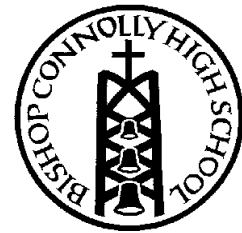


From the Chaplain's Office...

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*Not Only Hearers
but Doers of the Word*

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The Morality of the Death Penalty

Outline

- I. Introduction
- II. Can a man kill someone in self-defense?
- III. Is the death penalty always wrong?
 - A. Distinction between legitimate authority and exercise thereof
 - B. The concise teaching of the Church (CCC 2266-2267)
 - C. The purposes of punishment
 - D. The arguments in favor of the death penalty and responses to them.
 - E. What about the Old Testament?
 - F. What about the Inquisition?
- IV. When is it just to wage war?
 - A. The principles at issue
 - B. The distinction between the conditions for a just entrance into war and a just conduct during war.
 - C. The necessary criteria for a just entrance and waging of war
 - D. How is war reconcilable with love and peace?

I. Introduction

- 1) The death penalty has been in the news very much lately because of the expectation of the imminent execution of Timothy McVeigh, the confessed bomber of the Murrah Federal Building in Oklahoma City (April 19, 1995) and the first scheduled federal execution in 38 years.
- 2) There is a great confusion about the morality of the death penalty, not just in political circles, but in religious circles. If one were to try to determine the morality of the death penalty on the basis of interviewing "religious" people, the result would likely be confused. Among Catholics there has been a great confusion about the teaching of the death penalty over the past 20 years. Because of the outspokenness of Pope John Paul II, most would know that the Church is not in favor of the use of the death penalty in "civilized" nations like the United States, but many really do not know what precisely the Church's teaching is or why. Some in the Church equate the Church's prohibition of capital punishment with the prohibition of abortion, but, as we will see, these are on two completely different levels. That's why this discussion, on the Catholic Church's teaching concerning the morality of capital punishment, is timely and hopefully will be helpful.
- 3) In order to appreciate the context of the Church's reflection on the death penalty, we first need to understand some principles of the Church's teaching on the legitimacy of self-defense, because the principles found in personal self-defense are applied to the case of the death penalty, which, if it can ever be invoked, would be exercised within a context of social self-defense of the common good. Therefore, we will start with a brief discussion of the morality of killing another in self-defense.
- 4) Moreover, the subject of the morality of killing others often brings up analogous argumentations about the subject of killing others in war. Many of the same principles are at work, although Catholic tradition has determined many more conditions for the moral waging of war. In case any of these questions arise, I append a short section on the conditions for a morally just war.

II. Can a man kill someone in self-defense?

- 1) The answer to this question, I think we all know, is basically yes. I begin with this discussion, however, because the principles that are applied here are relevant and helpful to the discussion of the morality of the death penalty, which will come next, and just war, which will follow as well.
- 2) The Church gives us several principles:
 - a) The prohibition of murder does not abrogate the right to render an unjust aggressor unable to inflict harm (CCC 2321).
 - b) Legitimate defense is a grave duty for whoever is responsible for the lives of others or the common good (CCC 2321).
 - c) The legitimate defense of persons and societies is not an exception to the prohibition against the murder of the innocent that constitutes intentional killing. In fact, it is not murder at all, because it is an unintended, though perhaps foreseen, consequence of the act of the preservation of one's own life. Someone who defends his life is not guilty of murder even if he is forced to deal his aggressor a lethal blow (CCC 2263-2264).

CCC 2263: "The act of self-defense can have a double effect: the preservation of one's own life; and the killing of the aggressor.... The one is intended, the other is not."

- d) It is wrong to use more than necessary violence to defend oneself; however, in moderate self-defense it may sometimes be impossible to avoid killing someone else:

CCC 2264: "If a man in self-defense uses more than necessary violence, it will be unlawful: whereas if he repels force with moderation, his defense will be lawful.... Nor is it necessary for salvation that a man omit the act of moderate self-defense to avoid killing the other man, since one is bound to take more care of one's own life than of another's."

