful choices as at least acceptable or even good and not evil. I shall now consider some examples.

James Waller describes a number of mechanisms by which officials in the Nazi extermination camps, who originally shrank in horror at their assigned participation in the whole-scale executions of Jews and others deemed undesirable by the Third Reich, were able over time to view their actions as at least unproblematic and in some cases, to take a sadistic delight or pleasure in them.³⁵ British journalist Gitta Sereny describes how despite his horror at the large-scale exterminations of the Jews at his camp, Franz Stangl, the commandant at the death camp of Treblinka, was able to become detached from what was happening under his command and to regard himself as a morally upright and basically decent person, even though he did nothing to oppose or even lessen the slaughter and made little effort to get reassigned to a less objectionable post.³⁶ These case studies provide evidence that people can adapt themselves in order to regard their choices as good in some respect. Stangl, for example, originally tried to arrange a transfer to another post (and continually assured his wife that he was doing so), but his efforts were rather half-hearted. He justified his tenure at Treblinka by arguing that if he were not there, it would not have mattered since the exterminations would have continued. He represented himself as a benevolent commander who tried to help people whenever he could, but whose hands were tied (Sereny, 202-207). He took a number

of steps to make himself into the sort of person who could continue to carry out his 'duties' and retain his good opinion of himself in the face of the horrendous evil in which he was very much involved, and which he helped to perpetrate.³⁷

Thus, Aquinas's claim that while agents understand that what they are doing is morally objectionable in the abstract, they can develop into the sorts of persons who are able to regard their choices as good is borne out by recent studies of individuals who were involved in the most horrendous sorts of wrongdoing. If human beings have this capacity in the face of heinous evil, surely they are able to do the same when faced with lesser crimes. These cases help to bolster Aquinas's argument for A2 that even while they perform acts they know in the abstract to be bad, agents still regard their acts as good in some sense and so do not pursue what is bad because it is bad.

These examples will not convince everyone that Aquinas is correct. There is obviously much more that needs to be said. But since my concern in this paper is the consistency of Aquinas's account rather than its adequacy, I propose that we grant his answer to A1 for the sake of the argument. His answer maintains the consistency of his account of CM with his account of action, but it gives rise to a further dilemma: B1 versus B2. I will start with B1, the claim that CM is reducible to a problem in the intellect instead of the will, as Aquinas also wishes to maintain (which I call the reduction problem). B1 arises insofar as Aquinas's ultimate solution to A1 rests on his description of disorder in the will. As we have seen, he describes two different mechanisms for developing a disordered will: (1) a disordered inclination toward what is objectively bad, as if it were suitable for

choice, and (2) the removal of a prior impediment. In both cases, Aquinas maintains that the will tends to what is objectively bad of its (the will's) own accord. He implies that the impetus for these inclinations arises in the will alone.

But is it really plausible to think that the sole impetus here is the will, given Aquinas's explanation of action? Both of the mechanisms for disorder in the will imply involvement by the intellect. In the first case, the agent regards acts from CM as good in some sense. Such regard is a type of judgment, and judgments are a function of the intellect. In the second case, the agent no longer views certain states of affairs as obtaining, which also implies a particular judgment. The agent no longer regards certain acts as problematic, and of course Aquinas would argue that she has a mistaken judgment. Thus, it appears that CM is reducible to a problem in the intellect rather than a problem in the will.³⁸ The will is disordered only insofar as it pursues what is objectively bad as if it were a good. But this disorder is parasitic upon the intellect's judgment that such things are good in at least some sense. There is a sense then in which the will itself is working as it ought to. It is inclining toward something the intellect has judged to be good. The ultimate problem seems to rest not in the will, but in the intellect.

In fact, in *De malo*, although Aquinas continues to describe the mechanism of CM in terms of the will, and many of his basic claims are either identical to or compatible with the view in *ST*, his terminology has undergone a subtle alteration. CM is no longer *certa malitia*. Aquinas now describes it simply as '*malitia*' or sometimes as '*certa scientia*.' But as I mentioned earlier, '*scientia*' is a word for knowledge (and the strongest kind of knowledge at that). '*Certa scientia*' implies

the notion of absolutely certain knowledge or perhaps fully determined knowledge.

This might imply that even Aquinas came to view CM as ultimately a problem in the intellect.³⁹

If this is the case, then CM loses its distinctiveness in Aquinas's taxonomy of wrongdoing. It is reducible to a sin of the intellect. And if a similar thing can be said about sins of passions, then despite Aquinas's claims to the contrary, all sins on his account will ultimately be the result of problems in the intellect. We will essentially be back to the Socratic paradigm, a move that Aquinas strenuously resists.⁴⁰

What can Aquinas say? He could grasp the second horn of the second dilemma (B2) and argue for a certain kind of autonomy in the will. He could maintain the distinctiveness of CM by arguing that while the intellect makes particular judgments about the suitability of a particular action, what is ultimately chosen is up to the will alone. On this view, the intellect judges some action to be bad, e.g., according to the moral law, but desirable insofar as it would bring about, e.g., pleasure or power or status. The will then chooses either to abide by the moral law and incline toward the right thing, or to pursue the lesser good and incline toward the wrong thing. In CM, the will pursues the bad action because of the pleasure or power or status despite the intellect's awareness that it violates the moral order. This move would enable Aquinas to maintain that CM is a problem in the will and not in the intellect, since the will is the final arbitrator of what to do.

