

## THE VATICAN COUNCIL ON MODERN WAR

PAUL RAMSEY

*Princeton University*

THE PASTORAL CONSTITUTION on "The Church in the Modern World" adopted by Vatican Council II and proclaimed by Pope Paul VI in Council on December 8, 1965, deserves the admiration of non-Catholics the world over. This is the longest, it may be the greatest, achievement of the Council. Certainly the several parts of this Constitution are uneven. On the matter of religious liberty, there was a background of decades of serious debate among Roman Catholics from which the Council drew its wisdom. In contrast, the discussion of Christian marriage as this relates to the question of contraception can scarcely be said to have begun among Catholics. This part of the schema is correspondingly weak—except that it ought to be said that the traditional formulations, including those of Pius XI, represent a precipitate of the reflection and the insights of Christians over centuries that is often not matched by *ad hoc* pronouncements by non-Catholics upon sex ethics for the supposed solution of world problems.

In contrast to both religious liberty and marriage and the family, the Council's statement on the morality of modern warfare had to be drafted without the benefit of any considerable consideration of this problem by the Church's moral theologians in the modern period. The Council's attempt to draw lines not previously articulated or refined in long debate seemed not apt to produce a helpful or a theologically sound result. In addition, news reports emanating from Rome during the weeks before the statement on war was brought up for final consideration seemed to indicate that the test was going to be how much the fathers of the Council would condemn in the specific advice they ventured to give the world's statesmen.

Now that the Constitution has been issued, there is some value in just reading it, listening to what it straightforwardly says, and thinking about the meaning of it without benefit of the Latin or a historical account of each paragraph, draft, or amendment to throw light upon the text.<sup>1</sup>

<sup>1</sup> We shall use the translation contained in *The Documents of Vatican II*, edited by Walter M. Abbott, S.J., and Joseph Gallagher (New York: Guild Press, 1966) pp. 199-308.

My thesis can be stated in advance. It is that the many virtues of the Council's statement on modern war and the self-imposed limits upon what was said spring from the effort that was made to speak not only to the whole church but *for* the whole church, not only for the whole church but *to* the entire church wherever its sons are, and not only to men of good will everywhere but to them *in the name of the whole church*. Nothing could be better calculated to induce responsibility in the utterances of a church council than this self-understanding of what it is doing, nor more apt to eliminate utterances and resolutions to which Christianity as such cannot be committed. Catholics believe, of course, that this is a fine constitution because the bishops of the whole world were speaking. *That* would be impossible for other church councils and assemblies to emulate. But it is not impossible for all Christians, when they seek to speak some healing word to the world and to the whole church, to undertake to say only what can be said for the whole church and on the basis of Christian truth. Even so, church councils may err; but they will certainly err—in a maximalist direction—if they do not try to do this.

So did the Second Vatican Council, "having probed more profoundly into the mystery of the church" and other intramural matters, turn to address itself "without hesitation, not only to the sons of the church and to all who invoke the name of Christ, but to the whole of humanity." The "holy synod" could speak without hesitation because it did not undertake to say everything that humanity or even all the sons of the church need to hear in this or in any hour, but only that part of what needs to be said that can and may and must be said on the basis of moral values and spiritual truth the church as such is competent to know something about. For this reason, the entire Constitution is informed by an articulate and articulated Christian social theory, a doctrine of man, human rights, etc.; this is not limited to an opening paragraph or so, which is then followed by the maximum specific advice about the solution of urgent problems. Not even the urgency of the problem of modern war tempted the Council to succumb to its own conjectures about specific policies. The limit upon its recommendations and condemnations came not from compromising this view with that (though this, of course, went on), but from remembering all the sons of the church and men everywhere in the political and military sectors,

in the armed forces of the nations, in huts of poverty because there are arms, in prison for conscientious objection, secretly troubled or not enough troubled in conscience. Above all, the impulse and the limit came from endeavoring to say as fully and adequately as possible what can and may and must be said in Christ's name and only what can possibly be thus said by the whole church to all who bear and do not bear His name.

