



Boston Catholic Journal

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Questions & Answers



about *Authentic Catholic Teaching*

QUESTION:

- **Is Looting Always a Sin?** (asked in the context of the aftermath of the earthquake in Haiti on January 12, 2010 and Chile on February 27 in the same year.)

Dear Editor,

I am wondering if you can provide me with guide lines, and some answers to what to me is a moral problem. I would like to know is looting always a sin? How does one differentiate between what would be acceptable and what is not. What is the criteria, what has the Church actually to say on this subject? It is obvious to me that there are situations , usually disasters or tragedies (say fire, flood, etc) where there will sadly be, by the ruthless, an immediate exploitation of the situation to grab, to steal, for the purpose of remuneration (often black marketing) or possession of the actual goods.

One thing in particular makes me raise this point, a supermarket was structurally badly affected by the quake, the walls badly cracked, the building in disarray ... But the building obviously carried a great stock on perishable and less perishable foods. In a situation where people are cut off from water, electricity and food, especially when they have dependent families and are stealing motivated by a desire to support the lives of their children and families ... is this still regarded as a sin? In a situation where the Supermarket became non viable, in other words not able to open for business because of public safety, housing food with sell by dates, and probably

ultimately intended to be bulldozed ... is looting in this situation. I find it very hard to believe it is, so I would ask you to try and clarify this point of what is acceptable and what is not.

Perhaps you can give some light on this. What would the moral theologians say for example ... Is looting *always* a sin --- that's the question. Thank you.

A.U. England - 02 March 2010

ANSWER

Dear A.U.,

To answer your question in a word: Stealing is *always* a sin.

When taking something as a matter of opportunity that does not belong to oneself, and with no intention to compensate the owner in any way, one commits the act of stealing which is breach of the 8th Commandment, "Thou shalt not steal." In a dire situation necessitating the acquisition of another's property to sustain one's life or the lives of others (as long as what is stolen does not in and by the act imperil the life of its lawful owner), it cannot be construed as "theft" since no "good" in the way of anything material is greater than the "good" of life that is preserved at the cost of "matter". It must be understood in terms of "commensurability": there is nothing in the way of "matter" that corresponds in value, and is therefore deemed commensurable with, "human life." There is no correspondence in value since what is material can always be replaced, whereas a life cannot

This, however, does abrogate the 8th Commandment. It is not a matter of so-called "situational ethics" which would attempt to rationalize and therefore justify sin. You will note that we mentioned, in our opening response, the terms "a matter of opportunity", and "no intention to compensate the lawful owner". These are the two conditions that make the act of expropriating another's property to oneself unjust and therefore sinful. The thief steals "as a matter of opportunity", and not out of "need" --- specifically the direst need, which is to sustain life. This acquisition of another's goods --- in the case to which you adverted, a grocery store partly destroyed and left open to the possibility of looting --- is still, in this case "opportunistic", inasmuch as it was an opportunity provided by a disaster ---but it is an opportunity for some, perhaps many, that most readily affords the preservation of life. This same opportunity can be availed by a thief who has no pressing need of what is in the store, or perhaps no need at all, but rather sees it as the "opportunity" to augment (not to preserve --- and that is key) his own well being --- especially at the expense not simply of the lawful owner, but of those who stand in genuine and dire need of what the store contains, and which would not be available to them were the thief to succeed in his own ambitions prompted by "want" (not need) first, and heedless of the "need" (not the simple want) of others. The thief therefore steals twice: from the lawful owner, of his possessions, and from those in dire need, of their lives. Here we see the ugliness of the sin of theft in the starkest terms.

The behavior of the one who takes what does not belong to him to preserve life is motivated by an intrinsic good, whereas the behavior of the thief is motivated by an intrinsic evil. Culpability, or fault, clearly cannot be ascribed equally to each. The former is motivated by a greater good than anything which can be stolen, whereas the latter, the thief, is motivated solely by base intentions completely extrinsic to the preservation of life.

The second, equally important consideration (although subordinate in existential terms) concerns “the intent to compensate”. From this, even the man who takes what does not belong to him to preserve his own life or that of another, is not absolved from the demands of justice which require that what belongs to another be restored to him if taken without his consent. The “just man” --- even while taking what does not belong to him, has the intention of repaying to the owner what the owner has lost as a result of his appropriating the owner’s goods to preserve the greatest good of all: life. The exigency does not absolve him from justice, and the just man recognizes this, and firmly intends to repay the owner his losses as soon as time and opportunity affords him. Once the exigency has passed, life has been preserved or sustained, it is the intent of the just man to restore to owner what is rightfully his.