There are passages in Aquinas's works that imply this sort of autonomy in the will. In his discussion of action, Aquinas argues that the will acts on the intellect

with efficient causation, while the intellect acts on the will with final causation. The will is able to direct the intellect to its activities of deliberation and judgment. In doing so, the will acts directly upon the intellect. To say that the intellect acts with final causation upon the will is to say that the intellect gets the will to move by presenting it with an object to be willed. In doing so, the intellect does not move the will directly. Rather it makes the object apparent to the will. It remains up to the will to move itself toward the object. Thus, efficient causation is a stronger form of causation than final causation.

Aquinas's claims about causation imply autonomy in the will in two different ways. First, it implies that the will has autonomy with respect to its dealings with the intellect. It implies that it is up to the will to move the intellect to its (the intellect's) activities. Secondly, it implies that the will has autonomy in its response to the intellect's presentation of the object. It implies that the will can either incline itself toward the object, fail to move at all, or incline itself away from the object.

This position would certainly address the worry over reduction, but caution is required in interpreting these texts. Aquinas's overall picture of action rules out a strong interpretation of the passages under consideration. On Aquinas's account of action, there is a tight connection between the judgment made by the intellect about what to do and the inclination of the will. Aquinas characterizes the will as a rational appetite where what he means by that is a power or capacity that is responsive to the judgments of intellect. The will is purely an appetitive power. It depends upon the intellect for the object toward which it inclines. In other words, we cannot feel an attraction for an object or end of which we are not cognizant. This by itself is a

fairly weak position, one that virtually everyone would accept. By itself, it says nothing about the status of the will's autonomy. In the medieval debate, those who view the will as autonomous in a strong sense argue that the will is never determined by a judgment of the intellect because the will is able to will against a judgment of the intellect. Aquinas never makes this claim. Rather, he argues that the will is not determined to any particular object because of the intellect's ability to deliberate and reconsider its judgments.⁴¹ This is a much weaker claim. The will's indeterminacy with respect to what it chooses is a function of indeterminacy in the intellect, not a function of the will's ability to pursue whatever object it wishes, independently of the intellect's judgments, or even to 'decide' for itself which judgment of intellect it will follow.⁴² In other words, on Aquinas's view, the intellect's freedom to view potential courses of action in different ways and to reconsider its judgments about what to do brings it about that the will is not determined to any particular course of action. Thus, freedom in the will is tied to and made possible by freedom in the intellect.⁴³

It follows from this view that there is a very tight connection between the intellect's judgment and the will's inclination. This tight connection is also apparent in Aquinas's account of choice. Aquinas describes choice as materially an act of the will and formally an act of the intellect.⁴⁴ What Aquinas means by this is that the intellect, insofar as it presents the will with the object to be chosen, determines the content of the choice. The will remains important insofar as it brings about the actual choice. Unless the will fires, there is no choice. But what actually is chosen is a function of the intellect presenting the will with that particular alternative.

The formal/material distinction can be interpreted in both a strong version and a weaker version. On the strong version, the intellect determines the specific alternative the will chooses. The weaker version holds that the intellect presents the will with an array of options from which the will chooses. I interpret Aquinas as holding the strong version, but I will not defend that position here, except to say that in my view, the strong version better coheres with Aquinas's overall view of action and its freedom throughout his corpus.⁴⁵ Once again, what this shows is the tight connection between intellect and will.

With these reflections in mind, we must consider how to interpret the passages that support a stronger view of autonomy in the will. While it is certainly true that for Aquinas, the will acts with efficient causation on the intellect, it is also true that the will cannot act at all without a prior judgment from the intellect that so acting would be good. Aquinas explains:

The intellect moves the will primarily and essentially, for the will is moved as such by its object, which is the good as apprehended. But the will moves the intellect as if by what is accidental, namely insofar as understanding itself is apprehended as good, and thus desired by the will, from which it follows that the intellect actually understands. And in this way, the intellect precedes the will, for the will never desires understanding unless the intellect apprehends prior that [act of] understanding as a good. And again, the will moves the intellect toward actualizing its activity in the way in which an agent is said to move, but the intellect moves the will in the manner of an end, for the good as it is understood is the end of the will. But an agent is

posterior to the end with respect to motion, for an agent does not move except on account of an end.⁴⁶

While it is true that the will acts on the intellect with efficient causation, this does not imply any prior autonomy in the will because the will would not move the intellect unless the intellect makes a prior judgment that doing so would be a good and presents it to the will as its object. This answers the first worry over autonomy in the will.

But what about the other way in which it appears that the will is autonomous? This is the idea that while the intellect presents the will with its object, it is up to the will to move itself toward that object. Thus, it appears that the will retains some control and autonomy over how it will respond to the object presented to it by the intellect. To answer this worry, we must consider what Aquinas has to say about the way in which the will is moved.

