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"FOR BLESSED ARE THE PEACEMAKERS": THE AMERICAN CATHOLIC BISHOPS AND THE ETHICS OF WAR AND PEACE

by

James G. Mellon

Submitted in partial fulfillment of the requirements
for the degree of Doctor of Philosophy

at

Dalhousie University
Halifax, Nova Scotia
May, 1990

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by James Gerard Mellon

in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

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AUTHOR James G. Mellon

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DEDICATION

For my parents - Harold and Mary Mellon

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ABSTRACT

"FOR BLESSED ARE THE PEACEMAKERS": THE AMERICAN CATHOLIC BISHOPS AND THE ETHICS OF WAR AND PEACE

The thesis examines The Challenge of Peace, the Pastoral Letter approved in May 1983 by the National Conference of Catholic Bishops in the United States, in the light of the philosophical traditions within the Church, the international political-strategic context, and American culture and society. There has been a tendency to assume that this Pastoral raises two sets of issues --- one related to the appropriate relationship between ethics and strategy, and the other related to the appropriate relationship between religious conviction and political allegiance in a society characterized by religious pluralism and liberal democratic political institutions. This thesis seeks to argue that these two sets of issues are, in fact, fundamentally linked. The consequence is that, whether one looks at the Pastoral as a product carrying a certain prescriptive content or as a process in which both Catholics and members of the political community in general are challenged to dialogue and to act, one essentially finds the same values embodied. In its necessary reliance on empirical analysis that cannot be definitive, the Pastoral must be considered as at least somewhat tentative when it comes to questions of the concrete application of principles. The Pastoral can most usefully be seen as an attempt to initiate a dialogue in which persons and governments are challenged to explore ways in which principles founded on love, peace and justice can be applied to the dynamic milieu of international politics.

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CHAPTER 1

INTRODUCTION

In May 1983, the bishops of the Catholic Church in the United States met, and, by a large margin, approved a Pastoral Letter on the subject of war and peace. Seldom before had such an event attracted such attention. The draft approved in May 1983 was, in some sense, the culmination of discussion among the bishops originating formally in 1980, and the consultations and deliberations carried on by an ad hoc committee in the course of a series of drafts.[1] This committee had undertaken a process of consultation with policy-makers, experts and activists. The response to successive drafts reflected the presence of a range of strongly-held views among Catholics and among Americans generally. The Pastoral became a focus for approaching issues of war and peace.

As a topic, this has a number of intriguing aspects. Much of what makes this project interesting derives from the overlap between political theory and international relations. Students of political theory have concerned themselves with continuity and change of traditions of political argument in the face of a world in flux. In this case, this preoccupation is reflected in the use of texts ranging from Scripture to early thinkers like Saint Augustine, Tertullian or Eusebius, or medieval thinkers like

Saint Thomas Aquinas, Gratian or Saint Raymond of Pennaforte. Discussion necessarily also encompasses international relations because it deals primarily with the relations between political communities, rather than with the requirements for political order within the immediate community of persons. With the simultaneous existence of a sense of community transcending borders, and of a qualitatively different and looser set of relationships between communities than within communities, there arises what Hedley Bull calls "the anarchical society."[2] It may seem strange to the layperson but traditionally there has been surprisingly little cross-fertilization between political theory and international relations.

Arnold Wolfers remarks that "A cleavage exists between international relations and political theory, and it is a two-way affair. If specialists in international politics with rare exceptions have neglected political theory, the political theorists in turn, departing from older tradition, have paid little attention to what the thinkers of the past -- Machiavelli not always excepted -- have had to say on international relations. From reading the current histories of political doctrine, particularly as they deal with the political and moral philosophers representing the Anglo-American tradition, one might be led to believe that these thinkers had been interested in domestic problems exclusively."[3] Wolfers sees the study of the history of

political thought as useful for the student of international relations precisely because a conscious examination of the manner in which prominent thinkers had constructed normative and speculative arguments would, in his view, assist contemporary students of international relations in clarifying their own views.

Can the good person also be a good citizen? Can the good citizen fulfil his/her duties as a citizen without compromising personal values? For the pacifist, the state has no inherent claim. The resulting tendency among pacifists towards withdrawal from secular society is reflected in the customs of certain Christian sects like the Amish, and in the practice of conscientious objection and recent arguments for selective conscientious objection. In the just-war tradition, the state is seen as having a certain value in the sense that it enforces a worldly peace. The peace of this world, although not without value, is esteemed as inferior to the peace of Christ. In the just-war tradition, the Christian is seen as owing a conditional allegiance to the state.

Faced with living within the Roman Empire, early Christians considered three possible approaches to the relation between allegiance as Christians and allegiance as citizens and subjects. Each approach was tied to a particular sense of time and eschatology. For our purposes, it will be convenient to look at these approaches as models

--- ways in which Christians historically have from time to time chosen to conceptualize the appropriate relation between the Christian and the political community. Even when individuals are not consciously part of a tradition, their views may approximate one of these models. This makes such models a practical means for organizing recurring attitudes. For some, such as Eusebius, the faithful Christian, and the loyal citizen and subject were synonymous. The approximate coincidence of the birth of Christ and the founding of the Empire by Augustus, the spread of Christianity during the first few centuries A.D., and the success of the Empire in establishing peace over a wide area over an extended period of time convinced Eusebius that earthly history was characterized by providential progress.[4] For some, such as Tertullian, secular concerns were for the Christian tainted by temptations towards idolatry. For Tertullian, such activities could appropriately be pursued by pagans but should be avoided by faithful Christians. These activities included government and military service.[5] Saint Augustine avoids identifying the state with either salvation or idolatry by developing a view of history in which earthly institutions and the city of God exist together commingled until the end of earthly time.[6] The fact that Saint Augustine is seen as one of the most influential of political thinkers, Tertullian is seldom cited except by pacifists, and Eusebius is practically

forgotten by all but historians of early Christian thought attests to the prominence which the just-war tradition has enjoyed historically, and to the consequence that Eusebius did not, as it turned out, found a tradition. Nevertheless, we misinterpret the tradition of Saint Augustine if we overlook the context, and assume that he was responding only to the view identified with Tertullian. In other words, the just-war tradition is not simply a rejection of pacifism as an appropriate ethic for the community at large but also a rejection of an unconditional support for and identification with, the political community. The point of discussing these models is to make clear that attitudes to the use of coercive force reflect even more fundamental attitudes to the issue of the relation between virtue and loyalty, between being a good person and being a good citizen, and to the question of the appropriate relation between the faithful Christian and the political community.

The topic also raises some interesting questions in the area of religion and politics. With the possible exception of the family, church and state represent the two most profound allegiances most people have. In the modern pluralist and secular society, to speak of "religion and politics" raises a number of issues. In contrast to earlier societies, conventionally we tend to think of religion and religious conviction as being a purely private matter. Western societies tend to be characterized by religious and

political pluralism, toleration of a variety of religious beliefs and practices, and neutrality on the part of government toward different religious beliefs. The trend towards state neutrality towards religious belief and practice followed historically in most Western societies from the state's interest in securing civil peace and amity among rival faiths and denominations, and the interest of the political authority in discouraging potential rivals for allegiance and loyalty in the public realm. In other words, the sovereign, whether in the form of a monarchy or of a republic, sacrificed control over the private realm for the sake of peace and effective primacy in the public realm. When it is accepted that belief entails implications beyond questions of purely personal conduct, religious faith comes to influence political behaviour and attitudes. The result is an erosion of the distinction between public and private. The increasing complexity and intrusiveness of modern technology and the increasing role of the state in regulating or assuming functions formerly carried out by other institutions, such as the churches, also tend to undermine the distinction between public and private. The issue of war and peace, especially at a time when the technology of modern warfare so challenges traditional notions of proportionality and noncombatant immunity, is clearly an issue where the public and the personal come together, and, as a result, it is precisely the sort of

issue that necessarily engages people's moral and religious principles.

This study commences with an initial look at the Pastoral. Because the theme that the selection of philosophical traditions of consideration of the moral claim of the political community to support of its members in a decision to resort to the actual use of military force reflects a choice among notions of the appropriate relationship between persons and the political community runs through this study, it is contended that a survey of the traditions underlying both the debate over the moral content of a response to the issues raised by strategy and defence in an era of nuclear weapons and the debate over how politics and religion can and should interact in the modern world is an appropriate starting point. The fourth, fifth and sixth chapters all draw on the traditions surveyed in the third chapter, and examine various aspects of the debate surrounding the Pastoral.

In the case of The Challenge of Peace, the Pastoral of the American Catholic bishops on war and peace, the authors drew on certain traditions dating back centuries. These are traditions which, aside from the American Catholic bishops' Pastoral, have enjoyed a certain resurgence in recent years. The plausibility of an argument like that contained within The Challenge of Peace is dependent on the notion that the just-war tradition and pacifism, in spite of their origins

in a much different age, continue to possess a genuine relevance in an age of ideology and nuclear weapons. Indeed, it is our contention that the neglect of these traditions would result in an impairment of our capacity to deal with certain sorts of issues, and a loss of some of the richness that characterizes contemporary political argument.

Traditionally the just-war tradition has dominated political discourse, with pacifism typically seen as appropriate as an option for individuals or small communities. In recent years, there has been a resurgence in both strands of thought, and both have been advanced as potential guides for policy-making by states. The two differ profoundly in a number of ways, but historically have also been seen as, to some degree, complementary. For example, during the medieval period when the just-war tradition was dominant in general, there remained the sense that a value existed in the dedication to non-violence arising out of the particular vocations of certain members of religious orders. It is vital to note that these traditions share a strong presumption against war and in favour of the pursuit of peacemaking. What we wish to establish by looking at the Pastoral is whether these traditions provide a useful vocabulary and terms of reference with which to approach the complex phenomena of contemporary inter-state relations and the making of public policy.

The American Catholic bishops have not been alone in asking whether these traditions can help to illuminate our understanding of the contemporary context. In Just and Unjust Wars, Michael Walzer writes, "I want to recapture the just war for political and moral theory. My own work, then, looks back to that religious tradition within which Western politics and morality were first given shape, to the books of writers like Maimonides, Aquinas, Vitoria, and Suarez --- and then to the books of writers like Hugo Grotius, who took over the tradition and began to work it into secular form."[7] Walzer, however, does not engage in studying the historical evolution of these traditions for its own sake, but because he sees elements that are potentially useful here and now for the examination of contemporary issues. The American Catholic bishops, like their French and West German colleagues in their Pastorals,[8] refer to these traditions in the belief that these traditions offer a means of approaching dialogue on contemporary issues of war and peace that is both rational and likely to be useful. Like Walzer, and like people like William O'Brien,[9] Francis X. Winters,[10] Anthony Kenny,[11] David Hollenbach,[12] James Turner Johnson,[13] and John Finnis, Joseph M. Boyle and Germain Grisez,[14] these groups of bishops seek to apply these traditions to the discussion of the ethics of nuclear deterrence. This, of course, is not to say that the results are identical.

Necessarily the treatment of nuclear deterrence

reflects an assessment based on technical advice from policy-makers and experts in strategic studies. It also reflects, however, the mode of argument which the bishops bring to it. The bishops do not lay claim to technical expertise in the area of strategic policy. If their recommendations are to represent more than a collection of arbitrary judgements, it is necessary that their recommendations must be related in a logical sense to the more fundamental underlying premises of their argument. The issue is whether such traditions as those of just-war theory and pacifism retain sufficient relevance to facilitate in some way the evolution of the sort of openness on both sides necessary if strategists and moralists are to be able to make progress together.[15]

It should be pointed out that, although these traditions had their origins in the need for early Christians to clarify for themselves the role which they as Christians and as citizens should play in secular empires and political communities, and were nurtured by thinkers like Saint Augustine and Saint Thomas Aquinas who concerned themselves with the imperatives of Christian faith, they came to exercise a major influence on the course of secular thought, and, in fact, through the work of thinkers like Franciscus de Victoria, Alberico Gentili, Hugo Grotius and Emerich de Vattel, led to the foundation of international law. While the American Catholic bishops approach the issue

of war and peace from a particular faith commitment, it is by no means necessary to share that particular faith commitment in order to find much in the Pastoral to support. Even a large denomination which did not seek to address an audience larger than its own faithful would have grave difficulty in trying to influence the debates surrounding the making of defence policy. In the case of the American Catholic bishops, as we shall see, they sought to address both the faithful and the broader community.

In his study of the relevance of the just-war tradition for contemporary moral reflection on war, James Turner Johnson writes:

> When we asked about the adequacy of any system of moral guidance, we are in fact asking three separate but related questions:
>
> 1. Is the system "right"? That is, does it correspond to the moral values of the culture or community in which it has come into existence and in which the identity of the moral agent has been shaped?
> 2. Does this system provide an adequate conceptual framework for moral analysis and judgment?
> 3. Does this system represent a bridging of the gap between the ideal and the possible? That is, does it produce practical moral guidance as well as identify the relevant moral values for the situation at hand?[16]

To attempt to formulate a comprehensive answer to such a set of questions in the cases of the just-war and pacifist traditions is beyond what can reasonably be accomplished in a single thesis, but it should be possible to shed some

light on the matter by examining a serious attempt that has been made to apply these traditions to contemporary circumstances. For this reason, it has been decided to look at The Challenge of Peace, the Pastoral of the American Catholic bishops on war and peace. The amount of literature available on the Pastoral both makes it a convenient example for study, and attests to the importance which has been attached to the document. Such a study should indicate whether these traditions are capable of providing an adequate vocabulary, terms of reference and conceptual framework, and whether they are capable of facilitating, in Johnson's words, "... a bridging of the gap between the ideal and the possible."

In January 1981, the President of the National Conference of Catholic Bishops, Archbishop John Roach of St. Paul-Minneapolis, announced the formation of an *ad hoc* committee on war and peace. This committee was to prepare a draft statement for consideration by the bishops' conference. Appointed to this committee as chair was Archbishop Joseph Bernardin of Cincinnati. He was a former Conference president, and was widely respected by bishops of all viewpoints for his organizational and consensus-building skills. He has since been appointed to the Chicago Archdiocese, and been named to the College of Cardinals. Also appointed to the committee were Auxiliary Bishop Thomas Gumbleton of Detroit, Auxiliary Bishop John O'Connor of the

Military Ordinariate, Bishop Daniel Reilly of Norwich, Connecticut, and Auxiliary Bishop George Fulcher of Columbus, Ohio. Gumbleton had served as President of Pax Christi, the organization of the so-called "peace bishops". O'Connor had served as a military chaplain from 1953, becoming in 1975 the head chaplain in the U.S. Navy with the rank of Rear Admiral. He was subsequently appointed to the Diocese of Scranton, Pennsylvania, and has since been appointed as successor to the late Cardinal Cooke in New York and to the College of Cardinals. Gumbleton and O'Connor were appointed because each was identified as a spokesperson for a prominent perspective on the issue. Reilly and Fulcher were appointed because they were not identified with any point of view. For purposes of producing a document about which a consensus might build, it was seen as important that prominent spokespersons from both ends of the spectrum of opinion on the issue within the conference be appointed, and that respected individuals without previously expressed views be appointed as, in a sense, bellwethers whose response to the arguments might be indicative of that of the Conference as a whole. The drafting committee was to prepare a draft for discussion by the Conference at large.

Assisting the committee were two members of the staff of the United States Catholic Conference --- Reverend J. Bryan Hehir and Edward Doherty. Hehir served from 1973 to

1984 as associate secretary for the United States Catholic Conference Office of International Justice and Peace, and has served from 1984 on as secretary for the U.S.C.C. Department of Social Development and World Peace. Weigel observes that "Bryan Hehir acknowledges intellectual debts to John Courtney Murray, Yves Congar, and Karl Rahner, but the foreign policy framework he has created at the USCC has less to do with these theological giants than with Hehir's frankly admitted admiration for Harvard political scientist Stanley Hoffmann, his former teacher."[17] Castelli notes that "Almost every story about Hehir notes that he was a student of Henry Kissinger at Harvard, but Hehir says the connection was minimal. Hehir does cite Stanley Hoffmann of Harvard, another political scientist, as a major influence."[18] Doherty was a former foreign service officer. Hehir initially approached William V. Shannon, a former columnist and former ambassador to Ireland, about serving as consultant to the committee. Following Shannon declining the position, Yale political scientist Bruce Russett accepted the position. His work reflects a long-standing concern not only with the prevention of war and the preservation of national security, but, as well, with the interrelation between defence policy, and domestic economics and politics.[19] The committee was assisted, as well, by representatives from the male and female religious -- Reverend Richard Warner, Indiana provincial of the

Congregation of the Holy Cross, and Sister Juliana Casey of the Order of the Immaculate Heart of Mary.

The evolution of the Pastoral can be traced by considering each of the four drafts. The first draft, entitled God's Hope in a Time of Fear, emerged from Russett actually organizing and editing the conclusions of the committee and contributions from committee members and staff on particular sections. The committee departed from what had been the usual practice of such committees in the extent to which they consulted with outside experts and policy-makers. According to accounts of the process,[20] Russett strongly wished to avoid being seen within the committee or outside as "author", preferring to be seen as "consultant" assisting the committee in the expression of its consensus without seeking to impose his own views on the draft. This draft was circulated for responses among the bishops and experts. The second draft was publicized widely. It represented the most ardently critical treatment of American strategic policy in any of the drafts, and was interpreted widely as an endorsement of the nuclear freeze. There was a strong response --- enthusiastic from nuclear freeze proponents, pacifists, nuclear pacifists and from left-wing critics of American foreign policy, and critical from conservatives and from some adherents to the just-war tradition like William V. O'Brien and Michael Novak. Clearly some of the support for some of the stands taken was

derived from specifically anti-Reagan and anti-Administration sentiment among liberals in certain political, intellectual and religious circles, but the precise extent to which this was a factor in the decision to subject defence policies to critical scrutiny is difficult to determine. In the third draft, the bishops responded to criticism from the Administration and from other circles[21] by moderating some of the positions staked out in the second draft. The result was what some interpreted as a move away from endorsement of the nuclear freeze. This was the draft presented to the Conference for consideration. In the course of consideration, amendments were voted upon, and what emerged was the fourth and final version.

The Pastoral has attracted considerable attention. Within the political science community, prominent commentators like Stanley Hoffmann,[22] Joseph Nye,[23] and Robert W. Tucker[24] have discussed the Pastoral in the course of examining the nature of East-West relations. Former National Security Advisor McGeorge Bundy has praised the Pastoral in an essay in the New York Review of Books.[25] Some of the commentary by these and other individuals has raised issues the importance of which goes beyond the Pastoral.

One commentator who raises questions which we will have to address is George Weigel. It is his thesis that the Pastoral was not a reflection of the traditions on which

Catholic thought on war and peace was founded, but, rather, part of a break with those traditions.[26] Given our use of the Pastoral as a case, it will be necessary to consider his arguments carefully.

What we wish to determine is whether the vocabulary and terms of reference which these traditions provide retain the relevance needed for serious political discourse. The thesis can be approached as an examination of the possibilities of moral and political argument. The study of politics, including that of international politics, was once a part of what was called "moral philosophy". This may remind us of just how broadly the term "moral" was once interpreted. Politics remains essentially part of moral philosophy in that it has to do with the exercise of choice, hopefully informed choice, by human persons individually and collectively.

It will be argued that the Pastoral can be best understood if it is seen as a challenge, rather than an attempt at a final position. As Robert Roth observes, the bishops "...have raised a serious moral challenge to the individual conscience."[27] Roth remarks that "To be sure, it would have been more satisfying if the bishops had issued a catechism of do's and don't's on nuclear arms, but they did not. One obvious reason is that the question is so complex. The bishops themselves spent almost three years in formulating a final statement. For all that, the pastoral

letter has succeeded better than any discussion I have seen so far in identifying the issues, in explaining their complexities and in assisting our citizens to make responsible moral choices."[28] Confusion on this point among both supporters and critics has produced misunderstanding. Interpreted as an attempt at a definitive statement, the Pastoral has problems. Interpreted as a challenge to consciences and as the initiation of a dialogue, the Pastoral shows itself to be a genuinely impressive document. And, after all, who can say that opening up a dialogue is necessarily less demanding than asserting a position?

As the culmination of debate and deliberation, the Pastoral has received considerable attention, and appropriately so. In this thesis, we look at how discussion of moral aspects of war and peace found in the traditions within which the bishops were working encompassed perspectives on the appropriate relation between Christians and the political community, perspectives which structure how religious values are expressed in civil discourse and dialogue on issues of public policy. If one accepts the notion that, for all the imperfections in their actual practice, democratic values are sufficiently consistent with, and expressive of moral values to be worth defending under certain circumstances, then those values are presumably worth exercising. At the same time, for the Christian, political allegiances are always, in some sense,

conditional and limited. After all, the most well-known injunction in this regard was to "Render unto Caesar that which is Caesar's, and unto God that which is God's."[29] We will be looking at what this case has to say about the Church in the world.

ENDNOTES

1. The Challenge of Peace: God's Promise and Our Response, A Pastoral Letter on War and Peace, May 3, 1983, National Conference of Catholic Bishops. The Pastoral is available published separately by the National Conference of Catholic Bishops and the United States Catholic Conference, Washington, D.C.; and in Jim Castelli, The Bishops and the Bomb, Waging Peace in a Nuclear Age, (Garden City, New York: Image Books, Doubleday, 1983), in Philip J. Murnion, (ed.), Catholics and Nuclear War, A Commentary on The Challenge of Peace The U.S. Catholic Bishops' Pastoral Letter on War and Peace, (New York: Crossroad, 1983), in John T. Pawlikowski, O.S.M. and Donald Senior, C.P., (ed.), Biblical and Theological Reflections on The Challenge of Peace, (Wilmington, Delaware: Michael Glazier, 1984), and in John Tracy Ellis, (ed.), Documents of American Catholic History, Vol. 3, 1966 to 1986, (Wilmington, Delaware: Michael Glazier, 1987).

2. See Hedley Bull, The Anarchical Society, A Study of Order in World Politics, (London and Basingstoke: Macmillan, 1977).

3. Arnold Wolfers, "Political Theory and International Relations" in Arnold Wolfers, Discord and Collaboration, Essays on International Politics, (Baltimore: Johns Hopkins Press, 1962), pp. 233-234.

4. See The Essential Eusebius, selected and translated with introduction and commentary by Colm Luibheid, (Toronto: Mentor-Omega, 1966); Agnes Cunningham, S.S.C.M., (ed.), The Early Church and the State, (Philadelphia: Fortress Press, 1982), pp. 15-16 and 45-62; Francis Dvornik, Early Christian and Byzantine Political Philosophy, Origins and Background, Vol. 2, (Washington, D.C.: The Dumbarton Oaks Center for Byzantine Studies, Trustees for Harvard University, 1966), especially Chapter 10, "Christian Hellenism"; Robert M. Grant, Eusebius as Church Historian, (Oxford: Clarendon Press, 1980); John Helgeland, Robert J. Daly and J. Patout Burns, Christians and the Military, The Early Experience, (Philadelphia: Fortress Press, 1985), Chapter 10, "Eusebius"; Louis J. Swift, The Early Fathers on War and Military Service, (Wilmington, Delaware: Michael Glazier, 1983), pp. 82-89; and D.M. Nicol, "Byzantine Political Thought", in J.H. Burns, (ed.), The Cambridge History of Medieval Political Thought, c. 350 - c. 1450, (Cambridge: Cambridge University Press, 1988).

5. See Cunningham, (ed.), op. cit., pp. 10-11 and 33-37; Dvornik, op. cit., especially Chapter 9, "Jewish and Christian Reactions to Roman Hellenism"; Helgeland, Daly and Burns, op.

cit., Chapter 3, "Tertullian"; James Turner Johnson, The Quest for Peace, Three Moral Traditions in Western Cultural History, (Princeton, New Jersey: Princeton University Press, 1987), Chapter 1, "Christian Attitudes toward War and Military Service in the First Four Centuries"; and Swift, op. cit., pp. 38-47.

6. See Saint Augustine, The City of God, translated by M. Dodds, G. Wilson and J.J. Smith, in Basic Writings of Saint Augustine, edited, with an introduction and notes, by Whitney J. Oates, (New York: Random House, 1948); The Political Writings of St. Augustine, edited with an introduction by Henry Paolucci, (Chicago: Regnery, 1962); Herbert Deane, The Political and Social Ideas of St. Augustine, (New York: Columbia University Press, 1963); John Neville Figgis, The Political Aspects of St. Augustine's 'City of God', (London: Longmans, Green, 1921); Helgeland, Daly and Burns, op. cit., Chapter 11, "Ambrose and Augustine"; John Langan, S.J., "The Elements of St. Augustine's Just War Theory", Journal of Religious Ethics, Vol. 12, no. 1, (Spring 1984); R.A. Markus, "Saint Augustine's Views on the 'Just War'" in W.J. Sheils, (ed.), The Church and War, Papers read at the Twenty-first Summer Meeting and the Twenty-second Winter Meeting of the Ecclesiastical History Society, Studies in Church History no. 20, (Oxford: Basil Blackwell for the Ecclesiastical History Society, 1983); R.A. Markus, "The Latin Fathers" in J.H. Burns, (ed.), The Cambridge History of Medieval Political Thought, op. cit.; Theodor E. Mommsen, "St. Augustine and the Christian Idea of Progress: The Background of The City of God" in Theodor E. Mommsen, Medieval and Renaissance Studies, ed. by Eugene F. Rice, Jr., (Ithaca, New York: Cornell University Press, 1959); and Swift, op. cit., pp. 110-149.

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CHAPTER 2

READING THE PASTORAL

Any document, and especially one produced by a process aiming at consensus on an issue of great complexity with a broad audience in mind, is susceptible to being read and interpreted in different ways. Few readers have questioned the sincerity of the American Catholic bishops in their efforts in their Pastoral to respond to the challenge of peace. Whether in agreement or disagreement with the bishops, few doubt that The Challenge of Peace was motivated by a conscientious effort to witness to a modern world from the context of a religious, moral and prophetic tradition.

The Pastoral can be properly appreciated only in the light of the broad intellectual context of philosophical, theological and historical scholarship and debate both before and after Vatican II. A re-awakening of interest in the study of Thomistic philosophy in the late nineteenth and then through the twentieth century was accompanied by a growing confidence on the part of thinkers like Jacques Maritain, Etienne Gilson, Bernard Lonergan, Teilhard de Chardin, Karl Rahner and Henri de Lubac to respond from a Neo-Thomistic perspective applying human reason to the application of tradition to the challenges of science, technology and new approaches to scholarship in a modern, increasingly secular world. In the sense that it emphasized

both a natural-law tradition and the application of critical faculties of human reason inspired by faith in approaching the world, Neo-Thomism was almost certain to be greeted with controversy. Its emphasis on the reconcilability of faith and reason was almost certain to appear odd both to those who preferred a simpler faith and to those who felt uncomfortable with scientific, philosophical or historical scholarship that seemed to have aspirations beyond those usually associated with such scholarship.

The very confidence which the universal Church in Vatican II in the Pastoral Constitution on the Church in the Modern World (Gaudium et Spes) and the various national conferences in documents like The Challenge of Peace were able to bring to an examination of political, economic and technological issues reflects a readiness both to reinterpret culturally- or historically-specific elements of tradition while remaining true to an unchanging faith, and to apply that faith to demands of modern society and culture. Bernard Lonergan, for example, reflects in his consideration of the nature of the Church that, among other things:

> The church is an out-going process. It exists not just for itself but for mankind. Its aim is the realization of the kingdom of God not only within its own organization but in the whole of human society and not only in the after life but also in this life.
>
> The church is a redemptive process. The Christian message, incarnate in Christ scourged and crucified, dead and risen, tells

> not only of God's love but also of man's sin. Sin is alienation from man's authentic being, which is self-transcendence, and sin justifies itself by ideology. As alienation and ideology are destructive of community, so the self-sacrificing love that is Christian charity reconciles alienated man to his true being, and undoes the mischief initiated by alienation and consolidated by ideology.[1]

Jacques Maritain, in reflecting on the role of the Church in public affairs, points out the distinction found in the Gospels between the things of God and the things of Caesar, and observes that, although the sphere of the Church and the sphere of politics are different, "...it is clear that, as sharply distinct as they may be, the Church and the body politic cannot live and develop in sheer isolation from and ignorance of one another. This would be simply anti-natural. From the very fact that the same human person is simultaneously a member of that society which is the Church and a member of that society which is the body politic, an absolute division between those two societies would mean that the human person must be cut in two."[2] For the Augustinian, although less estimable than the peace of Christ, the peace of this world still has value, and consequently those institutions of the political community essential to the maintenance of peace, justice and <u>tranquillitas ordinis</u> have value. For the Thomist, men and women are by nature social and political, and, as a result, the sphere of politics is a worthy one for activity and

reflection. Increasingly pluralist and increasingly secular, the modern world poses particular challenges for any attempt to respond to public issues from the vantage-point of any specific religious orientation. For this reason, the influence of Neo-Thomist thought has been particularly significant in that it facilitates consistent and parallel treatment of questions, on the one hand, in terms of a particular tradition of faith, revelation and reflection, and, on the other hand, in terms of the application of reason to a dialogue on public issues in which the various participants are able to draw on the intellectual resources of their traditions in a way that does not preclude meaningful exchange or agreement on specific questions. In reflecting on the significance of the Pastoral Constitution on the Church in the Modern World, J. Bryan Hehir notes that:

> The pastoral constitution describes the attitude which the church brings to this dialogue with the world: the church has something to learn and something to teach. In a spirit strikingly different from that of the eighteenth and nineteenth centuries, the church acknowledges its need for and its desire to draw upon the various disciplines and areas of expertise which contribute to the building of contemporary society. In a major teaching document of the council, the bishops committed themselves to a teaching style which seeks a precise understanding of contemporary problems in all their complexity prior to making moral judgements or providing religious guidance about these questions.[3]

This confidence in the compatibility of revelation and reason is fundamental to the American Catholic bishops' Pastoral. In the Summary with which the Pastoral commences, the bishops, after citing the concern about issues of war and peace expressed in the Pastoral Constitution on the Church in the Modern World, say in the second paragraph that "We write this letter from the perspective of Catholic faith. Faith does not insulate us from the daily challenges of life but intensifies our desire to address them precisely in light of the gospel which has come to us in the person of the risen Christ. Through the reasons of faith and reason we desire in this letter to provide hope for people in our day and direction toward a world freed of the nuclear threat."[4]

Two points should be noted at the outset. In the first instance, in reading any document one must retain in mind a sense of what audience or prospective audience is being addressed. In writing the Pastoral, the bishops had two audiences in mind. They wished to provide moral and pastoral guidance for Catholics in their capacities of pastors and teachers. As well, it was the hope of the bishops to contribute to the ongoing public debate over these issues. It was their view that there existed and exists a distinctive and worthwhile contribution that they may make by drawing on a tradition of concern with issues of war and peace in working to bear prophetic witness at this

moment in history.[5] In the Pastoral, the bishops reflect:

> 16. Catholic teaching on peace and war has had two purposes: to help Catholics form their consciences and to contribute to the public policy debate about the morality of war. These two purposes have led Catholic teaching to address two distinct but overlapping audiences. The first is the Catholic faithful, formed by the premises of the gospel and the principles of Catholic moral teaching. The second is the wider civil community, a more pluralistic audience, in which our brothers and sisters with whom we share the name Christians, Jews, Moslems, other religious communities, and all people of good will also make up our polity. Since Catholic teaching has traditionally sought to address both audiences, we intend to speak to both in this letter, recognizing that Catholics are also members of the wider political community.
> 17. The conviction, rooted in Catholic ecclesiology, that both the community of the faithful and the civil community should be addressed on peace and war has produced two complementary but distinct styles of teaching. The religious community shares a specific perspective of faith and can be called to live out its implications. The wider civil community, although it does not share the same vision of faith, is equally bound by certain key moral principles. For all men and women find in the depth of their consciences a law written on the human heart by God. From this law reason draws moral norms. These norms do not exhaust the gospel vision, but they speak to critical questions affecting the welfare of the human community, the role of states in international relations, and the limits of acceptable action by individuals and nations on issues of war and peace.
> 18. Examples of these two styles can be found in recent Catholic teaching. At times the emphasis is upon the problems and requirements for a just public policy (e.g., Pope John Paul II at the U.N. Special Session 1982); at other times the emphasis is on the specific role Christians should play (e.g., Pope John Paul II at Coventry, England,

