

St. Thomas Aquinas
Summa Theologiae II-II, q. 64, a. 7

Obj. 1 Ad septimum sic proceditur. Videtur quod nulli liceat occidere aliquem se defendendo. Dicit enim Augustinus, ad Publicolam, *de occidendis hominibus ne ab eis quisquam occidatur, non mihi placet consilium, nisi forte sit miles, aut publica functione teneatur, ut non pro se hoc faciat sed pro aliis, accepta legitima potestate, si eius congruat personae*. Sed ille qui se defendendo occidit aliquem, ad hoc eum occidit ne ipse ab eo occidatur. Ergo hoc videtur esse illicitum.

Obj. 2 Praeterea, in I de Lib. Arb. dicitur, *quomodo apud divinam providentiam a peccato liberi sunt qui pro his rebus quas contemni oportet, humana caede polluti sunt?* Eas autem res dicit esse contemnendas quas homines inviti amittere possunt, ut ex praemissis patet. Horum autem est vita corporalis. Ergo pro conservanda vita corporali nulli licitum est hominem occidere.

Obj. 3 Praeterea, Nicolaus Papa dicit, et habetur in decretis, dist. 1, *de clericis pro quibus consulisti, scilicet qui se defendendo Paganum occiderunt, si postea per poenitentiam possent ad pristinum statum redire aut ad altiore ascendere, scito nos nullam occasionem dare, nec ullam tribuere licentiam eis quemlibet hominem quolibet modo occidendi*. Sed ad praecepta moralia servanda tenentur communiter clerici et laici. Ergo etiam laicis non est licitum occidere aliquem se defendendo.

Objection 1. It would seem that nobody may lawfully kill a man in self-defense. For Augustine says to Publicola (Ep. xlvi): "I do not agree with the opinion that one may kill a man lest one be killed by him; unless one be a soldier, exercise a public office, so that one does it not for oneself but for others, having the power to do so, provided it be in keeping with one's person." Now he who kills a man in self-defense, kills him lest he be killed by him. Therefore this would seem to be unlawful.

Objection 2. Further, he says (De Lib. Arb. i, 5): "How are they free from sin in sight of Divine providence, who are guilty of taking a man's life for the sake of these contemptible things?" Now among contemptible things he reckons "those which men may forfeit unwillingly," as appears from the context (De Lib. Arb. i, 5): and the chief of these is the life of the body. Therefore it is unlawful for any man to take another's life for the sake of the life of his own body.

Objection 3. Further, Pope Nicolas [Nicolas I, Dist. 1, can. De his clericis] says in the Decretals: "Concerning the clerics about whom you have consulted Us, those, namely, who have killed a pagan in self-defense, as to whether, after making amends by repenting, they may return to their former state, or rise to a higher degree; know that in no case is it lawful for them to kill any man under any circumstances whatever." Now clerics and laymen are alike bound to observe the moral precepts. Therefore neither is it lawful for laymen to kill anyone in self-defense.

Obj. 4 Praeterea, homicidium est gravior peccatum quam simplex fornicatio vel adulterium. Sed nulli licet committere simplicem fornicationem vel adulterium, vel quodcumque aliud peccatum mortale, pro conservatione propriae vitae, quia vita spiritualis praefenda est corporali. Ergo nulli licet, defendendo seipsum, alium occidere ut propriam vitam conservet.

Obj. 5 Praeterea, si arbor est mala, et fructus, ut dicitur Matth. VII. Sed ipsa defensio sui videtur esse illicita, secundum illud Rom. XII, *non vos defendentes, carissimi*. Ergo et occisio hominis exinde procedens est illicita.

Sed contra est quod Exod. XXII dicitur, *si effringens fur domum sive suffodiens fuerit inventus, et, accepto vulnere, mortuus fuerit, percussor non erit reus sanguinis*. Sed multo magis licitum est defendere propriam vitam quam propriam domum. Ergo etiam si aliquis occidat aliquem pro defensione vitae suae, non erit reus homicidii.