In addressing the question of whether the will is moved necessarily by its object, Aquinas distinguishes between two ways in which the will is moved. The first has to do with what Aquinas calls the exercise of the will's act and the second has to do with what he calls the specification of the will's act. The exercise of the will's act has to do with whether the will fires at all, that is, whether the will wills or fails to will. The specification has to do with what the will wills when it wills. In discussing the specification of the will's act, Aquinas implies a certain sort of autonomy on the part of the will:

If an object is proposed to the will that is wholly good from every consideration, the will tends toward that object out of necessity, if it wills

anything, for it is not able to will the opposite. But if some object is proposed to it that is not good from every consideration, the will is not carried to it from necessity. And because a lack of any good whatsoever has the nature of not being good, that good alone that is perfect and lacking in nothing is such a good that the will is not able not to will it, and that is beatitude. But all other particular goods can be taken as not good insofar as they are lacking in some good. And in accordance with this idea, they can be rejected or approved of by the will, which can be carried to one and the same object under different descriptions.⁴⁷

At first glance, it appears that Aquinas is implying that what the will does is up to the will. With regard to any object that is not perfectly good, the will is free to reject or pursue it. This is because such objects have an undesirable side to them in virtue of which the will need not incline toward them. Even with an object that is perfectly good in all of its aspects, Aquinas implies that while the will is not able to will against the attainment of such an object, still it retains the ability to fail to will such an object. Thus, it need not will even a perfect object. Aquinas implies a certain autonomy in the will.

But there are other claims in this passage that militate against this interpretation. First, the reason the will need not accept any less than perfect good is that such goods can be taken as not good. But it is the intellect that identifies the ways in which a particular good is good and not good. The will does not have this capacity. Thus, the ability of the will to pursue or not to pursue any given object is once again tied to a prior act of the intellect. Now of course this can be interpreted

as a very weak claim, so it itself does not deny an autonomous will. But Aquinas describes the will as able to be carried toward a given object based on the description of it. This language is passive and implies that the intellect's descriptions move the will toward some particular object, and not toward another. This in turn suggests that Aquinas's text here should not be taken to support a strong sense of autonomy in the will.

Furthermore, here is what Aquinas has to say about the exercise of the will's act, which is the other way that the will's motion can be considered:

With respect to the exercise of the act, [...] the will is moved by no object out of necessity. For it is possible that one not think of any object whatsoever and as a result, not actually will that object.⁴⁸

Here Aquinas ties the non-necessitation of the will, not to any ability of the will to do one thing or another, but rather to the agent's ability to think about one thing or another or not. Thus, the will is not necessitated with respect to the exercise of its act, not because of anything on its part, but rather because of the intellect's ability to think or not to think. Whether the will wills or fails to will is not up to the will but is a function of the intellect's activity. Non-necessitation in the will is tied to and rests directly upon non-necessitation in the intellect.

This affects how we should interpret Aquinas's remarks regarding necessitation in the will with respect to specification. Specification too will be tied to a prior act of intellect. For it is the intellect that judges whether or not a particular object is good and to what extent it is good. And this ability of the intellect brings it about that the will is not necessitated:

A human being does not choose out of necessity. And this is because what is possible not to be is not something necessary. But what is possible is able to be chosen or not to be chosen. And the reason for this can be taken from human capacity in two ways. For a human being is able to will and not to will, to act and not to act. One can also will this or that, and do this or that. The reason for this is taken from the power of reason itself. For whatever reason is able to apprehend as good, the will is able to tend toward. But reason is able to apprehend not only that willing and acting would be good, but also that not willing and not acting [would be good]. And again, with respect to all particular goods, it can consider them under the nature of some good and as a lack of some good, which has the nature of what is bad. And in accordance with this, it is able to apprehend any good whatsoever in this way as to be chosen or avoided [...] And thus, a human being chooses not from necessity but freely.⁴⁹

Although he does not refer to them as such, in this passage, Aquinas considers both the exercise and the specification of an act. Non-necessitation with respect to either rests wholly with the intellect. Aquinas ties the human ability to will or to act (which ultimately is a function of the will) and the ability to refrain from these activities to a prior judgment of the intellect. He also ties the content of what is willed or done to a prior act of the intellect. Thus, regardless of whether one regards the will from the standpoint of its exercise or its specification, in both cases, Aquinas ties the will's ability to move in different directions to the intellect. Freedom of choice originates in the intellect, which deliberates over and judges various courses of action,

presenting one to the will toward which it inclines. Aquinas fails to endorse any strong sense of autonomy in the will.

A rejection of autonomy in the will (B2) enables Aquinas to maintain the consistency of his account of action but in turn resurrects the reduction problem (B1). I will now argue that although Aquinas's commitments in his account of action entail a major role for the intellect in CM, still the will makes a unique contribution, and this contribution distinguishes CM from misdeeds originating from defects in the intellect.

Given Aquinas's account of action, it is not surprising that a judgment is involved in CM. Judgment is necessary for there to be any action at all on his view. Since cases of CM involve action, judgment will be necessary in cases of CM. And it will also be true that Aquinas is committed to a tight connection between intellect's final judgment about what to do and the will's activity. As noted, Aquinas does not hold that the will wills against the intellect's judgment. Aquinas ties the will's activity to a prior act of the intellect, and this will be just as true in a case of CM.

But if so, what is distinctive about cases of CM? First, CM can be distinguished from problems in the intellect insofar as it does not involve a lack of knowledge that shapes the agent's motivation, as do actions that result from culpable ignorance. The agent is well aware that what she is contemplating is bad. Secondly, there is something that the will adds that is unique to CM, something that is not found in an action that results from a defect in the intellect. CM is characterized by a certain willfulness that is absent in cases involving ignorance. The agent exhibits a

willingness to forsake what is objectively right and pursue what is objectively wrong. The agent is attracted to the bad choice. There is a problem with her preferences; she prefers the lesser, mutable good. In many cases, there is a certain seductiveness found in these disordered preferences. All of these terms are strong terms of inclination, and inclination is a function of the will. Without the will, the agent would feel none of this. So there is a phenomenal character present in CM that distinguishes it from problems that arise solely in the intellect. That phenomenal character indicates involvement by the will.