> 1982). The same difference of emphasis and orientation can be found in Pope John XXIII's Peace on Earth and Vatican II's Pastoral Constitution.
> 19. As bishops we believe that the nature of Catholic moral teaching, the principles of Catholic ecclesiology, and the demands of our pastoral ministry require that this letter speak both to Catholics in a specific way and to the wider political community regarding public policy. Neither audience and neither mode of address can be neglected when the issue has the cosmic dimensions of the nuclear arms race.[6]

As is evident, then, from a reading of the Pastoral, it was deliberately written with both prospective audiences in mind. Note, as well, the reference to the intention to draw upon both Scriptural sources and natural-law sources. The natural-law basis of Catholic thought on the ethics of war and peace carries certain implications for the bishops' treatment of issues. Thomistic thought emphasizes the complementarity of reason and faith in any consideration of moral issues in the sphere of nature.[7]

Having discussed the nature of the intended audience, it is now possible to turn attention to the second point that calls for notice at the outset --- the different types of statements contained within the Pastoral. Contained within the American Catholic bishops' Pastoral are two sorts of prescriptions. Certain statements represent declarations of fundamental elements of Christian revelation and tradition, and are considered binding on faithful Catholics. Many of the prescriptions in the Pastoral are of a less

binding nature. The role assigned to reason implies an interest in applying to such questions as those surrounding deterrence the finest insights available in the relevant social-science literature. What emerges are prudential statements, which, while lacking the same binding character as elements of faith, nevertheless, reflect both an appreciation of just aims and an informed consideration of how best to achieve those aims. Such prudential statements should be considered seriously. It is at this level that ongoing dialogue is most essential. The bishops make a point of alerting the reader to this, writing that:

> 9. In this pastoral letter, too, we address many concrete questions concerning the arms race, contemporary warfare, weapons systems, and negotiating strategies. We do not intend that our treatment of each of these issues carry the same moral authority as our statement of universal moral principles and formal Church teaching. Indeed, we stress here at the beginning that not every statement in this letter has the same moral authority. At times we reassert universally binding moral principles (e.g., non-combatant immunity and proportionality). At still other times we reaffirm statements of recent popes and the teaching of Vatican II. Again, at other times we apply moral principles to specific cases.
> 10. When making applications to these principles we realize --- and we wish readers to recognize --- that prudential judgments are involved based on specific circumstances which can change or which can be interpreted differently by people of good will (e.g., the treatment of "no first use"). However, the moral judgments that we make in specific cases, while not binding in conscience, are to be given serious attention and consideration by Catholics as they determine whether their moral judgments are consistent

with the Gospel.[8]

It would be both unrealistic and inappropriate to expect universal acceptance of all points raised. Given the complexity of many of the policy issues involved and the tentative nature of much of the technical advice from policy-makers and social scientists, it is hardly likely that there is about to emerge in the immediate future any set of policy proposals so self-evidently consistent in the face of any and all conceivable eventualities with the moral principles outlined in the Pastoral, and so fully expressive of those principles as to inspire immediate and unanimous approval among all persons of good will. In part because this is the case, it would inappropriate for the bishops to pretend to speak with a greater certainty than they can actually possess. The policy choices represent the prudential application of moral principles in the light of the best available technical advice to circumstances as they exist at a particular time. Such technical advice is continually subject to challenge. As a result, specific policy prescriptions remain necessarily at least as tentative as the prevailing technical advice on which they are based. In addressing specific policy issues, the bishops are attempting to fulfil a prophetic pastoral role. It is their pastoral role to provide guidance to consciences of the faithful. It is not their role to render superfluous

any further reflection on these issues on the part of laity or religious. The contributions to dialogue that can be made by others who might be equally as committed to the moral principles and every bit as competent in assessing the quality and import of technical advice can only enrich the appreciation of the issues so long as that dialogue is pursued in a generous and charitable spirit. The bishops observe that "...on some complex social questions, the Church expects a certain diversity of views even though all hold the same universal moral principles. The experience of preparing this pastoral letter has shown us the range of strongly held opinion in the Catholic community on questions of war and peace. Obviously, as bishops we believe that such differences should be expressed within the framework of Catholic moral teaching. We urge mutual respect among different groups in the Church as they analyze this letter and the issues it addresses. Not only conviction and commitment are needed in the Church, but also civility and charity."[9]

The form and style of the letter is of some interest. Within the Church, a number of trends have been underway since the late nineteenth century. These trends helped to shape the course of Vatican II, and were, in turn, influenced by it. Among these has been a tradition of Catholic social thought. Also among these has been a revival within the Catholic tradition of Scriptural

scholarship. The former would tend to inspire an expression of a theological message within a vocabulary consistent with that required for philosophical discourse. The latter, perhaps more powerful as a means of addressing certain elements within the Protestant tradition for the purposes of an interdenominational dialogue, would tend to inspire an expression of a theological message in terms of an evangelical ethic. Hehir observes that in deciding to address Catholics, other Christians, persons of other faiths, and the world at large in the Pastoral, the drafting committee effectively also decided to incorporate both the natural-law ethic of traditional Catholic social thought and the evangelical ethic associated with a more explicitly Scripturally-based approach. Hehir comments that "There is a tension in the way the bishops chose to shape their dialogue with the world, but they found the method of speaking to both the ecclesial and civil communities closest to their sense of pastoral responsibility."[10] He notes that the drafting committee "... decided to speak to both the church <u>and</u> the wider society. This decision shaped not only the language of the pastoral but the logic of its moral reasoning. If appeal was to be made to the society as a whole, then mediating language, in this case just-war ethics, would be needed. If the church sought to shape not only Christian witness but public policy, then engagement in highly technical issues (the nature of the deterrent,

targeting doctrine, negotiating positions) would be necessary. The letter uses both mediating language and detailed analysis of intricate policy issues."[11] Nevertheless, Hehir reminds us that the evangelical ethic was not left out. He notes that "The sharp distinction between an ethic of reason versus an evangelical ethic is not clearly drawn. The appeal to the witness of the scriptures and specifically to the way of life of Jesus is a major focus in the pastoral. The extreme choices posed for Christians by the nuclear age run through the pastoral."[12]

Whatever the probable effectiveness of specific policy prescriptions, the basic motivating concern underlying the Pastoral and the long tradition of interest in the issues of war and peace is the same as that underlying the tradition of concern with issues of bioethics and with issues of social and economic justice --- namely, a reverence for life and commitment to the dignity of the person. The term "person" is used deliberately in order to avoid some of the materialist and laissez-faire connotations associated with such terms as "individual" and "individualism", to emphasize that human nature is inherently social, and to serve as a reminder that the Christian God is a personal God with whom each person is called to a personal relationship. In viewing such a range of issues as all part of a "seamless garment", the American bishops are acting in a manner consistent with the approaches adopted, for example, in

Pacem in Terris (Peace on Earth), the encyclical of Pope John XXIII, and in the Pastoral Constitution on the Church in the Modern World (Gaudium et Spes).

Announced by Pope John XXIII on April 11, 1963, Pacem in Terris, following the "Introduction", is divided into five parts --- "Order Between Men", "Relations Between Individuals and the Public Authorities Within a Single State", "Relations Between States", "Relationship of Men and of Political Communities with the World Community" and "Pastoral Exhortations."[13] The first part, "Order Between Men", begins with a section entitled "Every Man Is a Person with Rights and Duties" which states that "Any human society, if it is to be well-ordered and productive, must lay down as a foundation this principle: that every human being is a person; his nature is endowed with intelligence and free will. By virtue of this, he has rights and duties of his own, flowing directly and simultaneously from his very nature, which are therefore universal, inviolable and inalienable."[14] Starting from this principle, the encyclical proceeds to examine the domestic political order, the international political order and issues of disarmament.

The Pastoral Constitution on the Church in the Modern World, following a "Preface" and an "Introductory Statement", is divided into two parts. Part I is entitled "The Church and Man's Calling"; Part II, "Some Problems of Special Urgency". The title of Part I, Chapter I is "The

Dignity of the Human Person". As an indication of the importance attached to the social aspect of human nature, it is noteworthy that Part I, Chapter II is entitled "The Community of Mankind".[15] Underlying the treatment in Part II of such specific topics as marriage and the family, culture, socio-economic development and justice, politics and justice, and international relations is a concern for "Reverence for the Human Person". This document asserts:

> Reverence for the Human Person
>
> 27. Coming down to practical and particularly urgent consequences, this Council lays stress on reverence for man; everyone must consider his every neighbour without exception as another self, taking into account first of all his life and the means necessary to living it with dignity, so as not to imitate the rich man who had no concern for the poor man Lazarus.
>
> In our times a special obligation binds us to make ourselves the neighbour of absolutely every person, and of actively helping him when he comes across our path, whether he be an old person abandoned by all, a foreign labourer unjustly looked down upon, a refugee, a child born of an unlawful union and wrongly suffering for a sin he did not commit, or a hungry person who disturbs our conscience by recalling the voice of the Lord: "As long as you did it for one of these, the least of my brethren, you did it for me" (Mt. 25:40).
>
> Furthermore, whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia, or wilful self-destruction, whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; whatever insults human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children; as well as

> disgraceful working conditions, where men are treated as mere tools for profit, rather than as free and responsible persons; all these things and others of their like are infamies indeed. They poison human society, but they do more harm to those who practice them than those who suffer from the injury. Moreover, they are a supreme dishonour to the Creator.[16]

The Challenge of Peace, in addressing questions of war and peace, reflects the same concern with "life issues" on the part of the bishops as does their interest in issues like abortion, euthanasia and bioethics. Because many "liberals", while expressing admiration for the bishops' statements on war and peace, retain serious reservations about the direction in which the bishops have moved in regard to issues of abortion, sexual ethics and reproductive technologies, and many "conservatives", while supporting the bishops on issues like abortion, sexual ethics and reproductive technologies, seriously question elements of the Pastoral on war and peace, the consistency of the bishops in their concerns and principles is sometimes missed. The belief, for example, that the intentional killing of innocents is inherently morally wrong is reflected both in the bishops' opposition to abortion and in the bishops' condemnation of general nuclear war.

Note the following passage in The Challenge of Peace:

> 2. True Peace Calls for "Reverence for Life"
>
> 284. All of the values we are promoting in this letter rest ultimately in the

disarmament of the human heart and the conversion of the human spirit to God who alone can give authentic peace. Indeed, to have peace in our world, we must first have peace within ourselves. As Pope John Paul II reminded us in his 1982 World Day of Peace message, world peace will always elude us until peace becomes a reality for each of us personally. "It springs from the dynamism of free wills guided by reason towards the common good that is to be attained in truth, justice and love." Interior peace becomes possible only when we have a conversion of spirit. We cannot have peace with hate in our hearts.

285. No society can live in peace with itself, or with the world, without a full awareness of the worth and dignity of every human person, and of the sacredness of all human life (Jas. 4:1-2). When we accept violence in any form as commonplace, our sensitivities become dulled. When we accept violence, war itself can be taken for granted. Violence has many faces: oppression of the poor, deprivation of basic human rights, economic exploitation, sexual exploitation and pornography, neglect or abuse of the aged and the helpless, and innumerable other acts of inhumanity. Abortion in particular blunts a sense of the sacredness of human life. In a society where the innocent unborn are killed wantonly, how can we expect people to feel righteous revulsion at the act or threat of killing noncombatants in war?

286. We are well aware of the differences involved in the taking of human life in warfare and the taking of human life through abortion. As we have discussed throughout this document, even justifiable defense against aggression may result in the indirect or unintended loss of innocent human lives. This is tragic, but may conceivably be proportionate to the values defended. Nothing, however, can justify direct attack on innocent human life, in or out of warfare. Abortion is precisely such an attack.

287. We know that millions of men and women of good will, of all religious persuasions, join us in our commitment to try to reduce the horrors of war, and particularly to assure that nuclear weapons will never again

> be used, by any nation, anywhere, for any reason. Millions join us in our "no" to nuclear war, in the certainty that nuclear war would inevitably result in the killings of millions of innocent human beings, directly or indirectly. Yet many part ways with us in our efforts to reduce the horror of abortion and our "no" to war on innocent human life in the womb, killed not indirectly, but directly.
> 288. We must ask how long a nation willing to extend a constitutional guarantee to the "right" to kill defenceless human beings by abortion is likely to refrain from adopting strategic warfare policies deliberately designed to kill millions of defenceless human beings, if adopting them should come to seem "expedient". Since 1973, approximately 15 million abortions have been performed in the United States, symptoms of a kind of disease of the human spirit. And we now find ourselves seriously discussing the pros and cons of such questions as infanticide, euthanasia, and the involvement of physicians in carrying out the death penalty. Those who would celebrate such a national disaster can only have blinded themselves to its reality.
> 289. Pope Paul VI was resolutely clear: If you wish peace, defend life. We plead with all who would work to end the scourge of war to begin by defending life at its most defenceless, the life of the unborn.[17]

In preparing the Pastoral, the bishops drew on a long tradition of reflection on issues of war and peace that is part of a broader tradition of concerns. Whether or not one is inclined to judge that they succeeded in attaining a high degree of consistency, certainly it was an aim of the bishops to demonstrate to both "liberal" and "conservative" audiences that their concern for the dignity of the human person and in defence of life was genuine.

The reader of the Pastoral would be well-advised to

examine the Gannon Lecture delivered by Cardinal Bernardin, who chaired the drafting committee, in December 1983 at Fordham University. In it, he stresses the broader concerns reflected in the bishops' interest in specific issues ranging from abortion to capital punishment to war and peace. Cardinal Bernardin's concern is with the need for "a consistent ethic of life", with the need to combine conviction and commitment with consistency and coherence. In attempting to address a range of issues in a manner combining both consistency and an appreciation of the distinctive complexities inherent in each specific issue, Cardinal Bernardin observes that "Asking these questions along the spectrum of life from womb to tomb creates the need for a consistent ethic of life. For the spectrum of life cuts across the issue of genetics, abortion, capital punishment, modern warfare, and the care of the terminally ill. These are all distinct problems, enormously complicated, and deserving individual treatment. No single answer and no simple responses will solve them. My purpose, however, is to highlight the way in which we face new technological challenges in each one of these areas; this combination of challenges is what cries out for a consistent ethic of life."[18] In attempting to initiate a dialogue on issues of war and peace, The Challenge of Peace is one element in a more encompassing project. Cardinal Bernardin notes that "The Challenge of Peace provides a

starting point for developing a consistent ethic of life, but it does not provide a fully articulated framework. The central idea in the letter is the sacredness of human life and the responsibility we have, personally and socially, to protect and preserve the sanctity of life."[19] In writing the Pastoral, the bishops, as we have seen, addressed a number of audiences on various levels. In doing this, it was necessary to keep in mind the special challenge that that presented --- the requirement that concerns be expressed in such a way as to make them comprehensible to persons of a variety of faiths or of no faith. If the bishops, or if any Catholic voice or voice representing any other religious affiliation, are to be effective in communicating a set of social, economic or political concerns in a modern North American society to a broad audience beyond the bounds of the faithful, some accommodation --- not in the fundamental substance, but in the manner of presentation --- to the increasingly pluralist nature of that society will be necessary. If the message is to be capable of influencing discussion of questions of public policy, it must be expressed in such a way that, without any compromising of the content, it is, nevertheless, intelligible in a manner that does not presume necessary acceptance of a particular religious belief or affiliation. Cardinal Bernardin points out the degree to which The Challenge of Peace seems to have struck a chord

among not only Catholics, but, as well, among Protestants, non-Christians and others, and suggests that, in the way in which it accomplished this, it may serve as a model. In this regard, he comments that "The substance of a Catholic position on a consistent ethic of life is rooted in a religious vision. But the citizenry of the United States is radically pluralistic in moral and religious conviction. So we face the challenge of stating our case, which is shaped in terms of our faith and our religious convictions, in nonreligious terms which others of different faith convictions might find morally persuasive. Here again the war and peace debate should be a useful model. We have found support from individuals and groups who do not share our Catholic faith but who have found our moral analysis compelling."[20]

The same view is echoed by Conley when he writes that "In tying the questions of war and peace to a broad spectrum of human-life issues, the Catholic tradition has shaped a profound vision of peace. It is a courageous vision, since it stresses the intrinsic worth of every human being in a society which increasingly denies such worth.... In grounding peace upon a supreme respect for human life at each stage of development, the Catholic tradition hurls a prophetic challenge to the powers of death in American culture. Such a respect for human life informs both the 'pacifist' and 'just war' Catholic, even when they diverge

on the question of whether one can take life to preserve life in tragic situations of aggression."[21] Some commentators express reservations about such a view. Geyer, for example, from one Protestant perspective, expresses concern about the linking of nuclear policy with the issue of abortion.[22] Weigel, for example, observes that not only were the bishops seeking to influence the political culture, but that political culture also influenced the bishops. Specifically he expresses concern that the policy prescriptions of the bishops, in his view, do not follow necessarily from the Catholic tradition but, rather, reflect the acceptance by the bishops of the views of nuclear freeze proposals and spokespersons for certain elements in the arms control community.[23] Weigel's concern reflects some of the difficulty inherent in translating principle into policy in an area in which reference to technical experts is essential, but a consensus does not exist among presumed experts on a number of important points. As is evident from a survey of responses to the Pastoral, no one questions the sincerity of the bishops in addressing such issues, but the bishops' assessment of the technical advice received, and the extent to which the bishops were swayed in their views by on-going political controversies remain among the more controversial aspects of the Pastoral.

For such a document, the Pastoral has inspired considerable favourable and unfavourable comment among a

variety of audiences. Not only within the religious press, but in secular publications, as well, the Pastoral has been examined. This discussion has concentrated on a number of points. One has been the attempt to reconcile the just-war and pacifist traditions within a single argument. Views on this issue range quite dramatically. Some would challenge the authenticity and/or relevance of either the just-war or the pacifist traditions. Others see the two as compatible.

In one category are those who, from a pacifist viewpoint, find fault with the emphasis on just-war principles. Hauerwas, for example, is essentially sympathetic to the effort of the bishops to address fundamental issues of war and peace, but he sees it as being undermined by what he sees as an "...ambivalence about war among Christians."[24] Hauerwas refers to "...The Challenge of Peace as a prime example of this ambivalence as the bishops, who strive to take the Gospel imperatives for peace so seriously, seem yet unable to free themselves from the assumption that Christians must still be willing to support war in the interests of justice."[25] As a pacifist, he finds the synthesis of just-war and pacifist traditions within the Pastoral wanting. It is his view that "...pacifism and just war are not simply two ethical strategies for the achievement of God's justice in the world. Rather they draw on different assumptions about history and its relation to God's kingdom."[26] Describing it as "...a multiplicity of

compromised and calculated inconsistencies, designed to balance a wide range of diverse views in the U.S. Catholic Church,"[27] Kim finds the Pastoral lacking. He contends that it "...easily lends itself to a Babel-like cacophony of conflicting and mutually unintelligible interpretations."[28] In Kim's view, for the sake of a consensus, the bishops emphasized the just-war tradition in a way that sacrificed logical consistency. He argues that "The logic of their just-war analysis of the nuclear crisis leads to nuclear pacifism, but the political necessity of accommodating a wide diversity of Catholic views to form a consensus led them to adopt the just-war doctrine as the dominant paradigm for developing a theology of nuclear peace."[29] Zahn, as well, argues that just-war theory must be rejected altogether. Zahn suggests that the rising influence of pacifism in the Christian churches represents a revival of the original tradition as found, in his view, in the early Church. Developments in modern warfare have reinforced this, he suggests, but this only makes the continuing relevance of pacifism more evident, he argues. Zahn writes that "It is time to dismiss once and for all the just-war formulations as irrelevant to the realities of modern war. It might be well, too, to realize that it never was fully relevant to Christianity."[30] In his examination of the Pastoral, Meehan sees the Pastoral as "...only one stage in an ongoing development of doctrine, and by no means the last

stage."[31] His argument is that "...the Church is moving and, I believe, must move to such a realistic evaluation of modern war that for all practical purposes it will become a Church of nonviolence."[32]

In another category are proponents of just-war theory with reservations about the recognition accorded to the pacifist tradition. As a proponent of just-war theory, Finn finds the combination of the two traditions to be ultimately illegitimate. He reflects that "To attempt to join the two traditions in this way is to follow the procedure adopted by two men who find themselves facing a wide ravine while some danger behind them fast approaches. They are faced with the choice of attempting to leap the ravine or to turn and face the danger. A good case can be made for either, but they differ on which to choose. Each failing to convince the other, they resolve their differences by deciding to jump half way."[33] Weigel refers to what he sees as "...the letter's confusion on the compatibility of the just-war and pacifist traditions."[34] He comments that "Here, the phantom of 'nuclear pacifism' was decisive; it was posited, tacitly, as a bridge between the poles of the moral argument. But is is not, and insupportable claims followed. The pastoral letter's argument that just-war theory and pacifism were 'interdependent methods of evaluating warfare' is, to put it plainly, false. They are, as James Finn pointed out in a commentary on the pastoral, quite opposite methods of

evaluating warfare. The principled pacifist opposes all resort to armed force; the just-war theorist allows the proportionate and discriminate use of armed force in carefully defined circumstances."[35] William O'Brien describes the Pastoral as "...a flawed document."[36] He reflects that "Whatever its shortcomings, the Pastoral Letter has clearly added new dimensions to current debates on security and arms control. Its deficiencies, however, if not challenged, could encourage questionable assumptions and false hopes that would tend to thwart realistic approaches to nuclear dilemmas."[37] O'Brien is critical of the Pastoral's treatment of the just-war tradition. He questions the assumption that pacifism and just-war theory are compatible and readily reconcilable. As well, he criticizes the emphasis on jus in bello criteria to what he sees as the neglect of jus ad bellum issues. Mangieri criticizes the manner in which the Pastoral recognizes both just-war theory and pacifism as approaches to policy analysis. Mangieri argues that "...while both the pastoral and the just war tradition presume in favour of peace, they diverge from each other in how they define peace."[38] He criticizes both the recognition accorded to pacifism, and the emphasis he sees on an ethic of means and consequences rather than on ends and intentions. Novak maintains that "The just-war theory arose from the perception that at times peace in an evil world is unjust. It is wrong to be on the

streets of New York City and hear a young woman cry for help and simply walk by while she is stabbed to death. Those who do not help her are culpable, just as nations that stand by while innocent neighbours are violently attacked are culpable. There are times when war is just, that is, obligatory, although the initial presumption is always against war."[39] In regard to the Pastoral, he writes, "...I reluctantly judge that the bishops' final statement, good as it is, falls short of sufficient theological realism. The bishops advance orthodox arguments on behalf of pacifism, for example, but fail to voice the real arguments against pacifism. The Christian tradition has always had theological, moral, scriptural, and political arguments against pacifism. These are not rehearsed in the document. Only the rosy side of pacifism is discussed, whereas, when the just-war theory is mentioned, a number of objections are raised. Nonetheless, the final draft provides a good treatment of the just-war theory and might some day even rank as a classic treatment. The final draft has flaws, but it is better than many expected."[40]

These categories do not exhaust the possible perspectives. For example, Tanter gives the Pastoral a mixed, but on balance favourable grade. He remarks that it "...is welcome both for the likely commitment of new groups of Americans to the peace movement, but also because it takes the analysis of the movement's objectives in a

potentially more sophisticated direction."[41] Tanter does not see the Pastoral as a pacifist statement but, in his view, the emphasis of the Pastoral on the logic of the just-war tradition is likely to make it more influential. He comments that "The political strength of the document, as I have stressed, is that it does come from the just-war tradition, the legitimation of state violence for purposes of self-defense. Yet, as the bishops themselves show, that tradition in its uncritical secular form (and aided by a good dose of moralistic rhetoric from President Reagan on the 'focus of evil') could be the death of us. There is no just nuclear war and it is time that that intellectual tradition itself was put away."[42] Rigali suggests that "The problem created in the bishops' letter by viewing opposite choices and contradictory theories as if they were pairs of complementary elements can be avoided by acknowledging that neither just-war theory nor the pacifist position enjoys certainty beyond all reasonable doubt as a theory of objective Christian morality. The just-war theory has been in possession and has had far more adherents than pacifism during the last 16 centuries. Moreover, most contemporary moral theologians continue to uphold it. Nevertheless, some very respectable Catholic biblical scholars question its consonance with the Gospel."[43] He, however, has reservations about the treatment of the issue in the Pastoral, commenting that, in his view "...the place for

pointing out the relativity of just-war theory in the face of objective Christian morality was not a document whose main purpose was to help draw contemporary thought and attitudes away from the brink of recklessness where they hover and into the more responsible confines of just-war theory. But in an opportune moment a further step should be taken and the relativity acknowledged."[44] Conley, finding the just-war and pacifist traditions to be not only complementary but mutually stimulating, reflects that "They mutually challenge and purify each other. The 'just war' approach with its stress upon moral conflict and the supreme value of civic life, effectively challenges the temptation to withdrawal, moralism, and utopianism which plagues any 'pacifist' ethic. It is a call to be discriminate in moral judgement, even in the area of violence. It emphasizes the conflict of goods and evils (such as that between peace and justice) which marks human history and shapes ethical choices. The 'pacifist' approach, on the other hand, is a perpetual witness that nonviolent love is the mark of the disciple. It stresses that sacrificial love of the enemy is the destiny of every Christian, not simply of an elite shoved off into the convent. It underlines the incompatibility between the witness of Christ and killing."[45] It is Conley's view that "By mutually probing each other's moral weaknesses, the 'pacifist' and 'just war' approaches preserve each other from distortion. Such

pluralism is not simply the compromise between two competing schools. It centres the Church upon the paradox of the presence of God's kingdom in history, a presence simultaneously complete and unachieved."[46] Kalembka observes that the bishops' "...primary purpose was to initiate a debate on nuclear weapons --- one which finally treats morality as a vital dimension, but does not ignore the security requirements of living in a decentralized world as well."[47] He remarks that "What distinguishes it most from the other approaches is its embodiment of both moral conviction and political acumen and the bishops' refusal to ignore or subordinate one or the other."[48] The Pastoral is likely, in Kalembka's view, to inspire discussion because it challenges current strategic perspectives in a way that recognizes the requirements of security without acquiescing in enshrinement of status quo orthodoxy as the only conceivable response. It is his view that the Pastoral "...seeks above all else to reaffirm the relevance of traditional Catholic moral precepts concerning war and statecraft to the nuclear age. Like the Just War doctrine upon which it is based, the pastoral letter considers it as possible as it is necessary to reconcile legitimate state interest in self-defense with the commanding moral imperative of preserving the inviolability of innocent life, a task infinitely more perplexing today than in the days of St. Augustine."[49] In her treatment of the Pastoral, Dwyer

concludes that "Challenge of Peace remains a subtle and sophisticated piece of teaching and in that, does justice to the complexity of the topic which it addresses. The American Catholic community can be grateful for this bold but balanced Pastoral which neither evades historical responsibility nor compromises the tradition of the Church. Challenge of Peace and its teaching regarding the morality of using nuclear weapons remains just that, a challenge."[50] Dwyer sees the Pastoral as an application of the logic of the just-war tradition to issues of the morality of modern warfare. The Pastoral is meant, she suggests, as a contribution to a dialogue that is increasingly ecumenical and to an emerging "theology of peace."

It should be noted that the praise and criticism directed at the Pastoral often reflect quite different interpretations of the Pastoral. Because it challenges certain proposals of the Reagan Administration, it is sometimes perceived as a "dovish" statement to the pleasure of some commentators and to the displeasure of others. The focus on the implications of phrasing in each draft for the Nuclear Freeze movement distracted attention from some of the more fundamental issues at stake. What is clear is that there is some range of opinion on this question. No one entirely dismisses either the just-war or pacifist positions. The pacifist tends to see those limits placed on war in the just-war tradition to be preferable to no limits.

Some may retain some concern that the very notion that limits to war are possible may enable some to avoid facing up to the true nature of war. Some feel that modern warfare so violates any possibility of limitation that either notions of a just war collapse or the logic of just-war theory necessarily leads to nuclear pacifism. The proponent of just-war theory tends to see pacifism as feasible for individuals, but not for states. Among both pacifists and proponents of just-war theory, there are people who have grave doubts about the reconcilability of the two positions within the logic of a single argument. Given the presence of sincere men and women of good will bearing testimony to a genuine concern with peace and justice among both pacifists and proponents of just-war theory, the bishops are reluctant to appear to ignore or to dismiss either tradition. Viewed not as a logical argument, but as an invocation of symbols, the Pastoral epitomizes a symbolic unity in terms of a genuine commitment to the pursuit of peace and justice. As a dramatic symbol, the combination of views may be effective, but, as a coherent logical argument, it creates very great problems. It is also an important reason for bearing in mind the tentative nature of the specific policy prescriptions contained in the Pastoral. It is not the case that the prescriptions are inconsistent with the logic, but, rather, that they do not necessarily follow from it. In other words, quite contrary prescriptions, including some

rejected by the bishops, could also follow consistently from the logic.

The point is that the bishops are not trying to unveil a new strategic doctrine. Rather, they are seeking to confront the contemporary strategic debate, and to challenge that debate to come to terms with the implications of those values of justice and love that are inherent in the Christian revelation, but are also professed by most persons whether or not they are Christian. The different types of statements and their levels of authority should be kept in mind. When it comes to questions of the prudential application of moral principles, the bishops are serious about wanting to initiate a dialogue. In writing the Pastoral, the drafting committee sought out the views of specialists and policy-makers. The various drafts sparked considerable reaction. Hehir, in discussing both The Challenge of Peace and the American Catholic bishop's Pastoral on the economy, observes that:

> The pastoral style of the bishops is "democratic" in the sense that it is adapted to the practice and polity of a democratic, religiously pluralist society. The democratic adaptation is illustrated both in the process by which key policy statements are prepared, and in the product of their policy deliberations. The process is best exemplified in the two pastoral letters, but it has not been used for all social statements. It involves consultation with a range of specialized "witnesses" and then public circulation of drafts for comment from the general public. Those who have followed this process know the significant impact such

> commentary had. This should not be taken as an indication that the bishops are conducting an opinion poll. The core of these pastoral letters is a normative doctrine which is in place; the commentary relates much more to the persuasive method by which the moral doctrine is conveyed, the quality of the empirical analysis in the letters and the wisdom of the policy recommendations.
>
> The inclusion of this "democratic" process in a Catholic teaching document must be carefully described. The bishops themselves distinguish different levels of religious authority within the same pastoral. This allows them to protect the status of binding general moral principles, but also to make specific moral choices without expecting the entire community of the church to be bound by the concrete policy options proposed in the letters.
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> The process is related to the "democratic" function of the product, that is, the specific policy positions adopted by the bishops. The product is designed to contribute to the democratic of a pluralist society. It is meant to be a normative contribution, drawn from an established tradition of moral teaching and designed to create space in the public argument for explicit consideration of the moral dimensions of policy choices.[51]

Political scientists, for example, should note that the bishops observe that "The positive role of social science in overcoming the dangers of the nuclear age is evident in this letter. We have been dependent upon the research and analysis of social scientists in our effort to apply the moral principles of the Catholic tradition to the concrete problems of our day. We encourage social scientists to continue this work of relating moral wisdom and political reality. We are in continuing need of your insights."[52]

ENDNOTES

1. Bernard J.F. Lonergan, S.J., Method in Theology, (New York: Herder and Herder, 1972), pp. 363-364.

2. Jacques Maritain, Man and the State, (Chicago: University of Chicago Press, 1951), pp. 153-154. Also in Jacques Maritain, Challenges and Renewals, Selected readings edited by Joseph W. Evans and Leo R. Ward, (Notre Dame and London: University of Notre Dame Press, 1966), p. 315.

3. J. Bryan Hehir, "From the Pastoral Constitution of Vatican II to The Challenge of Peace" in Philip J. Murnion, (ed.), Catholics and Nuclear War, A Commentary on The Challenge of Peace The U.S. Catholic Bishops' Pastoral Letter on War and Peace, (New York: Crossroad, 1983), p. 74.

4. The Challenge of Peace: God's Promise and Our Response, A Pastoral Letter on War and Peace, May 3, 1983, National Conference of Catholic Bishops, Summary.

5. The prophetic element is referred to in Paragraph 13 of the Pastoral which states:

> 13. The Pastoral Constitution calls us to bring the light of the gospel to bear upon "the signs of the times". Three signs of the times have particularly influenced the writing of this letter. The first, to quote Pope John Paul II at the United Nations, is that "the world wants peace, the world needs peace." The second is the judgment of Vatican II about the arms race: "The arms race is one of the greatest curses on the human race and the harm it inflicts upon the poor is more than can be endured." The third is the way in which the unique dangers and dynamics of the nuclear arms race present qualitatively new problems which must be addressed by fresh applications of traditional moral principles. In light of these three characteristics, we wish to examine Catholic teaching on peace and war.