The just man, under such circumstances, neither sins nor circumvents justice.

The “thief”, on the other hand, being of evil will, has no intention whatever of acceding to the demands of justice, and therefore no intention of repaying the owner. He both sins and circumvents justice.

It is the sad reality, given the human condition since the Fall of our First Parents, that what was “opportunistic” soon becomes predatory. The man seeking food (which he does not have and which he needs) will sometimes use the opportunity to steal a television (which he may not have and which he does not need). When the one entering the store for food comes out also with a record player, he is a looter and a thief. There are no “extenuating circumstances” and hence no “situational ethics” (which are, in fact, no “ethics at all) that can exculpate the thief.

In this same Fallen State, man is likely to rationalize his sinful behavior by invoking the perennial problem of the “unequal distribution of wealth” and construing it as an injustice that he is merely “mitigating” or to which he is applying his own remedy. It nevertheless remains that two injustices do not attain to justice.

God keep you.

In the Immaculate Heart of Mary,

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FOLLOW-UP QUESTION:

Dear Editor,

Just one more point needed for clarification. What if the person who takes what is not his under the "dire circumstances" that you outlined --- *realistically* has no way of repaying the owner? What if he or she is too poor, too old, or even physically unable to pay the owner back? What then?

A.U. England - 03 March 2010

FOLLOW-UP ANSWER:

We had said in our first reply that, "the just man recognizes this, and firmly intends to repay the owner his losses as soon as time and opportunity affords him. Once the exigency has passed, life has been preserved or sustained, it is the intent of the just man to restore to owner what is rightfully his.

Full restitution may not always be possible, nor even a restitution "in kind". The effort is nevertheless made, in whatever measure possible to "the one who has taken", to compensate the owner of the goods that had been taken. As we say, it may not be "in kind" --- bringing, for example, a perishable good like bread back to the owner, since the taker cannot make bread. He can, however, offer the owner his labor as payment --- returning to the owner an equal value even if not "of kind". The labor he offers would equal the cost of the bread to the owner.

On the other hand, he may be so destitute that he is unable to repay the owner in any material way (he may be physically disabled and utterly poor). In such a case he could offer what is of incommensurably greater value to the owner than what he had taken: prayer for the owner that God Himself repay manifold what he had taken and cannot repay. In a word, the taker commends the owner to God to repay the owner what he himself cannot, but which God surely can. If the owner is a just man, then he receives in gratitude the incommensurably greater good that the taker offers him. If he is unjust and unmerciful, he will demand that the taker be imprisoned for his deed (not misdeed), in which case the owner incurs the guilt of mercilessness that calls down mercilessness from God upon himself --- and receives no compensation whatever --- spiritual or material, for an imprisoned man brings no value to the owner whatever.

We need remember the Parable of the Unforgiving Servant: “as he could not pay, his lord ordered him to be sold, with his wife and children and all that he had, and payment to be made. So the servant fell on his knees, imploring him, 'Lord, have patience with me, and I will pay you everything.' And out of pity for him the lord of that servant released him and forgave him the debt.” (Matthew 18:21-35)

This is the model of justice and mercy that must be invoked in such situations. As one very devout Nun once put it, “God cannot be outdone in generosity.” What is more, every sin is a greater offense to God than to the person also sinned against, for the first principle violated emanated from God (in this case a breach of the 8th Commandment) prior to its violation against man. There is no sin against a man that is not concurrently and to a greater degree, a sin against God Who is primarily offended.

In the event that the owner or his heirs are no longer available, or no longer exist to be repaid, the debt owed should be repaid to the poor in the “same kind” that he would have paid the owner: by labor or prayer on their behalf since he himself is poor and in need, understanding both the want and need of the poor. The payment, ultimately --- because of his own destitution --- has, we will remember, been given to God to repay, Who sees and knows the genuine destitution of the debtor and will repay as He sees and knows best, and to whose benefit alone He only knows.

In the way of an aside, we would remind you (because of our uncertainty of your other response) that “Situational Ethics” is abhorrent, and a mockery of genuine ethics. The “Agape” of Paul Tillich is much wanting, abused, and misconstrued. Our selfless love for our fellow man in and for God does not preclude justice, which is a perfection both in God and in man. Love does not abrogate justice. Indeed, justice is a manifestation of love inasmuch as it manifests a perfection of God Who is Just and Loving and in Whom there is no contradiction between the two, but in Whom, rather, the two notions are complementary and mutual.

We hope this answers your second question.



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