It is not without significance that Part 2 of the Constitution, addressed to "Some Problems of Special Urgency," comprises only 48 numbered paragraphs. This is preceded by 45 paragraphs setting forth the church's understanding of the dignity of the human person, the common good, the norms applicable to political community, etc., as these are to be seen in the light of Christ. Even the second part, dealing with urgent contemporary problems, is interlaced with paragraphs bearing titles like "Some Principles for the Proper Development of Culture." Some *principles*! Under this heading falls also everything the Council permitted itself or was impelled to say on modern war. Call the premises of Christian utterance upon social and political questions "principles" or by some other term, there must be ground on which *the church* makes these utterances and not some other "lesser corporation" within or throughout the modern nations. "It is highly important," the Council reminded itself, "that [there be] . . . a clear distinction between what a Christian conscience leads them to do in their own name as citizens, whether as individuals or in association, and what they do in the name of the Church in union with her shepherds." It is also not without significance that, immediately preceding the paragraphs on war, the church's claim to freedom "to teach her social doctrine" is expressed in terms of her right "to pass moral judgments even on matters touching the political order, whenever basic personal rights or the salvation of souls make such judgments necessary." If the ground upon which conciliar judgments are made is kept clear, if churchmen in that capacity try always to speak for the whole church, this will ordinarily be a quite sufficient self-denying ordinance, and a better one than compromise for dealing with partisan proposals. In any case, it is the only constitution we have, even if not infallible, and it is one too rarely used in Catholic and Protestant assemblies that have a less awesome sense of history than prevailed at Vatican II.

## II

The statement on the morality of war attains to three successive climactic utterances around which the whole and all its lesser statements can be organized. In the first of these the fathers of the Council use words that gather to themselves the maximum *moral* authority. This comes after a number of paragraphs that summarize the fact-situation and contain only a few ethical counsels. Then it is written:

With these truths in mind, this most holy Synod makes its own the condemnations of total war already pronounced by recent Popes, and issues the following declaration:

Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation.

This declaration had been cited in garbled accounts from Rome as the Council's condemnation of any and all forms of nuclear war or of any use of nuclears in war.<sup>2</sup> It is, of course, no such thing. It is far less than that as a policy statement, far more than that as a statement of principle.

In earlier paragraphs the Council adverted to the Pontiffs' provisional justification of wars of defense, but in such a way as to anticipate its own reassertion of the moral immunity of noncombatants from direct attack in any war. "War has not been rooted out of human affairs," it said; and thereupon it asserted the only sound thing that can be said about the right to war: "As long as . . . there is no competent and sufficiently powerful authority at the international level, governments cannot be denied the right to legitimate defense once every means of peaceful settlement has been exhausted." Then, calling attention to the difference between "the just defense of the people" and "the subjugation

<sup>2</sup> A news dispatch from Rome, Dec. 7, published in the *New York Times*, Dec. 8, 1965, p. 23, without actually misquoting the text of the schema at this point, nevertheless gerrymandered its sense and mixed together this proscription of indiscriminate conduct in war with some of the preceding sentences describing factually what *can* be done with modern weapons. The result was that unthinking readers had some reason to suppose the Council was about to "condemn nuclear weapons," their use or possession. The dispatch said that the schema under consideration "calls the use of nuclear weapons of mass destruction 'a crime against God and man himself.'" A fair reading of the full text cannot support the conclusion that the Council condemns outright any and all use or any and all possession of "scientific" weapons.

tion of other nations," the Council moves to higher ground than the aggressor-defender distinction. It does this in two parallel statements that follow immediately upon its reference to "just defense" and "the subjugation of other nations." These statements are: "Nor does the possession of war potential make every military or political use of it lawful.<sup>3</sup> Neither does the mere fact that war has unhappily begun mean that all is fair between the warring parties." What is never fair it later declares in terms of the principle of discrimination in all justifiable acts of war. Here we have a plain movement from emphasis upon the judgment that a use of scientific weapons may be censured because while resorted to in defense they actually in the objective order amount to the subjugation of other nations (aggression), over to emphasis upon the judgment that a use of scientific weapons may be censured because it violates the moral immunity of civil life from direct attack. The latter test becomes uppermost.