- e) St. Thomas Aquinas makes a crucial distinction (ST II-II, 64, 7):

- 1) It is not lawful for a man to intend killing a man in self-defense
- 2) However it is allowable, in the act of defending oneself, to kill another man.
- 3) The effect is the same in both cases — the original aggressor ends up dead — but the intention and therefore the action is different. In the first case, one intends to kill the other person, and hence this is an act of murder. In the second case, one intends to defend himself or herself, but in so doing, an unintended (though perhaps possibly foreseen) side-effect is that the aggressor is killed.

III. Is the death penalty always wrong?

- 1) The simple is no, it is not always wrong — just most of the time. (This makes capital punishment different in kind and not just in degree from abortion, which is always wrong, in every circumstance).
- 2) To understand the position of the Church, and to see how the Church hasn't "changed" her teaching on the morality of the death penalty, it is necessary first to make a distinction between:
 - a) The right of a legitimately established authority to apply the death penalty; and
 - b) The conditions under which such an authority should exercise or use that right.
- 3) Throughout her tradition, the Church has maintained that the legitimately-established authority has a right to apply the death penalty in certain circumstances. She still holds that society has such a right. Where there

has been development in the position of the Church, right up to our present day with Pope John Paul II, concerns the circumstances in which such a right should be exercised.

- 4) The concise teaching of the Church on the death penalty is found in the Catechism of the Catholic Church (CCC), numbers **2266 and 2267**. The wording of the text is very important and was one of the few paragraphs in the new CCC that was revised in the authoritative, final Latin edition. I put what was eliminated from the final text in brackets and I put what was added to the final text in italics.

Preserving the common good of society requires rendering the aggressor unable to inflict harm. For this reason the traditional teaching of the Church has acknowledged as well-founded the right and duty of legitimate public authority to punish malefactors by means of penalties commensurate with the gravity of the crime [, not excluding, in cases of extreme gravity, the death penalty]. For analogous reasons those holding authority have the right to repel by armed force aggressors against the community in their charge.

The primary effect of punishment is to redress the disorder caused by the offense. When his punishment is voluntarily accepted by the offender, it takes on the value of expiation. Moreover, punishment has the effect of preserving public order and the safety of persons. Finally punishment has a medicinal value; as far as possible it should contribute to the correction of the offender.

The traditional teaching of the Church has not excluded recourse to the death penalty on the condition that the identity and responsibility of the guilty party has been clearly demonstrated, and when this method is the only practicable way to provide an effective defense of human lives against an unjust aggressor. On the other hand, if bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons, public authority should limit itself to such means, because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person. Today, in practice, because of the possibilities open to the state in punishing crimes effectively and rendering harmless those who commit them, although the possibility is not definitively foreclosed, the cases of absolute necessity for the death of the guilty party 'are now very rare, if not in practice non-existent.'

- 5) The changes were made as a direct result of what Pope John Paul wrote in his encyclical *Evangelium Vitae*, which was published after the Catechism was released but before the final Latin version was made. The Pope wrote in EV 56:

This is the context in which to place the problem of the death penalty. On this matter there is a growing tendency, both in the Church and in civil society, to demand that it be applied in a very limited way or even that it be abolished completely. The problem must be viewed in the context of a system of penal justice ever more in line with human dignity and thus, in the end, with God's plan for man and society.

“The primary purpose of the punishment which society inflicts is “to redress the disorder caused by the offense”. Public authority must redress the violation of personal and social rights by imposing on the offender an adequate punishment for the crime, as a condition for the offender to regain the exercise of his or her freedom. In this way authority also fulfills the purpose of defending public order and ensuring people's safety, while at the same time offering the offender an incentive and help to change his or her behavior and be rehabilitated. It is clear that, for these purposes to be achieved, the nature and extent of the punishment must be carefully evaluated and decided upon, and ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society. Today however, as a result of steady improvements in the organization of the penal system, such cases are very rare, if not practically non-existent. In any event, the principle set forth in the new Catechism of the Catholic Church remains valid: “If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons, public authority must limit itself to such means, because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person”.

