



The Holy See

PASTORALIS OFFICII

ENCYCLICAL OF POPE LEO XIII ON

THE MORALITY OF DUELING

*To the Archbishops and Bishops of the
German Empire and Austria-Hungary.*

Mindful of your pastoral duty and moved by your love of neighbor, you wrote to me last year concerning the frequent practice among your people of a private, individual contest called dueling. You indicate, not without grief, that even Catholics customarily engage in this type of combat. At the same time your request that We, too, attempt to dissuade men from this manner of error. It is indeed a deadly error and not restricted to your country, but has spread so far that practically no people can be found free from the contagion of the evil. Hence, We praise your zeal. It is clearly known what Christian philosophy, certainly in agreement with natural reason, prescribes in this matter; nevertheless, because the vicious custom of dueling is being encouraged with greatest forgetfulness of Christian precepts, it will be expedient to briefly review these rules.

2. Clearly, divine law, both that which is known by the light of reason and that which is revealed in Sacred Scripture, strictly forbids anyone, outside of public cause, to kill or wound a man unless compelled to do so in self defense. Those, moreover, who provoke a private combat or accept one when challenged, deliberately and unnecessarily intend to take a life or at least wound an adversary. Furthermore, divine law prohibits anyone from risking his life rashly, exposing himself to grave and evident danger when not constrained by duty or generous charity. In the very nature of the duel, there is plainly blind temerity and contempt for life. There can be, therefore, no obscurity or doubt in anyone's mind that those who engage in battle privately and singly take upon themselves a double guilt, that of another's destruction and the deliberate risk of their own lives. Finally, there is hardly any pestilence more deadly to the discipline of civil society and perverse to the just order of the state than that license be given to citizens to defend their own rights privately and singly and avenge their honor which they believe has been violated.

Penalties for Dueling

3. The Church is the protectress and guardian not only of truth, but also of justice and honor, in the union of which public peace and order are held together; therefore it has vehemently condemned and taken pains to punish with the gravest

penalties possible those guilty of private combat. The constitutions of Our predecessor Alexander III, inserted in the books of canon law, condemn and solemnly denounce these private disputes. The Council of Trent punishes with singular and severe penalties those who engage in these contests or in any way participate in them. Indeed, above all other punishments it brands these persons with disgrace; expelled from the bosom of the Church, they are judged unworthy of the honor of ecclesiastical burial if they die in the struggle. Our predecessor Benedict XIV in his constitution of November 10, 1752, *Detestabilem*, explained in fuller detail the Tridentine sanctions. In most recent times, Pius IX in his apostolic letter, which opens with *Apostolicae Sedis* and reduces the number of *latae sententiae* censures, clearly declares that not only those who contend in the duel incur ecclesiastical penalties, but also those who are called patrons, seconds, and likewise witnesses and accomplices.

Absurdity of Dueling

4. The wisdom of these regulations is more evident as one examines the absurd justification or excuses for the inhuman custom of dueling. The generally held argument that this sort of struggle washes away, as it were, the stains that calumny or insult has brought upon the honor of citizens surely can deceive no one but a madman. Even if the challenger of a duel is the victor, all reasonable persons will admit that the outcome simply proves he is the better man in strength or in handling a weapon, not the better man in honor. But if he falls in the combat, does he not prove by the same token how absurd is this way of protecting his honor? Few there are, we believe, who commit this crime deceived by erroneous opinion. It is, to be sure, the desire of revenge that impels passionate and arrogant men to seek satisfaction. God commands all men to love each other in brotherly love and forbids them to ever violate anyone; he condemns revenge as a deadly sin and reserves to himself the right of expiation. If people could restrain their passion and submit to God, they would easily abandon the monstrous custom of dueling.

Fallacious Judgments

5. Fear is not a just excuse for those who accept the challenge of a duel. They are afraid that they will be publicly disgraced as cowards if they refuse. Now if the duties of mankind are measured by the false opinions of the multitude, not by the eternal norms of rectitude and justice, there would be no natural distinction between honorable actions and disgraceful deeds. The pagan philosophers themselves both knew and taught that the fallacious judgments of the masses must be spurned by a courageous and steadfast man. It is rather a just and holy fear which prevents a man from committing murder and makes him solicitous of his own safety and that of his brothers. Truly, he who disdains the worthless judgments of the mob, who prefers to undergo the scourging of insults rather than abandon duty in any matter, proves himself to be of a far greater and exalted spirit than he who rushes to arms when provoked by an affront. Yes, indeed, if he wants to be judged rightly, he is the one in whom solid virtue shines forth. The fortitude is truly called virtue, and its companion is a glory, that is neither counterfeit nor deceptive. Virtue in a good man exists in accordance with reason, and unless virtue rests on the judgment of God's approval, all glory is vain.

Official Condemnation

6. Lastly, the baseness of dueling is so evident, that in our time, despite the approval and patronage of many, legislators have felt bound to repress it by public authority and published penalties. What is so perverse and destructive in this case is

that the written laws for the most part are evaded in substance and in deed; and this often happens with the knowledge and silence of those whose duty it is to punish the guilty and see to it that the laws are enforced. Thus it happens that frequently duels are fought and go unpunished, mocking the law.

Dueling Laws Apply to Military Too

7. Absurd, certainly, and unworthy of a sensible man is the belief of those who think that civilians are to be prevented from these contests, yet recommend that they be permitted to the military because, they maintain, such experience sharpens military valor. Now, in the first place, honorable deeds and disgraceful acts are essentially different; in no way can they be changed to their opposites by the different status of persons. Indeed, men in whatever condition of life are equally bound by natural and divine law. The reason, moreover, for such a concession for the military would have to be sought in public benefit which could never be so great so as to silence the voice of natural and divine law. What about the obvious deficiency in this rationale of public advantage? Assuredly, the incentives to military courage aimed at better preparing the state against the enemy. Can this be accomplished by the practice of a custom that by its very nature causes the death of one of the individual parties of the country's defense whenever dissension arises among the soldiers for which, indeed, occasions are by no means rare?

8. Finally, the new age which boasts of far excelling previous ages in a more civilized culture and refinement of manners is wont to consider older institutions of little value and too often reject whatever differs from the character of the new elegance. Why is it that in its great zeal for civilization, it does not repudiate the base remnants of an uncouth age and foreign barbarism that we know as the custom of dueling?

9. It will be your duty, venerable brothers, to impress diligently upon the minds of your people these points which I have briefly touched upon, that they not rashly follow false notions concerning dueling, nor allow themselves to be carried away by the judgments of shallow men. Take particular care that youth at the right time understand that the Church's position on dueling is in agreement with natural philosophy. Indeed, just as in other countries Catholics in the prime of youth voluntarily and faithfully refuse to endorse dishonorable associations, in like manner, we are extending to Catholic youth the opportunity to make the same agreement among themselves and pledge that at no time and under no condition will they engage in a duel.

10. We humbly pray God that he strengthen our common efforts with divine grace and that He kindly grant what We desire for public welfare, for the integrity of morals and for Christian life. Affectionately in the Lord, we impart the Apostolic Blessing, Venerable Brothers, in protection of truly divine favors and as a witness of Our good will.

Given at Rome at the See of St. Peter, September 12, 1891, in the fourteenth year of Our Pontificate.

LEO XIII

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