Now in actions that result from defects in the intellect, there is certainly a contribution made by the will. The will is required on Aquinas's account for there to be action at all. Insofar as defects in the intellect ultimately produce action, the will is involved. But the source of the problem in these cases is not the will, but the intellect itself.⁵⁰ When there is disorder in the intellect, the intellect has made a mistake in judgment, or fails to understand what ought to have been understood. There is a sense in which this is true in cases of CM, but the mistaken judgment/failure to understand is of a different sort altogether in CM. In CM, the agent knows perfectly well what is required and expected of her. She makes no mistakes in this regard. Her mistaken judgment lies elsewhere. As we have seen, Aquinas argues that such agents fail to recognize that they ought not pursue a lesser good to a greater good. He also argues that such agents judge that what is in fact bad is suitable for choice. Perhaps such agents think that the rules do not apply to them or that they need not play the moral game. Such an agent has become the sort of person who no longer cares about such matters (in virtue of her will), and her

judgments reflect this lack of care. But disorder that affects only the intellect involves a genuine and straightforward failure to know what one really ought to know. Such a failure is directly a failure of the intellect. The will is not directly involved in this failure. It simply follows the mistaken judgment in moving the agent to act. There is no concomitant problem in the will; there is no willfulness involved. The agent makes a decision based on the information she has, and the will faithfully executes the results of that decision in moving the agent to act.

Thus, I concede that cases of CM involve problems in the intellect (and deep problems at that). Perhaps that is why Aquinas describes CM as *certa scientia* in *QDM*. This name captures the idea that the act is deliberate, despite the nature of the knowledge the agent possesses. It makes it clear that there is knowledge present in these cases. Still I would argue that the will makes a unique contribution to the character of these cases, a contribution that is not found in other situations involving problems in the intellect. Thus, CM is not wholly reducible to a mistaken judgment in the intellect. Aquinas is able to maintain the distinction between these two cases.

IV

Finally, I wish to acknowledge two other concerns over the consistency of Aquinas's account of CM with his general account of action. Although I will discuss them separately, it will be apparent that they are related to one another. I will refer to them as (1) the better good objection, and (2) the rationality objection.

The Better Good Objection

It is often thought that Aquinas is committed to the position that an agent always chooses what she judges to be the better good. If this is so, then he must

explain how CM is even possible.⁵¹ After all, how can an agent who is necessitated to choose the better good choose the lesser good, especially since in cases of CM, the agent knows it to be the lesser good? I myself find no evidence that Aquinas is committed to the claim that agents are so structured that they must always choose what they regard as the greater good.⁵² If I am right about that, then this particular objection loses its sting. As long as there is some good that motivates the agent, Aquinas's account is consistent. And in fact as we have seen, Aquinas argues that only a perfect good necessitates the will's choice. Anything that is less than perfect need not be chosen by the will. Since in most situations, the greater good is still an imperfect good, the will need not choose it.

But perhaps I am wrong about Aquinas's commitment with respect to the greater good. In that case, how can Aquinas explain the choice of the lesser good? He could of course take the Socratic line and argue that those guilty of CM mistakenly judge that the lesser good is the better good. But in that case, CM would be a matter of ignorance. Aquinas clearly thinks that there is something distinctive about CM. It is not simply a failure to know which is the better good. Moreover, as I argued earlier, the sort of mistaken judgment involved in the Socratic line is not very plausible. In many cases, agents are willing to grant that they are in fact choosing the lesser good.

Alternatively, Aquinas could argue that such agents are not telling the entire story. The lesser good is lesser in some respects. Aquinas would argue that it is better in the grand scheme of things to please God than to pursue the object of one's lust, to take his own example. But in this case, the agent prefers to pursue the lust

rather than to please God. Perhaps he regards pleasing God as a remote good. The fruits of pleasing God will not be realized fully until the next life, whereas the pleasure involved in the satisfaction of lust is a much more immediate good. Moreover, it takes a certain amount of effort to please God, effort that involves the sacrifice of certain other goods, goods that this particular agent does not want to give up. In the eyes of this agent then, the pursuit of lust becomes the better good even though he is willing to acknowledge that in the moral order, it is the lesser good.

The Rationality Objection

Aquinas's account of CM also raises the question of why an agent would ever prefer the lesser good to the greater good. To do so seems irrational.⁵³ Aquinas would agree that choosing the lesser good over the greater good is in fact irrational. For Aquinas, the ought of morality and the ought of rationality cannot come apart. He thinks that morally good action is action that conforms to right reason. Quite briefly, Aquinas holds that action that conforms to right reason has a suitable end and is appropriate given the surrounding circumstances (Cf. *ST* I-II, q.18, aa.5, 9). Actions aimed at suitable ends are actions that in general promote the human good. That is to say that they contribute to human flourishing (Cf. *ST* I-II, q. 94, aa.2-3). Since choosing the greater good over the lesser good promotes an agent's flourishing, what is rational for an agent to do is to choose what is in fact the greater good. But Aquinas also thinks that human beings act freely. Because of their freedom, they are capable of choosing in accordance with the order of reason or contrary to it. Given their freedom then, agents are able to and sometimes do act irrationally.