Respondeo dicendum **quod nihil prohibet unius actus esse duos effectus, quorum alter solum sit in intentione, alius vero sit praeter intentionem**. Morales autem actus recipiunt speciem secundum id quod intenditur, non autem ab eo quod est praeter intentionem, cum sit per accidens, ut ex supradictis patet. Ex actu igitur alicuius seipsum defendentis duplex effectus sequi potest, unus quidem conservatio propriae vitae; alius autem occisio invadentis. Actus igitur huiusmodi ex hoc quod intenditur conservatio propriae vitae, non habet rationem illiciti, cum hoc sit cuilibet naturale quod se conservet in esse quantum potest. **Potest tamen aliquis actus ex bona intentione proveniens illicitus reddi si non**

Objection 4. Further, murder is a more grievous sin than fornication or adultery. Now nobody may lawfully commit simple fornication or adultery or any other mortal sin in order to save his own life; since the spiritual life is to be preferred to the life of the body. Therefore no man may lawfully take another's life in self-defense in order to save his own life.

Objection 5. Further, if the tree be evil, so is the fruit, according to Matthew 7:17. Now self-defense itself seems to be unlawful, according to Romans 12:19: "Not defending [Douay: 'revenging'] yourselves, my dearly beloved." Therefore its result, which is the slaying of a man, is also unlawful.

On the contrary, It is written (Exodus 22:2): "If a thief be found breaking into a house or undermining it, and be wounded so as to die; he that slew him shall not be guilty of blood." Now it is much more lawful to defend one's life than one's house. Therefore neither is a man guilty of murder if he kill another in defense of his own life.

I answer that, Nothing hinders one act from having two effects, only one of which is intended, while the other is beside the intention. Now moral acts take their species according to what is intended, and not according to what is beside the intention, since this is accidental as explained above (II-II:43:3; I-II:12:1). Accordingly the act of self-defense may have two effects, one is the saving of one's life, the other is the slaying of the aggressor. Therefore this act, since one's intention is to save one's own life, is not unlawful, seeing that it is natural to everything to keep itself in "being," as far as possible. **And yet, though proceeding from a good intention, an act may be rendered unlawful, if it be out of proportion to the end.** Wherefore if a man, in self-defense,

sit proportionatus fini. Et ideo si aliquis ad defendendum propriam vitam utatur maiori violentia quam oporteat, erit illicitum. Si vero moderate violentiam repellat, erit licita defensio, nam secundum iura, *vim vi repellere licet cum moderamine inculpatae tutelae*. Nec est necessarium ad salutem ut homo actum moderatae tutelae praetermittat ad evitandum occisionem alterius, quia plus tenetur homo vitae suae providere quam vitae alienae. **Sed quia occidere hominem non licet nisi publica auctoritate propter bonum commune, ut ex supradictis patet; illicitum est quod homo intendat occidere hominem ut seipsum defendat, nisi ei qui habet publicam auctoritatem, qui, intendens hominem occidere ad sui defensionem, refert hoc ad publicum bonum, ut patet in milite pugnante contra hostes, et in ministro iudicis pugnante contra latrones.** Quamvis et isti etiam peccent si privata libidine moveantur.

Ad primum ergo dicendum quod **auctoritas Augustini intelligenda est in eo casu quo quis intendit occidere hominem ut seipsum a morte liberet.**

In quo etiam casu intelligitur auctoritas inducta ex libro de libero arbitrio. Unde signanter dicitur, pro his rebus, in quo designatur intentio. Et per hoc patet responsio *ad secundum*.

