

AQUINAS ON CHARITY, WAR AND PEACE

Kalamazoo Medieval Conference

John P. Hittinger

May 6, 2004

Thomas's treatment of the problem of war in the *Summa Theologiae* is refreshingly simple. The so-called just war tradition which has developed over the centuries now boasts some 7-9 criteria which have come to serve as a moral checklist, or as dialectical grist for moralists and policy makers. Thomas provides a bare list of three criteria.¹ And despite the enormous influence of the thought of Thomas Aquinas upon this tradition, very few people have stopped to ponder the significance of the placement of the question concerning war in the plan of the *Summa* as a whole. Thomas' treatment of war is not under the section on natural law, nor under the virtue of justice. It is part of the treatise of charity. To my knowledge, Paul Ramsey is one of the few writers on just war who has taken this into account. And his assessment is radical but difficult to avoid -- the just war theory of Augustine and Aquinas is derived from the parable of the good Samaritan and not as precept of "natural justice."² He means that the just war precepts were not simply derived from axioms of fundamental human goods, but rather discovered and elaborated in light of the grace of Christ and images of the good life. When read in its proper context, Thomas's account of war loses its "checklist" mentality and provides some profound reflections upon political order and poignant insights about the "two cities" of our divided allegiance.

¹ I treat the three criteria in detail in my article, "Just War and Defense Policy." In *Natural Law and Contemporary Public Policy*, edited by David F. Forte, 333-360. Washington, D.C.: Georgetown University Press, 1998.

² Ramsey, Paul. *The Just War: Force and Political Responsibility*. New York: Scribner, 1968, p. 142. See also Darrell Cole, "Thomas Aquinas on Virtuous Warfare" in *Journal of Religious Ethics* 27.1, Spring 1999.

St. Thomas considers war as a sin against charity (II-II q. 40). The vices against charity he orders according to opposition to charity itself and against the effects of charity, namely joy, peace, and beneficence (II-II q. 34). Obviously, war is opposed to peace; and so Thomas treats of war as a sin against the peace which flows from charity. He further subdivides the sins against peace according to the heart (discord), the lips (contentiousness) and deeds (schism, brawling, and war). In his translation for the Gilbey *Summa*, Father Heath makes some very interesting observations about how Thomas made various adjustments to the order of sins as he fit war into this section concerning vices opposed to charity.³ Heath suggests that St. Thomas worked from a list of the “works of the flesh” provided by St Paul in *Galatians* 5.20 -- enmity, strife, jealousy, anger, selfishness, dissension, party spirit.⁴ Thomas cites this text in the *sed contra* of II-II qq. 37, 38, and 41. There are textual indications that Thomas changed his mind as to which of these sins to include in his treatment and what others must be supplemented. This suggests to Fr. Heath that St. Thomas was a creative thinker, on the go and a man in a hurry who did not always go back to make fine adjustments to the text. But the overall point stands – Thomas chose to treat war as a sin against charity. And St. Paul’s opposition between the works of the flesh and the fruits of the Spirit serves as an inspiration for his effort. The opposition between works of flesh

3 Aquinas, Thomas. *Consequences of Charity* (2a2ae. 34-46). Translated by Thomas R. Heath O.P. Vol. 35. *Summa Theologiae*. 60 vols. New York: McGraw-Hill, 1974; *Charity* (2a2ae. 23-33). Translated by R. J. Batten O.P. Vol. 34. *Summa Theologiae*. 60 vols. New York: McGraw-Hill, 1975.

⁴ But I say, walk by the Spirit, and do not gratify the desires of the flesh. 17: For the desires of the flesh are against the Spirit, and the desires of the Spirit are against the flesh; for these are opposed to each other, to prevent you from doing what you would. 18: But if you are led by the Spirit you are not under the law. 19: Now the works of the flesh are plain: fornication, impurity, licentiousness, 20: idolatry, sorcery, enmity, strife, jealousy, anger, selfishness, dissension, party spirit, 21: envy, drunkenness, carousing, and the like. I warn you, as I warned you before, that those who do such things shall not inherit the kingdom of God. 22: But the fruit of the Spirit is love, joy, peace, patience, kindness, goodness, faithfulness, 23: gentleness, self-control; against such there is no law. (RSV)

and fruits of the spirit provides the dialectical structure for his treatment. John Bligh indicates that St. Paul uses a list of virtues and vices in the form of a “Two way” text.⁵ Augustine made use of this structure in the *City of God* (XIV.28).⁶ This point just serves to further highlight the influence of St. Augustine on his treatment of war.