See also Paragraph 125 of the Pastoral. For further discussion, see Archimedes Fornasari, M.C.C.J., "Bearing Witness to the Truth in This Moment of History" in John T. Pawlikowski, O.S.M. and Donald Senior, C.P. (ed.), Biblical and Theological Reflections on The Challenge of Peace, (Wilmington, Delaware: Michael Glazier, 1984).

6. The Challenge of Peace, op. cit., Paragraphs 16-19.

7. In seeing reason and revelation as compatible within the natural sphere, Saint Thomas Aquinas would seem to have shown the possibility within the natural sphere of reconciling

theological discussion of moral issues with discussion of moral philosophy. Alan Donagan writes that "St. Thomas himself recognized that only some precepts of the divine law (the revealed positive law of God) are also precepts of the natural law (the law of reason 'whereby each one knows, and is conscious of, what is good and what is evil'). Those precepts of the divine law that are not precepts of natural law are not binding on non-Christians. Undoubtedly, when the Church has been powerful, its members have been tempted to impose religious duties on non-Christians in the name of morality; and when it has been weak, to draw back from denouncing moral wrongs on the plea that the wrongdoers are outside the Church's jurisdiction. Yet the scholastic theory of natural law provides a foundation for distinguishing the duty to obey the moral law, which for Christians is both moral and religious, from purely religious duties that fall outside common morality. It is therefore worth inquiring whether the scholastic theory may become common ground for Christian and non-Christian philosophers. If St. Thomas was right, there is no reason why it should not." (Alan Donagan, "The Scholastic Theory of Moral Law in the Modern World" in Anthony Kenny, (ed.), Aquinas: A Collection of Critical Essays, (Garden City, New York: Anchor Books, Doubleday, 1969), pp. 325-326.) In other words, it would be the case that the logic of practical reason alone might make a particular precept compelling for persons not sharing a common faith. Note the distinction in Paragraph 9 of The Challenge of Peace between "universal moral principles" and "formal Church teaching". The point is that, through the exercise of reason, individuals who would not necessarily accept all elements of "formal Church teaching" may yet find compelling certain "universal moral principles" which also form part of "formal Church teaching."

8. The Challenge of Peace, op. cit., Paragraphs 9 and 10.

9. Ibid., Paragraph 12.

10. Hehir, op. cit., p. 81.

11. Ibid., p. 80.

12. Ibid., pp. 80-81.

13. Pacem in Terris (Peace on Earth), Encyclical Letter of His Holiness Pope John XXIII, English translation edited by William J. Gibbons, S.J., (Glen Rock, New Jersey: Paulist Press, 1963).

14. Ibid., Paragraph 9.

15. Pastoral Constitution on the Church in the Modern World (Gaudium et Spes) in The Documents of Vatican II, Walter Abbott, General Editor, with an introduction by Lawrence Cardinal Shehan and translations directed by Joseph Gallagher, (New York: Herder and Herder, Association Press, 1966).

16. Pastoral Constitution on the Church in the Modern World (Gaudium et Spes), Paragraph 27 in The Documents of Vatican II, op. cit., pp. 226-227.

17. The Challenge of Peace, op. cit., Paragraphs 284-289.

18. Joseph Cardinal Bernardin, "A Consistent Ethic of Life: An American-Catholic Dialogue", Thought, Vol. 59, no. 232, (March 1984), pp. 103-104.

19. Ibid., p. 102.

20. Ibid., p. 106.

21. John J. Conley, "A Certain Just War, A Certain Pacifism", Thought, Vol. 60, no. 237, (June 1985), p. 257.

22. Alan Geyer, "Two and Three-Fourths Cheers for the Bishops' Pastoral: A Peculiar Protestant Perspective" in Charles J. Reid, Jr., (ed.), Peace in a Nuclear Age, The Bishops' Pastoral Letter in Perspective, (Washington, D.C.: The Catholic University of America Press), pp. 294-295.

23. George Weigel, "The Bishops' Pastoral Letter and American Political Culture: Who Was Influencing Whom?" in Reid, (ed.), Peace in a Nuclear Age, op. cit. See also George Weigel, Tranquillitas Ordinis, The Present Failure and Future Promise of American Catholic Thought on War and Peace, (Oxford and New York: Oxford University Press, 1987), pp. 284-285.

24. Stanley Hauerwas, Against the Nations, War and Survival in a Liberal Society, (Minneapolis: A Seabury Book, Winston Press, 1985), p. 192.

25. Ibid.

26. Ibid., p. 195.

27. Samuel S. Kim, "The U.S. Catholic Bishops and the Nuclear Crisis", Journal of Peace Research, Vol. 22, no. 4, (December 1985), p. 322.

28. Ibid., p. 329.

29. Ibid., p. 325.

30. Gordon C. Zahn, "Pacifism and the Just War", in Murnion, (ed.), *Catholics and Nuclear War*, *op. cit*, p. 130.

31. Francis X. Meehan, "Nonviolence and the Bishops' Pastoral: A Case for a Development of Doctrine" in Judith A. Dwyer, S.S.J., (ed.), *The Catholic Bishops and Nuclear War, A Critique and Analysis of the Pastoral The Challenge of Peace*, (Washington, D.C.: Georgetown University Press, 1984), p. 92.

32. *Ibid*., p. 91.

33. James Finn, "Pacifism and Just War: Either or Neither" in Murnion, (ed.), *Catholics and Nuclear War, op. cit.*, pp. 143-144.

34. Weigel, *Tranquillitas Ordinis, op. cit.*, p. 283.

35. *Ibid*.

36. William V. O'Brien, "The Challenge of War: A Christian Realist Perspective" in Dwyer, (ed.), *The Catholic Bishops and Nuclear War, op. cit.*, p. 39.

37. William V. O'Brien, "The Bishops' Unfinished Business", *Comparative Strategy*, Vol. 5, no. 2, (1985), p. 105.

38. Thomas P. Mangieri, *Nuclear War, Peace and Catholicism*, Common Faith Tract No. 3, (Front Royal, Virginia: Christendom Publications, 1983), p. 28.

39. Michael Novak, "Realism, Dissuasion, and Hope in the Nuclear Age" in Reid, (ed.), *Peace in a Nuclear Age, op. cit.*, p. 127.

40. *Ibid*., pp. 127-128.

41. Richard Tanter, "Breaking the Nuclear Faith: An Introduction to the U.S. Catholic Bishops' Letter on War and Peace", *Alternatives, A Journal of World Policy*, Vol. 9, no. 1, (Summer 1983), p. 107.

42. *Ibid*., p. 109.

43. Norbert J. Rigali, "Just War and Pacifism", *America*, Vol. 150, no. 12, (March 31, 1984), p. 236.

44. *Ibid*.

45. Conley, *op. cit*., p. 254.

46. *Ibid*.

47. Lech Kalembka, "Breaking down the Barriers to Disarmament: Realism and Beyond", Alternatives, A Journal of World Policy, Vol. 11,no. 1 (January 1986), p. 104.

48. Ibid., p. 102.

49. Ibid., p. 95.

50. Judith A. Dwyer, S.S.J., "'The Challenge of Peace' and the Morality of Using Nuclear Weapons" in Dwyer, (ed.), The Catholic Bishops and Nuclear War, op. cit., p. 16.

51. J. Bryan Hehir, "Vatican II and the Signs of the Times: Catholic Teaching on Church, State and Society" in Leslie Griffin, (ed.), Religion and Politics in the American Milieu, (Notre Dame, Indiana: Review of Politics and the Office of Policy Studies, 1986), pp. 70-71. See also Richard P. McBrien, Caesar's Coin, Religion and Politics in America, (New York: Macmillan, and London: Collier Macmillan, 1987), pp. 195-201. McBrien speaks of the bishops "democratizing the process" and "democratizing the content."

52. The Challenge of Peace, op. cit., Paragraph 321.

CHAPTER 3:

UNDERSTANDING THE TRADITIONS

Pacifism, nuclear pacifism and just-war theory are alike in that each is fundamentally anti-war. The pacifist would answer the question of what conditions might outweigh this presumption in specific circumstances by asserting that no such conditions can arise. The pacifist would argue that principle would require a preparedness, if necessary, even to surrender rather than resort to violent resistance. For the absolute pacifist, consequentialist considerations necessarily are of no relevance. The pacifist's decision may reflect, in addition to grounds founded on Scripture and religious tradition, an objection to that which is inconsistent with a reverence for life, an attitude of skepticism towards political authority and/or a concern with the effects of violence upon those who resort to its use. There tends to be a tension in pacifist thought between tendencies to withdrawal and tendencies to seek non-violent alternatives to the use of military force. Pacifism has frequently been thought of as an option for individual persons, rather than for states, although some recent pacifist writers argue that it is as incumbent upon states as upon persons. The presumption within both the pacifist and just-war traditions is against violence and in favour of love, but, whereas for the pacifist this means that one

should love one's enemies and be prepared to offer the "other cheek", for the adherent of the just-war tradition it means that it is a worthy object to protect the weak and innocent from injustice. It is the point of just-war theory that self-defence as the defence of a society or a state is legitimate because it represents the benevolent protection of the weak and innocent within society by a legitimately authorized state which has been entrusted with their protection. Even when resort to force can be justified within the just-war tradition in terms of its jus ad bellum aspect, the jus in bello aspect of the tradition places limitations on the means that can legitimately be used. To the Christian pacifist, just-war theory may seem like a politically expedient rationalization of resort to war, but, to the adherent to the just-war tradition, it is a standard ruling out ethically resort to war in all but exceptional cases. To the pacifist, it is a compromise with worldly politics rather than an expression of confidence in God. To supporters of just-war theory, it reflects a Christian realism which sees the lot of humanity in the world awaiting the Second Coming as essentially tragic in that moral choice in policy-making is frequently neither clear nor straightforward. Faced with the dilemma of choosing between permitting injustice or resorting to the use of coercive force, the Christian realist argues that one cannot make a decision devoid of moral consequences. The nuclear pacifist

is one who, adopting traditional just-war criteria, argues that, given the existence of nuclear weapons, resort to the use of such weapons cannot be justified under any circumstances regardless of how otherwise worthy the ends might be. Spaeth writes that "Nuclear pacifism need not be related on the level of principle to general pacifism. The just-war theory --- a set of principles rejected by traditional pacifists -- can itself be used to justify total opposition to nuclear weapons."[1] Miller observes that "A recurring criticism of just-war tenets draws upon 'realistic' considerations of the sort that might alarm advocates of Niebuhrian 'realism'. Christian pacifists frequently claim that the just-war tradition is obsolete in the era of total war.... Nuclear pacifists subscribe to the same view: if nuclear weapons cannot be used within the compass of just-war tenets, their use is wholly immoral. But pacifists rarely stop at this conclusion. They often argue that the perils of modern war only vindicate a realistic judgement that pacifists reached centuries ago, i.e. that violence is always an ineffective means of resolving conflicts."[2] Each springing from the effort to apply ethical criteria to political questions, these are the basic approaches.

THE JUST-WAR TRADITION

What is meant when we speak of the just-war tradition?

We can consider the just-war tradition as an important way in which resort to force has been seen, at least theoretically, to face limits, and as an important example of the application of moral reasoning to issues of international politics. Traditional just-war theory has been concerned with determining morally legitimate grounds for engaging in war (jus ad bellum), and with determining morally legitimate conduct in war (jus in bello). In determining the nature of morally legitimate use of military force, just-war theory has been primarily concerned with two criteria --- proportionality and discrimination. The criterion of proportionality implies that in the context of a just war a legally-constituted state has the right to utilize the minimum sufficient force. The criterion of discrimination implies that in the context of a just war such a state is obligated to discriminate between combatants and military targets, on the one hand, to which proportionate force may be applied, and noncombatants or civilians, on the other hand, who must be spared except to the extent that some civilian casualties may arise as a consequence of collateral damage from an action aimed not at those civilians but at military targets.

The origins of the just-war tradition can be found in Roman Law and the writings of Cicero. Saint Augustine brought together Christian moral views with the Roman legal tradition. Figgis depicts Saint Augustine as a man who had

acquired a rich and sensitive appreciation of the finest and most graceful achievements of classical culture, but who, even while he could not be blind to them, strove to fix his gaze firmly on wonders not of this world.[3] Deane emphasizes Saint Augustine's approach as a political realist to the problems of preserving order and peace. Deane observes that "The central theme of Augustine's realistic political theory is that the state exists to maintain earthly peace so that men can live and work together and attain the objects that are necessary for their earthly existence."[4] The consequence is a view that sees politics as "...a politics of imperfection, a necessary consequence of human sinfulness."[5] For Saint Augustine, politics represents both a consequence of sin and a response to it. While pacifists base the argument for pacifism on a presumption against resort to coercive force and in favour of love, Saint Augustine and the just-war tradition, while sharing a presumption against resort to coercive force, see the Christian injunction to love one's neighbour as implying in certain cases an obligation to protect and to defend the weak and the innocent. In terms of the just-war tradition, genuine peace presupposes justice, and this concern that the weak and the innocent find justice can be grounds for resort by a legitimate state in certain circumstances to the use of force. Russell comments that "The die for the medieval just war was cast by St. Augustine, who combined Roman and

Judaeo-Christian elements in a mode of thought that was to influence opinion throughout the Middle Ages and beyond. The just war served as Augustine's means of reconciling the evangelical precepts of patience and the pacifistic tendencies of the early Church with Roman legal notions. Central to his attitude was the conviction that war was both a consequence of sin and a remedy for it."[6] Tooke observes that "It was St. Augustine, then, who first firmly established the Christian doctrine.... Augustine's firm and frequent treatment of the question was categorical enough, and sufficiently weighted by his own eminence, not only to champion one side of the dispute but to silence those who held a more pacifist position. Nevertheless, he sought to comprehend the pacifist position within his own arguments."[7] The tradition finds its roots in the Christian revelation and natural law. Although temporal law might reasonably permit an individual to defend him/herself, Saint Augustine felt that the Christian should avoid killing when assaulted by criminals. Self-defence on the part of a legitimately-constituted state, however, may be called for in certain situations in Saint Augustine's view, and, in such situations, taking human life in defence of a state and society may be necessary.

In his study of Saint Augustine's theory of the just war, Langan identifies several themes. During the course of the just-war tradition, one can find two distinct

approaches. In contrast to some later thinkers who justified the use of force by citing objective requirements for self-defense, Saint Augustine saw the resort to force as being justifiable under certain circumstances as a response to evil. As a consequence, he emphasized the subjective guilt or evil intentions of an aggressor as justifying the use of force in resistance. The result is that his view of war tended to be punitive, rather than defensive. For Saint Augustine, the evils of war were not so much the casualties and destruction as they were the instilling of a love of violence or a lust for cruelty. Langan remarks that "Augustine's insistence on seeing the evil of war primarily in terms of certain attitudes and desires rather than in terms of damage to premoral interests and values is an expression of the concern of his ethical thought with intention and virtue, but it is not a persuasive emphasis today."[8] Langan points out that "The special concern aroused by modern weapons of mass destruction is over the vast increase in the amount of harm that they can do to human societies, their members, and their environment. There is also a particular concern over the impersonal character of warfare carried on by advanced technological means the use of which may be compatible with detached and even indifferent attitudes on the part of the warrior-technicians who actually direct and use the weapons."[9] Saint Augustine, according to Langan's interpretation,

expected the individual Christian to defer to authority. Langan argues that "As the search for human and especially for divine authorization make clear, Augustine does not envisage the citizen as confronted with the necessity of judging the justice of actual or possible social systems, or of judging the justice of particular wars undertaken by the rulers. The Christian, as, for instance, the martyr, can be confronted with a demand to do what is clearly evil, a demand which he or she must not obey; but this confrontation still leaves the Christian passive in the face of authority."[10] Saint Augustine emphasized the distinction between spiritual goods and material goods. The former were to be valued and sought after, while, in the case of the latter, appetites were to be restrained and avarice avoided. Langan remarks that "Taken by itself, this line of reflection can form part of a pacifist acceptance of earthly evils, or it can serve (as in Augustine's position) to discredit the use of violence to defend one's interests and earthly values (including one's life)."[11] Langan's objective in identifying eight discrete themes in Saint Augustine's approach to just-war theory is to make the point that these themes can be combined in various ways. This is a consequence, Langan argues, of "...the ambivalence and complexity of Augustine's own position."[12]

Markus sees Saint Augustine as moving from a confidence in the replication in human society of the rationally

comprehensible logic of God's universe to being impressed by the apparent providential destiny inherent in the Empire of Rome, before turning from both to "...a vision of the social order which springs from a vivid sense of conflicting purposes, of uncertainties of direction, of divergent loyalties and irresolvable tensions."[13] The consequence, in Markus' view, for Saint Augustine is that "Political power has become a means of securing some minimal barriers against the forces of disintegration. In this 'hell on earth' all the institutions of political and judicial authority serve to keep conflict within check, to secure a breathing space. Now, in his old age, what impresses Augustine is the precariousness of human order, the threat of dissolution and the permanent presence of chaos just beneath the surface, into which the social order could be drawn at any moment, with the failure of human wills to hold the ring against disorder. ...The quest for justice and order is doomed; but dedication to the impossible task is demanded by the very precariousness of civilized order in the world."[14] Markus challenges the view that Saint Augustine was responding to pacifist views among Christian thinkers of his time, and argues that, rather than attempting to refute Christian pacifism, Saint Augustine was trying to impose constraints on resort to war. In this regard, Markus comments that:

> We are repeatedly told, for example, that Augustine checked the pacifist inclinations of early Christian thought.

Nothing could be further from the truth; the credit for that --- if credit is what is due --- must go to others. To Christians who had read Eusebius, Athanasius or Ambrose, the 'pacifism' of a Lactantius would have seemed something of an anachronism. By the time Augustine began to write, his views on the legitimacy of waging war --- with or without the sophisticated intellectual structure in which they became incorporated in his exposition --- would have been widely accepted among Christians. In the 390s, the frenzied tendency to equate Theodosius's empire with Christ's kingship led many Christians to think of Theodosius's battles in all the imagery of holy wars. Even in the first part of the City of God, in one of the chapters rightly described as among the 'shoddiest passages' of that great work, Augustine had distanced himself from this way of seeing the great Christian emperor. His own tormented intellectual career ended, by the time he was completing the City of God, in a decisive turning away from the readiness with which others were prepared to identify themselves with the values and institutions of their society. Although he never reverted to any version of an early Christian 'pacifism', war now became for him one of the tragic necessities to which Christians must at times resort in order to check the savagery which is liable to break out between, as well as within, political societies. He did not repudiate the possibility, even the necessity, of fighting a 'just war'; what he came to repudiate was a whole set of attitudes towards it induced by the euphoria which encouraged Christians to invest wars such as Theodosius's with a religious significance. He did not need to check his contemporaries' 'pacifist inclinations' --- few of them can have had any. What he challenged was a more fundamental mood of Christian self-identification with a whole social structure, a system of institutions and functions, including that of war.[15]

Saint Augustine's views of the political order neither mandate withdrawal nor imply identification of the political order with divine order. The consequence is that in theory claims by the state to be resorting to force in support of justice can be assessed critically and the means by which force may be applied in support of legitimately just ends may be limited. For Saint Augustine, the earthly city of the world or civitas terrena, while inferior to the city of God or Civitas Dei, was not altogether to be scorned. The peace of this world that the city of the world made possible was inferior to the peace of Christ, but Christians for as long as they remained in this world could enjoy the peace of this world even as they revered the peace of Christ.

Two related movements of the tenth and eleventh centuries should be noted.[16] The Peace of God movement originated in 975 with the council of the French Church at Le Puy. Subsequent councils were held in 988 at Charroux and in 990 at Narbonne, and an agreement among representatives of the Church and the nobility, known as the Pact of Peace, was reached in 998. The private warfare under feudalism had led to considerable danger and hardship for civilians, as well as great destruction. The Peace of God was intended to protect noncombatants by institutionalizing a set of rules or limits on the conduct of war. The Truce of God movement sought to limit the time and opportunities for engaging in warfare. A council held

in 1027 at Elne prohibited attacking unarmed clergy, persons travelling to or from Church councils, and men who were escorting women. Subsequent councils dealing with this were held at Narbonne in 1043, 1045 and 1054. Pope Leo IX decreed at the council of Rheims in 1049 that clergy and the poor should enjoy immunity from attack. Pilgrims were granted immunity by Pope Nicholas II in 1059. The Peace of God and the Truce of God were affirmed by Pope Urban II at the council of Clermont in 1095. As well, the emergence of the chivalric code introduced a further set of rules for the appropriate conduct in war.

The tradition of just-war theory was continued by both canon lawyers like Gratian of Bologna (Franciscus Gratianus) and Saint Raymond of Pennaforte, and theologians and philosophers like Alexander of Hales and Saint Thomas Aquinas (Thomas d'Aquino).[17] Canon law was designed to place limits on the conduct of military operations in Christendom by limiting the days on which war could be conducted and the sorts of weapons that could be used. In considering the thought of Saint Thomas Aquinas, it would be appropriate to note an important difference between the thought of Saint Augustine and that of Aquinas. Saint Augustine was influenced by Christian thought and by Neo-Platonism via Plotinus. Following the recovery of the works of Aristotle by Western Europe, Aquinas sought to reconcile Aristotelian notions with Christian perspectives and with

the Neo-Platonism that, along with Christian perspectives, had influenced the thought of Saint Augustine. For Aristotle, human society was by its nature political. Russell observes that "...in the thoughts on war scattered throughout his works, Aquinas fused the Aristotelian political theory to the traditional Augustinian outlook of his predecessors. His comprehensive treatment incorporated such Aristotelian tenets as the naturalness of political authority, the teleology of communal life, and the superiority of the common good over the good of the individual. It is this extensive adaptation of Aristotle that set Aquinas and his circle apart from earlier theologians, and emancipated them from dependence on the canonists."[18] Tooke, in her discussion of the thought of Saint Thomas Aquinas, notes that "Whereas Augustine thought that politics was grounded in sin, Aquinas strongly believed that, in spite of the fact that since the fall politics was tainted, its roots run down deeper and arise from primal nature. On the one hand, the common good which it seeks is a higher one than that of the individual or family, and this gave it a high moral standing. On the other, Aquinas's belief in the higher end for human beings revealed by Christ withheld him from an Aristotelian glorification of the State as the highest reach of human life, and preserved the dignity and freedom of the individual.[19]

Sharply distinguishing between the supernatural and

natural realms, Aquinas sought to reconcile the claims of reason and revelation by suggesting that the substance of revelation within the natural realm is compatible with the logical imperatives of reason, and that the application of human reason could lead to the illumination of natural law.[20] Human reason could lead one to a recognition of the logical necessity of a First Mover or Ultimate Cause, but reason unaided by the gift of faith could not comprehend such mysteries as the Trinity. It meant, as well, that an acceptance of the Christian revelation as such was not absolutely essential to some degree of appreciation of the dictates of natural law for conduct in the social and political sphere of the temporal world. Morrall observes that "It would of course be absurd to maintain that Thomas laicized the State."[21] Nevertheless, Morrall suggests that "...Thomas in effect altered the definition, current since Augustine, of true political society as inseparably bound up with a Christian Commonwealth. Political society now has its own rights to existence and does not depend for its legitimacy on its connection with the Church."[22] In assessing the contribution of Saint Thomas Aquinas, Pangle observes that "...Christians can and should provide a moral basis for politics that rests in very large part on the compelling grounds of universally available reason, rather than on the supernatural revelation of the Scriptures. By apparently transforming the grounding of political morality,

Thomas provided the doctrine of just war with a political persuasiveness that has endured even into our secular age. It seems that the doctrine of just war can rest its case on the reason that is available to man as man and not restrict its appeal to those men who are enlightened by the acceptance of Christian revelation."[23]

The Thomistic emphasis on reason and nature has fundamentally influenced Catholic approaches to discussion of social and political questions. When Hanson suggests that "...a strong intellectual dissonance" exists between the approaches of the social sciences and Thomistic approaches, he is being unfair to both.[24] One influence that can be seen in the American Catholic bishops' Pastoral, The Challenge of Peace, is the intention to address not only Catholics but all members of the political community. Another influence, also evident in the Pastoral and in some sense complementary to the first, is the interest in utilizing the insights of social science and history in informing the treatment of the specifics of prudential judgements. Faith, love and hope set certain goals as appropriate. A conscientious effort to formulate appropriate policy recommendations is seen as requiring the soundest advice available. In terms of the specific aspects of Aquinas' reflections on war, there is a basic continuity with the views of Saint Augustine. D'Entrèves discusses Aquinas' notion of limits to sovereignty, and notes that:

> The most interesting illustration of the duties of the State in the international order is to be found in the theory of war. There is no doubt that from the Christian viewpoint war is an evil. St. Thomas found his path clearly traced by St. Augustine. War is an evil, but a necessary evil. The Christian doctrine of non-violence must not be interpreted to mean that injustice should not be resisted and that the *licentia iniquitas* should not be taken away from the evil-doer. *Esto bellando pacificus*: the common good and the preservation of peace may make the recourse to force inevitable. But war can be justified only within the strictest limits. It must be a 'just war', and for a war to be just special conditions are required: a legitimate authority, a just cause, a rightful intention. War is the ultimate resort in the absence of a superior authority.[25]

The influence of the just-war tradition has diffused throughout thinking on issues of war and peace. Through Victoria, Suarez and Grotius, just-war notions have entered into the corpus of international law. Natural law has today both secular and Christian conceptions, and, as a part of the natural law tradition, just-war theory can be found in both secular and Christian forms.

The issue of the just cause or *jus ad bellum* was, as we have seen, a serious concern of thinkers like Saint Augustine. Certain limits on just conduct in war, the *jus in bello* issue, were implicit throughout discussion of the notion of the just war. Attention to *jus in bello* issues was evident in the Peace of God and Truce of God movements of the tenth and eleventh centuries. Another major

development in regard to _jus in bello_ considerations came with the effort on the part of certain thinkers to come to terms with the conquest of new territories in the Americas, territories populated by aboriginal peoples. In sixteenth-century Spain, the major intellectual influences continued to reflect Scholasticism. Spanish thinkers, like Victoria, Soto, Molina, Suárez, Covarrubias, Vives, Valdés and Sepúlveda, were concerned with the analysis of the implications of Spain's conquest of territories in the Americas. Ostensibly the point of the Spanish effort was the evangelization of peoples. This coincided with the breakdown of medieval universalism and the emergence of the territorial state. In addition to issues of _jus ad bellum_, the occasion of the confrontation between Spanish military forces and aboriginal peoples in North, Central and South America raised fundamental issues of _jus in bello_ for Spanish thinkers. What status should be ascribed to pre-Conquest Indian political communities? What status should be ascribed to aboriginal persons?

In the introductory chapter, it was suggested that views on the morality of warfare tend to reflect more fundamental views on human nature, history, and the appropriate relation between the Christian and the political community. Eusebius tended to see an identity between the Empire under a Christian emperor and the furthering of the Christian mission in the world. Without meaning to suggest

any direct link between Eusebius and such thinkers as Vives and Valdés, there may be a certain parallel in that Vives and Valdés tended to see it as being appropriate for Spain to seek to serve as an instrument in the mission of the propagation of the Christian faith among pagan peoples. Vives and Valdés were moved by medieval notions of universalism (or a universal Christendom), notions increasingly out of fashion in much of the rest of Europe with the increasing prominence of territorial sovereign states and with writers like Machiavelli, Bodin and Hobbes. During the Roman Empire, Tertullian was prominent among the thinkers who believed that it was the duty of the Christian to distance him/herself from the political community. While this view came to influence various Protestant sects, it did not have great influence in Spain. Where there may, however, be something of a parallel is in the effort on the part of certain Renaissance thinkers like Machiavelli, Bodin and Hobbes to distance the political community as such from any sense of the political community as being required to display any deference to religion. In the case of Spain, Sepulveda challenged the universalist notion that conversion to Christianity made the Indian a genuine member of a political community that was part of the Spanish Empire, and, hence, part of Christendom. Sepulveda was, in the first place, challenging the notion of a universal community of fellow believers as being of primary relevance in a

political sense. He was, as well, emphasizing a distinction between religious virtue and a sort of civic virtue. Sepúlveda's Democrates alter has always been controversial, and was, in fact, suppressed in his own time. Among recent commentators, the controversy has continued. Hamilton, for example, comments that "The only well-known work in our field which seems to have been totally suppressed in the period was Sepúlveda's Democrates Alter [Secundus], which argued that the Indians of the New World were natural slaves, and was suppressed on grounds of a moral disapprobation which we might well share today."[26] Hamilton observes that Sepúlveda "...believed that there were two kinds of natural law: the one common to men and animals (including such things as self-defence, procreation, &c.) and that peculiar to rational and civilized nations, among whom Spain was the most excellent. The gentes humanitiores had therefore not only the task of interpreting the natural law, but of imposing it, if necessary by force, on reluctant barbarians: a natural aristocracy implied natural servitude."[27] Pagden notes that Sepúlveda based his argument heavily on Aristotle's theory of natural slavery.[28] It is Pagden's view that "Sepúlveda was far from being the enlightened humanist many of his historians have tried to make him."[29] Whatever the merits of Sepúlveda's logic, Pagden finds his rhetoric disturbing. Pagden remarks that "The acerbity of this language --- the use of images of

inversion, commonly reserved for witches and other deviants, and of such descriptive terms as homunculus, which suggests not only stunted growth but, since homunculi were things created by magic, also unnatural biological origins, the persistent reference to animal symbolism, monkeys, pigs and beasts in general --- was intended to create an image of a half-man creature whose world was the very reverse of the 'human' world of those who by their 'magnanimity, temperance, humanity and religion' were the Indians' natural masters."[30] Fernandez-Santamaria, in contrast, provides a relatively sympathetic portrait of Sepúlveda. He remarks that "...it is often argued that Sepúlveda, on the basis of Aristotle as his sole authority, declares the American natives to be slaves by nature. I do not agree with this interpretation."[31] In his view, Sepúlveda's position is "... one which denies the civility of the Indians while simultaneously rejecting the idea that they are naturally slaves."[32] The Augustinian-Thomistic tradition has always existed in contrast to notions that religious virtue and civic virtue were identical in the sense of Eusebius, Vives or Valdés, or entirely distinct in either the sense of Tertullian or of Sepulveda. Through the work of thinkers like Victoria, Soto, Molina, Suárez and Covarrubias, the response influenced the evolution of the just-war tradition in two ways. Of this group, Victoria was most influential.

As a Thomistic theologian, Victoria (Francisco de

Vitoria) was instrumental in the introduction of the works of Saint Thomas Aquinas as texts for university teaching. Victoria's consideration of the status of the Indians of America led him to examine fundamental issues of politics. Like Aquinas, Victoria saw human nature as being by nature social and political. In Victoria's view, the pre-Columbian native communities were genuine political communities, and the natives were human beings in all essential senses. The relation, then, between Spain and these political communities at the time of discovery by the Europeans was the same, in his view, as the relation between different states. This would place limits on the means by which war might rightfully be conducted. Johnson observes that Victoria "...writes in such a way as to counter claims that make of just war theory a theory of ideological war. He relies on natural law categories both as a way of making the somewhat disparate medieval claims consistent within a single theory and as a way of denying to the holy war apologists the right to reason from just war categories."[33] With regard to the native Americans, Pagden remarks that "...by insisting that it was education that was responsible for the Indian's behaviour, Vitoria had effectively liberated him from a timeless void of semi-rationality and set him into an historical space where he would be subject to the same laws of intellectual change, progress and decline as other men are, be they Christian or non-

Christian, European or non-European."[34] With Victoria, there came new attention to issues of morally acceptable means, the jus in bello issues. Prior to this period, a number of restraints on the conduct of war had come to be recognized as part of the chivalric code or as part of the Peace of God or Truce of God. These conventions on restraints on conduct in war came to be integrated into the just-war tradition by writers like Victoria and Suárez. Subsequently, they came to form part of what we know as international law. With Saint Augustine, with Gratian, and with Saint Thomas Aquinas, the emphasis of the just-war tradition had been more on the jus ad bellum. Closely related to this was the second development. Working within a natural-law tradition, Victoria, in order to incorporate into the just-war tradition these conventions on restraint in war, had to conceive of these practices that had come to be recognized commonly among nations (law of nations or jus gentium) as being in some sense with certain reservations a concretization of the implications of human nature or natural law. Johnson writes that:

> We have become accustomed, erroneously, to think of a Christian just war doctrine, including a statement of criteria for going to war (jus ad bellum) and one of criteria for fighting wars (jus in bello), which dates back to Augustine of Hippo. But, in fact, by the time of Thomas Aquinas Christian tradition specifically contained only a few almost random selections from Augustine and other early writers on the jus ad bellum, and nearly nothing at all on the jus in bello.