The reference to "recent Popes" immediately preceding the Council's declaration prohibiting indiscriminate acts of war is more than a little misleading. Recent Popes have been more largely concerned to draw the distinction between defense and aggression and to deny that aggressive war can possibly be just, than they have been concerned to clarify the main ground on which total war in all its forms is to be condemned. It is the special virtue of the Council's statement that it reasserts the principle distinguishing between discriminating and indiscriminate actions in the conduct of war.

For some recent papal statements, in contrast, the use of modern weapons in war was apt to prove disproportionate and thus in effect to shift a war begun in defense on to the "attack" (because of its inordinate destructiveness). In his Christmas message of 1944, Pope Pius XII declared: "The theory of war as an apt and proportionate means

<sup>3</sup> "Nec potentia bellica omnem eiusdem militarem vel politicum usum legitimum facit." The first of these two sentences was omitted from the translation "endorsed" by the bishops and published in the *New York Times*. Moreover, the words "by the same token" which were then inserted into the second sentence by the translator, and have no warrant in the Latin, left the unfortunate impression that what's "fair between the warring parties" rests upon the same ground as the distinction between "just defense" and "the subjugation of other nations." This translation, which is the one still circulated in pamphlet form by the National Catholic Welfare Conference, has been improved in the Guild Press edition.

of solving international conflicts is now out of date"; and at Christmas, 1948, he condemned "aggressive" war as "a sin, an offense, and an outrage." Falling under this aggressor-defender distinction, his condemnation of modern total war as "a crime worthy of the most severe national and international sanctions" contained, therefore, the important reservation: unless this could clearly be in self-defense. Pope John XXIII's condemnation of modern war is also in terms of the test of proportionately greater evil; and, within this, he too proscribes aggressive war: "Thus, in an age such as ours which prides itself on its atomic energy, it is contrary to reason to hold that war is now a suitable way to restore rights which have been violated" (*Pacem in terris*). Thus John XXIII no less than Pius XII left open the possibility that war might well be an instrument for repelling an injustice that is in course of being perpetrated but is not yet accomplished. This would be defensive war; and concerning this the recent Pontiffs seem mainly to have had in mind the warning that because of the destructiveness of modern weapons a defensive war is apt, objectively, to amount to the same as the aggressive total subjugation of an enemy people. The Council repeats all that had been said against war fought aggressively to restore rights, and the judgments upon modern war in general that arise from an application of the test of proportion. Then it resoundingly reasserts an altogether different criterion: the test of discrimination.

The force of modern papal statements before John XXIII was, in rejecting the justice of aggressive wars to redress established wrongs, to affirm that the use of modern scientific weapons could not be just unless this was possibly defensive. The good Pope John could not bring himself to say anything expressly about this possibly permissible use, even while he repeated his predecessors' condemnation of the justice of aggressive war in the course of directing chief attention to the need for world public authorities. Now the force of the Council's elevation of the principle of discrimination (or the moral immunity of noncombatants from direct attack) into a prominence not heretofore accorded it by recent pronouncements of the magisterium is to say quite clearly that not even defensive use of the newer scientific weapons can be approved unless this could possibly be discriminating in the sense explained. In short, the justice even of defensive war is now submitted also to the test of discrimination. Before, a probable prohibition of the

use of massive weapons was based on the spectre of disproportionately too great evil which would violate the limits of defensiveness. Thus the chief warning was against the danger that, once begun in defense, a war may pass to the subjugation of another nation because of its excessive destructiveness. Now the chief concern is lest, once a war is begun in defense, we may suppose there is no further test of justice in the conduct of military actions between the warring parties.<sup>4</sup> This further test is the principle of discrimination.

The Council's resounding declaration of the principle prohibiting direct attack upon civilian life as such is preceded also by sober references to what *can* now be done in war. "The horror and perversity of war is immensely magnified by the addition of scientific weapons." We may pause to reflect upon the use of this strange expression "scientific weapons" in a statement that, according to the press reports, was supposed to be on *nuclear* war. Did the Council fathers deliberately choose to speak of "scientific" and not of "nuclear" weapons because of what everyone knows the great powers are capable of doing with other *new* scientific weapons in their arsenals besides nuclears? Or to stress that conventional explosives can also be used indiscriminately, as in World War II *before* Hiroshima? In any case, the effect is to enlarge our judgment concerning the morality of war's conduct by not limiting the governing principle in its declaration to a particular weapon-system.