- 6) We can now analyze the Church's position.

- a) The discussion of the death penalty has been carried out in the context of punishment. Traditionally there have been three purposes for punishment. We see these in CCC 2266:
- 1) To redress the disorder caused by an offense (this is the primary effect of punishment).
 - a) Crime should never “pay.” Hence, both for the offender and for society at large, one of the things that punishment does is to teach others that crime does not pay, and that if one commits similar crimes one will have to suffer similar consequences.
 - b) Redressing disorder, in certain crimes, also involves restitution, particularly in cases of theft, when the goods may be recovered.
 - c) There is also the notion of social retribution for a crime involved here.
 - 2) To preserve the public order and the safety of persons.
 - a) Those in authority are obliged to do what they can legally and morally to ensure that those under their care may live free of the threat of these malefactors repeating their crimes in the future, particularly in the cases of violent crimes.
 - 3) To correct (reform, rehabilitate, heal), when and where possible, the offender.
 - a) God does not wish the death of a sinner, and hence Christians should pray and hope that the offender may repent of his wrongdoing and become a contributor to society, whether he is confined or eventually freed.
 - b) Despite a new penology that developed in the 1960s and 1970s, this is not the most important or primary purpose of punishment. It is something we can all hope for, but the whole penal system cannot be accommodated to try to accomplish this goal, which may not even be achievable in the case of a particular criminal.
- b) In the context of the tradition of the Church and of society, there has been reflection on each of these three purposes vis-a-vis the death penalty.
- 1) Redressing the disorder
 - a) Some have claimed through the centuries up to our present day that death penalty has a deterrent effect, dissuading, by means of capital punishment, others from even contemplating similar crimes.
 - b) Bishop O’Malley, in his recent Pastoral Letter on the death penalty, addresses the claim that the death penalty, at least now, has a deterrent effect:

+**SPO**: Justice is not revenge. Killing murderers does not deter murders, but, rather, promotes an attitude that life is cheap and that when we have the power it is all right to kill... State-sponsored violence will not promote a new respect for life but only serve to erode reverence for life even more.
 - c) Studies of police, sheriffs and criminologists have shown that, at least in our culture today, the deterrent effect of the death penalty is more myth than reality (these data are taken from Bishop O’Malley’s pastoral).
 - 1) A survey authored by Richard C. Dieter, conducted in 1995, involving interviews with 386 randomly selected police chiefs and sheriffs resulted in only one percent of the respondents choosing the death penalty as a primary way to reduce violent crime. The death penalty ranked last among six options. Two-thirds of those interviewed said that the following statement would be inaccurate: “the death penalty significantly reduces the number of homicides.”

3) A survey by Michael Radelet and Ronald Akers of the leadership of the country's largest associations of professional and academic criminologists, such as the American Society of Criminology (2500 members) and the International Association of Police Professors (2400 members) showed that 80% of these experts stated that on the basis of literature and research in criminology, the death penalty does not have significant deterrent effects.

2) Preserving the public order and the safety of persons

a) "Preserving the common good of society requires rendering the aggressor unable to inflict harm..."

b) Within this context, Pope John Paul II writes in EV 55 that it is a grave duty, in certain circumstances, for those in authority to protect people in their care, by rendering the aggressor incapable of causing harm. This encompasses both self-defense in the case of a father and even the death penalty in a case of anarchy where it might be needed:

EV 55. "Legitimate defense can be not only a right but a grave duty for someone responsible for another's life, the common good of the family or of the State". Unfortunately it happens that the need to render the aggressor incapable of causing harm sometimes involves taking his life. In this case, the fatal outcome is attributable to the aggressor whose action brought it about, even though he may not be morally responsible because of a lack of the use of reason.