Furthermore, in explaining what appears to be irrational action, Aquinas could appeal to the distinction I made above, namely that to a particular agent, the lesser good is in fact the greater good, at least in some respects, including the respects that move the agent to act. Of course the objector is likely to ask how the agent in question could possibly view the lesser alternative as the better alternative, thereby pushing the problem up a level. I suspect that when the typically moral person considers someone who chooses the lesser good over the greater good, she evaluates that particular agent from the standpoint of how she herself would choose. The evaluator is not likely to prefer the lesser good to the greater good, and so it seems inexplicable that someone else would do so. But to claim that from our particular vantage point, we cannot understand how a given agent could possibly choose a particular action is not to say that there is no such explanation.

My task in this paper has been to provide an account of Aquinas's theory of wrongdoing, in particular, the most complicated kind of wrongdoing: willful wrongdoing. While Aquinas's account of actions done from *certa malitia* is complex and raises a number of worries over its compatibility with his general account of action, in the final analysis, it seems to me at any rate that Aquinas has the resources to resolve the major objections over the consistency of his account. Whether Aquinas has accounted for such cases adequately is of course another matter and best left for a future project.⁵⁴

NOTES

¹ *ST* I-II, q.1, a.1. For references to *Summa theologiae* and *Summa contra gentiles*, I have used the Marietti editions (*ST: Cura et studio Sac. Petri Caramello*, Taurini, 1952; *SCG: Cura et studio fr. Ceslai Pera*, Taurini, 1961). For all other references to Aquinas's texts, I have used the Leonine edition (*Opera omnia, Issu impensa que Leonis CIII, P.M. edita*, Vatican City: Vitcan Polyglot Press, 1182-). All translations are my own.

² Aquinas's account presupposes a kind of teleology that no doubt is implausible to many philosophers. I will not defend this notion here, although I think it can be defended. For an interesting discussion of ultimate ends and Aquinas's account in particular, see Scott MacDonald, "Ultimate Ends in Practical Reasoning: Aquinas's Aristotelian Moral Psychology and Anscombe's Fallacy," *Philosophical Review* 100: 31-66.

³ Aquinas argues that happiness consists of the vision of the divine essence, which is obtainable only in the next life; cf. *ST* I-II, q.3, a.8.

⁴ Aquinas makes this claim in a number of places. See for example *ST* I-II, q.1, a.1, a.2, ad.3, a.3; q.8, aa.1-2; q.9, aa.1-2; q.13, a.6.

⁵ Human beings deliberate over their ends only insofar as those ends are means to achieve further ends or the ultimate end. Aquinas argues that there is no deliberation over the ultimate end; cf. *ST* I-II, q. 14, a.2.

⁶ *ST* I-II, q.78, a.1. "Unde quod ad malum eius appetitus declinet, contingit ex aliqua corruptione seu inrdinatione in aliquo principiorum hominis: sic enim in actionibus

rerum naturalium peccatum invenitur. Principia autem humanorum actuum sunt intellectus et appetitus, tam rationalis, qui dicitur voluntas, quam sensitivus.

Peccatum igitur in humanis actibus contingit quandoque, sicut ex defectu intellectus, puta cum aliquis per ignorantiam peccat; et ex defectu appetitu sensitivi, sicut cum aliquis ex passione peccat; etiam ex defectu voluntatis, qui est inordinatio ipsius.”

⁷ In his paper, “Beyond Privation: Moral Evil in Aquinas’s *De malo*,” Gregory Reichberg presents a careful analysis of Aquinas’s general understanding of the nature of human wrongdoing. He makes the important point that pace many in the medieval tradition, for Aquinas, not all wrongdoing can be explained in terms of a privation account of evil. However, although Reichberg acknowledges that evil can be done out of ignorance or passion, in my view, he essentially argues that ultimately all moral evil results from defects in the will, thus reducing all wrongdoing to cases of *certa malitia*. Thus, in my view, he blurs the careful distinctions that Aquinas makes between the origins of different kinds of sins. Cf. Gregory Reichberg, “Beyond Privation: Moral Evil in Aquinas’s *De malo*,” *Review of Metaphysics* 55 (2002): 751-84.

⁸ Cf. *ST* I-II, q.6, a.8. See also *ST* I-II, q.76, aa.1-4.

⁹ *ST* I-II, q.77, a.7. Drunkenness in and of itself is blameworthy although its incapacitating effects can diminish an agent’s blameworthiness for subsequent wrongdoing because it diminishes voluntariness; cf. *ST* I-II, q.76, a.4.

¹⁰ Surprisingly, there is little detail on this issue in *SCG*.

¹¹ Since Reichberg focuses almost exclusively on Aquinas’s account in *De malo*, this

might be the reason that he blurs Aquinas's distinction between three primary sources of wrongdoing.

¹² *ST* I-II, q.78, a.1. "Est autem voluntas inordinata, quando minus bonum magis amat. Consequens autem est ut aliquis eligat pati detrimentum in bono minus amato, ad hoc quod potiatur bono magis amato; sicut cum homo vult pati abscissionem membri etiam scienter, ut conservet vitam, quam magis amat. Et per hunc modum, quando aliqua inordinate voluntas aliquod bonum temporale plus amat, puta divitias vel voluptatem, quam ordinem rationis vel legis divinae, vel caritatem Dei, vel aliquid huiusmodi; sequitur quod velit dispendium pati in aliquo spiritualium bonorum, ut potiatur aliquo temporali bono. Nihil autem est aliud malum quam privatio alicuius boni. Et secundum hoc aliquis scienter vult aliquod malum spirituale, quod est malum simpliciter, per quod bonum spirituale privatur, ut bono temporali potiatur. Unde dicitur ex certa malitia, vel ex industria peccare, quasi scienter malum eligens." Cf. *QDM*, q.3, a.12.