> These were contained in the Decretum of Gratian, a document of canon law, and Thomas appears to have drawn his own teaching on war directly from Gratian. While the jus ad bellum was relatively well developed here, the jus in bello of Christian doctrine consisted only of a short list of persons (those having some religious function) who should not participate in war or have war made on them. Parallel with this Christian just war doctrine there existed another one in the code of chivalry which bound all knights, the soldiers of the time. This chivalric law of war had a well developed ethics for fighting, but its jus ad bellum was virtually nonexistent. The story of just war theory in the late Middle Ages is one of the gradual amalgamation of these religious and secular war ethics, together with a later contribution from an emergent secular jus gentium expressing the "common law" of Christendom, to form just war doctrine in its classic form. By the end of the Middle Ages this process of amalgamation was complete, and the resultant doctrine was neither religious nor secular but both; it was "Christian" in the sense that it was broadly a product of Christendom.[35]

This was what Victoria was engaged in in De Indis (On the Indians) and in De Jure Belli (On the Law of War). Of Victoria's importance, Johnson reflects that "...while Victoria's theory is developed in the context of Spanish-Indian confrontation, he does not limit its implications to that confrontation. Once a just war doctrine is developed out of a base in natural law, it applies to all men; in De Jure Belli this larger enterprise is clearly under way. It is this broader design, in fact, which makes Victoria's position so influential among secular just war theorists of the following century."[36]

Within the Christian tradition, the just-war tradition has influenced not only the Catholic but also elements in the Protestant tradition. In some ways, the thought of a Catholic just-war theorist like John Courtney Murray or William O'Brien resembles closely the thought of such realist thinkers within the Protestant community as Reinhold Niebuhr, Paul Ramsey and Kenneth Thompson.[37] While the Catholic and mainstream Protestant traditions are similar in their treatment of war-and-peace issues, the two are not identical. One is struck in reading Reinhold Niebuhr by the strong Augustinian influence. Perhaps Niebuhr's best known work is entitled Moral Man and Immoral Society: A Study in Ethics and Politics.[38] For Niebuhr, state and society are artificial constructs made necessary in this world by the continuing presence of sin. In the Catholic tradition, Augustinian pessimism becomes tempered to some degree by Thomistic optimism. Aquinas, following Aristotle, saw the political community as being natural, rather than artificial. In the following passage, although he does not refer to him by name, John Courtney Murray would seem to have Niebuhr in mind when he writes that:

> The Protestant moralist is disturbed by the gulf between the morality of individual and collective man. He is forever trying somehow to close the gap. Forever he fails, not only in doing this but even in seeing how it could possibly be done. Thus he is driven back upon the simplest category of 'ambiguity'. Or he sadly admits an unresolvable dichotomy between moral man and

> immoral society.
> I am obliged to say that the whole practical problem is falsely conceived in consequence of a defective theory. No such pseudo-problem arises within the tradition of reason --- or, if you will, in the ethic of natural law. Society and the state are understood to be natural institutions with their relatively autonomous ends or purposes, which are predesigned in broad outline in the social and political nature of man, as understood in its concrete completeness through reflection and historical experience. These purposes are public, not private. They are therefore strictly limited. They do not transcend the temporal and terrestrial order, within which the political and social life of man is confined; and even within this order they are not coextensive with the ends of the human person as such. The obligatory public purposes of society and the state impose on these institutions a special set of obligations which, again by nature, are not coextensive with the wider and higher range of obligations that rest upon the human person (not to speak of the Christian). In a word, the imperatives of political and social morality derive from the inherent order of political and social reality itself, as the architectonic moral reason conceives this necessary order in the light of the fivefold structure of obligatory political ends --- justice, freedom, security, the general welfare, and the civil unity or peace (so the Preamble to the American Constitution states these ends).[39]

Much of the discussion of the just-war and pacifist traditions will be applicable to most of the larger Christian denominations, but, because we are trying to understand the context in which the American Catholic bishops produced their Pastoral, where Catholic and Protestant traditions diverge we will emphasize the path taken by the Catholic.

In recent years, considerable discussion has taken place on the relevance of just-war theory for the treatment of contemporary issues. One consequence has been re-examination and re-statement of the principles of the just-war tradition. This is not to suggest that any substantive change has been undertaken, but rather that developments in philosophical analysis and in political history have resulted in some effort to explain just-war theory in terms of a contemporary understanding of issues of political ethics. Hartigan reflects that "Given the extreme relativity of raison d'etat, and in an attempt to ground an analysis of justified war on bases broader than the nation-state itself, the theory of bellum justum approaches international warfare with historical and cultural claims which cannot be lightly dismissed. They are based on a substantive tradition which has deep roots in our Western political heritage. The norms invoked have had long and common acceptance, and provide the core of the modern positive international law of war. Bellum justum is therefore worthy of a fairly detailed appraisal."[40] D. Thomas O'Connor takes the view that "...the rules of just warfare provide a rational framework for moral reflections on war.... The limitations of this moral tradition are quite apparent: These rules are seldom consciously observed in practice and they are difficult to apply in ambiguous circumstances. Indeed, nuclear power may have introduced a

qualitatively new era which will eventually require the elimination of military conflict altogether. But the just-war rules are presently necessary, if not sufficient, in a world where there is still war and rumours of war."[41] In such recent discussions, just-war theory is frequently expressed in terms of prima facie moral principles. The presumption against the use of force is seen as a moral principle which, within a specific context, is not an absolute but may be overridden in favour of observance of certain other moral principles. O'Connor remarks that "...the just-war tradition is best understood as various prima facie moral principles which emerged from both religious and secular reflection throughout the course of Western history. These moral guidelines gained a measure of public acceptance because they reflect human sensibilities about the need to limit warfare to potentially moral purposes."[42] Childress addresses the manner in which just-war criteria reflect prima facie moral principles, observing that "Both the notion of a prima-facie duty and the content of the duty not to injure and kill others illuminate the just-war criteria which are analogous to the criteria we use whenever we cannot fulfill all the claims upon us. An overridden prima-facie duty should continue to have an impact on the actors' attitudes and actions, for example, on the _jus in bello_ which also expresses other enduring duties and obligations."[43]

Historically, within the just-war tradition, one tends to find two distinct views of the enemy combatant. Some writers, such as Saint Augustine, saw the enemy as being essentially guilty of sin and evil. This view tended to encourage a punitive notion of war. Other writers, such as Saint Thomas Aquinas and Victoria, tended to see the enemy less in this sense and more in the sense of being an objective threat to a just order and to the innocent. This view tended to encourage a defensive notion of war, and this, rather than the more punitive notion, has come to be the notion associated with the just-war tradition. Whichever of these notions one chooses to adopt, the nature of modern war as total war complicates the traditional identification of the distinction between noncombatant and combatant with that between innocent and guilty. Some, such as Ramsey, see the principle of noncombatant immunity as being implicit in the thought of Saint Augustine.[44] Others, such as Hartigan, argue that the notion of noncombatant immunity was derived originally from the conventions surrounding the Peace of God and the chivalric code.[45] The importance of this question resides in it being the case that, if the former view is correct, then noncombatant immunity would seem to have the status of an moral principle under natural law, while, if the latter view is accurate, then noncombatant immunity is a convention which should continue to be observed so long as its observance is

consistent with the general good. The general good, in this case, is not to be confused with military expediency. Holding the former view are Ramsey,[46] Anscombe,[47] and Ford.[48] In contrast, Hartigan holds the latter view, and suggests that some re-thinking of the place of noncombatant immunity may be called for. He argues that "In light of considerably altered circumstances, however, it would seem proper to reexamine the principle of noncombatancy. Instead of enshrining this relative and expediential norm with an absoluteness that it does not and was never intended to possess, it may be recognized for what it is: a juridical determination that has its roots in customary development and expression and that in a past age was easily identifiable with an accepted ethical norm. If today its inherent practicability as a rule of limitation in modern warfare is doubtful, then either it ought to be reexamined carefully in order to make it applicable again, or it should be abandoned as no longer a suitable criterion for determining who in the concrete these innocent are who ought never to be killed directly."[49] Mavrodes similarly argues that "The immunity of noncombatants is best thought of as a convention-dependent obligation related to a convention which substitutes for warfare a certain form of limited combat."[50] Like Hartigan, Mavrodes recommends that the notion be re-examined. Johnstone, however, argues that a distinction should be made between the manner of the

historical origins and evolution of the notion, on the one hand, and its moral status as a norm, on the other. He maintains that "...granted the fundamental principle of the prohibition of the killing of the innocent, there are strong moral reasons for maintaining the principle of noncombatant immunity as a concrete, nonrelative specification of that principle."[51] The issue is, as yet, unresolved.

Aerial bombardment as a strategy and tactic has occasioned considerable debate. The problem arose that such a military means threatens not simply obvious combatants, but apparent civilians as well. Saint Thomas Aquinas applied the principle of double effect to the issue of the morality of warfare. The principle of double effect holds that an act may be morally acceptable if the good effect outweighs the bad, and if the evil effect is not directly intended, but is only incidental to the act. In other words, it may be moral, assuming all other conditions are met, for military action to be taken against enemy combatants, in spite of casualties among noncombatants who happen to visit the enemy camp, as long as the intended target is not the noncombatants but the enemy combatants. Victoria, in discussing the use of cannon to assault fortresses and fortified cities, cites the same principle in the case of noncombatants who happen to be present. Aerial bombardment poses several issues. What can be said about cases where noncombatant casualties may not be the intended

objective but such casualties may be reasonably foreseen? What can be said when it is alleged that, in modern warfare, entire societies are, in fact, mobilized in the war effort? How great a risk to noncombatants, or how high a level of casualties among noncombatants can be considered incidental, and hence morally acceptable? Such issues exist with conventional bombardment, and have been raised, for example, by Ford[52] and Anscombe.[53] Ford and Anscombe both express concern that the bombing of cities so necessarily results in civilian casualties of such a proportion that these casualties cannot be considered incidental. Ford, after reviewing the effects of aerial bombardment on Hamburg and Berlin, remarks "If these are the facts, what is to be said of the contention that the damage to civilian property and especially to civilian life is only incidental? Is it psychologically and honestly possible for the air strategist in circumstances like these to let go his bombs, and withhold his intentions as far as the innocent are concerned? I have grave doubts of the possibility."[54] Discussion of such issues had only just commenced, inspired by the use of conventional bombing in World War II, when the development of nuclear weapons made these issues even more pressing.

THE PACIFIST CHALLENGE

Since Saint Augustine, Catholic thought has emphasized

just-war theory. This emphasis has come under siege from historical, Scriptural and technological perspectives. Proponents of increased emphasis on pacifism have contended that pacifism and non-violence was the tradition of the early Church. The evidence is unclear. It is uncertain whether pacifism and non-violence demonstrated by a refusal to serve in the Roman armed forces was general or limited to certain cases, and it is uncertain whether refusal to serve was motivated by a belief in non-violence or by a concern about practices of idolatry in the army. Bainton argues that the early Church was pacifist. It is his view that "The early Church was pacifist to the time of Constantine. Then, partly as a result of the close association of Church and state under this emperor and partly by reason of the threat of barbarian invasions, Christians in the fourth and fifth centuries took over from the classical world the doctrine of the just war, whose object should be to vindicate justice and restore peace."[55] Cadoux suggests that "It is generally thought that, with the accession of Constantinus to power, the Church as a whole definitely gave up her anti-militarist leanings, abandoned all her scruples, finally adopted the imperial point of view, and treated the ethical problem involved as a closed question. Allowing for a little exaggeration, this is broadly speaking true."[56] A number of other writers express reservations about Bainton's and Cadoux's interpretation of the historical evidence.

As proponents of pacifism, Bainton and Cadoux attempt to put forward an argument that the early Church was pacifist, and that, in this, the early Church represents a model which should be emulated. Bainton's work and, to a lesser extent, Cadoux's is frequently used by pacifists as providing an historical basis for a critique of just-war theory. Recent scholarship severely questions the approach of Bainton and Cadoux. It is unnecessary to deem them to be guilty of any deliberate dishonesty to accept that their interest in using the historical record for purposes of building a case for a current political argument may raise some question of unconscious bias. In spite of differing viewpoints on the appropriate approach to contemporary problems of war and peace, Helgeland, Daly and Burns as historians share a common concern that the renewal of interest in the appropriate relation between the obligations of a Christian and the responsibilities of military service occasioned by the debate over the Pastoral among other factors places an onus on historians. They assert that "Biblical, patristic, and historical scholarship obviously owe this discussion not only the most accurate possible recording of the early church data on this topic, but also the most careful and critically contextualized interpretation of it. This, however, is a debt still unpaid. Most of those who have taken up the subject seem, consciously or unconsciously, to have done so more to

support already-held positions than to find out what the situation in the early church really was."[57] This concern is reinforced by the fact that recent scholarship finds the historical record to be rather less unambiguously pacifist than depicted by Bainton and Cadoux. Swift remarks that "...from the very outset there were problems in reducing early Christian teachings on this issue to a single point of view. Not only does the New Testament contain texts that are ambiguous or positively ill-suited to a pacifist outlook, but more than one of these passages could be interpreted in a quite opposite sense."[58] Swift points out that there was much less of a consensus of views on this issue within the early Christian community than Bainton and Cadoux assert. In this regard, Swift observes that "...on the basis of the Christians' own Scriptural traditions concerning war and military service in both the Old and New Testaments, and on the basis of their general view of the role of the state in society, there seems to have been insufficient grounds for a clear-cut Christian consensus on the legitimacy of war and violence. More importantly, perhaps, there appears to have been no pressing reason for coming to grips with the problem at all during the first two centuries after Christ."[59] It is clear that some Christians did serve in the Roman army. Some early Christian writers, such as Eusebius most prominently, saw this as a proof that Christians could be loyal citizens of the Roman Empire.

Others, such as Tertullian most prominently, expressed concern at the number of Christians in the army. Proponents of the thesis that the early Church was pacifist emphasize the writings of Tertullian. Recent scholarship has tended to see this emphasis by writers like Bainton as flawed by the tendency to consider Tertullian in a vacuum removed from his appropriate historical context. A thinker like Tertullian may well have something of relevance to contribute to twentieth-century debates. The problem, however, is that Tertullian like any thinker can be interpreted accurately only if the thinker is approached in a way that does not do violence to the historical context. Tertullian's concern about Christians in military life seems to be based on concern about the pervasiveness in military life of idolatry and Roman army religion, and on concern about the sort of questionable morality that military camps tended to inspire with camp followers. Recent scholarship tends to criticize Bainton and Cadoux for underestimating the importance of idolatry and Roman army religion as a factor in the criticism of military service by early Christians. Helgeland, Daly and Burns, in considering the writings of Tertullian, remark, "In conclusion, what should be said about the position that holds that Tertullian was a pacifist? First, a few statements about regretting killing in connection with the army do not add up to a pacifist stance. Some of the most ruthless generals have been known

to make such statements. Nowhere are these developed into an argument of any kind. In all the hundreds of pages of Tertullian's work one cannot find even one whole paragraph devoted to that topic. In view of the (to us) recondite topics he developed, it would seem that if he thought at all about pacifism he would presumably have written a great deal about it. Second, nowhere is there any statement that a soldier should not enlist because killing in combat is wrong. It would seem that one such statement, if not many, would be a necessary condition for establishing in Tertullian's theology a principle of Christian pacifism. Third, statements such as 'Christians would rather be killed than kill' have to be seen in their wider contexts in order to see that they were not uttered in any context dealing with the military (Apology 27.5); to use them to build or support a theory of Christian pacifism is totally irresponsible to the text."[60] As a critique of just-war theory, the argument that the early Church provides a model of Christian pacifism continues to exercise a certain influence among pacifists. Prior to Saint Augustine, writers like Tertullian expressed a certain view of the appropriate relation which the Christian should have to state and society which tended to be extremely cautious about the dangers to the Christian's faith posed by participation in the broader community, and thinkers like Eusebius expressed a view of the appropriate relation

between the Christian, and state and society which practically gloried in the earthly success of the Roman Empire, seeing in its success an unfolding of Divine Providence. In resisting both views, Saint Augustine saw just-war theory as part of an approach in which Christians could take on responsibilities within the community without compromising their faith.

In addition, proponents of an increased emphasis on pacifism and non-violence have criticized the just-war tradition in the light of such Scriptural injunctions as those embodied in the Sermon on the Mount. Schneiders, for example, declares that "We are called upon by the Gospel not merely to avoid aggression or conflict but to actively announce and bring about peace. If this peace is fullness of life as God's community living together in freedom from fear, and if the condition of both the possibility and realization of justice is such peace (cf. Jas. 3:18), it seems that we must raise serious questions about preparation for war even when such preparation is undertaken as a way of preventing war. The philosophy which regards preparedness for and willingness to engage in war as the best safeguard of peace is radically opposed to the Gospel of Christ."[61] Schneiders argues that "...the Gospel's contribution to our reflection on war and peace is neither accidental nor purely exhortatory. It is substantive and structural. The question is whether the dynamics of Christian discipleship

are reconcilable with the dynamics of national policy in the area of defense. If the answer is no, then those who call themselves Christians have hard choices to make. One of the most encouraging signs of the maturity and commitment of Christians in our time is that increasing numbers of Christians are making those choices and making it clear that the source of their convictions and their actions is the Gospel they profess."[62] Zahn argues that "What is really called for is a return to an earlier emphasis, the original emphasis which found the Christian ready to follow the Master's advice to give Caesar his due but, at the same time, required that he first make sure that what was demanded of him was really Caesar's due."[63] He reflects that:

> One is immediately faced with the question: Would it be 'prudent' or 'realistic' to expect individual Christians to willingly accept this grim prospect of retreat to the catacombs as the alternative to participation in an unjust war? Not today, I fear. Somewhere along the centuries we became spiritually 'soft'. We have forgotten that the price of being a Christian was never intended to be an easy price; that, on the contrary, the closer one gets to the Cross, the closer he gets to the ideal --- and the likelihood --- of actual martyrdom. Self-sacrificing love of God and neighbour seems to have lost its place as the first and greatest commandment to the more practical and all-justifying 'law of self-preservation.' At the same time, political freedom has moved so far up the scale of ultimate values that it is almost in bad taste to refer to the fact that Christ Himself was a member of an occupied nation and the Caesar whose image was on the coin

was a foreign oppressor.[64]

Like Zahn, James Douglass criticizes the just-war tradition from a pacifist perspective. Douglass asserts that "Inasmuch as war's central action of inflicting suffering and death is directly opposed to the example of Christ in enduring these same realities, the Church has reason for repentance in having allowed herself to become involved since the age of Constantine in an ethic which would justify what conflicts with the essence of the Gospel. But it is clear that the Constantinian Church is giving way, however reluctantly, to the Johannine Church, or the Church of Christ militant to the believing community of Christ crucified, and today the just-war doctrine even as an argument against war is fast becoming a relic for the Christian whose sense of his time and faith demands the fullness of the Gospel."[65] Douglass goes so far as to maintain that "The just-war doctrine is only an outstanding example of a traditional Catholic tenet of natural law which is contradicted by the Gospel."[66]

Christian pacifists tend to base their argument on a theology of history and eschatology. To the extent that the demands of good citizenship conflict with the demands of a devout Christian life, the devout Christian will be prepared to withdraw his/her political allegiance. For those who reject any resort to violence as inconsistent with Christian

faith, this may mean withdrawal as practised, for example, by Amish or Mennonite settlements, or a preparedness to claim status as conscientious objectors or to engage in civil disobedience. Zahn, for example, was a conscientious objector in World War II. Miller notes that "Christian pacifists usually develop their use of biblical materials by constructing a theology of history. Most Christians pacifists look to the cross as the meaning of history and argue that God is the sovereign agent who is directing history according to providential designs. Efforts to control the direction of history through human politics are bereft of trust in God's providential care. Insofar as just-war theorists place an uncritical trust in the machinations of statecraft to steer the direction of history, they lack patience and confidence in God's saving, sovereign purposes."[67] In noting the differences between pacifist and just-war thought, Johnson remarks that:

> Theologically, pacifists associate themselves with the transformed society of the New Age that is yet to come beyond history. They are able to adopt a laissez faire attitude toward this world because they place their faith utterly in the lordship of God, understood as manifest in condemnation of the sin of this aeon. Just war theorists, on the other hand, associate themselves with a theological position that affirms this world, even in its sinfulness, as part of the plan of God for salvation in which human beings can participate. To put the difference more starkly, pacifists look to God's saving them from this world, while just war theorists look to how they can cooperate with God in redeeming this world through love (as notably

> in Augustine's concept of the civitas terrenae gradually transformed into the civitas Dei).[68]

It is not that the adherent to the just-war tradition is less concerned with his/her obligations as a Christian, but rather that this tradition, to some degree, interprets these differently. Anscombe, for example, writes that "To extract a pacifist doctrine --- i.e. a condemnation of the use of force by the ruling authorities, and of soldiering as a profession --- from the evangelical counsels and the rebuke to Peter, is to disregard what else is in the New Testament. It is to forget St. John's direction to soldiers: 'do not blackmail people; be content with your pay'; and Christ's commendation of the centurion, who compared his authority over his men to Christ's. ...A centurion was the first Gentile to be baptized; there is no suggestion in the New Testament that soldiering was regarded as incompatible with Christianity."[69] It would only be fair to suggest that both just-war theorists and pacifists within the Christian tradition sincerely see their views as being consistent with a reading of Scripture.

Peace

The differences in emphasis and priority in the conceptions held of the nature of peace require clarification. In a passage quoted by the American Catholic

bishops in their Pastoral, the Pastoral Constitution on the Church in the Modern World expresses the traditional view of the Church that "Peace is not merely the absence of war. Nor can it be reduced solely to the maintenance of a balance of power between enemies. Nor is it brought about by dictatorship. Instead, it is rightly and appropriately called 'an enterprise of justice' (Is. 32:7). Peace results from that harmony built into human society by its divine Founder, and actualized by men as they thirst after ever greater justice."[70] Peace and justice are inextricably linked. Just-war theory sees justice as an essential element of true peace. Pacifism takes the view that true justice requires peace. Cardinal O'Connor, in a discussion of just-war theory, observes that "Of further significance to formulators of Just War tradition, both Catholic (as Saints Augustine and Thomas) and others (as Hugo Grotius), was a recognition of 'order' as an ideal in the universe, in the individual affairs of human beings, and in society. To such, justice was the primary arbiter of order, safeguarded as well by the other moral virtues of prudence, fortitude, and temperance, which helped to assure that very 'tranquillity of order' that Augustine called peace."[71] Weigel, in a book entitled Tranquillitas Ordinis, suggests that "...Augustinian political theory contained important resources for the subsequent reflections of a Church that would perennially have to cope with problems of moral

understanding similar to those addressed by Augustine. Foremost among these resources is the notion of peace as tranquillitas ordinis, the tranquillity of order. For Augustine, tranquillitas ordinis was a negative conception --- order keeps things from getting worse than they would be under conditions of chaos and anarchy. Yet Augustine's recognition of the place of public order in creating the conditions for the possibility of virtue is of cardinal importance to virtually all subsequent Catholic reflection on war and peace."[72] Weigel expresses concern that recent Catholic thought may be moving away from such a conception towards greater emphasis on other conceptions of peace also to be found in the Christian tradition, in particular an eschatological concept. According to eschatological notions of the "kingdom", the peace of Christ has been extended to all persons of good will. The just-war theorists would say that, with the end of historical time at the Second Coming, the civitas terrena will come to an end. In the meantime, the just-war theorists would point to the worth of such peace as can be available within earthly history as we wait.

There are pacifists, such as Hauerwas,[73] who insist that the foundation of the kingdom already exists, and who see just-war theory as an accommodation to worldly values. The American Catholic bishops' Pastoral, in a different passage from that in which it quotes the Pastoral Constitution, refers to peace as the security of a person,

as the ending of violent hostilities, as the relationship between a person and God, and as an "...eschatological peace, a final, full realization of God's salvation when all creation will be made whole."[74] The Pastoral indicates that "Among these various meanings, the last two predominate in the scriptures and provide direction to the first two."[75] In order to understand the Pastoral, one has to deal with two notions of peace --- one of peace as <u>tranquillitas ordinis</u>, one of peace as the realization of the kingdom.

ENDNOTES

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CHAPTER 4:

THE APPLICABILITY OF THESE TRADITIONS IN THE AMERICAN POLITICAL-STRATEGIC CONTEXT 1979-1983

How did the American Catholic bishops come to address the issues examined in The Challenge of Peace? There was, of course, a long tradition of concern about issues of war and peace. The immediate impetus, Castelli relates, came from three responses to a letter sent to American bishops from the general secretary of the National Conference of Catholic Bishops in August 1980 inquiring if there were any subjects that bishops would wish to have discussed at the meeting of the National Conference of Catholic Bishops in November 1980.[1] Auxiliary Bishop P. Francis Murphy of Baltimore, Bishop Edward O'Rourke of Peoria, and Archbishop John Whealon of Hartford separately raised the issue of nuclear weapons in letters responding to the letter from the general secretary. Discussion at the November 1980 meeting demonstrated the concern of a number of bishops about the issue. In January 1981, the new President of the Conference, Archbishop John Roach of St. Paul-Minneapolis, announced the formation of an ad hoc committee with the mandate of preparing a draft for debate at the meeting of the bishops in November 1982. At this point, discussion should turn to the broader context that served as a backdrop.

Strategy and Politics 1979-1983

The late 1970s and early 1980s have been characterized by a number of debates over Western strategic policy. With the Soviet invasion of Afghanistan, it was clear that détente was over. Combined with the Soviet strategic weapons build-up, this alarmed both "hawks" and "doves". "Hawks" were alarmed at the loss of American strategic superiority and its replacement by strategic parity or Soviet strategic superiority, depending on the assessment accepted. "Doves" feared the potential results of deteriorating East-West relations.

Various strategists have questioned the credibility of Assured Destruction as a strategy of nuclear deterrence. Such a strategy, it was argued, would result, in the event of the failure of deterrence, in an American President being faced by a situation in which he/she would have no other alternative but either surrender or general unlimited nuclear war. The difficulty reflects the inconsistency between preventing the outbreak of war by making the results of any recourse to war as terrible as possible, on the one hand, and limiting as much as possible the adverse effects of any potential war, on the other hand. The argument was made by some strategists that the lack of a more credible alternative to which a President might be less reluctant to resort jeopardized the operation of nuclear deterrence. It

was also argued that greater flexibility was needed. Harold Brown, who was Secretary of Defense in the Carter Administration, comments that "It is hard to believe that serious thinkers would really want the United States to respond massively and indiscriminately without considering the nature of the attack being responded to. If the Soviet Union were for some reason to launch an attack that included fifty nuclear weapons and killed 1 million Americans, would adherents of such a doctrine (if they survived) advise the President to launch an all-out attack that would kill 100 million Soviets and bring a Soviet response that would kill an equal number of Americans?".[2] Such logic led to the notion that effective deterrence requires war-fighting strategies.

Official policy shifted away from emphasis on Assured Destruction towards increased emphasis on the ability to respond to lower levels of conflict. Republican and Democratic administrations had been concerned that the stability of the strategic balance at the level of a potential strategic nuclear exchange might encourage the Soviet Union to be more aggressive in conflicts in areas outside American vital interests or at conventional-force or even tactical-nuclear levels. The result was the shift towards greater emphasis on Flexible Response and a countervailing strategy. Such a strategy presumed the capability to respond to aggressive behaviour at each level

with a symmetrical response (i.e., deterring conventional aggression with a conventional capability, tactical-nuclear with a tactical-nuclear capability, and so on), and escalation dominance or, in other words, the ability to control escalation from one level to another.

The adoption of a countervailing strategy was approved by President Carter in Presidential Directive-59 (PD-59), submitted to the President by National Security Advisor Zbigniew Brzezinski in May 1980, signed by Carter in July 1980 and announced by Defense Secretary Harold Brown in August 1980. Herken observes that "The new directive did indeed share some intellectual roots with the Schlesinger doctrine --- which itself had gone much further than McNamara had been willing to go in arguing that a controlled nuclear war was possible. But the principal difference between the old strategy and the new was PD-59's assumption that it was not only possible to fight such a war --- it was also possible to win it, perhaps decisively."[3] Brzezinski remarks that "The new directives were concerned with mobilization, defense, command, and control for a long conflict, and with flexible use of our forces, strategic and general-purpose, on behalf of war aims that we would select as we engaged in conflict. All of that, in my view, gave the United States a more coherent and more effective <u>doctrine of deterrence</u>, designed in keeping with both the capabilities and the doctrines of our potential opponent and

thus more likely to deter him effectively."[4] Slocombe suggests that the strategy's "...fundamental feature is the proposition that deterrence over the full range of contingencies of concern requires in an age of strategic parity that the United States have forces, and plans for their use, such that the Soviet Union, applying its own standards and models, would recognize that no plausible outcome of aggression would represent victory on any plausible definition of victory. In short, the policy dictated that the United States must have countervailing strategic options such that at a variety of levels of exchange, aggression would either be defeated or would result in unacceptable costs that exceed gains."[5] The Annual Report of the Secretary of Defense for fiscal year 1981, submitted by Harold Brown to the U.S. Congress on January 29, 1980, asserts that "There is no contradiction between this attention to the militarily effective targeting of the large and flexible forces we increasingly possess --- to how we could fight a war, if need by --- and our primary and overriding policy of deterrence. Deterrence, by definition, depends on shaping an adversary's prediction of the likely outcome of a war. Our surest deterrent is our capability to deny gain from aggression (by any measure of gain), and we will improve it."[6] Such a strategy emphasizes flexibility, the capacity to engage in a protracted conflict, and targeting of opposing forces and control

infrastructure.

The shift to a countervailing strategy has attracted some criticism. Lawrence Freedman, for example, suggests that "The political objective remained unclear: if the aim was to affect the course of a conventional military conflict already under way, why prolong matters and keep strikes limited? If the aim was to demonstrate resolve while still holding out the possibility of a negotiated settlement, would it be wise to target the Soviet leadership for if it were destroyed who could issue the orders to stop firing and with whom would one negotiate."[7] Robert Jervis suggests that the countervailing strategy represents an understandable but inevitably unsuccessful attempt to evade the legacy of the nuclear revolution, and to return to an age in which decisions about the use of military force were simpler. He argues that "...mutual assured destruction exists as a fact, irrespective of policy. No amount of flexibility, no degree of military superiority at levels less than all-out war, can change the fundamental attribute of the nuclear age. Not only can each side destroy the other if it chooses, but that outcome can grow out of conflict even if no one wants it to."[8] Jervis finds fault with the countervailing strategy because, in his opinion, it aims to avoid the dilemmas necessarily inherent in nuclear strategy. Jervis writes:

> There is something horribly irrational about

> a strategy which turns on the inherently uncertain possibility of unleashing the destruction that everyone wants above all to avoid. But without defenses that would repeal the nuclear revolution, this possibility cannot be excised. The countervailing strategy fails because it tries to escape from the resulting dilemmas. But if the realization that one must build a strategy on the risks and uncertainties inherent in nuclear bargaining can avoid many of the errors and dangers of current policy, it cannot bring back the rational relationship between force and foreign policy that previously existed.[9]

In spite of criticism, the shift to a countervailing strategy was made by the Carter Administration and accepted by the Reagan Administration.

This entailed a rather controversial commitment on the part of the Carter and Reagan Administrations to increasing levels of defense spending --- in particular in the area of procurement. "Hawks" tended to see Soviet policy as threatening, and strategic parity or Soviet superiority as potentially dangerous. "Doves" tended to be concerned that the Soviet threat was, in their view, being exaggerated. "Doves" and arms control supporters in general tended to see unfavourable omens in the failure of SALT II to win Senate confirmation, and in the election in 1980 of a President who had himself been critical of both détente and SALT II.

American nuclear strategy has traditionally been based on the notion of a strategic triad --- that is, a dispersal of the nuclear deterrent forces among air, sea and land-

based elements.[10] Each of these elements has traditionally had certain advantages. Land-based missiles have traditionally enjoyed greater accuracy than air or sea-based missiles. On the other hand, land-based forces have become increasingly vulnerable, and MIRV technology would make a first-strike against land-based ICBMs even more attractive, permitting one missile armed with multiple warheads to destroy several missiles on the ground, each armed with several warheads, except that the survival of less vulnerable air and sea-based forces deters such a first-strike. A good deal of debate has centred on proposals of the Carter and Reagan Administrations to introduce the MX as a response to the increasing vulnerability of the land-based ICBMs.[11]

The argument for the MX was premised on the notion that there existed or would exist at some point in the near future a "window of vulnerability", and the notion that flexibility was desirable and that land-based missiles possess advantages in certain respects for particular roles over air or sea-based missiles. One may argue that improvements in the accuracy of air and sea-based missiles have reduced some of the advantage traditionally possessed by land-based missiles and that any strike against the land-based ICBMs is effectively deterred by air and sea-based forces. The issue is complicated by asymmetries in rival force structures.