Thomas opens his treatment with two objections based upon scripture – Matthew 26.52 (all who live by the sword . . .) and 5:32 (offer no resistance) and Romans 12.19 (Do not show revenge but give way to wrath). A third objection opposes war to peace as a contrary of virtue. In the *sed contra* Thomas cites a crucial argument by St. Augustine. The crucial breakthrough for Christian thought in Augustine’s account of “just war” lies in his interpretation of these scriptural passages which some Christians may take to prohibit them from participating in war. Augustine said that "If the Christian Religion forbade war altogether, those who sought salutary advice in the Gospel would rather have been counseled to cast aside their arms, and to give up soldiering altogether. On the contrary, they were told: 'Do violence to no man . . . and be content with your pay' Lk. 3:14. If he commanded them to be content with their pay, he did not forbid soldiering." In the replies to the objections Thomas also quotes Augustine: (a) the prohibition against drawing the sword pertains to unlawful authority (obj 1); (b) war is waged precisely for the goal of peace (obj. 3); and (c) the precept to “turn the other cheek” means that our inner attitude should be not inclined to vengeance and hence the precept “should always be borne in readiness of mind, so that we be ready to obey them” (obj 2) In other words, the command to turn the

⁵ John Bligh, *Galatians: A Discussion of St Paul’s Epistle* (London: St Paul Publication, 1969), pp. 446-462; see also M. J. Suggs, “The Christian Two-Ways Tradition: Its Antiquity, Form, and Function,” in *Studies in New testament and Early Christian Literature: Essays in Honor of Allen P. Wikgren* ed D. E. Aune (Leiden: Brill, 1972): 60-74.

⁶ *Ibid.*, p. 462.

other cheek pertains to intention and inner disposition, not to the overt deed as such. In his survey of just war in the middle ages, Jonathan Barnes says: "Augustine's scriptural exegesis may raise a skeptical eyebrow or an outraged hackle, but it was gratefully accepted and piously parroted by the medieval political theorists: by returning a negative answer to the question 'is soldiering always a sin?' Augustine made room for a morality of warfare and a theory of just war."⁷ No doubt Augustine's exegesis can be disputed; at the time of the Reformation some Christians challenged the tradition on just this point.⁸ But the fact is that Augustine's exegesis held its plausible and authoritative ground for the Christian thinker through the middle ages, Aquinas included, through the time of Franciscus de Victoria "The Law of War" (1483

Thomas' use of Augustine in finding a resolution to the problem of war is clear. But is it a mindless repetition? Others have even claimed that Thomas radically departs from St. Augustine over the issue of war. For example, Herbert Deane claims that Thomas made war a "natural feature of states."⁹ Paul Ramsey makes a more reasonable and moderate claim that Aquinas takes a different perspective than Augustine.¹⁰ His greater respect for the integrity of natural virtue and activity and the emphasis upon reason over will in the natural law permits him to have a sharper concept of the just regime and a clearer determination of a just cause. Alfred Vanderpol claims that there is "a consistent tradition in teaching on the just war from Augustine to Aquinas" which

7 Jonathan Barnes, "The Just War." In *The Cambridge History of Later Medieval Philosophy*, ed. Norman Kretzmann, Anthony Kenny and Jan Pinborg (New York: Cambridge University Press, 1982), p. 773.

8 See for example "The Schleithem Confession of Faith" by Michael Sattler and others (1527); "The Blasphemy of John Leiden," by Menno Simons (1535); "An Apology for the True Christian Divinity," by Robert Barclay (1666).

9 See Herbert A Deane, *The Political and Social Ideas of St. Augustine* (New York: Columbia University Press, 1963), p. 234.

10. *War and the Christian Conscience* (Durham: Duke University Press, 1961), pp. 31-32.

culminates in Suarez. He claims that Augustine planted the seeds or basic principles which Aquinas formulated as conclusions.¹¹ Thomas Aquinas took over this Augustinian heritage and gave it a more precise and systematic formulation. In relation to Augustine on war, is Thomas a parrot, an innovator, or a developer? I believe a key to answering this question may require a more extended study of Thomas' analysis of peace to be found in the *Summa Theologiae* II-II q. 29. War is a sin opposed to the good of peace. Thus, the nature of the good of peace must be understood in order to explain the sinfulness of war.