"... Acts of war involving these [scientific] weapons *can*," the Council points out as a matter of fact, "inflict massive and indiscriminate

<sup>4</sup>One effort of Philip M. Hannan, Archbishop of New Orleans, at the Council was almost bound to fail, namely, his apparent effort to eliminate the proscription of aggressive war altogether from the mind of the Council and have it declare wars to redress wrongs again to be licit. This went too much against the statements of recent Pontiffs. There is, of course, no reason in principle why noncombatant immunity and proportion may not be said to be the norms governing the political use of violence, while backing further away from absolutizing the aggressor-defender distinction (which is the misshapen relic of the just-war doctrine that modern man is capable of grasping). In fact, there is need for moralists and church councils to make it clear that, unless and until there is a world public authority with interventionary threat-removing authority (such as the U.N. charter said the Security Council should exercise through the unanimity of the great powers), it will sometimes be just for a nation to initiate a use of force against threats to its peace and to world order. The only way to avoid this doctrinal conclusion and shift would be to pack political and military initiative into an extensible notion of defense.

destruction, far exceeding the bounds of legitimate defense" [and, we may add, violating all that is "fair" between warring parties even if defense is legitimately still in view]. "Indeed," the statement goes on, "if the kind of instruments which can now be found in the armories of the great nations *were to be employed to their fullest*, an almost total and altogether reciprocal slaughter of each side by the other would follow . . ." That too is a finding of present facts that cannot be denied.

These factual considerations "compel us to undertake an evaluation of war with an entirely new attitude." This turns out to be a very old principle, indeed, governing the political use of force; but the new attitude is that "men of our time must realize that they will have to give a somber reckoning for their deeds of war" in terms of the moral principle the Council has the spiritual authority to declare. Then it is that the statement moves from these references to actual and hypothetical factual conditions, to deliver its declaration *in moral terms* upon the *moral* discrimination to be made in any political or military decision in face of these existing capabilities and ominous possibilities.

The cardinal point in the declaration is not a condemnation of any use of nuclears in war. It is rather a call to the citizens and magistrates of all the nations to clarify their consciences in terms of the basic principle governing the use of these or any other "scientific" weapon.

The present writer confesses that he may be inordinately gratified to find that the Vatican Council's statement is so decisively controlled by the principle of discrimination. This test has now been given far greater prominence than it had in any of the statements of recent Pontiffs. For some time now, if one had believed the Catholic "liberals" on this question (who are not so much "just-war pacifists" as they often are pacifists without benefit of the just-war principles), it seemed more likely that the Roman Catholic Church would renounce adherence to this principle of discrimination in its eagerness to condemn nuclear war as such (because it is necessarily disproportionate, or because objectively defense by nuclears would be a case of "immaculate aggression," or for any other reason). That would have left the present writer exposed on his other flank! Yet I do not think my professional and personal concern for this outcome alters the fact that, on a plain reading of its statement, the Council has signally reaffirmed the moral immunity of non-combatants from direct attack, and left it for citizens and statesmen



to determine the prudent application of this principle in the specific decisions that this requires.

The paragraph that follows, as well as those that approach, this climactic utterance enforce this interpretation of the Council's meaning. Measured by this principle, "the unique hazard of modern warfare" consists in the fact that "it provides those who possess modern scientific weapons with a *kind of occasion* (*quasi occasionem*: furnishes, as it were, an occasion) for perpetrating just such abominations," i.e., acts of war aimed indiscriminately at the destruction of entire cities, which the Council fathers had just condemned unequivocally and unhesitatingly. Now, the expression "a kind of occasion" is worth pausing over. It can be compared in its cruciality to the expression "peace of a sort," which alone the Council concedes to be the virtue of the deterrent possession of these scientific weapons. The "hazard" in the nature of modern weapons is an "occasion," not a compulsion; "a kind of occasion" that may lead to immoral acts of war, not the necessity of this eventuality. The Council fathers recognize and urgently warn, it is true, that through an "inexorable chain of events [which we call "escalation"], it [i.e., modern warfare] can urge men on to the most atrocious decisions." Still, this is the unique *hazard* of modern war, not a necessity that this be so. Having stated the moral terms in which the atrocity of an "atrocious decision" is to be measured, the Council does not entrap itself in false findings of fact that presume that modern war has put human freedom out of control. In fact, the opposite is the premise of this very warning about "inexorable" chains of events: "*That such in fact may never happen* in the future, the bishops of the whole world, in unity assembled, beg all men, especially government officials and military leaders, to give unremitting thought to the awesome responsibility which is theirs before God and the entire human race."