Frequently, the proposed MX has been justified on the grounds of the need for diversity. Harold Brown argues that "It is tempting to conclude that all the United States has to do is decide what strategic capability is required and declare that all forces beyond that level are unnecessary and wasteful. But there are too many uncertainties about the future size and capability of Soviet forces targeted to destroy U.S. retaliatory forces before they are launched or to intercept them before they reach their targets. Thus, decisions about kinds and numbers of such forces become judgments of some difficulty."[12] As a supporter of the pursuit of a nuclear war-fighting capability, Colin Gray, for example, is a strong supporter of the MX in some basing mode.[13] Proposed basing modes have varied from the MX-MPS (multiple protective shelters) to Dense Pack.

The MX has attracted its share of critics, as well. Cimbala sees fixed land-based missiles as obsolete under any circumstances. He maintains that "Given the accuracies of current and foreseeable Soviet and U.S. ballistic and cruise missiles, it is only a matter of time until both sides' fixed, land-based missiles become out-moded dinosaurs."[14] Hyland is skeptical about the so-called "window of vulnerability" and the need for the MX.[15] Hendrickson takes the view that the MX "...poses a counter-silo threat we should renounce and in its current basing mode does not solve the vulnerability problem."[16] These are examples of

the sorts of concerns, in addition to those about cost, that have been raised in regard to the MX.

American nuclear strategy is complicated by the commitment to the maintenance of extended deterrence --- that is, the deterring of potential attacks not only on the United States itself but, as well, of potential attacks against a number of allies. In 1979, NATO made the decision to adopt a dual-track policy in regard to redressing the imbalance in the European theatre in intermediate-range nuclear forces (INF). Simultaneously NATO would pursue efforts to negotiate withdrawal of intermediate-range nuclear forces on each side, and would deploy Pershing II and cruise missiles in Western Europe to offset, to some degree, the existing imbalance, pending completion of arms-control negotiations. The initiative came originally from Western European governments concerned about potential for decoupling of the American strategic commitment to Europe. Once the decision was reached, however, Western European public opinion became concerned about the possibility that World War III might take place on the territory of Western Europe.[17] In assessing the controversy, Pfaltzgraff suggests that:

> There has always been an uneasy coexistence, within the respective security perspectives of West European allies, between the hope that the threat to escalate to the nuclear level would be sufficient to deter, or prevent, the outbreak of another devastating war on European soil and the apprehension

> that, in the event of the failure of nuclear deterrence, a future war would be fought on European soil to the exclusion of the territory of the superpowers and that Europe would bear the brunt of the consequences of the failure of deterrence. The rise of such fear in Western Europe was symptomatic of a decline in the political trust upon which the Atlantic Alliance had been based at the outset as well as the heightened vulnerability of the United States to Soviet nuclear missiles, a condition that might lead to the "decoupling" of an American security guarantee from NATO-Europe. If the protests that erupted in the cities of most West European countries had as their immediate goal the prevention of the deployment of INF forces under American control, they bespoke the fundamental problem facing the United States and its West European allies, resulting from the erosion of the security consensus that had shaped NATO in its early years. Without being willing, or able, to replace the security guarantee provided by the United States in the Atlantic Alliance with a defense capability or an alternative security arrangement in strictly European hands, substantial segments of West European populations, if not the governments themselves, viewed with alarm the prospect that their security depended upon decisions over which they had little if any control.[18]

Calleo suggests that the experience raised doubts in both the United States and Europe, remarking that:

> NATO's attempt to resolve the situation, the so-called Two-Track Decision of 1979, proposed negotiations, combined with a firm schedule for initiating deployment should the negotiations fail. The deadline was set for the end of 1983. By then, the Reagan administration was in its third year, and the Euromissile question had ballooned into a serious political crisis in Europe with significant reverberations in the United States. America's deteriorating strategic superiority revived the traditional transatlantic conflicts inherent in America's

> extended nuclear protectorate for Europe. As Europeans resurrected their traditional worry about superpower nuclear confrontation confined to Europe, dissident strategic experts in America, concerned over an unwanted nuclear escalation originating in Europe, began calling for a NATO "No First Use" policy. Instead of relying on nuclear weapons, they argued, NATO should develop a credible conventional deterrent.[19]

Strobe Talbott chronicles the efforts made in the early years of the Reagan Administration to pursue negotiations.[20] The Administration itself seems to have been somewhat divided between those, like Richard Perle, who opposed movement from the zero-option proposal to those, like Paul Nitze, participant in the so-called "walk in the woods" with Soviet negotiator Yuli Kvitsinsky, who were more prepared to consider proposals other than the zero-option.

In the early 1980s, many had doubts about the commitment of the Reagan Administration to the pursuit of arms control. Cold War rhetoric and past opposition on the part of Reagan and other members of the Administration to previous arms control agreements and proposals seemed ominous portents to many arms-control supporters. Foerster remarks that "In many ways, the Reagan administration has attempted to redefine the agenda of arms control, and in many respects it has succeeded in doing so. It is not so clear, however, that the redefinition will be as complete and as straightforward as hoped by the administration. There seemed, from the outset, to be a sense that a

rebuilding of strength would be the antidote to vulnerability, with strategic modernization and a return to new forms of arms control proceeding in sequence. As events evolved, however, the same vulnerability that drove the pursuit of strength also compelled deliberate moves in arms control. Indeed, the pursuit of arms control was necessary as a concomitant condition for the pursuit of military strength."[21] Talbott suggests "...Reagan and his Administration came into office not really wanting to pursue arms control at all. But two key constituencies wanted them to pursue it anyway: the West Europeans and, speaking for the American public, Congress. Both constituencies had leverage. The Europeans could block the deployment of new missiles in Europe; the Congress could thwart the Administration's ambitious plans to build up the nation's strategic defenses. In the longer run, of course, the American electorate could even deny Reagan reelection in 1984."[22]

There are a number of moral dilemmas inherent in the debate over strategic policy. Much of the discomfort over the implications of Mutual Assured Destruction inspired efforts to make the targeting of nuclear weapons more discriminating. Technological advancements during the seventies and eighties were conducive to this in that nuclear weapons became smaller and more accurate. In emphasizing flexible targeting, strategies like Flexible

Response and subsequently the countervailing strategy were based on a threat not to unleash indiscriminate force, but to apply force in a discriminate and limited way to militarily significant targets. Part of the impetus for such shifts in strategy reflected moral qualms about the implications of threatening assured destruction.[23] Wohlstetter, for example, argues that the Catholic bishops should support a strategy based on counterforce targeting.[24] The problem is that such strategies, by appearing to confine the potential impact of resort to use of nuclear weapons, may make resort to the use of force more likely. A degree of skepticism persisted among many that the actual ability to place limits on the use of nuclear weapons was uncertain. Bracken, for example, raises questions about whether command, control, communications and intelligence capabilities are adequate to such calibrated use of nuclear forces.[25]

Discomfort with the implications of Assured Destruction led to what Robert Tucker terms a "lapse of faith" in nuclear deterrence.[26] Deterrence came to be questioned by "hawks" and "doves". Strobe Talbott recounts the course of a meeting in February 1983 when President Reagan consulted the Joint Chiefs of Staff about the concept of strategic defence. Talbott writes that "The chief of naval operations, Admiral James Watkins, said that the United States had what he called a 'moral imperative' to keep up

the search for something better than mutual assured destruction. At that time, the American Catholic bishops were raising fundamental questions about the morality of deterrence. Watkins himself was a devout Catholic. A Navy White Paper on deterrence, drafted at his behest, asked whether it would not be better to save lives than to avenge them. Reagan said that he, too, had been thinking a lot about the 'immorality' of MAD."[27] The effort to develop a strategic defence, announced by President Reagan in March 1983, is another effort to escape the moral dilemmas inherent in Assured Destruction. Tucker remarks that "What began yesterday as a lapse of faith on the part of a protest movement, has today spread to encompass an administration. High officials who only yesterday dismissed proposals for a nuclear freeze as radical and utopian, today profess to find realism in a policy that points to the goal of a world that is rid altogether of nuclear weapons."[28]

Society and Politics

The notion of the "seamless garment" and "consistent ethic of life" called for by Cardinal Bernardin reflected a genuine concern with consistency and avoiding any appearance of hypocrisy.[29] It struck chords with various groups within the American Catholic Church for a number of reasons. It emphasized that the pro-life position of the Church represented more than an idiosyncratic or ad hoc position.

This stressed the centrality and morally imperative nature of a commitment to the defence of human life. It appealed, as well, to the Catholics, especially Catholic liberals, who were concerned that, in practical politics, an emphasis on restricting abortion tended to have the effect of separating Catholics from most political liberals, and to suggest at least an implicit endorsement on the part of the bishops of political conservatives and Republican presidential candidates. Some Catholics felt uncomfortable in principle with the appearance that, in emphasizing the pro-life position and the abortion issue, the Church was, in effect, endorsing, for example, the Reagan-Bush ticket. Others felt uncomfortable with the direction of the apparent endorsement. Many Catholics had taken part along with political liberals in the civil rights movement, in supporting anti-poverty programs and in opposing the war in Vietnam. Many Catholic liberals felt great anxiety about an issue like abortion on which the Catholic view, however consistent with the Catholic tradition, clashed with the views of many of their non-Catholic liberal colleagues. Some prominent Catholic liberals, like Robert Drinan and Charles Curran, are very obviously torn between liberal and Catholic loyalties.[30] Many Catholics, especially Catholic liberals, were made uncomfortable because emphasis on abortion as an issue might foster the appearance that the bishops were endorsing and being political bedfellows with

conservatives with whose views on other issues they might feel unsympathetic. Specifically, many were troubled because an emphasis on abortion as an issue might be taken as implying an endorsement of Ronald Reagan in 1980 and 1984, in spite of Reagan's views on social programs and foreign policy. The notion that a "consistent ethic of life" might be compatible with concern about issues like capital punishment, bioethics, and war and peace appealed to many who might be uncomfortable with a narrower one-issue focus on abortion. It also demonstrated that what was at issue was something more than a simple liberal versus conservative debate. It is observed by Hehir that "Few, if any, other national organizations join the bishops' position on abortion with their kind of critique of nuclear policy or their critique of U.S. policy in Central America."[31] Boyle comments that "Reverence for life plainly has implications for a wide range of issues --- from the conduct of war, capital punishment, self-defense, abortion and euthanasia to the production and distribution of food and other commodities and to such issues as gun control."[32] Bishop James Malone, President of the National Conference of Catholic Bishops at the time of the 1984 election, remarks that "These issues pertaining to the sanctity of human life itself are and cannot help but be matters of public morality. Evident in the case of war and peace this is no less true in the case of abortion, where the human right to

life of the unborn and society's interest in protecting it necessarily makes this a matter of public, not merely private, morality."[33]

It is noted by students of the role of religion in American society that, in regards to the participation of the Christian churches in debate over public policy issues, a number of changes have taken place in recent decades.[34] Traditionally, participation in this arena was dominated by the so-called mainline denominations, which meant traditionally the major Protestant denominations, excluding such groups as the fundamentalists and evangelicals. In recent decades, the fundamentalists have not only entered the arena of debate over public policy questions but have become one of the two most active elements among the Christian churches in this particular sphere of activity. Another development has been the acceptance of the Catholic Church as, from a sociological viewpoint, one of the mainline denominations. As the focus of mainline Protestant denominations has tended relatively to shift away from participation in debates over national policy and towards other spheres of activity, the most prominent participant in public policy debates from among mainline denominations has come to be the Catholic Church. The result has been that, when people think about religion and politics in the United States today, they tend to think about groups like the American Catholic bishops, the evangelicals and

fundamentalists like Rev. Jerry Falwell, and the Black churches, which continue to provide a focus for political activity within the Black community.

The American Catholic bishops have been most active in debates over abortion and foreign policy. When the SALT II treaty was before the Senate in the ratification process, Cardinal Krol of Philadelphia testified on behalf of the bishops and supported ratification. The support for the treaty was not unanimous among the bishops. A number of the so-called "peace bishops", including Bishop Gumbleton who subsequently served on the committee that drafted the Pastoral, opposed the treaty on the grounds that it failed to do any more than institutionalize and seek to legitimize an immoral arms race. Both views would influence the writing of the Pastoral.

The Process and the Product

Traditionally just-war theory has sought, pending the ultimate elimination of warfare, to limit recourse to war and to limit in certain ways certain means of conducting warfare. Traditionally this latter effort has been pursued by seeking ways in which force can be applied in a manner proportionate to the ends at stake and capable of discriminating between military targets and noncombatants. As we have seen, these basic norms came, as well, to be encompassed into the corpus of international law. We have

also seen that the disproportionate and indiscriminate nature of Mutual Assured Destruction has given policy-makers, whether in Democratic or Republican administrations, grave difficulties over its questionable morality and its strategic credibility as a threat, given the consequences of the execution of the threat in the event of a failure of nuclear deterrence. Successive administrations sought to produce strategic doctrines that would be both more clearly morally acceptable and more credible because they would be more discriminating in the application of military force.

The process that led to the drafting of the Pastoral was remarkable in that the bishops undertook much more extensive consultations with a broad range of opinion than had ever previously been the case with such a statement. The drafting committee consulted with policy-makers, former policy-makers, academics and representatives of various points of view. Whatever the influence of the Pastoral as a product of such a process, the process itself served as a model for the subsequent economics Pastoral. One of the most fundamental issues, on which, the bishops found, opinion was sharply divided, was the question of whether a limited resort to the use of nuclear weapons could be kept limited.

As non-experts, the bishops felt, faced with such a lack of consensus among technical experts, that they had to be prepared to err on the side of prudence. In their view,

it appeared to be uncertain whether a limited nuclear war could, in actual practice, be kept limited. It might be argued, as it is by Wohlstetter, that the logic of just-war theory would seem to call for some sort of strategy envisioning, in the event of a breakdown of deterrence, a deliberately limited application of force discriminating between military targets and noncombatants. The bishops, however, found themselves faced by a two-fold problem. In the first place, it seemed at best uncertain whether command, control, communications and intelligence (C3I) capabilities would be adequate in the event of an actual nuclear exchange to support such a precisely calibrated application of force. In the second place, the bishops were concerned, on the basis of the technical advice they received, that the pursuit of such a strategy by one side, regardless of the adequacy of C3I capabilities, might be destabilizing. If the United States pursued such a strategy, it might lead either American or Soviet policy-makers to consider that a first-strike capability might be achievable. This might give American policy-makers unwarranted confidence in the possibilities for nuclear brinkmanship and diplomacy. It might, also, encourage an earlier recourse to the use of nuclear weapons on the part of Soviet policy-makers in the event of a crisis in East-West relations than might otherwise be the case. To a greater extent than is the case with American strategic

forces, Soviet strategic forces are land-based. With MIRV technology, improvements in accuracy, and the increasing vulnerability of fixed-based missiles, the appearance of the pursuit of a first-strike capability on the part of American policy-makers could place great pressure on Soviet policy-makers in the event of a crisis to pre-empt an American first-strike. As well, the possibility would exist that the apparent pursuit of a first-strike capability by one side would encourage the other side to pursue a first-strike capability.

Nevertheless, the bishops were no more comfortable than anyone else with the implications of Mutual Assured Destruction, which, by definition, placed no emphasis on imposing limits to the application of force once a decision to resort to force was reached. The bishops were unable to devise an appropriate substitute for nuclear deterrence, pending the ultimate elimination of war, and the consequence was that the Pastoral places restrictions on the practice of nuclear deterrence but grants conditional acceptance to nuclear deterrence in principle. One difficulty is that it is not clear what sort of strategy of nuclear deterrence would be both effective and consistent with the restrictions set out in the Pastoral.

In the modern secular state, it is frequently assumed that the public (or political) realm belongs to the state, and that the role of religion is in the private (or

personal) realm. It is argued that, given religious pluralism, the role of religion should be limited to the sort of role typically referred to as "civil religion".[35] Whatever the validity of such an argument, certain issues inherently challenge such a distinction.

ENDNOTES

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35. For the notion of "civil religion", see Robert N. Bellah, "Civil Religion in America", Daedalus, Vol. 96, no. 1 (Winter 1967), also published in Robert N. Bellah, Beyond Belief, Essays on Religion in a Post-Traditional World, (New York: Harper and Row, 1970); Robert N. Bellah, The Broken Covenant, American Civil Religion in Time of Trial, (New York: A Crossroad Book, Seabury Press, 1975); and Robert N. Bellah and Phillip E. Hammond, (ed.), Varieties of Civil Religion, (New York: Harper and Row, 1980). In explaining the notion of "civil religion", Bellah writes that "What we have, then, from the earliest years of the republic is a collection of beliefs, symbols, and rituals with respect to sacred things and

institutionalized in a collectivity. This religion --- there seems no other word for it --- while not antithetical to and indeed sharing much in common with Christianity, was neither sectarian nor in any specific sense Christian. At a time when the society was overwhelmingly Christian, it seems unlikely that this lack of Christian reference was meant to spare the feelings of the tiny non-Christian minority. Rather, the civil religion expressed what those who set the precedents felt was appropriate under the circumstances. It reflected their private as well as public views. Nor was the civil religion simply 'religion in general'. While generality was undoubtedly seen as a virtue by some, ...the civil religion was specific enough when it came to the topic of America. Precisely because of this specificity, the civil religion was saved from empty formalism and served as a genuine vehicle of national religious self-understanding." - Robert N. Bellah, "Civil Religion in America", Daedalus, op. cit., p. 8; and Robert N. Bellah, Beyond Belief, op. cit., pp. 175-176.

CHAPTER 5:

THE AMERICAN CATHOLIC CHURCH AND DIALOGUE ON PUBLIC POLICY

When we speak of the Catholic tradition, we refer to something that includes both an institutional structure and a community of faith. For this reason, and because of their influence on the perspectives held by members of the institutional structure and community of faith, we must concern ourselves not only with such formal statements as found in papal encyclicals but also with the work of such prominent thinkers as Jacques Maritain, Etienne Gilson, and John Courtney Murray. The Pastoral reflects some of the same concerns faced by non-Catholic Christians, persons of other faiths and persons of no faith, but, like any text, it reflects the influence of a particular cultural outlook.

In its teaching, any church is necessarily concerned with two dimensions --- the transcendent and the immanent. The relation between the spiritual mission of the Church and its mission, whether as a formal institution or as a community of faith, within society is one that is constantly seeking definition. Each of the Christian denominations has had to deal with the issues of the interpretation and expression of the Christian revelation. The responses have varied in terms of the degree to which understanding of revelation can be mediated, and how it can be mediated in such a way as to make it relevant as a source of practical

wisdom. The early Church had to consider the compatibility of classical philosophy with Christian revelation. Saint Augustine admired much about classical culture even as he appreciated its inherent limitations from a Christian perspective. Saint Thomas Aquinas emphasized the reconcilability within the natural realm of reason with revelation, and of the legacy of Aristotelian philosophy with the Christian tradition. Recent decades have seen within the Catholic Church a greater openness to an outside world that is increasingly secular and pluralist, a revival of Scripture scholarship and of reading of Scripture, rather than commentary, and a reconsideration of the notion of sin to include, along with personal sin, social and societal sin.

In a number of pieces, Reverend J. Bryan Hehir reflects on both the process of consultation and dialogue surrounding the Pastoral and the concerns of the Church regarding the current international system. Questions of the use of force in international politics in a nuclear age pose a challenge for the Church. Hehir observes that:

> ...there are three distinct ethical questions that must be considered: the first has to do with the use of nuclear weapons. Are they simply more of the same, or must they be classified as something new? Secondly, the question of deterrence; here the dimensions are certainly new, but the final resolution is still uncertain. And then thirdly, there is the relationship of both of these aspects of the nuclear question to the larger question of an international order. Here the

> popes have gone back once again to their fundamental political argument, arguing that this new kind of danger to the world stems from a more general problem of the lack of an adequate international political system. In addition, they regularly condemn the investment of enormous human resources in military means when the human, social, and economic needs of the globe are so enormous and so increasingly obvious.[1]

Hehir refers, as well, to "...a move away from an exclusive concentration on the moral question of how you limit the use of force and toward a second position that can be described, for want of a better term, as the need to develop a positive theology of peace."[2]

American Catholic Thought

There has been a very active and influential peace movement within American Catholic circles. Dorothy Day and Peter Maurin, associated with the Catholic Worker movement, were notable figures. Thomas Merton was very influential. Merton wrote a good deal about the evil of war and the need for peace, and is frequently claimed by and cited by Christian pacifists even though he personally indicated being uncomfortable with the application of the term "pacifist" to himself.[3] Merton criticized the war in Vietnam, and died while exploring a Christian-Buddhist dialogue. Two of the most prominent pacifist writers in recent years have been Gordon Zahn and James Douglass. Zahn, in numerous articles and in books like War, Conscience

and Dissent, likens what he sees as the current accommodation of Christians to power politics to the conduct of German Christians during the Nazi regime.[4] Zahn himself was a conscientious objector during World War II. He reflects that "...encouraged though he is by the trend of the developing discussion and his confidence that the pacifist implications of the Christian faith will ultimately win their due recognition, the pacifist is also acutely conscious of the urgency of the need and the special responsibility borne by those who claim to subscribe to that faith."[5] James Douglass, in books like The Non-Violent Cross, A Theology of Revolution and Peace, depicts the just-war tradition as both inconsistent with the message of Scripture and inappropriate for an age of nuclear weapons.[6] Concern with issues of war and peace on the part of Catholics pre-dates considerably the Pastoral.

The most influential thinker in American Catholic circles in the years leading up to Vatican II and in the decade following in areas of public policy was unquestionably John Courtney Murray. Credited with inspiring the Declaration on Religious Freedom (Dignitatis Humanae Personae) of Vatican II, Murray was concerned with the relevance of Catholic values for America, and the relevance of the American experience for modern Catholicism. In the United States, a Catholic minority --- an immigrant Church composed largely of Irish, Italian, Polish and

Hispanic Americans --- had been accorded toleration, and then acceptance, and ultimately had become a part of America. The election of the first Catholic President, John F. Kennedy, in 1960 was symbolic. In 1928, the Catholicism of Al Smith had been a controversial issue in a way that Kennedy's, although it came up in the campaign as an issue, was not. By 1960, neither American Catholics nor non-Catholics questioned whether it was possible to be both a genuine American and a devout Catholic. Catholics in America no longer felt the same social pressures to prove their patriotism.

In 1960, Murray's best-known work, We Hold These Truths, Catholic Reflections on the American Proposition, was published.[7] The relevance of the American experience for the universal Catholic community, in Murray's view, was that Catholicism had survived and, indeed, thrived in a pluralist society in which Catholics were a minority. European history had witnessed wars over religion. Many European states had official churches. In France and Italy, liberalism and nationalism had become confused with anticlericalism. The American experience demonstrated that liberalism, nationalism, pluralism, Catholicism and religious freedom could all be compatible. Murray suggested that not only was such a view appropriate in terms of pragmatism and expedience for a minority church in the American context but that religious freedom arises out of

the very values that the Founding Fathers shared with the natural-law tradition that also guided Catholic thought. Democracy and religious freedom, for Murray, were not simply expedients. They had value in terms of natural law and human dignity. Murray saw the Catholic tradition as one of just-war theory and natural law. He is frequently cited by writers within the just-war tradition for his view that natural-law ethics requires the application of reason, and theological and philosophical rigour to consideration of moral issues. Weigel remarks that "A generation after his death, John Courtney Murray stands as the great theological synthesist of the American Catholic experience: the man who most creatively extended American Catholicism's development of the tradition of 'moderate realism' in its moral assessment of the American experiment, and in its understanding of how that experiment bore on the contemporary problem of peace with freedom."[8]

In his book Tranquillitas Ordinis, George Weigel puts forward the thesis that there existed within Catholic thought on war and peace a tradition of moderate realism in which peace in this world was seen to depend on a tranquillity of order derived from a right ordering of institutions that can be traced from Saint Augustine to Saint Thomas Aquinas to John Courtney Murray, and that this tradition has, in recent years, been, in effect, rejected in favour of unmediated reference to Scripture or the

interpretation of Scripture solely in light of the literature of one or another school of political, social or economic opinion.[9] It is Weigel's view that the American Catholic bishops' Pastoral suffers as a consequence of a neglect of the Catholic tradition. This tradition, according to Weigel, recognizes "...the moral necessity of politics."[10] It is Weigel's argument that "Classic Catholic moral theory understood the symbiotic relationship between war and politics. It not only looked to politics as the context in which the limit case of war could make rational and moral sense; it looked to the politics of tranquillitas ordinis --- the evolution of dynamic, rightly ordered political community --- as the answer to the moral problem of war."[11]

Of General Principles and Specific Applications

Avery Dulles notes the shift in teaching styles from the social encyclicals from Leo XIII on to Pius XII to certain statements of John XXIII, subsequent Pontiffs and Vatican II.[12] Nineteenth and early twentieth-century statements reflected a view of the Church as a societas perfecta concerned with salvation and the supernatural. The state and secular society was seen as paralleling, within its own legitimate distinct sphere, this societas perfecta in an imperfect way. From John XXIII and Vatican II on, greater emphasis has come to be placed on the notion of the

pilgrim Church. The latter view of Church tends more to the sense that, as pilgrims subject to the hardships of this world in the same way as others, Catholics have a responsibility to contribute to the dialogue aimed at solution of such problems as war and hunger.

The consequence has been the use of three different sorts of statements in such documents as The Challenge of Peace and Economic Justice for All, the 1986 Pastoral on the economy, in order to reach two audiences. Keeping in mind the intention to address non-Catholics in the context of the public policy debate, certain statements that were considered to be supportable by reason, regardless of faith, were included. With Catholics in mind, certain statements were included which reflected Catholic doctrine and indicated positions compulsory for devout Catholics. The tentative nature of certain other statements attempting to illustrate specific applications was recognized in both Pastorals. It is in regard to these specific applications that Dulles expresses reservations.

Dulles remarks that "The fundamental question in my opinion is not whether the bishops rely on secular sources for their ideas or even whether their policy recommendations are correct, but rather whether they ought to give detailed answers in controverted areas such as nuclear policy, taxation or welfare programs."[13] Dulles writes that "It is undoubtedly true that the bishops gain more national

attention by taking specific positions on contentious issues, but when one ponders the price of such specificity it becomes evident that there are good reasons for restraint."[14] He is concerned that the development of specific recommendations diverts time and energy away from more specifically ecclesiastical concerns into areas where the efforts of secular groups are simply duplicated, fosters the impression that the Church's mission is essentially wrapped up in secular issues, downgrading more spiritual concerns, and raises questions of competence when many bishops are dependent on the expertise of staff and a minority of the bishops. He worries, as well, that, in relying on theories about how moral ends may be achieved, the bishops are, in effect, propounding these theories as bishops when these particular theories have no special theological claim. The recognition that persons of good will may differ on technical issues fails to appreciate that Catholics may find expressing differences with the bishops awkward. Acceptance of differences may tend to undermine the bishops' authority and credibility on other matters where Catholic doctrine does not allow for such a variety of views.

Hehir responds to Dulles by defending the effort to generate specific policy applications, arguing that "...principles in isolation from the intrinsic complexity of the issues provide little sense of direction, less guidance,

and no capacity to cut into the density of socio-political discourse where decisions with significant moral content are made --- often without explicit moral testing."[15]

Of Churches and Sects

Troeltsch, in his well-known work The Social Teaching of the Christian Churches, identifies three types of religious organization --- the church type, the sect type and mysticism.[16] Mysticism, in this sense, refers to a particular sort of personal relationship with the Divine rather than to a form of organizational or institutional arrangement. Troeltsch concentrates on the church type and sect type. Church-type denominations have a mass membership, and enter actively into the world for the purposes of evangelization, ministry and the effort to encourage such peace and justice as may be available in this world. Traditionally this type of denomination has been the most active in attempting to influence public policy. The sect-type denominations have tended to withdraw from society in general, and to prefer more demanding requirements for membership. These models may be considered as sociological ideal-types. It is not necessary to assume that all denominations can necessarily be identified as pure cases of one or the other type. Indeed, a continuum may be imagined as extending from one to the other.

Throughout this study, it has been suggested that the

difference in perspective on the appropriate attitude for the Christian toward war has reflected even more fundamental differences on human nature, history and the appropriate relation between the faithful Christian and the political community. Three possible points of view have been identified, and have been associated with Saint Augustine, Eusebius and Tertullian. Of these three, the view of Saint Augustine and the just-war theory has traditionally dominated Catholic thought. Traditionally, Catholicism has been seen as epitomizing Troeltsch's church type. Rejecting both Eusebius' identification of political loyalty and religious faith as being practically synonymous, and Tertullian's abhorrence of any worldly distractions, Saint Augustine emphasized the responsibility of Christians, even as they were entirely aware of the imperfect nature of this world, to seek to foster peace and justice in this world. While recognizing the limitations of secular culture, Saint Augustine encouraged Christians to seek to contribute to the moulding of that culture into more just and more peaceful patterns. One corollary of this was that, if Christians were to have any influence in the shaping of public consensus, they would have to express themselves in a way that could be generally understood. Such a view clearly is consistent with Troeltsch's notion of the church type as being concerned with the evangelization and education of the world. Tertullian's and pacifism's concern with withdrawal

from worldly distractions, and with the avoidance of any accommodation with the worldly culture is clearly consistent with Troeltsch's depiction of the sect type. Additionally, the role played by eschatology in Christian pacifism is consistent with the emphasis on eschatology typical of the sect type. As well, the "peace churches", such as the Amish and Mennonites, have tended to take on the form of the sect type. Less concerned than the church-type organizations with shaping the public consensus, sect-type organizations have not felt the same need to express their views in a form accessible to the larger public. Again, the view associated with Eusebius, while it did not lead to a tradition, did influence the formation of the other traditions.

Of Church, State and Society

In writing their Pastoral, the American Catholic bishops sought to influence public debate on the issues of war and peace. The United States is a pluralist society, and constitutionally the government is founded on a separation of church and state. Hehir and McBrien would argue that the participation of the American Catholic bishops in the discussion of security policy was entirely consistent with such a constitutional tradition. Hehir argues that "Essentially, the separation clause holds that religious institutions should expect neither favouritism nor discrimination in the exercise of their civic or religious

responsibilities. Religious organizations must earn their way into the public debate by the quality of their positions, but the First Amendment is not designed to silence or to exclude the religious voice."[17] Hehir stresses the distinction between state and society, arguing that:

> First, the fundamental distinction between society and state supports the right and responsibility of religious groups to participate in the public arena; separation of the Church from the state can be firmly asserted without arguing that the Church should be separate from the life of society. Second, within the wider society the constitutional tradition reserves a crucial role for voluntary associations; these groups, organized for public purposes but independent of the state, play an essential role in a democracy. In the American political system, religious organizations are classified as voluntary associations. They bring the specific quality of a disciplined tradition of moral-religious analysis to bear on both personal and public issues. It is precisely this role that the Catholic bishops envisioned in writing the pastoral letter.[18]

McBrien, as well, emphasizes the distinction between state and society. Issues of morality and politics are not necessarily identical with issues of church and state, McBrien argues. He maintains that there is a fundamental difference between any church attempting to impose its own tenets on society at large in the absence of any public consensus favouring such tenets and their incorporation into law and/or public policy, on the one hand, and the effort of

any particular church to participate in the dialogue leading to the shaping of the public consensus, on the other. McBrien remarks that "Issues of church and state and of church and society, therefore, do not necessarily coincide with issues of religion and politics, nor do the latter necessarily coincide with issues of morality and politics. If someone urges an incorporation of moral values in public life, that person isn't necessarily making a case for religious values in public life. Similarly, if someone urges a wider role for religion in public life, that person's argument isn't necessarily limited to the role of the church in politics. Morality is broader than religion, and religion is broader than church. So, too, the church embraces more than its clerical minority."[19] Such views are consistent with the approach adopted by the bishops.