c) This is the major reason given for the death penalty, that if we don't kill murderers, rapists and other violent criminals, they may eventually commit violent crimes again, either in prison, or outside of prison, through an escape or through receiving early release.

d) St. Thomas Aquinas wrote in his famous *Summa Theologiae* that sometimes it is necessary (in the culture of the 13th century), for the good of the community, to have to execute criminals in order to safeguard the common good:

STA (II-II,64,2) Every part is directed to the whole, as imperfect to perfect, wherefore every part is naturally for the sake of the whole. For this reason we observe that if the health of the whole body demands the excision of a member, through its being decayed or infectious to the other members, it will be both praiseworthy and advantageous to have it cut away. Now every individual person is compared to the whole community, as part to whole. Therefore if a man be dangerous and infectious to the community, on account of some sin, it is praiseworthy and advantageous that he be killed in order to safeguard the common good, since "a little leaven corrupts the whole lump" (1 Cor. 5:6).

d) Bishop O'Malley takes up these arguments and responds:

+SPO: In 1980, the US Bishops, in a statement on capital punishment, reviewed the four usual arguments justifying the death penalty: retribution, deterrence, reform and protection. The last argument, protection, is the one that Catholic thought has seen as the justifying reason for capital punishment. We find the emblematic statement of Thomas Aquinas in the *Summa Theologiae*: "If a man is a danger to the community, threatening it with disintegration by some wrongdoing of his, then his execution for the healing and preservation of the common good is to be commended." Because our modern Western societies have the resources and means to separate criminals and isolate them from society without having recourse to the extreme of capital punishment, the Church opposes capital punishment. Capital punishment can be moral only when it is necessary for public safety. It is no longer necessary and therefore must be abolished.

e) The teaching of the Catechism is clear in the preference for bloodless means:

If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons, public authority should limit itself to such means, because they

better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person.

- 1) It better corresponds to the concrete conditions of the common good because we are living clearly in a cultural context in which life is no longer valued in itself.
 - 2) It is more in conformity with the dignity of the person, both of the criminal (and the value of his life before God), and of the prison personnel (who have great difficulties putting others to death).
- f) The Pope in EV 27 states clearly that “Modern society in fact has the means of effectively suppressing crime by rendering criminals harmless without definitively denying them the chance to reform.”
- 3) Reforming and rehabilitating the criminal
- a) It might seem strange at first to think that the death penalty would ever have been seen in the context of reforming and rehabilitating the criminal, but there was a strong train of thought that looked at the death penalty as merciful to the criminal.
 - b) Their argument was that giving the criminal a firm date of death would help him to make his peace with God.
 - 1) Immanuel Kant, the extraordinarily influential German enlightenment philosopher (non-Catholic) said “The noose focuses the mind.”
 - 2) St. Thomas Aquinas, in the *Summa Contra Gentiles*, said, against an objection that capital punishment would rob a criminal of the opportunity to repent and make his peace with God, that if a man would not make his peace with God when he knew for sure that he would “die on the morrow,” then it would be a false assumption to think that he would do so if given more time.
 - 3) Along the same lines as St. Thomas, but not within the context of the death penalty, C.S. Lewis said (in his classic *Screwtape Letters*) that “time” is one of the devil’s greatest deceptions — that there is always time to change and convert — whereas the Lord says that we never know the day or the hour, and this day our life on earth might end.
 - 4) There is clear evidence that many death-row criminals do have conversion experiences, make their peace with God, and die a good death.
 - 5) These arguments are all, essentially, in favor of conversion and not strictly in favor of the death penalty *per se*. The death penalty can be an occasion for conversion, especially when Christians are praying for someone as he or she approaches imminent death, but conversion is not directly associated with the death penalty. Being in prison itself — were we capable of making prisons more humane (see immediately below) — could be a sufficient occasion for conversion.
 - c) Many proponents of the death penalty today charge that the death penalty might indeed be more merciful to someone than having him or her spend decades in prison where life — because of all the crime, terrorism, rapes, etc., that happen in prisons today — is a “living hell.”
 - 1) The clear response of death penalty opponents to this line of argumentation is that we should make our prisons more humane.
- 7) A common objection to the Church’s position on the death penalty has come from those who say that “God used the death penalty,” as we see in the Old Testament. In response to this both the Pope and Bishop O’Malley speak:

- a) **EV 40:** The commandment regarding the inviolability of human life reverberates at the heart of the "ten words" in the covenant of Sinai (cf. Ex 34:28). In the first place that commandment prohibits murder: "You shall not kill" (Ex 20:13); "do not slay the innocent and righteous" (Ex 23:7). But, as is brought out in Israel's later legislation, it also prohibits all personal injury inflicted on another (cf. Ex 21:12-27). Of course we must recognize that in the Old Testament this sense of the value of life, though already quite marked, does not yet reach the refinement found in the Sermon on the Mount. This is apparent in some aspects of the current penal legislation, which provided for severe forms of corporal punishment and even the death penalty. But the overall message, which the New Testament will bring to perfection, is a forceful appeal for respect for the inviolability of physical life and the integrity of the person. It culminates in the positive commandment which obliges us to be responsible for our neighbor as for ourselves: "You shall love your neighbor as yourself" (Lev 19:18).
- b) **+SPO:** In the book of Genesis, the first murderer was Cain. He was punished but not executed. God protected Cain from those who would threaten to kill him. The Old Testament injunction, "an eye for an eye, a tooth for a tooth," was an attempt to curb the spirit of vindication among God's people who would have sought to punish the guilty sevenfold by plucking out both eyes and knocking out several teeth. Just as the law of Moses in Deuteronomy 24 should be seen as a concession and not an approval of divorce, a concession that Jesus later abrogates, so too the law of talion does not command but limits revenge.
- 8) On the death penalty, the Church, as in everything, looks to Christ. About him and his treatment of those who had incurred capital crimes, Bishop O'Malley speaks:
- +SPO:** In our teaching to those of the household of faith, to our Catholic people and other Christians, we turn to the New Testament. There we find the example and words of Jesus as the primary source of Christian life-ethics. Nowhere does Jesus offer violence as a solution to set things straight. The Gospel reveals God's boundless love for every person, regardless of human merit or worthiness. He does not will the death of a sinner, but rather that the sinner be converted. Jesus often shifts the locus of judgment to a higher court, a court where there is no need for polygraph, where there is absolute knowledge of the evidence, of good deeds and of evil, of private and public things; a court where there is justice and mercy, both law and grace, wrath and tenderness. ... In the Gospels, Christ's mercy is in sharp contrast with the attitude of those invoking capital punishment for the woman caught in adultery. Our Lord commutes her sentence by challenging the worthiness of her accusers to judge. Then he forgives her sin and admonishes her to sin no more. The Lord hates sin but loves the sinner. Discipleship calls us to have the same sentiments as the Master.
- 9) Finally, what about the Inquisition? Wasn't the Church in the business of systematically executing heretics?
- a) The Inquisition took on lots of difference faces depending upon what country we were talking about.
- b) Basically and generally, civil governments looked upon heresies as a great destabilizing force in society. Civil leaders wanted to eliminate such civic unrest and asked the Church to pronounce and investigate when people, in fact, were heretics.
- c) In almost all cases, it was the civil government that was responsible for executing punishments — imprisonment, fine or death.
- d) There were differing opinions in the Church during the Inquisition about whether the Church really should be involved, because it was obvious that many heretics were being killed. But the predominant, prevailing attitude was that articulated by St. Thomas Aquinas in the 1260s: if it is allowable to kill someone who harms the physical life of others (a murderer), and it is, then even more so is it allowable to kill someone who harms the spiritual and eternal life of others (a heretic).
- e) The Church, today, looks upon heretics differently, and has a greater appreciation for freedom of conscience, enshrined in the document of the Second Vatican Council, Dignitatis Humanae.

