256 To Kill (*Occidere*)

For it pertains to judges to execute those who harm the republic. Wherefore also Moses killed the Egyptian harming the children of Israel, Exod. 2[:14]. Solomon killed Joab and Semei who cursed David, 3 Reg. 2[:31]. Samuel killed Agag, 1 Reg. 15[:33]. So, some members are amputated if they lack spirit and harm the other members according to Cicero, in the book *De officiis*.[[1]](#endnote-1) Wherefore Seneca says,[[2]](#endnote-2) that a judge is more damnably guilty if he absolves one injuring others. Finally, homicide is absolutely prohibited, Exod. 20[:13] and Deut. 5[17]. And although in some circumstance it is permitted to kill as is treated in Deut. 20[:17]. When in no case is it permitted for a man to kill himself, as Augustine teaches, the first book, *De civitate*, 22,[[3]](#endnote-3) Apo. 13[:10]: “he that shall kill by the sword, must be killed by the sword.”

1. Cicero, *De officiis* 3.6 (LCL 30:298-299): Etenim, ut membra quaedam amputantur, si et ipsa sanguine et tamquam spiritu carere coeperunt et nocent reliquis partibus corporis, sic ista in figura hominis feritas et immanitas beluae a communi tamquam humanitatis corpore1 segreganda est.

   for, as certain members are amputated, if they show signs themselves of being bloodless and virtually lifeless and thus jeopardize the health of the other parts of the body, so those fierce and savage monsters in human form should be cut off from what may be called the common body of humanity. [↑](#endnote-ref-1)
2. Seneca, cf. Decretum, Causa 24, quest. 3, c. 32: Qui aliorum defendit errorem multo amplius damnabilior est illis, qui errant, quia non solum errat, set etiam aliis offendicula erroris praeparat et confirmat. ... [↑](#endnote-ref-2)
3. Augustine, *De civitate Dei*, 1.22.1 (PL 41:36): Et quicumque hoc in se ipsis perpetraverunt, animi magnitudine fortasse mirandi, non sapientiae sanitate laudandi sunt. Quanquam si rationem dili gentius consulas, ne ipsa quidem animi magnitudo **[Col.0036]**recte nominatur, ubi quisque non valendo tolerare vel quaeque aspera vel aliena peccata, se ipse interemerit. Magis enim mens infirma deprehenditur, quae ferre non potest vel duram sui corporis servitutem, vel stultam vulgi opinionem; majorque animus merito dicendus est, qui vitam aerumnosam magis potest ferre, quam fugere; et humanum judicium, maximeque vulgare, quod plerumque caligine erroris involvitur, prae conscientiae luce ac puritate contemnere. [↑](#endnote-ref-3)