The bishops, as we have seen, sought to address both Catholics and the public at large. In so doing, they were attempting to play a part in the shaping of the public consensus. The Pastoral declares:

> 328. In a pluralist democracy like the United States, the Church has a unique opportunity, precisely because of the strong constitutional protection of both religious freedom and freedom of speech and the press, to help call attention to the moral dimensions of public issues. In a previous pastoral letter, Human Life In Our Day, we said: "In our democratic system, the fundamental right of political dissent cannot be denied, nor is rational debate on public policy decisions of government in the light of moral and political principles to be

> discouraged. It is the duty of the governed to analyze responsibly the concrete issues of public policy." In fulfilling this role, the Church helps to create a community of conscience in the wider civil community. It does this in the first instance by teaching clearly within the Church the moral principles which bind and shape the Catholic conscience. The Church also fulfills a teaching role, however, in striving to share the moral wisdom of the Catholic tradition with the larger society.
> 329. In the wider public discussion, we look forward in a special way to cooperating with all other Christians with whom we share common traditions. We also treasure cooperative efforts with Jewish and Islamic communities, which possess a long and abiding concern for peace as a religious and human value. Finally, we reaffirm our desire to participate in a common public effort with all men and women of good will who seek to reverse the arms race and secure the peace of the world.[20]

The selection of the audience to be addressed determined the form which the Pastoral would take, and the language to be used. Having made the decision to address both Catholics and the public at large, the bishops had to write the Pastoral in such a way that the message was accessible to both audiences.

Until Vatican II, John Courtney Murray was controversial in some American Catholic circles precisely because he encouraged Catholics to look outside the confines of their own religious community, and to attempt to participate in the dialogue shaping public consensus in the broader political and cultural milieu. This had two consequences. In the first place, by definition, Murray was

emphasizing a role for the Catholic community in the United States that strongly reflected Troeltsch's church type. In the second place, it follows from the choice of such a role for the Catholic Church in a pluralistic society like the United States that, if the Church was to be effective in addressing a larger audience, it had to be able to communicate its message in a language shared in common with that larger audience. The result was the attempt to put forward a public philosophy drawing on natural-law sources. Neuhaus contrasts Murray with those, whether Catholic or non-Catholic, who see a conflict between being a Catholic and being an American. America is a liberal society, and Murray in the forties and early fifties was criticized by some who saw a conflict between Catholicism and liberalism. Today, some Catholics suggest that Murray's views are <u>passé</u> in an era in which American values and policy are seen by those individuals as regressive. Neuhaus remarks that "John Courtney Murray had a 'transformationalist' vision of an authentic Roman Catholicism that, drawing on its intellectual and spiritual resources, might renew the American experiment in liberal democracy. The knowledge class in contemporary Catholicism has for the most part abandoned that vision and that project. Many of that class have turned against the American political experiment while, at the same time, seeking to transform Catholicism in the image of the liberal individualism that is so prominent in

the American ethos."[21] Neuhaus probably oversimplifies unfairly to some degree but he does touch an important point. In the forties and early fifties, Murray was regarded as very liberal in Catholic circles because, in a number of ways, he anticipated the opening-up to the modern world that was to come with Vatican II. In the seventies and eighties, he is regarded as having been conservative in his work at the reconciliation of Catholic and American liberal values. The relevance of this is that, within the just-war tradition, there was some range of enthusiasm about the Pastoral, especially at the time of the early drafts. On the one hand, some, like Novak and Weigel, saw in the early drafts especially a rejection of what Murray had attempted to do.[22] Neuhaus, who is actually a Lutheran minister who has written about Catholicism, would share that view.[23] On the other hand, Hehir, who worked with the drafting committee, sees himself as being in the tradition of Murray.[24] Pacifists, in contrast, would tend to see the rejection of the tradition of Murray as being a desirable thing.

Murray's approach has become controversial again because there has arisen some uncertainty and disagreement in American Catholic circles over just where the Catholic Church in the United States should seek to locate itself on the continuum between Troeltsch's church type and his sect type. This uncertainty is reflected not only in the

combining of just-war theory and pacifism within a single statement, but, as well, in the combination of forms and language. Hehir notes that the Pastoral does not discriminate between a natural-law ethic and an evangelical ethic.[25]

The just-war tradition has historically been expressed in terms of a natural-law ethic, and pacifism, in terms of an evangelical ethic. A natural-law ethic is conducive to Murray's notion of a public philosophy. Murray emphasized the distinction between state and society. The very separation of church and state found in the United States, and the respect for religious freedom in such a pluralist society, in his view, permits the Church to work to influence the shaping of consensus in that society, and requires the expression of ethical concerns in terms of a public philosophy suitable to traditions of reason and civility. An evangelical ethic is conducive to the view that both the just-war tradition, and Murray's emphasis on natural law and the development of a public philosophy represent an accommodationist approach to the role of the Church in the modern world. What is needed, according to this view, is a public theology. As well, most pacifists and those who prefer an evangelical ethic tend to feel uncomfortable about Murray's sympathetic treatment of the American experiment. In arguing their respective cases, the just-war theorist prefers to draw on a philosophical

tradition to state his/her case; the pacifist prefers invoking "signs of the times" and interpretation of Scripture unmediated through that philosophical tradition of natural-law discourse. The combination of the just-war tradition and pacifism has resulted in the Pastoral containing both an account of tradition, on the one hand, and reference to "signs of the times", on the other.

There is continuing debate over the merits of public philosophy and public theology as vehicles for the communication of moral concerns in a pluralist society. Coleman argues that greater emphasis on a public theology and increased reliance on the symbolic language of Biblical religion would be appropriate as part of an effort to shape what he refers to as an American strategic theology.[26] What is needed today, in his view, is a language sufficiently rich and evocative to overcome the individualism fostered by liberal philosophy and the sense in society that religion is essentially private, and to bring about a greater sense of communal solidarity. In a symposium on the legacy of John Courtney Murray, Coleman argues that a "...weakness in Murray's strategy for public discourse lies in the nature of the symbols he uses. There is a sense in which 'secular' language, especially when governed by the Enlightenment ideals of conceptual clarity and analytic rigor, is exceedingly 'thin' as a symbol system. It is unable to evoke the rich, polyvalent power of religious symbolism, a

power which can command commitments of emotional depth. The very necessity of seeking a universality which transcends our rootedness and loyalties to particular communities makes secular language chaste, sober, and thin. I wonder if a genuine sense of vivid communitas, in Victor Turner's sense of the term, is possible on the basis of a nonreligious symbol system."[27] Hehir, in contrast, defends Murray's notion of a public philosophy. In response to Coleman and others, Hehir reflects that "The very power and richness of an evangelical ethic, drawing upon the prophetic resources of faith and stating the social question in the language of a challenge to radical conversion, can make the careful systematic distinctions of a philosophical ethic seem to be meagre fare. Yet, the complexity of the major social issues we face, combined with the need to enlist allies who must be persuaded of both the justice and feasibility of specific proposals, requires the sophisticated structure of the kind of philosophically rigorous social ethic which the Catholic tradition has produced in the past. We must be convinced of the need for structured ethical discourse or we will fail to cultivate it in a manner appropriate to present conditions."[28] Especially in a pluralist society, there would seem to be a continuing requirement for attention to a public discourse of a philosophical nature if religious groups are to be able to exercise an influence in the shaping of public consensus and, ultimately, public policy.

Of Religion and Politics

In his recent work Religion and Politics in America, Fowler advances two theses. The first is that "Religion is, indeed, deeply intertwined with American politics and it is so to an extent that is not at first apparent."[29] Undoubtedly this is correct. The influence of religion is an important and a neglected aspect of the study not only of American politics, but of the study of Canadian politics and of the study of politics in general. The second thesis is that "...although religion and politics are intensely intertwined in the United States, the irony is that organized religion does not have a great deal of political influence. This judgment is one which the American public shares about religion in the culture as a whole and I have tried to argue that there is considerable truth to it, at least regarding politics."[30]

Fowler tends to write of religion and political influence in the narrow sense of the access to positions of authority and to the occupants of such positions enjoyed by specific religious organizations. In Fowler's view, it is religious pluralism that ultimately so diffuses religious influence on public policy that, in effect, it is not just diffused but defused. It is true that the American Catholic bishops and, for example, Rev. Jerry Falwell hold different views on American policy on such aspects of foreign policy

as East-West strategic relations and Central America. The fact that there may be no such thing on such questions as the religious point of view or even the Christian point of view or, for that matter, the Jewish or the Hindu or the Islamic point of view presumably does not mean that religious and religious-influenced points of view do not exercise any influence on the shaping of the public consensus that, in turn, influences the making of public policy. Ultimately, ideas do matter, and an argument like that of the bishops may have an influence, because of its very cogency and relevance, that extends beyond a specific religious community.

ENDNOTES

1. J. Bryan Hehir, "The Use of Force and the International System Today" in James A Devereux, S.J., (ed.), The Moral Dimensions of International Conduct, The Jesuit Community Lectures: 1982, (Washington, D.C.: Georgetown University Press, 1983), p. 97.

2. Ibid., p. 91.

3. See, for example, Thomas Merton, Faith and Violence, Christian Teaching and Christian Practice, (Notre Dame: University of Notre Dame Press, 1968); and The Hidden Ground of Love, The Letters of Thomas Merton on Religious Experience and Social Concerns selected and edited by William H. Shannon, (New York: Farrar, Straus, Giroux, 1985). The latter volume includes a letter from Merton to Dorothy Day dated June 16, 1962 in which Merton writes:

> ...It is true that I am not theoretically a pacifist. That only means that I do not hold that a Christian may not fight, and that a war cannot be just. I hold that there is such a thing as a just war, even today there can be such a thing, and I think the Church holds it. But on the other hand I think that is pure theory and that in practice all the wars that are going around, whether with conventional weapons, or guerrilla wars, or the cold war itself, are shot through and through with evil, falsity, injustice, and sin so much so that one can only with difficulty extricate the truths that may be found here and there in the "causes" for which the fighting is going on. So in practice I am with you, except insofar, only, as a policy of totally uncompromising pacifism may tend in effect to defeat itself and yield to one of the other forms of injustice. And I think that your position has an immense importance as a symbolic statement that is irreplaceable and utterly necessary. I also think it is a scandal that most Christians are not solidly lined up with you. I certainly am.
> - The Hidden Ground of Love, op. cit., p. 145.

4. Gordon C. Zahn, War, Conscience and Dissent, (London: Geoffrey Chapman, 1967). See also Gordon C. Zahn, German Catholics and Hitler's Wars, A Study in Social Control, (New York: Sheed and Ward, 1962).

5. Zahn, War, Conscience and Dissent, op. cit., p. 263.

6. James W. Douglass, The Non-Violent Cross, A Theology of Revolution and Peace, (New York: Macmillan, and London: Collier-Macmillan, 1968).

7. John Courtney Murray, S.J., We Hold These Truths, Catholic Reflections on the American Proposition, (New York: Sheed and Ward, 1960). See also John Courtney Murray, S.J., The Problem of Religious Freedom, Woodstock Papers No. 7, (Westminster, Maryland: Newman Press, 1965); and John Courtney Murray, S.J., "Religious Freedom" in John Courtney Murray, (ed.), Freedom and Man, (New York: P.J. Kenedy and Sons, 1965).

8. George Weigel, Tranquillitas Ordinis, The Present Failure and Future Promise of American Catholic Thought on War and Peace, (New York and Oxford: Oxford University Press, 1987), p. 110.

9. Weigel, Tranquillitas Ordinis, op. cit. See also George Weigel, "The Bishops' Pastoral Letter and American Political Culture: Who Was Influencing Whom?" in Charles J. Reid, Jr., (ed.), Peace in a Nuclear Age, The Bishops' Pastoral Letter in Perspective, (Washington, D.C.: The Catholic University of America Press, 1986).

10. Weigel, Tranquillitas Ordinis, op. cit., pp. 393 and 395.

11. Ibid., p. 394. For responses, see David Hollenbach, S.J., "War and Peace in American Catholic Thought: A Heritage Abandoned?", Theological Studies, Vol. 48, no. 4, (December 1987); John Langan, "Challenges to The Challenge of Peace: The Moral Debate on Nuclear Deterrence", The Washington Quarterly, Vol. 11, no. 3, (Summer 1988); Peter Steinfels, "The Heritage Abandoned?", Commonweal, Vol. 114, no. 15, (September 11, 1987); Peter Steinfels, "The Heritage Abandoned? Catholic Thought on War and Peace --- Part II", Commonweal, Vol. 114, no. 16, (September 25, 1987); Andrew Sullivan, "Cross Purposes", The New Republic, Vol. 196, no. 22, issue 3776, (June 1, 1987); and Jay P. Dolan, "Defining the Good Fight", New York Times Book Review, (April 26, 1987).

12. Avery Dulles, S.J., The Reshaping of Catholicism, Current Challenges in the Theology of Church, (San Francisco: Harper and Row, 1988), Chapter 9, "The Church, Society, and Politics".

13. Ibid., p. 175.

14. Ibid., p. 176.

15. J. Bryan Hehir, "Principles and Politics, Differing With Dulles", Commonweal, Vol. 114, no. 6, (March 27, 1987), p. 170.

16. Ernst Troeltsch, The Social Teaching of the Christian Churches, 2 vols., translated by Olive Wyon, (London: George Allen and Unwin, and New York: Macmillan, 1931). For a discussion of Troeltsch, see Richard P. McBrien, Caesar's Coin, Religion and Politics in America, (New York: Macmillan and London: Collier Macmillan, 1987), p. 18. For Troeltsch's definitions of "church" and "sect", see Troeltsch, op. cit., pp. 338-339.

17. J. Bryan Hehir, "The Context of the Moral-Strategic Debate and the Contribution of the U.S. Catholic Bishops" in Reid, (ed.), Peace in a Nuclear Age, op. cit., p. 155. See also Father J. Bryan Hehir, "Moral Aspects of the Nuclear Arms Debate: The Contribution of the U.S. Catholic Bishops" in Robert C. Johansen, (ed.), The Nuclear Arms Debate: Ethical and Political Implications, World Order Studies Program Occasional Paper no. 12, Center for International Studies, Woodrow Wilson School of Public and International Affairs, Princeton University, 1984.

18. Hehir, "The Context of the Moral-Strategic Debate and the Contribution of the U.S. Catholic Bishops", op. cit., p. 155.

19. McBrien, op. cit., pp. 27-28.

20. The Challenge of Peace: God's Promise and Our Response, A Pastoral Letter on War and Peace, May 3, 1983, National Conference of Catholic Bishops, Paragraphs 328 and 329.

21. Richard John Neuhaus, The Catholic Moment, The Paradox of the Church in the Postmodern World, (San Francisco: Harper and Row, 1987), pp. 280-281.

22. See Michael Novak, Moral Clarity in the Nuclear Age, (Nashville, Tenn.: Thomas Nelson, 1983); Michael Novak, "The U.S. Bishops, The U.S. Government --- and Reality", in Judith A. Dwyer, S.S.J., (ed.), The Catholic Bishops and Nuclear War: A Critique and Analysis of the Pastoral The Challenge of Peace, (Washington, D.C.: Georgetown University Press, 1984); Michael Novak, "Realism, Dissuasion, and Hope in the Nuclear Age" in Reid, (ed.), Peace in a Nuclear Age, op. cit.; and Weigel, Tranquillitas Ordinis, op. cit..

23. See Neuhaus, The Catholic Moment, op. cit., especially pp. 255-256.

24. See J. Bryan Hehir, "The Perennial Need for Philosophical Discourse" in David Hollenbach, S.J., (ed.), "Theology and Philosophy in Public: A Symposium on John Courtney Murray's Unfinished Agenda", Theological Studies, Vol. 40, no. 4, (December 1979).

25. J. Bryan Hehir, "From the Pastoral Constitution of Vatican II to The Challenge of Peace" in Philip J. Murnion, (ed.), Catholics and Nuclear War, A Commentary on The Challenge of Peace The U.S. Catholic Bishops' Pastoral Letter on War and Peace. (New York: Crossroad, 1983), pp. 79-81; and J. Bryan Hehir, "The Peace Pastoral and Global Mission: Development beyond Vatican II" in Joseph Gremillion, (ed.), The Church and Culture Since Vatican II: The Experience of North and Latin America, (Notre Dame: University of Notre Dame Press, 1985), pp. 106-108.

26. John A. Coleman, An American Strategic Theology, (New York and Ramsey, New Jersey: Paulist Press, 1982). It should be noted that Coleman is using the term "strategic" in an entirely different sense from what the term refers to in such connections as "strategic studies" or "military strategy" or "political strategy".

27. John A. Coleman, S.J., "A Possible Role for Biblical Religion in Public Life" in David Hollenbach, S.J., (ed.), "Theology and Philosophy in Public: A Symposium on John Courtney Murray's Unfinished Agenda", Theological Studies, Vol. 40, no. 4, (December 1979), p. 706.

28. J. Bryan Hehir, "The Perennial Need for Philosophical Discourse" in David Hollenbach, S.J., (ed.), "Theology and Philosophy in Public: A Symposium on John Courtney Murray's Unfinished Agenda", Theological Studies, Vol. 40, no. 4, (December 1979), p. 712.

29. Robert Booth Fowler, Religion and Politics in America, (Metuchen, New Jersey and London: Scarecrow Press and the American Theological Library Association, 1985), p. 317.

30. Ibid., pp. 317-318.

CHAPTER 6:

MORAL AND PHILOSOPHICAL ISSUES IN THE PASTORAL AND THE DEBATE OVER STRATEGIC POLICY

The Challenge of Peace represents an effort to address contemporary issues of peace and security in a manner that is both immediately relevant and consistent with a tradition that has its sources in the Christian revelation. The Pastoral seeks to encourage dialogue not only about nuclear strategy and defence policy, but as well about the range of issues raised and challenges posed by the modern international system. The Pastoral observes that "Preventing nuclear war is a moral imperative; but the avoidance of war, nuclear or conventional, is not a sufficient conception of international relations today. Nor does it exhaust the content of Catholic teaching. Both the political needs and the moral challenge of our time require a positive conception of peace, based on a vision of a first world order. Pope Paul VI summarized Catholic teaching in his encyclical, The Development of Peoples: 'Peace cannot be limited to a mere absence of war, the result of an ever precarious balance of forces. No, peace is something built up day after day, in the pursuit of an order intended by God, which implies a more perfect form of justice among men and women.'"[1] It points out that Catholic teaching "...accords a real but relative moral value to sovereign

states. The value is real because of the functions states fulfill as sources of order and authority in the political community; it is relative because boundaries of the sovereign state do not dissolve the deeper relationships of responsibility existing in the human community."[2] The Pastoral, as a means of bringing about peace and avoiding the calamity of nuclear conflict, and as a way of encouraging a greater degree of sensitivity in decision-making to the requirements of human needs on a global scale, speaks favourably about what it sees as a trend towards greater appreciation both on the part of policy-makers and on the part of social scientists of interdependence.

It is important to note that the arguments of the Pastoral on nuclear weapons should not be viewed in a vacuum. The Pastoral, for example, states that "While the nuclear arms race focuses attention on the U.S.-Soviet relationship, it is neither politically wise nor morally justifiable to ignore the broader international context in which that relationship exists. ...Important as keeping the peace in the nuclear age is, it does not solve or dissolve the other major problems of the day."[3] The bishops, it could certainly be argued, have not been altogether successful in communicating this point. A collection of commentaries on the Pastoral edited by Philip J. Murnion is entitled Catholics and Nuclear War.[4] James Dougherty's book on the Pastoral is entitled The Bishops and Nuclear

Weapons.[5] Jim Castelli's book is entitled The Bishops and the Bomb, Waging Peace in a Nuclear Age.[6] A collection of pieces on the Pastoral edited by Judith Dwyer is entitled The Catholic Bishops and Nuclear War.[7] A collection of pieces on the Pastoral edited by Charles Reid is entitled Peace in a Nuclear Age.[8] Certainly certain elements of the Pastoral attracted attention because they are controversial. It is probably fair to say that the commentators cannot bear all of the blame for a tendency to overemphasize certain elements of the Pastoral's argument at the expense of others. The bishops may have felt that certain elements of Catholic teaching had already been dealt with in such other documents as Pacem in Terris (Peace on Earth), the papal encyclical of Pope John XXIII; Populorum Progressio (On the Development of Peoples), the encyclical of Pope Paul VI; and such Pastoral Letters of the American Catholic bishops as Human Life in Our Day (1968) and To Live in Christ Jesus: A Pastoral Reflection on the Moral Life (1976). Nevertheless, the limited attention to the broader context of international relations and the order of the elements within The Challenge of Peace, with discussion of broader issues of world order coming only after extensive discussion of deterrence and arms control, leaves an impression that has given rise to some of the criticism which the Pastoral has received.

The Pastoral and the International System

The discussion of the international system and the treatment of the Soviet Union in the Pastoral represents one of its most ambiguous points. Davidson remarks that:

> In this comparison of the superpowers, the Soviet Union is described as a deceiving, imperialistic threat to humanity. Still, however, the assessment of the "Soviet threat" excludes significant reference to Soviet forces and weapons, and the threat is discussed after all judgments have been made concerning national security, defense policies, and the use of nuclear weapons. The structural arrangement of the pastoral letter implies, therefore, that either weapons systems and defense policy have little to do with the perceived threat to security, or nuclear weapons are a greater threat than the Soviet Union. William O'Brien points out that this is an erroneous application of just-war theory, to determine justifiable means prior to an assessment of the cause ('threat').[9]

Neither the pacifist nor the just-war theorist are likely to be satisfied. For the pacifist, the concern with the Soviet threat, and preparedness to resist a perceived threat with means including in some form conventional and nuclear deterrence would seem unnecessarily and unfortunately belligerent. For the just-war theorist, the apparent low priority assigned to such analysis and to concern in general with jus ad bellum issues would make it appear as some sort of afterthought. Rather than coming near the beginning or perhaps following discussion of the nature of peace, discussion of the international political system comes quite

late in the Pastoral. Rather than underlying the logic of the Pastoral, it is relatively brief and poorly integrated into the rest of the Pastoral. The Pastoral would have benefitted from a more thorough and better integrated treatment of international politics. Reservations about technical expertise do not seem to be at the root of the apparent shortcoming. Not being professional strategists or defence experts did not deter the bishops from making recommendations on specific policy questions. They do, however, state that "We speak as pastors, not politicians. We are teachers, not technicians. We cannot avoid our responsibility to lift up the moral dimensions of the choices before our world and nation. The nuclear age is an era of moral as well as physical danger. We are the first generation since Genesis with the power to virtually destroy God's creation. We cannot remain silent in the face of such danger. Why do we address these issues? We are simply trying to live up to the call of Jesus to be peacemakers in our time and situation."[10] The Pastoral goes on to state that "Peacemaking is not an optional commitment. It is a requirement of our faith. We are called to be peacemakers, not by some movement of the moment, but by our Lord Jesus. The content and context of our peacemaking is set, not by some political agenda or ideological program, but by the teaching of his Church."[11] For obvious reasons, the bishops did wish to avoid identifying the Pastoral too strongly with

a particular ideological program. They wanted to make the Pastoral a consensus document. The Pax Christi and other "peace" bishops, who would have liked a stronger critique of current American defence policy, held the view that a strong endorsement from the bishops' conference would both legitimate the arguments and heighten the impact of the Pastoral. Other bishops were concerned with avoiding the potentially divisive consequences of the debate. The Pastoral, as well, would be more influential in persuading people of various outlooks among the broader audience of Catholics and the general public if not identified with any particular ideological program.

The point is that war and peace need to be considered in some sort of context. The problem is that the farther this is pushed, the more the limitations of the effort to place together pacifism and just-war theory are apparent. For the pacifist, international politics is necessarily always power politics. Ironically perhaps, the exponent of a Bismarck-style _realpolitik_ or _raison d'etat_, as distinguished from a realist, and the pacifist have similar views of what the relation is between morality and power in politics. While realists would attempt in varying ways to relate morality and power, the advocate of _realpolitik_ would reject the claims of morality, and the pacifist would reject the claims of power. Both the exponent of _realpolitik_ and the pacifist see the exercise of power as being inherently

unrestrainable. Unlike the exponent of realpolitik or the pacifist, the realist or the just-war theorist would hold to the view that morality can moderate the potential excesses in the use of power. An appropriate analysis would have to begin with three levels of analysis --- the person, the nation-state, and the human community. In terms of political analysis, two aspects of the person are important. As we have already seen, in such documents as Pacem in Terris (Peace on Earth) and The Pastoral Constitution on the Church in the Modern World (Gaudium et Spes), there is an emphasis on the dignity due to the human person as a sacred and a rational being. We have also seen, for example in Saint Thomas Aquinas, that the person has traditionally been seen as by nature social. The nation-state, as a result, receives a conditional acceptance as being, on the one hand, a consequence of the social nature of human persons, a community aiming at the welfare and security of its members, and, on the other hand, an exclusive grouping that includes only some portion of the human community, on occasion resulting in competition, rivalry and insecurity. To the extent that the nation-state is conducive to the full development of the potential of each human person as a spiritual, familial, cultural and creative being, it can be worthy of great loyalty and respect. Patriotism, however, should not blind persons to the limitations of such a community. The same criteria applicable in the assessment

of a given nation-state are applicable in assessing the justice inherent in any international system.

Within the Pastoral, its own approach is described as "cold realism".[12] The pastoral recognizes the primary role played in international politics by independent sovereign territorial nation-states, and the particular position of dominance occupied by two superpowers profoundly divided by ideology and armed with nuclear weapons. This realism, however, is tempered with the sense that the introduction of nuclear weapons fundamentally alters the context in which international politics takes place, and by the view that living and coexisting in an era of nuclear weapons imposes a certain commonality of interests on the two superpowers. The Pastoral grants that "The fact of a Soviet threat, as well as the existence of a Soviet imperial drive for hegemony, at least in regions of major strategic interest, cannot be denied."[13] It also grants that "Americans need have no illusions about the Soviet system of repression and the lack of respect in that system for human rights, or about Soviet covert operations and pro-revolutionary activities. To be sure, our own system is not without flaws. Our government has sometimes supported repressive governments in the name of preserving freedom, has carried out repugnant covert operations of its own, and remains imperfect in its domestic record of ensuring equal rights for all. At the same time, there is a difference. NATO is

an alliance of democratic countries which have freely chosen their association; the Warsaw Pact is not."[14] The strengthening of this discussion in the third draft did alleviate some of the concerns raised by people like Michael Novak, William O'Brien and James Dougherty. Nevertheless, some concern persists because it took three drafts before the end, defence in the face of the Soviet threat, was really addressed, and because the treatment of the Soviet threat remains so poorly integrated with the remainder of the Pastoral. Novak, for example, writes that:

> I submit that the bishops undertook the proper task, but that they failed to ask, in terms of time and in a prudential sequence, the proper question. To a large extent (but not entirely), they asked the question, "What is the moral obligation of any nation 'x' that has nuclear weapons?" This might be Brazil, the Soviet Union, or any other nation. The bishops did not ask a specifically American question; instead, they inquired generally into the morality incumbent on any nation possessing nuclear weapons.
>
> The bishops' question is an important one, but in a certain sense it is atemporal, out of time. Certainly, it is a question that moral theologians and others ought to be addressing. But there is a much more urgent ethical question that if left unanswered will not permit us time to resolve the first question. This more urgent question is how, in the mid-1980's, is the Soviet Union to be deterred? In several key aspects, the Soviet Union now possesses the most powerful nuclear force in the world. In almost every area the Soviet Union is capable of taking an initiative to which we must be able to respond in order to survive. The next four or five years may be the most critical in the history of the Republic. Thus the more important question must be, How is nuclear

> war to be prevented, given who possesses nuclear arms? This is an urgent ethical and political question. It is also prior in the prudential order to the critical question the bishops do pose.[15]

Dougherty remarks that "Even though the pastoral letter is quite long, this author wishes it were longer in some respects and shorter in others --- longer in probing the meaning of traditional moral principles for today's international political-strategic environment and shorter on specific policy prescriptions."[16] O'Brien laments that "The closest that the 1983 Pastoral Letter comes to identifying the main threat that engenders Western nuclear deterrence and defense is in Part II.B.2, well after the analysis of the morality of nuclear deterrence and defense has been completed in Part II. A section on 'The Superpowers in a Disordered World', sandwiched in between a section on 'World Order in Catholic Teaching' and one on 'Interdependence: From Fact to Policy' touches briefly on some of the just cause issues. Obviously, it does not inform Part II very much either from the standpoint of the writing of Part II by the Bishops or the reading of the section by the faithful."[17] They are concerned that a preoccupation with means (jus in bello) has obscured the issue of ends (jus ad bellum). Others, most notably pacifists and nuclear pacifists, found the strengthening of this discussion in the third draft to be disappointing. Geyer, for example,

remarks that "... the pastoral's third and final drafts added half a dozen rather shrill paragraphs of anti-Soviet, pro-NATO sentiment."[18] The consequence is that this is one of the areas in which consensus-building has been especially difficult, and in which the consensus tends to break down.

The "cold realism" is also tempered by the effort to draw attention to the need to recognize the relevance of interdependence in other aspects of global politics. The bishops declare that "The moral challenge of interdependence concerns shaping the relationships and rules of practice which will support our common need for security, welfare, and safety. The challenge tests our idea of human community, our policy analysis, and our political will. The need to prevent nuclear war is absolutely crucial, but even if this is achieved, there is much more to be done."[19] The bishops caution that attention to East-West issues should not obscure the urgency of North-South issues for the future of peace and justice in the world. In the Pastoral, the bishops remark that:

> 259. While the nuclear arms race focuses attention on the U.S.-Soviet relationship, it is neither politically wise nor morally justifiable to ignore the broader international context in which that relationship exists. Public attention, riveted on the big powers, often misses the plight of scores of countries and millions of people simply trying to survive. The interdependence of the world means a set of interrelated human questions. Important as keeping the peace in the nuclear age is, it does not solve or dissolve the other major

problems of the day. Among these problems the pre-eminent issue is the continuing chasm in living standards between the industrialized world (East and West) and the developing world. To quote Pope John Paul II:

> So widespread is the phenomenon that it brings into question the financial, monetary, production and commercial mechanisms that, resting on various political pressures, support the world economy. These are proving incapable either of remedying the unjust social situations inherited from the past or of dealing with the urgent challenges and ethical demands of the present.

260. The East-West competition, central as it is to world order and important as it is in the foreign policy debate, does not address this moral question which rivals the nuclear issue in its human significance. While the problem of the developing nations would itself require a pastoral letter, Catholic teaching has maintained an analysis of the problem which should be identified here. The analysis acknowledges internal causes of poverty, but also concentrates on the way the larger international economic structures affect the poor nations. These particularly involve trade, monetary, investment and aid policies.[20]

The theme of interdependence comes up again in discussion of the relationship which some have suggested exists between disarmament and development. In this regard, the bishops observe that:

269. It is in the context of the United Nations that the impact of the arms race on the prospects for economic development is highlighted. The numerous U.N. studies on the relationship of development and disarmament support the judgment of Vatican

> II cited earlier in this letter: 'The arms race is one of the greatest curses on the human race and the harm it inflicts upon the poor is more than can be endured.'
> 270. We are aware that the precise relationship between disarmament and development is neither easily demonstrated nor easily reoriented. But the fact of a massive distortion of resources in the face of crying human need creates a moral question. In an interdependent world, the security of one nation is related to the security of all. When we consider how and what we pay for defense today, we need a broader view than the equation of arms with security. The threats to the security and stability of an interdependent world are not all contained in missiles and bombers.
> 271. If the arms race in all its dimensions is not reversed, resources will not be available for the human needs so evident in many parts of the globe and in our own country as well. But we also know that making resources available is a first step; policies of wise use would also have to follow. Part of the process of thinking about the economics of disarmament includes the possibilities of conversion of defense industries to other purposes. Many say the possibilities are great if the political will is present. We say the political will to reorient resources to human needs and redirect industrial, scientific, and technological capacity to meet those needs is part of the challenge of the nuclear age. Those whose livelihood is dependent upon industries which can be reoriented should rightfully expect assistance in making the transition to new forms of employment. The economic dimension of the arms race is broader than we can assess here, but these issues we have raised are among the primary questions before the nation.[21]

The consequence is that the theory of international relations expressed in the Pastoral emphasizes both realist concerns with security in an essentially anarchic

international system in which such concerns are further heightened by a nuclear arms race and by a profound ideological conflict between East and West, and issues arising from increasing evidence of interdependence between East and West, North and South, and rich and poor.