f) In the context of the death penalty, the Church hasn't changed her position since the Inquisition. It merely has changed its attitude toward the situations in which the legitimate authority of the state is capable of exercising its right to put people to death who cause or might cause serious harm. In the past, the Church thought that in the case of serious, obstinate, relapsed heretics, such an execution was allowable; today the Church would not consider such an application allowable.

IV. When is it just to go to war?

- 1) At the end of the most brutal century in recorded history, with two world wars, several genocides and ethnic cleansings, countless other wars and bloody protracted engagements, moral people, like Pope Pius XII in the 1940s, have cried out "War, never again!"
 - a) We see this attitude in the Catechism (CCC 2307), where it says, "The fifth commandment forbids the intentional destruction of human life. Because of the evils and injustices that accompany all war, the Church insistently urges everyone to prayer and to action so that the divine Goodness may free us from the ancient bondage of war."
 - b) CCC 2326: Insofar as men are sinners, the threat of war hangs over them and will so continue until Christ comes again; but insofar as they can vanquish sin by coming together in charity, violence itself will be vanquished and these words will be fulfilled: "they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more." [111]
 - c) CCC 2327: Because of the evils and injustices that all war brings with it, we must do everything reasonably possible to avoid it. The Church prays: "From famine, pestilence, and war, O Lord, deliver us."
 - d) "Blessed are the peacemakers, for they shall be called sons of God" (Mt 5:9).
- 2) Throughout the history of the Church, Popes, bishops and theologians have sought a middle ground between immoral desertion of the common good to defenselessness and the immorality of disproportionate defense.
 - a) Defense of the common good and of citizens is not only a right but a grave duty of those entrusted with care for the common good. It would be nice to live in a world in which there would be no war, but as a result of sin, there are people who wage war for sinful motives, and in these circumstances it is incumbent on civil leaders — who although they might personally be prone to turn the other cheek — to defend those entrusted to their care.
 - b) As the Catechism says (CCC 2308): All citizens and all governments are obliged to work for the avoidance of war. However, "as long as the danger of war persists and there is no international authority with the necessary competence and power, governments cannot be denied the right of lawful self-defense, once all peace efforts have failed."
 - c) Yet, two wrongs never make a right, and hence, it is necessary not to go too far in defending the rights of an attacked nation.
- 3) As a result, the great minds of the Church throughout the centuries have worked to determine the principles under which war may be waged justly. Just war thought in this area was separated into two general categories:
 - a) Ad bellum — The criteria under which it is just to declare war (see point 6 below)
 - b) In bello — The criteria governing just fighting during a war (see point 9 below)
- 4) It is possible that a government might justly declare war in order to defend itself, but it might choose means (during war) that would be unjust — like nuclear-bombing civilians. For a war to be just, it must be just on both scores.

- 5) The tradition of the Church condemns all wars of aggression. Pope Pius XII, in his 1944 Christmas message, stated explicitly the immorality of “wars of aggression as a legitimate solution of international disputes and as an instrument of national aspirations.”
- 6) Meanwhile defensive war is morally justifiable when it meets the following strict criteria (CCC 2309). At one and the same time:
- a) the damage inflicted by the aggressor on the nation or community of nations must be lasting, grave, and certain;
 - b) all other means of putting an end to it must have been shown to be impractical or ineffective;
 - c) there must be serious prospects of success;
 - d) the use of arms must not produce evils and disorders graver than the evil to be eliminated. There must be a proportion between the likely good to be achieved and the damage that achieving that good will necessitate.
- 7) Who decides if these criteria are met?
- a) The government leaders