There is a particular awkwardness in translating the Latin word '*malum*.' The most natural English translation is often 'evil' but the term 'evil' carries with it connotations that are not present in the Latin. I shall translate it most often as 'something bad' in order to avoid any misleading connotations.

¹³ Cf. *ST* I-II, q.78, a.1; and *QDM*, q.3, a.12.

¹⁴ Cf. *DGLA* I.16 and II.19.

¹⁵ John Langan argues that this characterization of CM in terms of a preference of temporal goods over spiritual goods is unduly narrow, leaving out a whole host of

sins that Aquinas would surely want to count as CM. This includes sins of pride, such as those committed by the fallen angels and the first man. I do not think that Aquinas means to exclude such sins from CM. I think that we can see Aquinas's characterization here as simply an example of the type of preferences involved in CM. At any rate, if a sin of pride involves the preference of a lesser good to a greater good, which seems plausible, then it counts as CM, regardless of whether Aquinas explicitly includes it or not. For Langan's argument, see "Sins of Malice in the Moral Psychology of Thomas Aquinas," *The Annual of the Society of Christian Ethics*, D.M. Yeager, ed., Washington, D.C.: Georgetown University Press, 1987, 179-198.

¹⁶ I would like to thank William Rehg for raising this concern and a member of my audience at the 2003 central division meeting of the American Philosophical Association for this particular example.

¹⁷ Someone might classify Mozart as a spiritual good and the Dixie Chicks as a temporal good, but I will not worry about that here. We could make the same point using pop tarts and oatmeal.

¹⁸ I am grateful to Susan Brower-Toland for raising this issue.

¹⁹ Aquinas is sometimes taken to hold that the will is structured in such a way that it always chooses what is at least perceived to be the greater good. If so, then the question is how on earth are acts of CM even possible. I address this issue briefly in section IV of this paper.

²⁰ *ST* I-II, q.78, a.3. "[...] ex certa malitia aliquis peccat, quando ipsa voluntas ex

seipsa movetur ad malum. Quod potest contingere dupliciter. Uno quidem modo, per hoc quod homo habet aliquam dispositionem corruptam inclinatam ad malum, ita quod secundum illam dispositionem fit homini quasi conveniens et simile aliquod malum, et in hoc, ratione convenientiae, tendit voluntas quasi in bonum: quia unumquodque secundum se tendit in id quod sibi est conveniens. Talis autem dispositio corrupta vel est aliquis habitus acquisitus ex consuetudine, quae vertitur in naturam: vel est aliqua aegritudinalis habitudo ex parte corporis, sicut aliquis habens quasdam naturales inclinationes ad aliqua peccata, propter corruptionem naturae in ipso. Alio modo contingit quod voluntas per se tendit in aliquod malum, per remotionem alicuius prohibentis. Puta si aliquis prohibeatur peccare non quia peccatum ei secundum se displiceat, sed propter spem vitae aeternae vel propter timorem gehennae; remota spe per desperationem,, vel timore per praesumptionem, sequitur quod ex certa malitia, quasi absque freno, peccet.”

²¹ In *QDM*, Aquinas assumes that all acts of CM are the result of a bad habit; cf. *QDM* q.3, a.13. In *ST*, all habitual wrongdoing counts as CM, but not all cases of CM come about from a habit; cf. *ST* I-II, q.78, aa.2-3.

²² Aquinas’s account of the good is rather complicated and beyond the scope of this paper. For more information on his account of the good and the three kinds of goods, see *ST* I, q.5, and *ST* I-II, qq.18-21. A further complication is Aquinas’s notion of evil as a privation, which is also beyond the scope of this paper. For further discussion of the notion of evil as a privation, see the previously cited paper by Reichberg as well as Carlos Steel, “Does Evil Have a Cause? Augustine’s

Perplexity and Thomas's Answer," *Review of Metaphysics* 48 (1994): 251-73.

²³ *ST* I-II, q. 78, a. 4. See also *QDM*, q.3, a.13.

²⁴ One might wonder why such a distinction in etiology is important. A full answer to this worry is beyond the scope of the present project, but in Aquinas's view, it makes a difference for moral appraisal. Aquinas regards actions done from *certa malitia* to be worse morally speaking than actions done from passion; cf. *ST* I-II, q.78, a.4.

²⁵ In the case of the deer hunter, Aquinas is willing to grant that if the hunter had in fact taken all the required precautions and could not have known that he was shooting a human being (and he would not have done so had he realized it), the ignorance renders the action involuntary and therefore not culpable. Cf. *ST* I-II, q. 6, a.8.

²⁶ *ST* I-II, q.78, a.1, ad.1. "Quandoque autem excludit scientiam qua aliquis scit hoc malum non sustinendum esse propter consecutionem illius boni, scit tamen simpliciter hoc esse malum: et sic dicitur ignorare qui ex certa malitia peccat." (But sometimes [ignorance] excludes knowledge by which one knows that this particular bad thing is not to be borne for the sake of possessing that particular good. Nevertheless [the agent] knows that it is bad absolutely speaking and thus, the one who sins from *certa malitia* is said to be ignorant.) In *De malo*, Aquinas puts the point more broadly. The agent makes a mistake about the principle on which he acts. This of course makes CM sound like a problem in the intellect, not in the will. But what Aquinas means by 'principle' here is the bad end, which moves the agent to act,

thus making the end a principle of action. The agent pursues this bad end, not because he is mistaken about its nature, but rather because he has an established practice of wrongdoing. Thus, his will is ordered toward a bad end; cf. *QDM*, q.3, a.13.