The Pastoral recommends a shift from reliance on nuclear deterrence towards emphasis on conventional deterrence. One advantage that nuclear deterrence has is that it is relatively inexpensive. As far back as the 1950s, this has been considered to be one of its most attractive features.[22] The effect of the recommended shift would be to require greater spending on defence, rather than less. Only if such a shift could be followed by a shift altogether away from the existing sort of international politics to the sort of nonviolent conflict resolution also recommended might defence costs decline. Strangely, given that its recommendations would, at least in the short-term, lead to increased defence spending, the Pastoral seems to assume a relationship between disarmament and development, and to assume that disarmament would release resources for development.[23] Henriot emphasizes the redefinition of security implicit in the linking in the Pastoral of disarmament and development.[24] Although it would be disputed by Henriot, it seems to be the case that this section is not among the Pastoral's finest moments. Johnson asserts that "It needs to be said clearly: we cannot move

away from the present dependence on nuclear arms without a replacement for them --- and this replacement is likely to cost more rather than less. Part of the reason we still have a nuclear deterrent, in spite of the moral consensus against its use that antedates the present bishops' letter by twenty years, is that as a society we have not wished to pay the costs of alternative means of defense. Perhaps we are now prepared to do so. But if we are, we had best not muddy the water by thinking of saving military money; a morally legitimate defense is likely to cost more than our current morally illegitimate deterrent."[25] To advocate simultaneously a course that would entail increased defence spending and a course based on reduced defence spending is an obvious inconsistency. The Pastoral, at times, swings between the immediately practical and the ideal. In granting the requirements for security as a legitimate objective, the Pastoral does permit certain means. Ideally such means of defence would be unnecessary. It would have been more convincing if the Pastoral had conceded that, pending fundamental change in the system of international politics, difficult issues will remain.

The Pastoral and Nuclear Deterrence

Robert W. Tucker observes that "We are nearly all believers in deterrence if only for the reason that once we seriously admit nuclear war as a distinct historical

possibility, we conjure up not only a very dark landscape but also one in which our accepted categories of political and moral thought no longer seem relevant."[26] The question becomes one of whether, in fact, the relevance of traditions does persist in spite of changes in the international milieu. This is the issue which the bishops seek to address --- the possibility of limits to the use of force in a nuclear age. Tucker's concern with the Pastoral arises from his view that it contributes to what he terms a "lapse of faith" in nuclear deterrence. He examines the Pastoral in the light of a concern with the declining faith in the legitimacy of nuclear deterrence as a strategy, remarking that "What the bishops have done is to tie a moral theory to a particular view of deterrence. The principles governing the just conduct of war have been linked to a strategic doctrine. As between those who believe that deterrence follows very largely from the existence of nuclear weapons and those who believe a credible theory of use must be developed if deterrence is to be assured, the bishops have plainly decided for the first. Having done so, they have also endowed their chosen view with minimal moral acceptability while judging as morally unacceptable the alternative view."[27]

There is some range of opinion among interpreters on whether this is, in fact, the message of the bishops, and on whether, if it is, it is a sound approach. Winters, for

example, shares Tucker's interpretation of the bishops' position but does not share Tucker's concern with its implications. In examining the Pastoral, Winters suggests that "It settles for a deterrent policy that combines a conventional force ready for use in certain circumstances with a nuclear force whose use has been renounced. Such a combination of factors, they judge, is the necessary and sufficient condition of security in the nuclear age. Nothing else is adequate to defend our security; nothing more is militarily required nor morally acceptable."[28] Johansen is of the view that only the requirements of political credibility and influence kept the bishops from declaring nuclear deterrence to be completely unacceptable. He remarks that "The point is not that any party exerted unwarranted influence on the authors of the letter, but that the U.S. bishops understood the powerful political arguments for stopping short of an explicit declaration that nuclear deterrence simply cannot meet the minimum requirements of a _just_ war. Yet that conclusion is surely where the letter leads."[29] This perception has raised question about the Pastoral's consistency both among those, like Okin,[30] who would have preferred the bishops to have taken their concerns to the point of rejecting nuclear deterrence altogether, and those, like Tucker and Epp,[31] who would have preferred, if the bishops were to grant conditional acceptance to nuclear deterrence, the arguments in the

Pastoral to be more clearly supportive of the position. Epp, for example, writes that "Given the evidence applied to this point in the letter, it is not apparent, above all, why the bishops are reluctant to advocate unilateral nuclear disarmament when the force of their analysis has suggested that it is the weapons themselves which threaten mankind. We can only assume that there are other compelling reasons for the interim conditional moral acceptance which they enunciate, but these are only vaguely alluded to."[32] Krauthammer is unhappy with the apparent inconsistency, and with the impression, which he shares, for example, with Tucker, Winters and Quinlan, in spite of their differences on nuclear deterrence in general, that the bishops permit only a purely existential deterrent --- that is, deterrence by the mere possession of nuclear weapons following renunciation of the threat of use.[33] Krauthammer is critical of the Pastoral, calling it "...a sorry compromise, neither coherent nor convincing. It is not coherent because it requires the bishops to support a policy --- deterrence --- that their entire argument is designed to undermine. And it is not convincing because the kind of deterrence they approve is no deterrence at all. Deterrence is not inherent in the weapons. It results from a combination of possession and the will to use them. If one side renounces, for moral or other reasons, the intent of ever actually using nuclear weapons, deterrence ceases to exist."[34]

In contrast, Russett provides a different interpretation. Russett, who acted as consultant to the bishops, writes that "The bishops' normative and factual assumptions thus lead them, in terms of the familiar policy debates over deterrence, to the conclusion that, while the need for military deterrence cannot be evaded in a world of conflicting states, relatively lower levels of threat are adequate and a shift to lower levels is required. Lower but adequate levels of threat mean no 'city-busting' and no first-strike capability; extended deterrence of conventional attack can succeed without reliance on nuclear threats; and rewards, as well as punishments, must play a key role in any acceptable deterrent posture."[35] He comments that "...the extremes of unilateral disarmament and even of <u>nuclear</u> pacifism seem undesirable, and full mutual nuclear disarmament really does seem improbable."[36] In response to an article by Winters, Russett maintains that "... while a primary purpose of the bishops was to build barriers to the use of nuclear weapons, they deliberately left ambiguous the question of whether there are any conceivable morally justifiable conditions under which they may be used."[37] In reply to an article by Keith Payne, Russett also seeks to refute the interpretation that the bishops adopted a position accepting possession of nuclear weapons but rejecting any and all conceivable use under any and all circumstances.[38]

Recent years have witnessed increasing dissatisfaction across the political spectrum with nuclear deterrence. Deterrence itself is an ambiguous concept suggesting, as it does, a condition or situation regardless of whether such a condition or situation results from any deliberate policy, a strategy based on the creation or maintenance of a condition in which the decision-making patterns of a rival or potential rival are so influenced that such a rival or potential rival is dissuaded from certain aggressive behaviours, or a strategy based explicitly on the creation or maintenance of a condition in which material obstacles so raise the costs of potential aggressive behaviours as to make costs exceed potential gains. Some tend to speak of nuclear weapons themselves as deterrents. Others tend to make a distinction between the weapons themselves, which they see as means or instruments, and deterrence itself, which they emphasize is most fundamentally a psychological concept. Like the notion of balance of power, deterrence is an ambiguous concept. In its sense as a strategy or policy, it has been challenged strongly, as Tucker points out, by both "hawks" and "doves."

The use of civilian populations as nuclear hostages poses issues of both morality and credibility. Hoekema makes the observation that "Credibility is an especially troublesome requirement in the case of threats of massive retaliation, for it is widely recognized that the enormity

and the immorality of the consequences threatened undermine the threat's credibility."[39]

A number of issues arise. What, if any, circumstances might justify the use of nuclear weapons, weapons which seem by their nature to defy traditional notions of limits in war? When might the use of nuclear weapons be considered a proportionate response? The intention of responding to the possible breakdown of deterrence by retaliating against civilian populations raises problems in terms of discrimination. If nuclear strategy were to be adjusted to complete reliance on counterforce targeting, it might relieve some of the concerns about discriminating between combatants and noncombatants, but difficulties would remain. In the first place, targeting of military and military-related targets would, in the event of an actual nuclear exchange, result in a massive number of civilian casualties, whether or not civilian populations as such are actually targeted. Can such potential casualties be considered acceptable as collateral damage? In pursuing such a strategy, policy-makers would be acting deliberately in the knowledge that these civilian casualties would be an outcome of an actual nuclear exchange. From the perspective, then, of the morality of the intentions of policy-makers, would a strategy of counterforce targeting resolve the difficulties inherent in a strategy of counterpopulation targeting? A further problem with reliance on counterforce targeting,

threatening as it does a rival or potential rival's retaliatory capacity, is that it may be destabilizing. For Western thinkers and decision-makers across the political spectrum, deterrence in an era of approximate strategic parity raises serious moral and strategic problems. Is a threat to use nuclear weapons credible, especially in the sense of extended deterrence, in the light of the consequences of any such actual use? Few of any political persuasion would question the essentially irrational and immoral nature of nuclear war. Research on the possibility of nuclear winter contributes to the concern about deterrence, as does the vulnerability of ICBMs and other land-based missiles. The notion of holding civilians as, in effect, nuclear hostages, whether by means of a strategy based on either counterpopulation or counterforce targeting, strains both most standards of what is morally acceptable and what is considered to be credible. As a consequence, there has been what Tucker terms a "lapse of faith" in deterrence that has led to advocacy of such potential remedies as disarmament, on the one hand, and strategic defence, on the other, as means by which reliance on nuclear deterrence can be rendered obsolete.

It is evident that there is a considerable concern among social scientists and philosophers about these issues and that discussion of such issues has increased in recent years. Several journals, for example, have devoted issues

to the topic, including Ethics, The Monist and Social Philosophy and Policy.[40] For the philosopher, this is not only an area in which he/she can contribute to the elucidation and clarification of issues, but it provides a concrete opportunity for the philosopher to speak directly to questions of politics. For the strategist, it is an opportunity to contribute his/her technical expertise to the discussion of fundamental political questions. Together these works give a view of an area which is receiving increasing attention, and attracting some of the most outstanding scholars in the humanities, and in the physical and social sciences.

An issue on which these writers are divided is that of the requirements for adequate deterrence. Kenny, like Winters and Sterba, for example, sees the mere possession of nuclear weapons without any intention of using such weapons under any circumstances as being by itself sufficient.[41] According to this view, even following explicit renunciation of any intention to use, any rival or potential rival is likely to be dissuaded from aggressive behaviours by an element of uncertainty. Although prepared to accept that such an existential deterrence would have some deterrent value, Kavka is inclined against the desirability of such an approach on the grounds that it might be less reliable than forms of deterrence based on a conditional intention to retaliate, it might as a result lead to a first-strike by an

aggressor, and, as long as the weapons exist, it is entirely possible that in the face of aggression the policy might be changed and the weapons used.[42] The consequences might be, Kavka argues, to put civilians on both sides in more jeopardy, rather than less. William O'Brien is especially skeptical about the likely effectiveness of any strategy of deterrence based solely on possession of nuclear weapons without any conditional intention to retaliate, arguing that:

> The most crucial single issue in the debate over the efficacy and morality of nuclear deterrence is whether it is possible to fight a limited nuclear war with morally permissible means if deterrence fails. No amount of emphasis on the subjective, or perception, dimensions of deterrence can erase the fundamental importance of the war-fighting contingency that is immanent in the deterrent posture. Since no deterrent posture can be assured of perfect success indefinitely, every deterrent must be based on credible war-fighting intentions and capabilities --- unless it rests on a colossal bluff. There is no free lunch in nuclear deterrence. To profit from a credible nuclear deterrent, a nation must be willing to prepare for and face the serious contingency of nuclear war.[43]

In O'Brien's view, effective deterrence requires an intention and a capability to retaliate if deterrence were to fail. Nye remarks that "Deterrence is bound to continue to be based on a mixture of calculated and inherent considerations. So long as that is true, the usability dilemma will remain. And so long as that dilemma remains,

it will be important to protect against unlimited means by convincing leaders, the public, and other nations that nuclear weapons must never be treated as normal weapons."[44] The reader looking for clear-cut solutions will be disappointed, but that may be inevitable. As a problem, deterrence combines profound difficulties with the urgency and stakes literally of a life-and-death situation.

The responses to the Pastoral's treatment of the morality of nuclear deterrence include some which see that treatment as consistent and some which see it as inconsistent. In particular, Kavka, Okin, Boyle, Quinlan, Krauthammer, Dougherty, Wohlstetter, Payne and Mack question the consistency of the Pastoral's treatment of nuclear deterrence. McGray remarks on the widespread perception of inconsistency but seems to find a fundamental consistency. In finding a fundamental consistency, McGray is joined by Bundy, Winters, Russett, Tellis, Bouscaren and Luttwak. It should be noted, however, that members of this latter group differ sharply among themselves on what it is that they see as the consistent message of the Pastoral about nuclear deterrence.[45] Within each of these groups are those who are pleased with the treatment as they interpret it and those who have concerns. Some see nuclear deterrence as being morally unacceptable, and are pleased or displeased with the support or lack of it for this view that they see in the Pastoral. Winters, for example, is prepared to accept a

purely existential deterrent without any conditional intention, and interprets the Pastoral as supporting this position.[46] Boyle, on the other hand, views any form of nuclear deterrence as being unacceptable, and criticizes the Pastoral for its support of deterrence.[47] Others, who see nuclear deterrence in a more favourable light, see the Pastoral as either supporting or undermining the strategy of nuclear deterrence. Russett, for example, sees as appropriate certain forms of nuclear deterrence that would be more restrictive than current strategic plans, and finds the Pastoral to be expressing such a view.[48] Quinlan and Krauthammer see the Pastoral as inconsistent and as, ill-advisedly in their view, undermining commitment to a strategy of nuclear deterrence.[49] Some, who support a shift towards more of a counterforce strategy or towards strategic defence see the logic of the Pastoral as implying support for one or both of these shifts in spite of what they see as the inconsistent reservations of the Pastoral about a counterforce deterrent and strategic defence. Wohlstetter, for example, sees the logic of the just-war tradition as implying the advisability of a shift towards a counterforce strategy.[50] Payne and Mack feel that the Pastoral should have endorsed a shift towards strategic defence.[51] What, then, is the logic of the Pastoral's treatment of nuclear deterrence? Is it sound?

The problem is this. Everyone agrees that an actual

nuclear war would be terrible. Contrary to some supporters of unilateral disarmament, there is no real contention about this point. Supporters of nuclear deterrence entertain no more illusions on this point than do critics. Critics of nuclear deterrence adopt one or both of two lines of argument. One holds that the existence of nuclear deterrence makes nuclear war more likely. The other holds that nuclear deterrence based on a conditional intention to use nuclear weapons is wrong regardless of probable consequences because it constitutes an intention to commit an immoral act. The critic of nuclear deterrence may adopt the view that the end of the avoidance of nuclear war is of such urgency that it must have priority over the defence of values given the risks attached to each possible consequence with and without nuclear deterrence, and/or the view that a strategy of nuclear deterrence is inherently unacceptable regardless of consequences. Advocates of a shift towards a counterforce deterrent or towards strategic defence see such a shift as a means of avoiding the problems in terms of discrimination between combatants and noncombatants, or between combatants and innocents inherent in a policy like Mutual Assured Destruction (MAD). In their view, a means of responding to aggressive behaviour without violating criteria of discrimination and proportionality would be both moral and credible. The supporter of nuclear deterrence is likely to hold that a strategy of nuclear deterrence serves

two objectives --- that of providing an effective means of defending values and that of preventing nuclear war. In contrast to the critic of nuclear deterrence who sees such a strategy as likely to increase the risk of nuclear war, the supporter of the strategy of nuclear deterrence sees the maintenance of such a strategy as likely to prevent nuclear war. In addition to the ethical issue of whether the conditional intention to use nuclear weapons is inherently immoral regardless of its likely effectiveness in deterring those aggressive behaviours that might lead to a nuclear exchange, there is an analytical issue of the probabilities of various consequences of such possible courses of action as unilateral disarmament, existential deterrence, deterrence by threat of mutual assured destruction, counterforce deterrence and strategic defence.

It should be noted that the bishops explicitly avoid expressing a condemnation of nuclear deterrence. In Paragraphs 188, 189, 190 and 191, they place limits on the morally acceptable forms which nuclear deterrence might take.[52] These include condemnation of preparations for fighting an extended nuclear war, and of the pursuit of strategic superiority rather than sufficiency. The bishops express concern over weapons systems that might have a first-strike capability or which might reduce the threshold between conventional and nuclear weapons. They endorse the pursuit of arms control negotiations for the halting of

development of new weapons systems. As well, they support the negotiation of deep cuts in arsenals, and the strengthening of command and control. The latter reflects a fundamental concern that even a limited exchange might escape control. This skepticism about the ability of powers to keep limited nuclear exchanges limited leads the bishops to express grave reservations about any use of nuclear weapons. Paragraph 192, in setting out the bishops' position on nuclear deterrence, states:

> 192. These judgments are meant to exemplify how a lack of unequivocal condemnation of deterrence is meant only to be an attempt to acknowledge the role attributed to deterrence, but not to support its extension beyond the limited purpose discussed above. Some have urged us to condemn all aspects of nuclear deterrence. This urging has been based on a variety of reasons, but has emphasized particularly the high and terrible risks that either deliberate use or accidental detonation of nuclear weapons could quickly escalate to something utterly disproportionate to any acceptable moral purpose. That determination requires highly technical judgments about hypothetical events. Although reasons exist which move some to condemn reliance on nuclear weapons for deterrence, we have not reached this conclusion for the reasons outlined in this letter.[53]

As we have seen, the interpretation of Winters and Johansen, on the one hand, differs quite sharply from that of Russett.[54] The Pastoral expresses grave skepticism about potential ways of using nuclear weapons on the grounds that uncertainty exists about whether escalation can be avoided,

and that even uses in which civilian populations are not directly targeted as such would seem to entail such a degree of indirect or collateral damage as to be inconsistent with either proportionality or discrimination between combatants and noncombatants. It does not, however, categorically reject in principle any and all possible forms use might conceivably adopt. Reverend J. Bryan Hehir, secretary of the Department of Social Development and World Peace of the United States Catholic Conference and adviser to the drafting committee, observes that the Pastoral leaves "... a centimeter of ambiguity regarding the general question of the use of nuclear weapons."[55] In terms of the question of interpretation, it would seem clear that Russett's interpretation is both truer to the text of the Pastoral and consistent with the intentions of the bishops. Winters' argument that the Pastoral implies a purely existential deterrent with an explicit renunciation of any use of nuclear weapons is not consistent with the text. McGeorge Bundy's argument that the logic of deterrence itself implies that deterrence is necessarily existential can still be made. Unlike Winters, Bundy's existential deterrence is not founded on a renunciation of any intention to use, but on the notion of a difference between procurement plans for an adequate deterrent and procurement plans for war-fighting.[56] While Winters advocates renunciation of any intention to use, Bundy is arguing that no strategy of deterrence can say

with certainty what course would be followed if deterrence itself fails. The bishops do not set out an acceptable strategy of nuclear deterrence. Rather, they reject certain forms such a strategy might take, and insist that the onus is on those who would propose a strategy to demonstrate its compatibility with _jus in bello_ criteria. While the bishops do not necessarily adopt Bundy's position, it is not inconsistent with the Pastoral. Russett's interpretation is consistent with the text. Although the Pastoral expresses certain reservations about use and deterrence, and places the onus on those who would propose strategies to demonstrate their compatibility with _jus in bello_ constraints, it does not categorically rule out either nuclear deterrence or even use. While the Pastoral does not identify any acceptable strategies, it does not exclude the possibility that such strategies might conceivably be devised. Contrary to certain critics of the Pastoral, the Pastoral's treatment of nuclear deterrence is essentially consistent.

Several possible responses to the issue of the morality of nuclear deterrence should be noted. For the pacifist, who objects to preparation for the possible use of force as a means of instituting a peace founded on a balance of fear, nuclear deterrence is unambiguously unjustifiable. The logic of the just-war tradition, however, can lead in any of a number of directions. The nuclear pacifist argues that

nuclear weapons so violate _jus in bello_ criteria as to render unacceptable reliance on nuclear weapons as part of a strategy of deterrence. Some just-war theorists, such as Michael Walzer, express concern about various of the implications of nuclear strategy but ultimately find nuclear deterrence to be at least contingently justifiable on the grounds of necessity. Some, such as Kenny, Winters and Sterba, find acceptable a strategy of deterrence based solely on possession of nuclear weapons. However, some, such as William O'Brien, find both the possession of nuclear weapons and a conditional intention to use them in the event of a breakdown in the operation of deterrence to be consistent with the logic of just-war theory. It should be noted, as well, that O'Brien bases his argument on the view that critics of nuclear deterrence within the just-war tradition emphasize the issues raised by _jus in bello_ criteria to a disproportionate degree to the neglect of _jus ad bellum_ considerations. In other words, O'Brien does not see Walzer's resort to an argument of necessity and supreme emergency to be necessary for the acceptance within the just-war tradition of a strategy of nuclear deterrence. Any effort to come to terms with the ethical dimensions of nuclear deterrence has a number of strains within these traditions that can be drawn upon.

In _Just and Unjust Wars_, Walzer distinguishes between reason of war, on the one hand, and necessity, on the other.

Acts of war that cannot be justified otherwise, Walzer argues, may be justifiable in cases of genuine necessity. As a consequence, the implication, according to Walzer, is that "Utilitarian calculation can force us to violate the rules of war only when we are face-to-face not merely with defeat but with a defeat likely to bring disaster to a political community. But these calculations have no similar effects when what is at stake is only the speed or the scope of victory."[57] He permits such a justification of emergency only reluctantly, concerned that it might encourage a "sliding scale" that would erode or undermine the restraints on the use of coercive force entailed by the just-war theory. The notion of a "sliding scale" would imply that the more just a cause, the fewer restraints need be observed. There are four possible courses. One possible course would be to set aside restraints on war in favour of a utilitarian approach. Another possible course would be a "sliding scale." A further possible course would require that restraints be observed under any and all circumstances. The fourth possible course would permit overriding restraints in cases of genuine emergency. Walzer is troubled by the implications of nuclear weapons. For Walzer, nuclear deterrence can be justified only by the genuine necessity entailed by a "supreme emergency." Walzer asserts that "Nuclear war is and will remain morally unacceptable, and there is no case for its rehabilitation.

Because it is unacceptable, we must seek out ways to prevent it, and because deterrence is a bad way, we must seek out others. It is not my purpose here to suggest what the alternatives might look like. I have been more concerned to acknowledge that deterrence itself, for all its criminality, falls or may fall for the moment under the standard of necessity."[58]

Walzer's work has inspired much discussion. Bull, for example, speaks highly of Walzer's interest in "Recapturing the Just War for Political Theory", but suggests that success in this endeavour may require discussion of a more fundamental nature than that in which Walzer engages.[59] Hollenbach finds Walzer's discussion ambiguous, leading him to ask "Is it based on a utilitarian moral theory, or is it really a suspension of morality itself? If the former is the case, he must bid adieu to the principle of noncombatant immunity as a relevant moral criterion in the current nuclear debate. Such an outcome would undermine his entire project of rethinking and developing the just war tradition as an expression of a human rights ethic. If, on the other hand, he sees it as a suspension of morality, then there is little point in discussing the ethics of nuclear strategy at all. In either case, a wide chasm has been opened up between the traditional ethics of warfare and the contemporary policy arguments."[60] Langan observes that "... as Walzer himself senses, the invocation of the notion of

supreme emergency to legitimate a semipermanent feature of the international landscape is highly paradoxical. This is especially true if we recall what he says in his general treatment of supreme emergency about the imminence of the threat if we are really to have a situation of supreme emergency."[61] Mara differs from Walzer in that Mara takes the view, which he founds on Aristotelian views of necessity, that qualitative differences between regimes in terms of the standard of justice inherent in them are relevant to a consideration of the manner in which necessity may override restraints. Mara suggests that, in his view, "... the principle of supreme emergency cannot function without a recognition of the dominant community values that are in jeopardy. By focusing expressly on the relative merits of different regimes, the Aristotelian perspective deals explicitly and critically with issues that are implicit but unexamined within Walzer's treatment."[62] The extent to which use of nuclear weapons would seem to violate _jus in bello_ criteria leads nuclear pacifists to rule out reliance on nuclear weapons, and others, like Walzer, to justify deterrence only in terms of necessity.

Like Mara, O'Brien finds such approaches lacking in that these approaches find discussion of ends in the sense of the defence of values superfluous in the light of the obvious manner in which nuclear weapons inherently appear inconsistent with traditional limits on war. Mara, as we

have seen, takes the view that any discussion of justice in war must consider the worthiness of the values the defence of which is at stake. O'Brien criticizes the tendency to concentrate wholly on _jus in bello_ considerations while neglecting attention to questions raised by the defence of values. O'Brien's concern is that attention to _jus in bello_ issues is accompanied by what he sees as neglect of _jus ad bellum_ issues. It is O'Brien's view that an appropriate application of just-war theory entails consideration of both, with an adequate treatment of the issue of ends and of the values at stake necessarily preceding treatment of the question of means. For O'Brien, the issue is how to design strategies for the effective use of nuclear weapons the threat of which will credibly deter without violating just-war constraints. He is looking for a deterrent threat, because he does not find existential deterrence by itself to be entirely credible, that could be carried out in the event of a breakdown in deterrence without violating principles of the just-war tradition. For him, such strategies are possible because he interprets noncombatant immunity in a more relative, less absolute, fashion than do Finnis, Boyle and Grisez, for example. While he would not suggest that no difference exists between conventional and nuclear weapons, he does not see nuclear weapons as necessitating the sort of revolutionary changes to the just-war tradition that some envision. He does not accept the view that nuclear weapons

so violate jus in bello norms as to render discussion of ends superfluous. In contrast, he is interested in identifying possible uses of nuclear weapons that would meet the demands of the just-war tradition, and that would be available in defence of a just cause and for purposes of a credible threat of retaliation for deterrence. In terms of ends and means, O'Brien argues that:

> It is not a matter of pedantic methodology, therefore, to insist that a just war analysis address the war-decision law issues, the just cause issues, before turning to the war-conduct issues. To be sure, one can imagine means so hopelessly evil as to be mala in se, e.g., genocide. But not even "nuclear deterrence" and "nuclear war" are self-evidently mala in se. Certain forms of nuclear deterrence and nuclear war may be shown to be mala in se. However, unless it can be shown that all forms of nuclear deterrence and war must necessarily be included in the category of means that are wrong in themselves, means that are not proper for any cause, no matter how just, then it is not possible to go very far in evaluating the moral permissibility of nuclear force without reference to the just causes in defense of which nuclear force might be used.[63]

The consequence is that, for O'Brien, the possession and possible use of nuclear weapons are not necessarily incompatible with just-war theory.

Another view that has attracted some attention is that of Kavka. Kavka takes the view that, even if one were to conclude that the use of nuclear weapons in the event of a breakdown in deterrence would be immoral, it does not

necessarily follow that to threaten to use nuclear weapons would also be immoral. It is his position that "... the Wrongful Intentions Principle fails when applied to a conditional intention adopted solely to prevent the occurrence of the circumstances in which the intention would be acted upon."[64] This downplaying of the issue of the morality of intentions and conditional intentions reflects Kavka's view that some form of a utilitarian approach would be preferable in general to a deontological one. This notion that what matters is consequences, rather than intentions, makes him, from the standpoint of moral philosophy, a consequentialist. For Kavka, in essence, nuclear deterrence is acceptable if it is likely to be effective in the prevention of war and the defence of values.

Like Kavka, Nye, after considering both arguments emphasizing a morality of intentions and arguments emphasizing consequences, reaches the conclusion that "Given the enormity of the potential effects, moral reasoning about nuclear weapons must pay primary attention to consequences. In the nuclear era a philosophy of pure integrity that would 'let the world perish' is not compelling. But given the unavoidable uncertainties in the estimation of risks, consequentialist arguments will not support precise or absolute moral judgments."[65] Nye finds a strategy of nuclear deterrence to be conditionally moral. These

conditions include a just cause proportionate to means and consequences, a recognition of the differences between conventional and nuclear weapons, a genuine effort to avoid direct or indirect harm to noncombatants, and a commitment to reduce reliance on nuclear weapons and the risks of nuclear war.[66] In suggesting such an approach, Nye argues that it "...avoids the common strategists' trap of pretending amorality while implicitly smuggling unexamined values into their choices. It also avoids the moral absolutists' trap of valuing their personal integrity so highly that they are unconcerned with consequences even when they include the possibility 'that the earth may perish.' And it avoids the abolitionists' trap of promoting solutions that might make sense in the long run but may cause great pain and unnecessary disaster in the near term."[67]

David Hollenbach in Nuclear Ethics, A Christian Moral Argument supports some degree of pluralism within the church on issues of war and peace. Both just-war theory and pacifism, he insists, need to be represented within the ongoing dialogue. In his view, each needs the stimulus of the other. Just-war theory needs to be reminded of the fundamental issues of violence and nonviolence, Hollenbach argues, to prevent a preoccupation with the complexities of application. Pacifists, Hollenbach argues, "...need the continual reminder of the centrality of justice in the Christian vision which the just war theory provides. In

addition they need to be pressed never to forget that Christian responsibility extends beyond the avoidance of evil to the positive promotion of both justice and peace. While the temptation of just war theorists is that of too quickly legitimating violence, pacifists can be tempted to acquiesce in the face of injustice too quickly."[68] Pluralism, however, Hollenbach argues, does not imply identical status for all notions of the acceptability of the use of force. A consequence of this pluralism, in Hollenbach's view, is that, while individual persons may find either just-war theory or pacifism to be compelling, the just-war tradition enjoys "...a privileged place in the Christian community's effort to make a contribution to the formation of public policy. ...Christians could insist that policies be formed on a pacifist foundation only if theological and historical-political argument could establish that the pacifist stance were mandatory for all persons and societies. Pacifist convictions can and should be protected through legislation guaranteeing the right of conscientious objection. But public policy in a pluralist society cannot be held to norms for the use of force which are more stringent than those of the just war theory. To do so would be to deny the legitimate plurality of approaches we have argued for."[69] In Hollenbach's view, it is not possible to reach a conclusion on the morality of nuclear deterrence in the abstract. Rather, in his view, specific

strategic options for the particular form which a strategy of nuclear deterrence may take need to be considered in terms of whether they make war a more or less probable outcome. The issue, Hollenbach suggests, is not "Better red than dead", or vice versa, for that matter, but "Better neither than either." For Hollenbach, an acceptable strategy is one which makes both war and surrender less likely.

Boyle, Finnis and Grisez disagree with Hollenbach's view that nuclear deterrence cannot be assessed in moral terms in the abstract. As well, they criticize Hollenbach for, in their view, avoiding the issue posed by "Better red than dead" given the existence of at least some possibility of the failure of deterrence. Hollenbach is in agreement with Finnis, Boyle and Grisez that nuclear weapons must never be used, and considers himself a nuclear pacifist, but, unlike Finnis, Boyle and Grisez, sees it as possible that nuclear deterrence might provide an acceptable means of avoiding the use of nuclear weapons. In their recent book, Nuclear Deterrence, Morality and Realism,[70] John Finnis, Joseph Boyle and Germain Grisez put forward a different approach to the question of the morality of nuclear deterrence. Some critics of nuclear deterrence suggest that it demonstrates a lack of trust in God. This reflects the ambiguity in the eschatological strain in pacifism between the notion that, if we trust in the Lord, He will protect

us, and the notion that it may be necessary, in order to avoid doing evil, to surrender and/or to face martyrdom. The problem, of course, with the latter is that, while one may accept martyrdom for him/herself, it would seem presumptuous and cruel for one to consign others who may be weak and innocent to martyrdom. Finnis, Boyle and Grisez accept that the effective defence of fundamental values may require nuclear deterrence. However, whereas, for Walzer, necessity can justify resort to a strategy of nuclear deterrence, for Finnis, Boyle and Grisez, this is not the case. Typically one tends to associate criticism of nuclear deterrence with what are conventionally thought of as "liberal" or "radical" views. In the case of Finnis, Boyle and Grisez, a "conservative" approach to moral philosophy leads to a critique of nuclear deterrence. Nuclear deterrence is traditionally justified in terms of the consequences. Stability, peace and security are seen to follow from the exploitation of the threat or conditional intention to use nuclear weapons. As philosophers, Finnis, Boyle and Grisez object to consequentialist reasoning in moral decision-making. In other areas of moral decision-making, such as the issue of artificial contraception, an absolutist approach to moral decision-making is associated with the "conservative" view, which emphasizes adherence to principles in spite of consequences. In the view of Finnis, Boyle and Grisez, unless we can actually claim that nuclear

deterrence reduces to zero any possibility of actual use, a strategy of nuclear deterrence consisting of a conditional intention to use nuclear weapons implies the existence of immoral intentions. They do not find either a purely existential deterrence or a bluff to be convincing alternatives. Only a nuclear deterrent which does not threaten innocents except as a genuine side-effect would be acceptable, they argue. The current form taken by nuclear deterrence, they argue, does not meet this condition. Finnis, Boyle and Grisez criticize not only Walzer but O'Brien, Hollenbach and Kavka, as well. They take issue with Hollenbach's notion that the morality of nuclear deterrence as a general concept cannot be discussed apart from specific consideration of particular strategic options in terms of whether such options are likely to make a war a more or less probable outcome. In their discussion of Hollenbach, they are responding to Hollenbach's criticism of an article by Grisez.[71] Not only do Finnis, Boyle and Grisez criticize Kavka for consequentialism, but they disagree with his criticism of what Kavka terms the "wrongful-intentions principle." O'Brien, as well, they criticize for elements of consequentialism, and for, in their view, confusing targeting and intention.