Ad tertium dicendum quod irregularitas consequitur actum homicidii etiam si sit absque peccato, ut patet in iudice qui iuste aliquem condemnat ad mortem. Et propter hoc clericus, etiam si se defendendo interficiat aliquem, irregularis est, quamvis

uses more than necessary violence, it will be unlawful: whereas if he repel force with moderation his defense will be lawful, because according to the jurists [Cap. Significasti, De Homicid. volunt. vel casual.], "it is lawful to repel force by force, provided one does not exceed the limits of a blameless defense." Nor is it necessary for salvation that a man omit the act of moderate self-defense in order to avoid killing the other man, since one is bound to take more care of one's own life than of another's. **But as it is unlawful to take a man's life, except for the public authority acting for the common good, as stated above (Article 3), it is not lawful for a man to intend killing a man in order to defend himself, except for such as have public authority, who while intending to kill a man for self-defense, refer this to the public good, as in the case of a soldier fighting against the foe, and in the minister of the judge struggling with robbers,** although even these sin if they be moved by private animosity.

Reply to Objection 1. The **words quoted from Augustine refer to the case when one man intends to kill another to save himself from death.** The passage quoted in the Second Objection is to be understood in the same sense. Hence he says pointedly, "for the sake of these things," whereby he indicates the intention. This suffices for the *Reply to the Second Objection*.

Reply to Objection 3. Irregularity results from the act though sinless of taking a man's life, as appears in the case of a judge who justly condemns a man to death. For this reason a cleric, though he kill a man in self-defense, is irregular, albeit he intends not to kill him, but to defend himself.

non intendat occidere, sed seipsum defendere.

Ad quartum dicendum quod actus fornicationis vel adulterii non ordinatur ad conservationem propriae vitae ex necessitate, sicut **actus ex quo quandoque sequitur homicidium**.

Ad quintum dicendum quod ibi prohibetur defensio quae est cum livore vindictae. Unde Glossa dicit, *non vos defendentes, idest, non sitis referentes adversarios*.

The Latin text is from the Corpus Thomisticum. URL: <http://www.corpusthomisticum.org/sth3061.html>

Emphasis added.

Reply to Objection 4. The act of fornication or adultery is not necessarily directed to the preservation of one's own life, as is **the act whence sometimes results the taking of a man's life**.

Reply to Objection 5. The defense forbidden in this passage is that which comes from revengeful spite. Hence a gloss says: "Not defending yourselves--that is, not striking your enemy back."

English text: *The Summa Theologiae of St. Thomas Aquinas*
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URL:
<http://newadvent.org/summa/3064.htm#article7>

Emphasis added. Translation emended at points.

I-II, q. 12, a. 4: Whether intention of the end is the same act as the volition of the means?

Objection 1. It would seem that the intention of the end and the volition of the means are not one and the same movement. For Augustine says (De Trin. xi, 6) that "the will to see the window, has for its end the seeing of the window; and is another act from the will to see, through the window, the passersby." But that I should will to see the passersby, through the window, belongs to intention; whereas that I will to see the window, belongs to the volition of the means. Therefore intention of the end and the willing of the means are distinct movements of the will.

Objection 2. Further, acts are distinct according to their objects. But the end and the means are distinct objects. Therefore the intention of the end and the willing of the means are distinct movements of the will.

Objection 3. Further, the willing of the means is called choice. But choice and intention are not the same. Therefore intention of the end and the willing of the means are not the same movement of the will.

On the contrary, The means in relation to the end, are as the mid-space to the terminus. Now it is all the same movement that passes through the mid-space to the terminus, in natural things. Therefore in things pertaining to the will, the intention of the end is the same movement as the willing of the means.

I answer that, The movement of the will to the end and to the means can be considered in two ways. First, according as the will is moved to each of the aforesaid absolutely and in itself. And thus there are really two movements of the will to them. Secondly, it may be considered accordingly as the will is moved to the means for the sake of the end: and thus the movement of the will to the end and its movement to the means are one and the same thing. For when I say: "I wish to take medicine for the sake of health," I signify no more than one movement of my will. And this is because the end is the reason for willing the means. Now the object, and that by reason of which it is an object, come under the same act; thus it is the same act of sight that perceives color and light, as stated above (I-II:8:3 ad 2). And the same applies to the intellect; for if it consider principle and conclusion absolutely, it considers each by a distinct act; but when it assents to the conclusion on account of the principles, there is but one act of the intellect.