²⁷ For an interesting defense of Aquinas's position that all wrongdoing involves ignorance of some sort, see Joseph Caulfield, "Practical [sic] Ignorance in Moral Actions," *Laval Theologique et Philosophique* 7 (1951): 69-122. Although I cannot go into much detail here, I have concerns about Caulfield's defense of Aquinas's position. My biggest concern is that his interpretation makes the will more autonomous than I think Aquinas thought it was. I address the question of autonomy in the will in this paper in section III.

²⁸ For this reference, see the passage in note 12.

²⁹ For a defense of this position, see Michael Stocker, "Desiring the Bad: an Essay in Moral Psychology," *The Journal of Philosophy* 76 (1979): 738-53.

³⁰ See for example S.I. Benn, "Wickedness," *Ethics* 95 (1985): 795-810. There is also a useful collection of papers on this topic in Adam Morton, ed., "Evil," *The Monist* 85 (2002): 181-336.

³¹ *ST* I-II, q.78, a.1, ad 2. "Malum non potest esse secundum se intentum ab aliquo: potest tamen esse intentum ad vitandum aliud malum, vel ad consequendum aliud bonum, ut dictum est. Et in tali casu aliquis eligeret consequi bonum per se intentum, absque hoc quod pateretur detrimentum alterius boni. Sicut aliquis lascivus vellet frui delectatione absque offensa Dei: sed duobus propositis, magis

vult peccando incurrere offensam Dei, quam delectatione privetur.” Aquinas also makes this point in *De malo*; cf. *QDM*, q.3, a.12.

³² Reichberg uses the notion of direct and indirect volitions to explain Aquinas’s position. The agent wills directly the good benefit that results from performing the bad action and accepts that his action has an evil as an unavoidable consequence. Thus, he wills the evil only indirectly. Cf. Reichberg, 780.

³³ For another discussion of this issue, see the previously cited paper by Carlos Steel. Steel argues that Aquinas is ultimately committed to the view that evil is primarily a defect or a privation, something beyond the primary intention of the agent, which in Steel’s view misses the mark when it comes to instances of heinous evil. In the latter part of his paper, Steel turns to Kirkegaard in an attempt to explain the origin of evil.

³⁴ One might wonder how an object can be bad in and of itself and yet have good aspects to it. I take it that Aquinas’s point is that although the object might have something good about it (good as a pleasure producer, for example), still the fact that it is a lesser good or it is prohibited by the moral law makes it bad all things considered. For example, fornication is by definition a disordered act since it involves sex outside of marriage, contrary to God’s law. Yet fornication also involves pleasure, which in and of itself is something good. Thus, an act that by its very nature is disordered and hence bad absolutely speaking has a good aspect. Aquinas’s account of goodness is rather complex, and a full examination of it is beyond the scope of the paper. For more information, see *ST I*, q.5, a.6, and *ST I-II*, qq.18-21.

³⁵ James Waller, *Becoming Evil*, Oxford: Oxford University Press, 2002, 208-11.

This is a fascinating book. Waller argues that by and large it is ordinary people, not moral monsters, who perpetrate what we regard as extraordinary evil. He postulates a rather complex mechanism involving the interaction of some basic human dispositions with certain complex social and cultural factors in order to explain how this comes about.

³⁶ Gitta Sereny, *Into that Darkness: from Mercy Killing to Mass Murder*, New York: McGraw-Hill Book Company, 1974. Sereny interviewed Stangl in Dϋsseldorf Remand Prison over a period of several weeks and spend an addition eighteen months doing related research and interviews.

³⁷ A valuable aspect of Sereny's book is her effort to corroborate Stangl's statements with the testimony at his trial and with her own interviews of individuals who knew him during the war, including his wife, several camp survivors, and other camp personnel. One theme that comes through over and over again is the way in which Stangl represented the events of his time at Treblinka (and Sobibor) in the best light possible. For example, he denies that he was present when prisoners were flogged and beaten, often beyond anything they could possibly deserve, yet others testified that he was indeed present; cf. Sereny, 229.

³⁸ I am grateful to Susan Brower-Toland and Daniel Haybron for raising this worry.

³⁹ If so, there is a puzzle here since *prima secundae* of *ST* and *QDM* were written roughly during the same span of time, late in Aquinas's career. Actually I think that the notion of *certa scientia* can be interpreted in the same sort of terms as *certa*

malitia. I elaborate on this later in this section.

⁴⁰ Cf. *ST* I-II, q.77, a.2. I address this worry more fully in “Socratic Ignorance and Thomas Aquinas’s Moral Psychology,” in progress.

⁴¹ Cf. *ST* I-II, q. 10, a.2. See also *ST* I-II, q.13, a.6. In *QDV*, Aquinas makes a similar point although he puts it in terms of the agent’s being free in virtue of the intellect’s ability for self-reflection; cf. *QDV*, q.24, a.2.

⁴² My interpretation here is quite controversial. On my view, ultimately the will is determined by the intellect’s final judgment. This of course raises concerns over the will’s freedom, concerns that I’ve addressed elsewhere. For some examples of dissenting views, see Eleonore Stump, “Aquinas’s Account of Freedom: Intellect and Will,” *The Monist* 80 (1997): 576-97; and David M. Gallagher, “Free Choice and Free Judgment in Thomas Aquinas,” *Archiv fur Geschichte der Philosophie* 76 (1994): 247-77.