First we remember that Thomas queries whether it is always sinful to wage war, reflecting an obvious suspicion about the morality of war. Is there a “presumption against war”? The current debate about the just war theory may benefit from a return to the source. Why does Thomas pose the question such? War is not mentioned explicitly in the passage from Galatians 5:20-22 from which Thomas derives his initial list of sins against charity. But war obviously fits into the direction or gist of the challenge; and peace is listed as a fruit of the spirit. Most of all, the practice of war appears to go against precepts of Christianity and common practice, as we can see from the objections in article one, that is, we are enjoined as Christians to “turn the other cheek” and to refrain from repaying evil with evil. And surely war entails evil, as it undermines and wreaks havoc upon virtually every level or type of human good from life, to family, to truth and association (see ST I-II 90, a. 2). But is it a moral evil, a *malum in se*? Not necessarily, as Thomas proceeds to show.

So why is it not always sinful to wage war? With the use of Augustine for the

¹¹ Vanderpol, A. *La Doctrine Scolastique Du Droit De Guerre*. Paris, 1919.

authoritative “sed contra” and for the replies to the objections,¹² Thomas clears the way for his positive and definitive treatment of “just war.” He argues that war is not sinful if it meets three conditions: the war must be declared by proper authority and not by private citizens or groups; second, a just cause is required; and third, there should be a rightful intention, such as the advancement of good or the avoidance of evil.¹³ Note that Aquinas list three criteria, not the seven of much modern statements of just war; and as Barnes rightly points out Thomas differs from his predecessors such as Alexander of Hales who mentions seven and others who mention five. Second, note that Thomas does not at all make a distinction into *jus ad bellum* and *jus in bello*; that is he does not separate out the issue of non combatant immunity or proportionate use of tactical force.¹⁴

Proper authority, just cause, and right intention -- each criterion contains important philosophical content and a theological connection to Augustine. Indeed, together they implicitly contain the more elaborate sets of criteria for just war that have been developed over the centuries to serve as points for critical reflection.¹⁵ First, war must be an act by "the authority of a sovereign by whose command the war is to be waged. . ." Thomas views strife as an opportunity for indulging "private feelings of anger of hatred." (II-II 41.1.ad 3) It is incumbent upon political leadership to follow reason, a public reason devoted to a measured good and a

¹² Aquinas will cite or quote from Augustine eight times in this article alone.

¹³ *Summa Theologiae* II-II q. 40, a. 1. See selections in Saint Thomas Aquinas, *On Law, Morality and Politics* ed. William P. Baumgarth and Richard J. Regan, S.J. (Indianapolis: Hackett, 1988); see also Regan's *The Moral Dimensions of Politics* (New York: Oxford University Press, 1986), pp. 145-160.

¹⁴ See my article “Just War and Defense Policy.”

¹⁵ Viz., right authority, just cause, last resort, proportionality, right intention, reasonable chance of success, aim of peace, proportionality of means, non-combatant immunity from direct attack.

measured action. Competent authority is a criterion that prohibits the waging of private wars for personal ambition and with anarchic results. It is not for private individuals to assemble or summon the people. On Aquinas' account, authority is necessary for a community to act with unity; authority must make formal consideration about what is to the common good. Private individuals must act for individual or partial goods. The magistrate has "care for the common good" and a duty to "watch over the common weal." There is a profound political teaching contained in this requirement for proper authority. The nature and purpose of the political community are the terms which set the issue of war in perspective. Just war and proper authority are not first of all a matter of legalism, but rather a condition for political legitimacy.¹⁶ Barnes is incorrect to say that just war is a matter of legal reasoning.¹⁷ Paul Ramsey said that the use of armed force is part of the larger issue of the right use of force; force is part of the bene esse or well being of political life.¹⁸ This acknowledgement of power distinguishes natural law just war teaching from pacifism.

Aquinas states that the magistrate must use the "sword" to defend against internal disturbances, as well as against external enemies. As stated above, a judgment is made that the order of justice, to be established and maintained, may require the use of force or the threat of its use and that such use of force is morally required if the commitment to a just peace is serious.