### III

The second crucial utterance is the treatment the Council gives to the fact and to the morality of deterrence. "To be sure," these weapons are not amassed solely for use, but for deterrence. Then follows a statement of plain fact, namely, that "this accumulation of arms . . . also serves, in a way heretofore unknown, as a deterrent to possible enemy attack," and they may be considered a part of "the defensive strength

of any nation." In the next statement of fact, however, the Council's judgment upon deterrence begins to emerge in the (properly?) disparaging words chosen to express the sort of peace deterrence insures: "Many regard this state of affairs as the most effective way by which *peace of a sort (pax quaedam)* can be maintained between nations at the present time."

The Council is not concerned to assay these facts as such. It allows them to stand for what they are, or for what responsible people in the political and military sector may judge them to be. Across words that concede the possible necessity and value (such as it is) of deterrence ("*Whatever be the case with this method of deterrence . . .*") and across words that anyway put deterrence in its place ("peace of a sort"), the Council is concerned rather to direct sons of the church and mankind in general to the work of political construction needed to alter fundamentally these conditions. This is the third great pillar of this statement on warfare, to which we will come in a moment.

Here it needs to be pointed out that the Council says nothing that removes the morality from deterrence, or removes responsibility for this from among possible Christian vocations. It is true that the peace that deterrence assures is not "the peace that passes understanding." It is not even a very good worldly peace; it is only a peace of sorts. The Council does not shirk its responsibility for calling attention to the fact that, in terms of worldly peace, deterrence is "not a safe way to preserve a steady peace. Nor is the so-called balance resulting from this race a sure and authentic peace."

Still, nothing in all this says that responsible decision and action in regard to deterrence falls below the floor of the *morally permissible*. In this regard, Protestants need to take care how we read Roman Catholic pronouncements, for we are accustomed to think that there is one Christian thing to be done; and that once the positive task of political construction has been identified, all Christians should be wholly engaged in this only. Such, however, is not the Catholic ethos, which rather preserves the importance of determining both what is permitted and what is or would be better to be done.

Read with this background in mind, there is no reason for separating what is said here about the justification of deterrence in terms of a "peace of a sort" from an earlier, more seemingly positive statement:

“Those who are pledged to the service of their country as members of its armed forces should regard themselves as agents of security and freedom on behalf of their people. As long as they fulfil this role properly, they are making a genuine contribution to the establishment of peace.”

The expression “peace of a sort,” which deterrence insures, was well chosen, in the argument of this statement and in the dynamics of its composition at this point, to bend even this lower good toward the better that has yet to be done. Not even the counterproductivity of deterrence, therefore, which the Council goes on to stress, is capable of removing the actual justifiedness from deterrence that has already been stated in this low key. For surely it has to be granted that “disagreements between nations are not really and radically healed” by deterrence, however effective; these disagreements may actually be exacerbated whilst peace of a sort is maintained. Moreover, “the causes of war threaten to grow gradually stronger” in that “extravagant sums are being spent” on deterring war by scientific weapons, and not on relieving worldwide poverty and starvation. “Therefore, it must be said again: the arms race is an utterly treacherous trap for humanity, and one which injures the poor to an intolerable degree. It is much to be feared that if this race persists, it will eventually spawn all the lethal ruin whose path it is now making ready.”

I do not see how the most “just-war” Christian imaginable, or a firm believer in the justice of deterrence, can possibly disagree with these statements. He must concede and indeed insist upon their truth, especially in the light of the *sole* realistic alternative to continuing to preserve an unsteady peace by partially contradictory means to which the realistic contours of this analysis of deterrence is designed in the end to compel our attention.