⁴³ This is obviously a controversial position. For a criticism of this view, see Thomas Williams, “The Libertarian Foundations of Scotus’s Moral Philosophy,” *The Thomist* 62 (1998): 193-215. For a defense of this view, see my “Intellective Appetite and the Freedom of Human Action,” *The Thomist* 66 (2002): 421-56; and Scott MacDonald, “Aquinas’s Libertarian Account of Free Choice,” *Revue Internationale de Philosophie* 52 (1998): 309-28.

⁴⁴ *ST* I-II, q.13, a.1. “Sic igitur ille actus quo voluntas tendit in aliquid quod proponitur ut bonum, ex eo quod per rationem est ordinatum ad finem, materialiter quidem est voluntatis, formaliter autem rationis.” (Thus, therefore the act by which

the will tends to something that is proposed to it as a good, from the fact that [this good] is ordered to the end by reason, indeed, materially belongs to the will but formally belongs to reason).

⁴⁵ For a defense of this position, see my “Albertus Magnus and Thomas Aquinas on the Freedom of Human Action,” *Albertus Magnus, 1200-2000*, Walter Senner, OP. et al, eds., Berlin: Akademie Verlag 2001, 243-54.

⁴⁶ *SCG* III, ch.26. “Nam primo et per se intellectus movet voluntatem: voluntas enim, in quantum huiusmodi, movetur a suo obiecto, quod est bonum apprehensum. Voluntas autem movet intellectum quasi per accidens, in quantum scilicet intelligere ipsum apprehenditur ut bonum, et sic desideratur a voluntate, ex quo sequitur quod intellectus actu intelligit. Et in hoc ipso intellectus voluntatem praecedit: nunquam enim voluntas desideraret intelligere nisi prius intellectus ipsum intelligere apprehenderet ut bonum. – Et iterum, voluntas movet intellectum ad operandum in actu per modum quo agens movere dicitur; intellectus autem voluntatem per modum quo finis movet, nam bonum intellectum est finis voluntatis; agens autem est posterior in movendo quam finis, nam agens non movet nisi propter finem.” See also *ST* I, q.82, a.4, ad.3; *QDV*, q.22, a.12.

⁴⁷ *ST* I-II, q.10, a.3. “Unde si proponatur aliquod obiectum voluntati quod sit universaliter bonum et secundum omnem considerationem, ex necessitate voluntas in illud tendet, si aliquid velit: non enim poterit velle oppositum. Si autem proponatur sibi aliquod obiectum quod non secundum quamlibet considerationem sit bonum, non ex necessitate voluntas feretur in illud. – Et quia defectus cuiuscumque boni

habet rationem non boni, ideo illud solum bonum quod est perfectum et cui nihil deficit, est tale bonum quod voluntas non potest, non velle: quod est beatitudo. Alia autem quaelibet particularia bona, inquantum deficiunt ab aliquo bono, possunt accipi ut non bona; et secundum hanc considerationem, possunt repudiari vel approbari a voluntate, quae potest in idem ferri secundum diversas considerationes.”

⁴⁸ *ST I-II*, q.10, a.2. “[...] quantum ad exercitium actus; [...] voluntas a nullo obiecto ex necessitate movetur: potest enim aliquis de quocumque obiecto non cogitare, et per consequens neque actu velle illud”.

⁴⁹ *ST I-II*, q.13, a.6. “Respondeo dicendum quod homo non ex necessitate eligit. Et hoc ideo, quia quod possibile est non esse, non necesse est esse. Quod autem possibile sit non eligere vel eligere, huius ratio ex duplici hominis potestate accipi potest. Potest enim homo velle et non velle, agere et non agere: potest etiam velle hoc aut illud, et agere hoc aut illud. Cuius ratio ex ipsa virtute rationis accipitur. Quidquid enim ratio potest apprehendere ut bonum, in hoc voluntas tendere potest. Potest autem ratio apprehendere ut bonum non solum hoc quod est velle aut agere; sed hoc etiam quod est non velle et non agere. Et rursus in omnibus particularibus bonis potest considerare rationem boni alicuius, et defectum alicuius boni, quod habet rationem mali: et secundum hoc, potest unumquodque huiusmodi bonorum apprehendere ut eligibile, vel fugibile [...] Et ideo homo non ex necessitate, sed libere eligit.” See also *QDV*, q.24, a.2; *ST I-II*, q.17, a.1, ad 2.

⁵⁰ Aquinas acknowledges cases where the agent wills not to know something he ought to know; cf. *ST I-II*, q.6, a.8. He discusses these cases as cases of ignorance,

but I would argue that they are either mixed cases or cases of CM.

⁵¹ Notice that this problem (and the rationality problem) arises for the *QDM* formulation only in the event that mutable goods are understood to be inferior to immutable goods.

⁵² For a defense of this position, see my “Intellective Appetite and the Freedom of Human Action,” *The Thomist* 66 (2002): 421-56.

⁵³ I wish to thank George Terzis for raising this objection.

⁵⁴ I read versions of this paper at a Philosophy Colloquium at Saint Louis University and at the 2003 Central Division meeting of the American Philosophical Association. I would like to thank my audiences on those occasions, especially my APA commentator, Joseph Koterski. I am also grateful to Scott MacDonald, Susan Brower-Toland, Daniel Haybron, Rebecca Konyndyk De Young, William Rehg, and George Terzis for their many helpful suggestions.