16 See Yves R Simon, *Philosophy of Democratic Government* (Notre Dame: Univ. Notre Dame Press, 1990), chap. 1 on authority; see John P. Hittinger, "Jacques Maritain and Yves R. Simon's Use of Thomas Aquinas in Their Defense of Liberal Democracy," in David M. Gallagher, editor, *Thomas Aquinas and His Legacy* (Washington, D.C.: Catholic University of America Press, 1994).

17 Barnes, "The Just War," pp. 775, 779.

18 Ramsey, *Just War*, chap. 1.

This is a second issue distinguishing absolute pacifism from the Just War Theory.¹⁹ There is an empirical/historical claim, that order requires force and that such force be in the hands of the authority. There is also a moral judgment that there are goods worth the risk of war and that "peace at any price" is unacceptable. So indeed if war is *prima facie* evil because it destroys a large range of human goods and flourishing, so too must a magistrate protect such goods from destruction by others. War is therefore a political act, a deliberate act by a political authority for a political good. The pacifist misses this complex reality of the possibility and political conditions for human flourishing. By the same token, the political good sets a limit on what kinds of wars may be waged. The realist approach, by which the conduct of war is bound by no moral limit, undermines the very moral and political legitimacy of the regime.

This first of three criteria also contains an important theological assumption. Authority is a function of the common good. But on what possible ground can one establish a universal common good? On what ground can one assume responsibility for the humanity of others, both those being attacked and those who are unjustly using force, the enemy? It is to be found in charity. What do we share in common with the enemy? In the question on charity Thomas posits "communication between man and God" as the basis for human solidarity. Thomas points out that "the friendship of charity extends even to our enemies, whom we love out of charity in relation to God, to Whom the friendship of charity is chiefly directed." (II-II q. 23, a. 1, ad 2). Such charity is an infused virtue.

Aquinas' second criterion is the most celebrated: a just cause is required, "namely that

¹⁹A similar point is made by C. S. Lewis, in "Why I am not a pacifist," in *The Weight of Glory and other addresses* revised and expanded edition, Walter Hooper, ed. (New York: Macmillan, 1980).

those who are attacked should be attacked because they deserve it on account of some fault." The judgment is left in general terms, referring to an underlying assumption of culpability or moral regard. For specifics, Aquinas cites Augustine: "when a nation or state . . . refuses to make amends for the wrongs inflicted by its subjects or to restore what is unjustly seized." Aquinas makes no distinction between offensive or defensive wars, as later just war thinkers do; he simply points to an order of justice and acknowledges the possibility of wrongful harm and unjust seizure. Such a response may perhaps be defined as inherently defensive insofar as it is a response to a wrong or a seizure. But this notion must not be initially interpreted in a legal sense, but morally/politically in the realm of human flourishing. Thus, the right of war is not simply the self-defense of physical life, although that is part of it; it is a defense of the very order of justice. Aquinas forms a reasoned judgment that the very goods of flourishing are at stake, perhaps requiring the sacrifice: "There is much more reason for guarding the common weal (whereby many are saved from being slain, and innumerable evils both temporal and spiritual prevented), than the bodily safety of an individual."²⁰ The notion of just cause entails more than "'cause of action' in Anglo-American law" as proposed by Finnis,²¹ as it includes the reference to spiritual good and evil, a good human life in many respects.

It is finally a matter of prudential judgment. Prudence in the expanded sense of term, which includes a judgment of justice as an end, and selection of the appropriate means to that

²⁰ Thomas Aquinas, *Summa Theologia* I-II, q. 40, a. 4: "Multo autem magis est conservanda salus reipublicae, per quam impediuntur occisiones plurimorum et innumera mala et temporalia et spiritualia, quam salus corporalis unius hominis."