When the Council fathers come at last to a discussion of this, the third and last principal point they have to make, it is across ominous words of thanksgiving: “Warned by the calamities which the human race has made possible, let us make use of the interlude granted us from above and in which we rejoice.” It takes nothing from the theological ultimacy of that statement to remember that any good Catholic believes that God in His providence works through “secondary causes,” and to apply those words about “the interlude granted us from above”

also to the overarching edifice of deterrence by which an unsteady peace is maintained in our time. However merely permissible the just works of deterrence may be, sons of the church and other men of good will working in the military and political sectors are surely making a genuine contribution of sorts to the establishment of peace and the security and freedoms of peoples. They are, in fact, also doing the will of God, who in His ruling and overruling providence grants us this interlude from above. This is true even if—especially if—the church as mother and teacher of men has truly caught a glimpse of the dilemma they are in because the instruments of this “peace of a sort” may also be “a kind of occasion” for abominations. A Protestant, at least, should find nothing unfamiliar in this statement of the paradoxical nature of Christian service on the frontiers of military and political responsibility. Reinhold Niebuhr is supposed to have taught this generation (who are liberally on the way to forgetting it) that “to serve peace, we must threaten war without blinking the fact that the threat may be a factor in precipitating war.”<sup>6</sup> Nothing can remove the potential and actual counterproductivity of preserving peace by deterrent threats to use instruments of war. Therefore, it seems to me that the Council’s analysis of deterrence and its minimal morality is quite accurate. It might have made clear that the preservation of an unsteady peace should be by the deterrent threat of not indiscriminate acts of war; but even so, its somber view of the nature of deterrence would have needed no change.

It was, of course, on the matter of deterrence that most of the behind-the-scenes political maneuvering went on at the Council. An account of this will doubtless read like an exercise in the arts of parliamentary compromise, of amendments and counteramendments, of paragraphs won or lost. If the Holy Spirit did not speak infallibly through these seemingly alien human actions and counteractions, I believe that the whole of the church here represented found its voice, and that we are fortunate that no one segment or position in the church was able to speak through council to the whole church and to mankind its necessarily limited opinion.

<sup>6</sup> “From Progress to Perplexity,” in *The Search for America*, ed. Huston Smith (Englewood Cliffs, N.J., 1959) p. 144. The threat of war, of course, also serves the pedagogical purpose of moderating the policies of governments.

Some wanted an unqualified endorsement, in today's dangerous world, of the possession of nuclear weapons. These would, while deploring the origins of the present world situation, have said that in concrete fact the possession of weapons for deterrence may be viewed as "the last road to peace now remaining in the world." A paragraph to this effect in the original draft was eliminated, because it would have prevented the Council from pointing to a better road to peace that ought never to be regarded as closed. The victors in this seemed to be those who felt that if the Council could not condemn the possession of nuclear weapons, it ought not at any rate to approve them expressly; it should refrain from sanctioning them. But neither did this voice of part of the church become the voice of the whole church to all of its sons. The result was the "peace of a sort" statement we have analyzed. Mere compromise? I think not. Instead, a reasonable whole of the Catholic Church speaking the approximate truth for the whole church to itself and to the world.

One effort that failed would, if successful, have rendered the statement substantively a less valid and realistic account of deterrence. This was the effort of eleven prelates (of whom only five were from the United States), inspired by Philip M. Hannan, Archbishop of New Orleans, to remove the ambiguity from the justification offered for deterrence. If Robert C. Doty correctly reported the viewpoint of this group of bishops, they understood the schema to say that the mounting stocks of nuclear weapons aggravate *rather than* lessen the danger of war.<sup>6</sup> They wanted the Council to say forthrightly that deterrence lessens the danger of war. Doubtless, others wanted the Council to say that the possession of nuclear weapons only aggravates. The fact is that the statement adopted by the Council does not say that possession of these scientific weapons aggravates *rather than* lessens the dangers of war. It says rather that deterrence lessens *and* aggravates, aggravates *and* lessens, the dangers of war. Compromise? I think not. Instead, an approximately true statement of the situation arrived at by the Council fathers when they sought to speak for the whole church. The Council might have said that when deterrence lessens the danger of war at one level, it aggravates war's causes at another; that the de-

<sup>6</sup> *New York Times*, Nov. 17 and Dec. 5, 1965.

terrence of nuclear war puts something into the making of revolutionary wars or wars of insurgency (or, at least, takes something from curing the causes of these wars). But the Council ought not to have said that deterrence prevents war, no ambiguity about it, no counterproductive tendencies within it.