CCC 2309: The evaluation of these conditions for moral legitimacy belongs to the prudential judgment of those who have responsibility for the common good, in other words, the leaders of the government.
 - b) Because of the importance of getting this right, however, government leaders should listen to those who might not have such an immediate involvement in the situation to see if they are truly applying the criteria, having recourse, for example, to the Holy See.
- 8) When a war is just — and hence it would be an effort to secure a lasting, true peace — all citizens have an obligation to help out the society defend itself. The Catechism is explicit about this:
- CCC 2310** Public authorities, in this case, have the right and duty to impose on citizens the obligations necessary for national defense.
- a) Soldiers — Those who are sworn to serve their country in the armed forces are servants of the security and freedom of nations. If they carry out their duty honorably, they truly contribute to the common good of the nation and the maintenance of peace.
 - b) Pacifists by conscience — Public authorities should make equitable provision for those who for reasons of conscience refuse to bear arms; these are nonetheless obliged to serve the human community in some other way (CCC 2311).
- 9) Within war (in bello), the Church gives several criteria that need to be followed:
- a) Non-combatants, wounded soldiers, and prisoners must be respected and treated humanely (CCC 2313)
 - b) No excuse can justify crimes against people, like Genocide:

CCC 2313: Actions deliberately contrary to the law of nations and to its universal principles are crimes, as are the orders that command such actions. Blind obedience does not suffice to excuse those who carry them out. Thus the extermination of a people, nation, or ethnic minority must be condemned as a mortal sin. One is morally bound to resist orders that command genocide.
 - c) Indiscriminate acts of destruction are crimes against God and man:

CCC 2314 "Every act of war directed to the indiscriminate destruction of whole cities or vast areas with their inhabitants is a crime against God and man, which merits firm and unequivocal condemnation." A danger of modern warfare is that it provides the opportunity to those who possess modern scientific weapons especially atomic, biological, or chemical weapons - to commit such crimes.

- 10) So in summary (and putting all of the criteria in one place), a war is just under the following conditions (a combination of the principles from St. Thomas Aquinas (1224-1274) and from Vittoria (1487-1546) and Suarez (1548-1617):
- a) It must be declared by the legitimate authority, which has the authority to defend the common good;
 - b) It must proceed from a just cause, namely that those who attacked in response should be attacked on account of some fault;
 - 1) a nation's rights must be unjustly violated, with the attack underway or imminent; in terms of the damage to an attack that has already taken place: the damage must be lasting, grave and certain.
 - 2) it must be a last resort — all other means have failed or will be useless; and
 - 3) the proportion between the evil effects of war and the good to be gained must favor the latter.
 - c) it must proceed from a right intention, the advancement of good, or the avoidance of evil.
 - 1) About this point, St. Thomas writes (II-II,40,1): It is necessary that the belligerents should have a rightful intention, so that they intend the advancement of good, or the avoidance of evil.
 - 2) Hence Augustine says: "True religion looks upon as peaceful those wars that are waged not for motives of aggrandizement, or cruelty, but with the object of securing peace, of punishing evil-doers, and of uplifting the good."
 - 3) For it may happen that the war is declared by the legitimate authority, and for a just cause, and yet be rendered unlawful through a wicked intention. Hence Augustine says (Contra Faust. xxii, 74): "The passion for inflicting harm, the cruel thirst for vengeance, an unpacific and relentless spirit, the fever of revolt, the lust of power, and such like things, all these are rightly condemned in war."
- 11) Final objection: how is war reconcilable with love and peace?

St. Thomas answers this very well (II-II,40,1,ad3):

Those who wage war justly aim at peace, and so they are not opposed to peace, except to the evil peace, which Our Lord "came not to send upon earth" (Mt. 10:34). Hence Augustine says: "We do not seek peace in order to be at war, but we go to war that we may have peace. Be peaceful, therefore, in warring, so that you may vanquish those whom you war against, and bring them to the prosperity of peace."