Reply to Objection 1. Augustine is speaking of seeing the window and of seeing, through the window, the passersby, according as the will is moved to either absolutely.

Reply to Objection 2. The end, considered as a thing, and the means to that end, are distinct objects of the will. But in so far as the end is the formal object in willing the means, they are one and the same object.

Reply to Objection 3. A movement which is one as to the subject, may differ, according to our way of looking at it, as to its beginning and end, as in the case of ascent and descent (Phys. iii, 3). Accordingly, in so far as the movement of the will is to the means, as ordained to the end, it is called "choice": but the movement of the will to the end as acquired by the means, it is called "intention." A sign of this is that we can have intention of the end without having determined the means which are the object of choice.

I-II, q. 12, a. 4, Latine:

Ad quartum sic proceditur. Videtur quod non sit unus et idem motus intentio finis, et voluntas eius quod est ad finem. Dicit enim Augustinus, in XI de Trin., quod *voluntas videndi fenestram, finem habet fenestras visionem; et altera est voluntas per fenestram videndi transeuntes*. Sed hoc pertinet ad intentionem, quod velim videre transeuntes per fenestram, hoc autem ad voluntatem eius quod est ad

finem, quod velim videre fenestram. Ergo alius est motus voluntatis intentio finis, et alius voluntas eius quod est ad finem.

arg. 2 Praeterea, actus distinguuntur secundum obiecta. Sed finis, et id quod est ad finem, sunt diversa obiecta. Ergo alius motus voluntatis est intentio finis, et voluntas eius quod est ad finem.

arg. 3 Praeterea, voluntas eius quod est ad finem, dicitur electio. Sed non est idem electio et intentio. Ergo non est idem motus intentio finis, cum voluntate eius quod est ad finem.

Sed contra, id quod est ad finem, se habet ad finem ut medium ad terminum. Sed idem motus est qui per medium transit ad terminum, in rebus naturalibus. Ergo et in rebus voluntariis idem motus est intentio finis, et voluntas eius quod est ad finem.

Respondeo dicendum quod motus voluntatis in finem et in id quod est ad finem, potest considerari dupliciter. Uno modo, secundum quod voluntas in utrumque fertur absolute et secundum se. Et sic sunt simpliciter duo motus voluntatis in utrumque. Alio modo potest considerari secundum quod voluntas fertur in id quod est ad finem, propter finem. Et sic unus et idem subiecto motus voluntatis est tendens ad finem, et in id quod est ad finem. Cum enim dico, volo medicinam propter sanitatem, non designo nisi unum motum voluntatis. Cuius ratio est quia finis ratio est volendi ea quae sunt ad finem. Idem autem actus cadit super obiectum, et super rationem obiecti, sicut eadem visio est coloris et luminis, ut supra dictum est. Et est simile de intellectu, quia si absolute principium et conclusionem consideret, diversa est consideratio utriusque; in hoc autem quod conclusioni propter principia assentit, est unus actus intellectus tantum.

Ad primum ergo dicendum quod Augustinus loquitur de visione fenestrae, et visione transeuntium per fenestram, secundum quod voluntas in utrumque absolute fertur.

Ad secundum dicendum quod finis, inquantum est res quaedam, est aliud voluntatis obiectum quam id quod est ad finem. Sed inquantum est ratio volendi id quod est ad finem, est unum et idem obiectum.

Ad tertium dicendum quod motus qui est unus subiecto, potest ratione differre secundum principium et finem, ut ascensio et descensio, sicut dicitur in III Physic. Sic igitur inquantum motus voluntatis fertur in id quod est ad finem, prout ordinatur ad finem, est electio. Motus autem voluntatis qui fertur in finem, secundum quod acquiritur per ea quae sunt ad finem, vocatur intentio. Cuius signum est quod intentio finis esse potest, etiam nondum determinatis his quae sunt ad finem, quorum est electio.