In order to understand the argument put forward by Finnis, Boyle and Grisez, some explanation may be required. As moral philosophers, they object to consequentialist

reasoning in moral decision-making whatever the issue. They contrast the notion of common morality with that of consequentialism. Common morality, as an approach to moral decision-making as put forward by Alan Donagan, is based on what Donagan, and Finnis, Boyle and Grisez refer to as the Pauline principle --- "...that evil is not to be done that good may come of it."[72] For Finnis, Boyle and Grisez, it is a moral absolute that, regardless of circumstances, it is immoral to kill innocents. For them, as well, intentions themselves, whether or not circumstances arise that they are acted upon, can be immoral. Their argument, then, is that, so long as nuclear deterrence involves a conditional intention to kill innocents in the event of the breakdown of deterrence, it is immoral. Here is where the criticism of O'Brien for, in their view, confusing targeting and intentions comes in. The traditional just-war prohibition against killing innocents does accept that the legitimate use of military force against military targets may entail as a double-effect a certain number of unintended casualties among innocents. Finnis, Boyle and Grisez take the view that, regardless of explicit targeting doctrines, it is the case that the strategy of nuclear deterrence as actually practised entails an actual conditional intention to kill innocents, and that, for this reason, the strategy of nuclear deterrence is morally unacceptable. Finnis, Boyle and Grisez are not pacifists. Rather, what they are putting

forward is a nuclear pacifist argument.

For some, like Finnis, Boyle and Grisez, any comparison of risks and outcomes following from any particular policy is necessarily so speculative as to be practically meaningless. For them, as well, morality inheres in intention --- to commit an immoral act or to be prepared conditionally to commit an immoral act is wrong regardless of the probable consequences, consequences which, however probable, are not certain in any case.[73] Finnis, Boyle and Grisez share with Kenny and Winters the view that any actual use of nuclear weapons, or the exploitation of a threat to use nuclear weapons is immoral and unacceptable. Unlike Kenny and Winters, however, Finnis, Boyle and Grisez do not find a purely existential deterrent to be either morally acceptable or credible. Finnis, Boyle and Grisez share with O'Brien, Walzer, Dougherty, Russett and Krauthammer among others the view that renouncing all conditional intention to resort to nuclear weapons under any circumstances may well result in Soviet domination, but unlike O'Brien, Walzer, Dougherty, Russett and Krauthammer, it is the contention of Finnis, Boyle and Grisez that it is morally unacceptable to exploit a conditional intention to resort to nuclear weapons, or to maintain the capability and infrastructure required for even an existential deterrent even for the purpose of protecting otherwise wholly estimable values and of deterring any use of nuclear weapons. For Finnis, Boyle

and Grisez, nothing short of a conditional intention to use nuclear weapons in such a manner as to threaten noncombatants either directly as a consequence of a counterpopulation deterrent threat or indirectly as a consequence of collateral damage resulting from a counterforce deterrent can be credible, and any such conditional intention of killing innocents is, they argue, morally unacceptable.

If one thinks of the state as embodying any form of social contract or trust, then the protection of members of the community from external threats is a responsibility of any sovereign state. As long as one accepts a social contract notion of the state, the notion of a pacifist state in a world where external threats continue to exist is absurd in Hobbes' sense --- that is, in that the two terms are mutually contradictory. The notion of a nuclear-pacifist state is plausible so long as one can argue, as Kenny, Winters and Sterba do, that a purely existential deterrent can be both feasible and credible, or so long as one can argue that a conventional deterrent can be effective. Finnis, Boyle and Grisez are not pacifists. They would permit reliance on conventional forces but they do not expect that a purely conventional deterrent would be entirely effective. If they are correct in drawing out the implications for an age of nuclear weapons of the Christian just-war tradition, there is a genuine problem in whether

any Christian can be both faithful to that tradition and faithful in carrying out such responsibilities as would be incumbent on national political leadership. Here the issues raised by Finnis, Boyle and Grisez come together with those raised by Weigel. Can the faithful Christian responsibly take part in the setting of strategic policy without betraying the trust placed in his/her hands by the community? It will not suffice to say that this problem is limited to countries possessing nuclear weapons. Governments of other states are prepared to participate in alliances that build strategy in part around a nuclear deterrent. In their day, thinkers like Saint Augustine and Saint Thomas Aquinas considered whether it was possible to be a good Christian and a good citizen, and in our day, the question recurs.

Given the involvement of the bishops in the nuclear debate, it may seem strange to criticize them for neglecting politics, but this is Weigel's concern. The preoccupation of the Pastoral with the means of nuclear deterrence rather than the ends, which is a concern raised by O'Brien as well, leads Weigel to worry that the Pastoral is not ultimately about international relations or about peace and justice, but about arms. Weigel argues that "the principal deficiency of the bishops' pastoral letter was its virtual detachment of the problem of nuclear weapons from the political context in which they are best analyzed, morally

and strategically."[74] This is why Weigel sees the Pastoral as ultimately a failure --- its shift from concern with the shaping of political order towards concentration on inner peace and an eschatological vision. Weigel asserts the belief that "The reclamation and development of the classic Catholic heritage of thought on war and peace, security and freedom, requires a commitment to the moral necessity of politics. Politics is a moral necessity because it is the civic expression of incarnational humanism in an always conflicted world."[75]

Given such arguments as those of Finnis, Boyle and Grisez, or those of Weigel, is the Pastoral's treatment of nuclear deterrence moral and reasonable? Both Finnis, Boyle and Grisez, on the one hand, and Weigel, on the other, find the Pastoral wanting. For Finnis, Boyle and Grisez, the Pastoral's adherence to moral values is undermined by compromise with politics. This is not altogether unlike the pacifist's claim that just-war theory represents a compromise or an acquiescence in accepting values of this world, but, in this case, Finnis, Boyle and Grisez are using the logic of the just-war tradition to reach nuclear-pacifist conclusions. For Weigel, the Pastoral fails to assert "...the moral necessity of politics" in a world in which conflict is inherent.[76] Given the similarity of the general view of international politics expressed, for example, by such advisers to the bishops as Reverend J.

Bryan Hehir with those of writers like Stanley Hoffmann and Joseph Nye, the similarity of the findings on nuclear deterrence to those put forward subsequently by Nye in Nuclear Ethics is not surprising. Starting from the observation of the bishops that "We are the first generation since Genesis with the power to threaten the created order,"[77] Nye proceeds to refer frequently in the course of his argument to the Pastoral of the American Catholic bishops, as well as to those of the French and West German Catholic bishops. While Hoffmann and Nye have both written about East-West strategic relations, they have also been important participants in increasing attention to the relevance of different sorts of power, and of power and interdependence as factors in international politics. As we have seen, the organization of the Pastoral seems to conceal the underlying conception of international relations. Withdrawal from a part in making the difficult decisions required in providing for security is an indulgence that can be ill-afforded and represents an abdication of responsibility. To locate the space between withdrawal and abdication, on the one hand, and compromise and acquiescence, on the other, is the issue. If one accepts a view of the state as artifice, then the state can be seen as worthwhile for such peace, justice and security as it provides. If one sees the state as natural, then it can be seen as worthwhile as an expression of the sociable aspect

of human nature. Nuclear deterrence is criticized on both absolutist (or intentional) grounds and consequentialist grounds. The absolutist critique is seen in Finnis, Boyle and Grisez. In their concern with the morality of intentions, they seem to neglect what is owed to the community. If one accepts the view that the best way of avoiding nuclear war and of guaranteeing security is through a strategy which includes nuclear deterrence, then the consequentialist critique fails. Nuclear deterrence, however, can be only conditionally accepted. It is not a solution to problems of international conflict.

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71. See discussion in Hollenbach, Nuclear Ethics, op. cit., Chapter 6, "Deterrence --- The Hardest Question" of the article "The Moral Implications of a Nuclear Deterrent",

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72. It would seem appropriate to examine what Finnis, Boyle and Grisez, and Donagan mean by "common morality". By "common morality", they mean a philosophical understanding of a view of morality as "...a system of laws or precepts, binding upon rational creatures as such, the content of which is ascertainable by human reason". (Alan Donagan, <u>The Theory of Morality</u>, (Chicago and London: University of Chicago Press, 1977), p. 7.) Donagan writes that "Common morality, as the Hebrew-Christian tradition understands it, has to do with human actions both objectively, as deeds or things done, and subjectively, as the doings of agents. Objectively, they are either permissible or impermissible; subjectively, either culpable or inculpable." (<u>Ibid</u>., p. 37.) He takes it as the fundamental principle of common morality that all persons should always respect every person as a rational being. (See <u>Ibid</u>., pp. 57-74.) The point is to impose a logical consistency on the reasoning from and applications of the fundamental principle, and the first and second-order precepts. Like Finnis, Boyle and Grisez, Donagan is distrustful of consequentialist moral reasoning. Donagan reflects that "If its theory is sound, strict adherence to traditional common morality will never, except by unforeseeable accident, have calamitous consequences, although it may now and then have tragic ones. Yet it does not follow that the general acceptance of any other system in preference to it would have better consequences. It may or may not, depending on the circumstances; but, either way, we cannot know. That is why attempting to choose a moral system by its consequences is not only a mistake in moral theory but also futile." (<u>Ibid</u>., p. 209.)

See also Germain Grisez, "Toward a Consistent Natural-Law Ethics of Killing", <u>American Journal of Jurisprudence</u>, Vol. 15, (1970); and Germain Grisez, "Against Consequentialism", <u>American Journal of Jurisprudence</u>, Vol. 23, (1978). In the latter, Grisez argues that:

> ...consequentialism means that what one must be willing to do and to be to produce today's greatest net good can require one to be and to do something totally different tomorrow. No commitment can be permanent, no covenant indissoluble. A person or community which accepts consequentialism ought in all consistency to avoid any firm self-definition. The consequentialist ideal is that the person be a utensil, an all-purpose tool, available to be and to do whatever is necessary to bring about the 'greater good'. One is at the mercy of evil men, for one must always be ready to do what is necessary to bring about the

'greater good'. One is at the mercy of evil men, for one must always be ready to do what is necessary to bring about the least evil in situations they create. Consequentialists will be what their enemies make them be: obstructors of justice, droppers of napalm, targeters of hydrogen bombs.

A sound ethics should help one to establish one's self-identity. It should encourage one to make commitments and to form indissoluble covenants. In this way it should provide the foundation for faithfulness and open up a possibility of magnificent creativity. A sound ethics leaves room for persons and communities to unfold themselves with continuity, to act with authenticity, to defend their own integrity. (p. 72).

73. Finnis, Boyle and Grisez, Nuclear Deterrence, Morality and Realism, op. cit., Part Three including Chapter 7, "Deterrence as the 'Lesser Evil'"; Chapter 8, "The Prospect of the Holocaust: The Consequentialist Case Against the Deterrent"; Chapter 9, "The Futility of Consequentialist Arguments".

74. George Weigel, Tranquillitas Ordinis, The Present Failure and Future Promise of American Catholic Thought on War and Peace, (Oxford and New York: Oxford University Press, 1987), p. 280.

75. Ibid., p. 395.

76. Ibid.

77. Nye, Nuclear Ethics, op. cit., p. 1 refers to The Challenge of Peace, op. cit., Summary, and to The Challenge of Peace, op. cit., Paragraph 331.

CHAPTER 7:

CONCLUSION

If it has accomplished nothing else, the Pastoral has certainly inspired a considerable amount of discussion. Fowler observes that when it comes to literature responding to the Pastoral "...there is, in fact, almost no end, itself a tribute to how much play in Catholic circles and outside the bishops' discussion and decision has received."[1] Shulstad comments that "...in addition to being the most criticized document ever produced by the American Catholic hierarchy, the Pastoral is also the most praised."[2] At this point, a survey of criticisms is in order. Discussion for and against the Pastoral is confused by a lack of consensus on what the argument of the Pastoral is. Because of this, some time has been devoted to examination of differing interpretations.

Critiques of the Pastoral generally express reservations about one or more of three issues. Each shall be examined in turn. The first criticism centres on the issue of the compatibility of the just-war tradition and pacifism within the confines of a single argument. The second criticism is that the Pastoral may have concentrated on an assessment of means to the neglect of consideration of ends. This may alternatively be phrased as suggesting an overemphasis on the _jus in bello_ to the neglect of the _jus_

ad bellum. The third criticism challenges the consistency of the Pastoral's argument with its recommendations.

It should be noted that many of the critics are not entirely negative. Ironically, some, like Weigel, Novak and Dougherty, for example, seem motivated in large measure by frustration that the drafting of the Pastoral represented something that simply fell short of what it could have been or should have been. Such critics, and they are certainly in the majority among the critics, saw the Pastoral as "...a tragically lost opportunity."[3]

Weigel, for example, rejects both the view that the Pastoral was entirely "...a corporate act of prophetic wisdom" and the view that it was entirely "...a monumental folly."[4] The Pastoral, he argues, can be assessed in terms of its relation to a tradition and a context, and to what it should have been.

Novak similarly, even though he organized an alternative draft Pastoral following the publication of the drafting committee's second draft, relates that persons of various viewpoints were eager to see the bishops address the issue of war and peace. Novak was harshly critical of the second draft, but less so of the final document, which he sees as closer to the views expressed in the alternative Pastoral, published in The National Review and in Novak's Moral Clarity in the Nuclear Age, than many interpreters have been willing to grant.[5]

Dougherty gives the Pastoral a mixed evaluation. On the one hand, he comments that "The bishops are to be admired for adopting a courageous prophetic stance, for raising some tough questions about their own government's policy, and for introducing a strong moral tone into the national debate about nuclear strategies."[6] On balance the bishops are concerned to encourage a balanced approach to disarmament, Dougherty suggests, but he is concerned that "Yet there are substantial parts of the pastoral letter, inserted at the behest of the Pax Christi bishops, which are likely to give rise in the minds of many believers to that false dichotomy of old: 'Red or dead'. The highest and most delicate task of Western governments is to make sure that they never come to the point of having to choose between such extremes. The appropriate motto is, 'Better neither than either', and the proper formula is deterrence."[7] Most critics, it would be fair to say, are critical of the Pastoral on only specific points, and write less in anger than in disappointment.

The Issue of the Compatibility of the Just-War Tradition and Non-Violence

This issue raises problems both for adherents to the just-war tradition who question the status given to non-violence, and for pacifists who question the consistency of the just-war tradition with the message of Scripture. Hauerwas argues that, in continuing to see a legitimacy in

the just-war tradition, the bishops are guilty of "... an ambivalence about war."[8] Hauerwas' views in this regard reflect his general view that the mainstream churches in the United States are guilty of what he and Yoder term "Constantinianism."[9] Constantinianism refers to the tendency to see the political interests of the state as synonymous with the Divine Will. It is essentially what has been described earlier as the approach typified by Eusebius, except that, in calling on Christians to distance themselves from the political community in the manner of Tertullian, Hauerwas and Yoder effectively deny the possibility of any less radical alternative like that of Saint Augustine. Like Hauerwas, Zahn sees the just-war tradition as inherently inconsistent with Scripture.[10] He criticizes the just-war tradition for too readily providing rationalizations for accommodation to temporal rulers.

In contrast, writers like O'Brien, Finn, Weigel and Novak criticize the Pastoral for appearing to recognize pacifism as a legitimate alternative, with status similar to that accorded the just-war tradition, for public policy. O'Brien sees the Pastoral as neglecting the Christian realist tradition, and failing to confront the persistence of conflict in international politics particularly when ideological differences exist.[11] Finn and Weigel express doubt about the compatibility of two approaches, one rejecting recourse to war under any circumstances and the

other accepting such recourse under certain circumstances.[12] Novak argues that the Pastoral enumerates all possible objections to just-war theory, but is reticent about any limitations of pacifism.[13]

The combination of these traditions within the argument of a single document is complicated by rival notions of the relation between Church and political community associated with these traditions. Proponents of the just-war tradition --- sharing notions of the Church as having a responsibility to seek to influence the shaping of public consensus, of the peace of this world as holding a genuine value, and of an Augustinian theology of history --- tend to adopt the view that the bishops should aim to influence the shaping of public consensus in the area of current debates in the making of American security policy, subject to certain limits of moral and technical authority. Pacifists --- sharing notions of the Church as having a responsibility to distance itself from society to facilitate prophetic witness, and of a theology of history emphasizing the Kingdom and eschatology --- tend to adopt the view that the bishops should aim to challenge American security policy in a fundamental way.

The acceptance of different approaches to the issues of war and peace reflects the pluralism within the Catholic community. Typically just-war theorists do not object to the selection of pacifism as a personal code by individual

persons. What they object to are claims for pacifism as a framework for the Church on public policy questions. Pacifists tend to see in the heightened recognition accorded to pacifism as an option a continuing shift in the direction of a commitment to pacifism. Critics of just-war theory, as a result, tend to see themselves as simply encouraging the perceived trend. Charles Curran suggests that the recognition in the Pastoral of both just-war theory and pacifism is consistent with the Church's tradition of pluralism on social questions. He writes that "The Catholic Church is also catholic --- with a small 'c'. There is a universality about it and a willingness to recognize diverse possible options within the church on specific and complex social questions such as war, peace, and deterrence. Obviously there are limitations to this pluralism, but the Catholic Church in respect to social issues is a 'big church' with room for diversity. The historical and existential self-understanding of Roman Catholicism recognizes this pluralism."[14] Part of the difficulty between Curran and the Church has stemmed from disagreement over the scope for pluralism on certain other moral and theological issues, like abortion, consistent with a shared faith. David Hollenbach sees pluralism on the issue of war and peace as not merely appropriate but as inevitable. It is his view that "...<u>both</u> the pacifist commitment to nonviolence and self-sacrifice as the way to justice and the

just war tradition's commitment to justice as the way to peace and mutual love are essential if the full content of Christian hope is to be made visible in history. ... A pluralism of responses to the question of whether nonviolence or justice is primary in a Christian ethic is not just a sociological fact. It is the theological consequence of the incompleteness and partiality of any specification of the relation between the kingdom of God and the realities of history."[15]

Of Means and Ends

Just-war theory has traditionally had two aspects. The *jus ad bellum* aspect considers the issues of just cause, legitimate authority and proportionality in regard to the question of whether or not resort to war is acceptable under a particular set of circumstances. The *jus in bello* aspect considers the issues of proportionality and discrimination in regard to the conduct of warfare. The relative emphasis has shifted from time to time.

O'Brien and Novak criticize the bishops for, in their view, neglecting *jus ad bellum* issues.[16] They argue that issues of means can be considered only after these questions of the values at stake and of the threat to those values are resolved. In their view, questions of means can be addressed adequately only in conjunction with consideration of the values the defense of which is at stake. They

criticize the authors of the Pastoral for not incorporating more fully consideration of the nature of the East-West conflict into the treatment of the morality of deterrence. The Pastoral discusses Soviet-American relations, but at a point after discussion of deterrence.

There is a connection between this criticism and the view that the argument of the Pastoral is inconsistent. This criticism suggests that the Pastoral focuses on weapons to the neglect of the treatment of the ideological and philosophical differences at issue. An emphasis on the probable consequences of the use of nuclear weapons tends to have the effect of raising doubts about the moral acceptability of dependence on such weapons in any form. The apparent inconsistency arises when, in spite of a critique of current nuclear strategy, the bishops grant conditional acceptance to nuclear deterrence as a strategy.

It has been alleged that, in stressing the importance of values and the <u>jus ad bellum</u>, and in seeing something of genuine moral value in American politics and culture, just-war theorists like O'Brien and Dougherty tend to accommodate notions of limits on strategy to Western military necessity.[17] The pacifist critique criticizes such thinkers for failing to distance themselves more from such an allegiance to the American political community. A radical critique, epitomized, for example, by the Berrigans, views America itself as being an essentially unjust, racist and

militaristic society. Such a view tends to dismiss jus ad bellum arguments because it sees little worth defending. Just-war theorists, in turn, criticize this view for representing a failure to make moral judgements. Such a failure, the just-war theorists argue, reflects either some notion of moral equivalence between East and West, or the co-optation of a moralistic vocabulary by a perspective founded on the interpretation of Christian social thought through ideological lenses.

In some sense, what is at stake is the issue of America and the appropriate relationship of the Christian to such an essentially liberal society. Murray saw such a society, in spite of flaws, as being, in its essence, compatible with Christian natural-law values and worthy of a temporal allegiance. Others, especially those who are less impressed by natural law as an approach to issues of public policy, have doubts and reservations about America, and tend to dismiss Murray's view. Weigel reflects that "...because the question of war and peace is so fundamental a determinant and expression of national self-understanding and purpose, it is impossible to disengage these issues from the larger context of one's understanding of the American experiment, its validity, and its role in a world often hostile to its central values."[18]

Until the era of Vatican II, many American Catholics approached American society with some apprehension. Some

non-Catholics questioned the loyalty of Catholic Americans to the United States. Murray challenged both forms of the view that Catholics could not be loyal Americans. Today, radical Catholics argue that morality requires a repudiation of American values and American influence in the world. Au categorizes Catholic thinkers as being in realist, nuclear pacifist, and pacifist (or radical) schools.[19] In Au's view, the realists and nuclear pacifists share a common "Americanism". In contrast to the nuclear pacifists, the realists, he argues, have a greater sense of the necessity of considering issues of war and peace in a political context. In contrast to these groups, the pacifists, Au argues, are aware of a political context, but it is one in which American values are seen as unjust, and American influence is seen as contributing to inequity and injustice around the world. There is a clash between realists and nuclear pacifists, on the one hand, and radicals, on the other, over whether the defence of America is in principle by any means defensible, and over whether Catholic moral teaching properly understood is compatible with loyal participation in American society or whether that teaching mandates rejection of that society.

The Issue of Consistency

The issue of consistency is raised most commonly in regard to the Pastoral's treatment of nuclear deterrence.

The bishops, in granting a conditional acceptance to nuclear deterrence, and, at the same time, imposing restrictions by ruling out certain means without indicating acceptable means, have been criticized for appearing to want the result without accepting the cause. In other words, it is suggested that the bishops accept deterrence without accepting the means necessary for effective deterrence. Hendrickson, for example, suggests that "What Machiavelli said of Hannibal's reputation for cruelty and its utility in keeping his army disciplined may justly be said of the bishops: 'Thoughtless writers admire on the one hand his actions, and on the other blame the principal cause of them.' The bishops seek to enjoy the effect, deterrence, while disposing of the cause --- the fear induced by our conditional intention to use nuclear weapons in response to Soviet attack."[20] The problem is seen as especially serious by those who, whether they do or do not favour a strategy of deterrence, do see nuclear deterrence as necessarily implying a conditional intention or threat. This has led some, including Winters[21] and Johansen[22], to argue that, in granting a conditional acceptance to nuclear deterrence, the bishops were accepting only a purely existential deterrence --- that is, deterrence based not on a conditional intention but on the simple possession of nuclear weapons. This particular way of reconciling the elements of the Pastoral's treatment is challenged by Russett, who served as consultant

to the drafting committee.[23] Russett argues that, in granting a conditional acceptance to nuclear deterrence, the bishops necessarily accept that there can be some sort of conditional intention which would not violate the restrictions set out by the bishops. The consequence is fundamental disagreement among commentators on the question of where the bishops stand.

This apparent or alleged inconsistency has inspired criticism from both "hawks" and "doves". Hoffmann observes that the bishops "... have been attacked from two directions: on one side by those who, like Susan Okin, believe that the 'centimeter of ambiguity' they left about limited counterforce war was dangerous, and that the present weaponry of deterrence violates the very criteria that the just war theory and the bishops themselves set up; on the 'realist' side, by those who criticize their no-first-use stand for its consequences on the United States' alliances and, like Robert W. Tucker, fear that the combination of their approval of nuclear deterrence and their condemnation of most conceivable uses puts a heavy burden on 'existential deterrence' --- deterrence through mere possession --- and weakens the credibility of the deterrent."[24]

Process and Product, or The Process is the Product

The interpretation and analysis of the Pastoral contained in this thesis, like any such discussion, rests on

an understanding of politics, in this case an understanding of politics as ultimately about civil discourse or, in other words, about politics as conversation and dialogue. The Pastoral can best be seen as a step in a process. The Pastoral, of course, represented the product of a process of consultation and deliberation. This process served as a model for the process of drafting the subsequent Pastoral on the economy. In each of these cases, the statements were written, debated and revised in a more open manner than had ever before been the case with such a document, and, as we have seen, by no means did the discussion come to an end with the approval of the final draft. In the introduction, it was pointed out that, to the disappointment of some, the bishops did not attempt to promulgate a definitive list of "Thou shalt not" statements. They sought, instead, to challenge and to engage the consciences of Catholics and members of the political community in general. In the second chapter, it was observed that the bishops sought to democratize the process and the product. In the third chapter, the traditions that shaped the writing of the Pastoral were examined. In the fourth chapter, we looked at the strategic debate and the evolution of the role of the Catholic Church in American political life. The fifth chapter addresses the role of "church", looking at senses of the role of religious denominations in participating in debates within the political community. The sixth chapter

looks at some of the issues raised by the responses to the Pastoral's treatment of the international system and of nuclear deterrence. Without intending to dismiss or to deprecate the Pastoral as a product, it is the argument that the most important aspect is that of the Pastoral representing a process of initiating and sustaining a dialogue within the political community on so vital an issue of public policy.

The Pastoral includes discussion of the traditions present in the Church historically and which share a presumption in favour of peace. As we have seen, some tensions remain between these traditions. The Pastoral has been criticized for its attempt to combine these traditions, for its treatment of the relation between ends and means, and on the grounds that it seems, to some commentators, to be inconsistent, especially in concluding a critique of strategies of nuclear deterrence with a conditional acceptance of the strategy of nuclear deterrence. There would seem to be a limited number of responses available. It could be argued that the criticisms are not well-founded, and that the argument of the Pastoral is sound. It could be argued that the argument of the Pastoral is, indeed, flawed. What is argued here is that the Pastoral's treatment of issues of strategic policy, aside from certain fundamental moral principles, is necessarily to some degree tentative as befits an issue which has not yet been resolved. The

discussion engendered by the process of writing and revising the Pastoral, and the discussion stimulated by the Pastoral can be seen as being in the tradition of engagement in civil discourse found in Saint Augustine, Saint Thomas Aquinas, Franciscus de Victoria (Francisco de Vitoria) and John Courtney Murray. In their principled yet tentative nature, the product and the process in the case of the Pastoral are but two aspects of the same message.

Some have questioned the compatibility of moral decision-making and political decision-making in a democracy in the sense that the former would seem to deal with belief and with right and wrong, while the latter would seem to deal with "the art of the possible." What can be said to distinguish contemporary democracy from either traditional or totalitarian forms of government may be the Gelasian doctrine, the view that there is, on the one hand, a spiritual realm and, on the other hand, a secular political realm. The notion of the divine right of kings saw the Church within the world as subordinate not only in the political but in the spiritual sphere within the temporal world to the national state. Traditional forms of government today, as in Iran under Islamic fundamentalism following the overthrow of the Shah, see the two realms as inseparable expressions of faith and the will of the people. Totalitarianism, whether of a Fascist or Communist variety, tends to see all institutions as subordinate to the state as

the expression of the will of a people, of a class or of an ideology. The American Catholic experience suggests that there are two sorts of questions distinguished by the extent to which unambiguous moral principles are at issue. Certain positions on some issues are simply inconsistent with beliefs essential to adherence to Catholicism. In the case of issues of war and peace, there are bellicist approaches clearly inconsistent with what would be considered defining beliefs of Catholicism. Subject to these restrictions, there remains a pluralism of possible approaches, particularly when it comes to means for achieving shared ends. In this case, justice and peace are ends, and approaches vary in terms of judging how such ends can most effectively be achieved. Pluralism is evident in the co-existence of a number of religious denominations within society.

Issues of religion and politics make some of the difficulties of pluralism clear. If all beliefs are equally valid, then the adherence of an individual to any particular faith is entirely arbitrary. If adherence to a particular faith represents a profound belief that a certain creed represents fundamental truth, then how can an adherent of any faith meet adherents of other faiths on an equal basis without implying indifference to belief? Can one genuinely believe that one's beliefs represent truth without believing that contrary beliefs represent error? Does pluralism or

does democracy imply indifference between truth and error? Pluralism in a domestic society does not imply that beliefs are essentially equal but that they are equal in a distinctly political sense. Beliefs in their essence are not equal but believers, as fellow citizens endowed with rights or as fellow children of a Creator, are recognized as equal in the civil sphere.

ENDNOTES

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3. George Weigel, Tranquillitas Ordinis, The Present Failure and Future Promise of American Catholic Thought on War and Peace, (Oxford and New York: Oxford University Press, 1987), p. 285. See also George Weigel, "The Bishops' Pastoral Letter and American Political Culture: Who was Influencing Whom?", in Charles J. Reid, Jr., (ed.), Peace in a Nuclear Age, The Bishops' Pastoral Letter in Perspective, (Washington, D.C.: Catholic University of America Press, 1986).

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13. Michael Novak, "Realism, Dissuasion, and Hope in the Nuclear Age", in Reid, (ed.), Peace in a Nuclear Age, op. cit., pp. 127-128.

14. Charles E. Curran, Directions in Catholic Social Ethics, (Notre Dame: University of Notre Dame Press, 1985), p. 215.

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POSTSCRIPT

In 1988, the American Catholic bishops returned to a consideration of these issues. Of course, concern with these issues was always on-going, as evidenced by a number of representations at Congressional hearings on arms control issues, but specifically in November 1985 it was announced that progress and changes in conditions subsequent to the Pastoral's approval would be reviewed in 1988, or, in other words, after a five-year period following the publication of the Pastoral had elapsed. This document, consisting of a statement entitled Building Peace: A Pastoral Reflection on the Response to The Challenge of Peace and a report entitled A Report on The Challenge of Peace and Policy Developments 1983-1988, was issued in 1988.[1]

The report was organized in three sections. The first entailed a review of the Pastoral itself. The second section considered policy developments in the period from 1983 to 1988. The third section was a further attempt to resolve the issue of nuclear deterrence in the light of the conditions attached to the Pastoral's acceptance of the strategy of nuclear deterrence.

In its examination of policy developments, the bishops looked at three issues. In considering the first, arms control, they were led to discuss the INF Treaty signed in

December 1987, and progress in negotiations in the areas of strategic, space-based, and conventional forces. In the report, arms control is explicitly seen as a stepping-stone to disarmament. The second issue examined was technological development, and, in this context, they focused on the Strategic Defense Initiative (SDI). While SDI has appealed to some precisely because it seems, assuming it is technologically feasible in the sense of a shield or umbrella, to avoid the problems of a strategy of nuclear deterrence with intentions, the bishops express some reservations based on concerns that pursuit of SDI may pose an obstacle to the pursuit of arms control, encourage an arms race in defensive and offensive systems, lead to instability during a transition phase, and divert scarce resources away from the pursuit of social justice. The third issue was resource allocation. This was a return to the concern expressed in both _The Challenge of Peace_, and _Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy_ (1986) with the diversion of scarce resources away from the pursuit of goals like development and social justice into the pursuit of the arms race.

In discussing this report, Cardinal Bernardin writes, "Finally, I wish to highlight a theme running through the report which goes beyond _The Challenge of Peace_. It is the conviction that the most important future possibility for

nuclear peace lies not in technological developments or strategic debates, but in the political relationship of the United States and the Soviet Union. The report is cautious but fundamentally optimistic about the possibility of reshaping the political relationship which has been the source of the nuclear competition for 40 years."[2]

ENDNOTES

1. These can be found in Hugh J. Nolan, (ed.), Pastoral Letters of the United States Catholic Bishops, Vol. 5 1983-1988, (Washington: National Conference of Catholic Bishops and United States Catholic Conference, 1989).

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