²¹ John Finnis, *Aquinas: Moral, Political and Legal Theory* (Oxford, 1998), p. 284.

end.²² Indeed, Thomas later list military prudence as a subjective part of prudence. At II-II art 50 art 4 Thomas quotes Proverbs about counsel: It is written (Prov. 24:6): "War is managed by due ordering, and there shall be safety where there are many counsels." Now it belongs to prudence to take counsel. Therefore there is great need in warfare for that species of prudence which is called "military." Note his full argument:

Whatever things are done according to art or reason, should be made to conform to those which are in accordance with nature, and are established by the Divine Reason. Now nature has a twofold tendency: first, to govern each thing in itself, secondly, to withstand outward assailants and corruptives: and for this reason she has provided animals not only with the concupiscible faculty, whereby they are moved to that which is conducive to their well-being, but also with the irascible power, whereby the animal withstands an assailant. Therefore in those things also which are in accordance with reason, there should be not only "political" prudence, which disposes in a suitable manner such things as belong to the common good, but also a "military" prudence, whereby hostile attacks are repelled.

Finally he responds to an objection that would reduce military activity to a sheer skill or techne by saying: "Military prudence may be an art, in so far as it has certain rules for the right use of certain external things, such as arms and horses, but in so far as it is directed to the common good, it belongs rather to prudence."

Prudence is deeply affected by the dispositions of the agent. So war is also about character -- of the leaders and the people of the nation. Aquinas next lays down a third criterion to ensure that such risk is not taken lightly or with rash spirit: rightful intention. The rightful intention is the advancement of good -- ultimately it is peace.²³ So perhaps we should also say that right intention prevents the defect on the side of failing to do good because of sloth or apathy. Again citing Augustine, Aquinas excludes the

22 See Alberto Coll, "Normative Prudence as a Tradition of Statecraft," in *Ethics and International Affairs*, Joel H. Rosenthal, ed. (Washington, D.C.: Georgetown University Press, 1995), pp. 58-77.

23 John K. Ryan, *Modern War and Basic Ethics* (Milwaukee: Bruce, 1940), "The Thomistic Concept of Peace," pp. 5-15.

intention of aggrandizement and cruelty: "The passion for inflicting harm, the cruel thirst for vengeance, and unpacific and relentless spirit, lust of power" are "rightly condemned in war."²⁴ This demand for right intention not only establishes the proper disposition or frame of mind for conducting such "grave matters soberly," but must be woven through the other two criteria. The goal of peace, a just peace, is the intention after all of a magistrate in charge of a commonweal and is the order of justice for presupposed by a claim to a just cause. It would be a contradiction to intend in the name of justice an unjust goal, an excessive revenge or desire dominate others. The nation itself is in some way part of a larger community of nations. The good of peace for itself, as well as the conditions of flourishing, are indeed goods for all human beings and all nations. Although the magistrate does not have direct responsibility for the conditions of flourishing in another nation or community, he can will it as a good for all and seek to do no harm to that other. This intention flows from the community with the divine good flowing from charity. The sins that emerge in war are the works of the flesh – the counter measure can only be the fruits of the spirit.

These three criteria -- rightful authority, just cause, and right intention -- form the core principles of the just war theory. The three can be unpacked into the longer list of the "jus ad bellum," but the simplicity of the three recommends them to our use. We are less likely to lose the political and moral origins of the just war effort and we can better avoid a checklist and casuist mentality. But where is the traditional criteria for the right conduct in war, the "jus in bello"? John Finnis is probably correct to say that the distinction between jus ad bellum and jus in bello is very misleading and "scarcely part of the

²⁴ Augustine, *Contra Faust.* xxii.74; cited in Aquinas, op cit.

tradition.”²⁵ It suggests that a statesman may posit an end which then comes into conflict with the means; the realist exploits this very distinction. For Aquinas, the limit on conduct follows from the very criteria for the “jus ad bellum.” Aquinas does not allow a double morality for magistrate and another for private citizen, as Thomas indicates in his question on deception in war. The magistrate in care for the commonweal is bound by natural law and so is limited in the taking of life -- innocent life may never be taken. In fact, in his treatment of homicide, Aquinas allows the taking of life of an aggressor in self-defense only as a matter of double effect.²⁶ Aquinas sees lethal force strictly as a “counter-force” measure; the humanity of other is always acknowledged. Thus, it is implied that a soldier who is wounded or who has surrendered, is no longer a wielder of force and not an object for attack. The non-combatant is not a noxious element to be removed or halted by use of force. The second criterion of just cause would also place some limitation on conduct of war. The presumed moral warrant for taking up arms for the order of justice is undermined by unjust conduct in war. As Paul Ramsey argues, the modern violations of non-combatant immunity are reflections of a totalitarian political principle insofar as such conduct reduces “everyone without discrimination and everyone to the whole extent of his being to a mere means of achieving political and military goals.”²⁷ So too the third criterion of intention touches on the question of means. So often the attack on civilians is simply a matter of “cruel thirst for vengeance” or lust for power. Is there a true necessity to do so, one free of vengeance and *libido dominandi*?

25 John Finnis, “The Ethics of War and Peace in the Catholic Natural Law Tradition,” in Nardin, *The Ethics of War and Peace*, p. 25.

26 II-II 64, a. 6; see Paul Ramsey, *War and the Christian Conscience* (Durham: Duke Univ. Press, 1960), pp. 34-59.

27 Paul Ramsey, *The Just War*, p. 153.

Has Thomas shown no creativity simply repeating like a parrot the Augustinian heritage; or has he even perhaps diverged from Augustine as some have said? Has Thomas made war a “natural feature of states”? Or as Paul Ramsey claims has Aquinas takes a different perspective than Augustine.²⁸ I believe a key to answering this question may require a more extended study of Thomas’ analysis of peace to be found in the II-II q. 29. Peace is a fruit of charity; hence it requires the deepest ordering of the soul to God; and ultimately it derives from God’s grace. In a remarkable series of replies to objections in q. 29, art. 3 Thomas shows his Augustinian colors. Thomas says that “Peace is the “work of justice” indirectly, in so far as justice removes the obstacles to peace: but it is the work of charity directly, since charity, according to its very nature, causes peace.” (29, 3, ad 3) That is, Thomas is not taking the simple perspective of natural justice. He would not agree again with realist who say “if you want peace, prepare for war,” or with the liberal who may say that “if you want peace, work for justice.” Neither is sufficient. At the end of the day, sin mars any attempt to establish a permanent peace; but human prudence and politics can fashion and “imperfect peace,” the peace of the wayfarer. (II-II 29, 3, ad 2). Without sin no one falls from a state of sanctifying grace, for it turns man away from his due end by making him place his end in something undue: so that his appetite does not cleave chiefly to the true final good, but to some apparent good. Hence, without sanctifying grace, peace is not real but merely apparent.”

Further, it is in the initial treatise on charity that we can best appreciate the new, Augustinian perspective for a consideration of warfare. In II-II 23,1 Thomas queries whether charity is a type of friendship? Charity is a matter of friendship with God. Out of charity we love others for the sake of God,

28. *War and the Christian Conscience* (Durham: Duke University Press, 1961), pp. 31-32.

including our enemies. Charity requires participation in the very life of God. Hence it is not attainable to us without grace. The premise of a universal moral restraint for warfare is that of our common humanity under God. The treatise on charity also questions whether there can be complete virtue without charity; there can be no full virtue without charity, again he shows our dependence upon grace for the virtues required for just war. These passages should lay to rest the exaggerated claims about Thomas' divergence from Augustine in favor of natural justice, let alone the claims of a mindless parroting..

The Just War Theory attempts to balance peace and justice, both as limited achievements in this life. It is connected to major philosophical questions about human nature and society. And while establishing a formal and rational system for policy discussion, it opens out onto philosophical questions and ultimately to the theological question about charity. It is also a balance of nature and grace. John Courtney Murray has said that the threat of war and the present disorder has an "unparalleled vertical dimension; it goes to the heart of the very roots of order and disorder in the world - the nature of man, his destiny, and the meaning of human history."²⁹ Solzhenitsyn prophetically warns that men have forgotten God and such is the origin of modern wars and oppression. "To the ill-considered hopes of the last two centuries, which have brought us to the brink of nuclear and non-nuclear death, we can propose only a determined quest for the warm of hand of God, which we have so rashly and self-confidently spurned."³⁰ Both Augustine and Aquinas echo this judgment about the source of war. The just war theory, in its full theological dimensions, is open to this higher perspective. For this reason we cannot but benefit from a return to Augustine's and Thomas' full

29. *We Hold These Truths* (New York: Sheed and Ward, 1960, p. 253.

30. Alexander Solzhenitsyn, "The Templeton Address," 1983.

teaching on the just war and learn how to see the city of man in its relation to the city of God.