To the weightier matters of the laws of present-day political responsibility we must now turn.

#### IV

The interlude granted us from above is rightly to be ransomed by finding means of "resolving our disputes in a manner more worthy of man." "It is our clear duty," the Council states, "to strain every muscle as we work for the time when all war can be completely outlawed by international consent."

But the Council fathers apparently believe that the new order of a "sure and authentic peace" replacing the present one will not rest on consent alone, or the will to peace by itself, or a mere determination of the will of statesmen to resolve disputes in a manner more worthy of men.

There must be a real political order which, while it can be brought into existence without conquest or tyranny only by the manifold works of international consent and political construction, still cannot then be broken by mere dissent. It will be a world order of enforceable law and justice. "This goal undoubtedly requires," the statement reads, "the establishment of some universal public authority acknowledged as such by all, and endowed with effective power to safeguard, on the behalf of all, security, regard for justice, and respect for rights." Thus, the Vatican Council makes it clearer even than *Pacem in terris* that a *single* world political authority is needed ever to change this peace of a sort into a steady peace in the world. In expressions drawn from the language and the intent of the original Charter of the United Nations (whose realism has been rendered more nugatory by subsequent developments in U. N. practice), we may attribute to the Council fathers the belief that only a universal public authority with radical and justly used decision-making capabilities, interpositional peace-keeping and interventionary threat-removing powers can safeguard security, justice, and rights on the behalf of all; and that only the achievement of

just world government will remove from among the burdens and responsibilities of the leaders of the nations the right and the duty to maintain a very unsteady peace. Until then, it will remain *among* the duties of statesmanship (though, of course, not its only responsibility) sometimes to resort to war on behalf of a juster order and a relatively more secure peace. This can be done, of course, only by the costly instrumentalities available which of themselves partially defeat these ends, by scientific weapons designed and used (or used in their deterrent nonuse) by mortal men who are not culpable for doing the lesser permitted good they can do, and by means that (unless extreme care is taken in the exercise of man's freedom to control his political action or unless we can move the world political system out of this "meanwhile") hazard or may occasion the actual happening of abominations.

The Council's hopeful vision is not left in prospect only. ". . . *Before* this hoped-for authority can be set up," the Council declares, "the highest existing international centers must devote themselves vigorously to the pursuit of better means for obtaining common security." This word—some Protestants might call it a "middle axiom" between the ultimate ideal and the present actuality—is addressed to sons of the church and to all men who are at work at the highest existing centers of political power in "Europe," the Organization of American States, the Organization of African Unity, etc., and at the United Nations itself. The call to them is *not* simply that they ought always to negotiate so that negotiations may never fail. It is rather that they should put their minds to perfecting world and regional political institutions at every level so that the structural defects shall be removed, that presently render it impossible with the best will in the world for the leaders of the nations to insure a steady peace and a just security. The road to any better peace than the peace of sorts that deterrence partially insures requires a manifold work of political intelligence to make it possible to will and to do the works of peace in the future without self-contradictory resorts to international conflict or to costly and dangerous, yet not necessarily immoral, deterrence-systems. Radical world political reconstruction is a rational requirement in the nuclear age. This is not optional, but mandated.

When now we consider the entire thrust of the Vatican Council's statement on war, it is relevant to ask of all who desire to form their

consciences by this declaration: Who most falls under its judgment? This is no longer Luther's question: Can a soldier also be saved? Or can a crisis-manager who wields deterrence also be saved? The central question behind which the Council seems to have placed the full weight of the spiritual authority accorded it by any who do would be the question: Can anyone, citizen or political leader, who believes not and labors not for the radical political reconstruction of the nation-state system, can he also be saved?

To take an illustration, what are we to say of all the sons of the church, or what ought they to say, who in any measure shape the public opinion and policies of those Central and South American countries (notably Mexico) who adamantly opposed strengthening the collective decision-making and interventionary military capabilities of the Organization of American States at the recent meeting in Rio de Janeiro? The principle of nonintervention is precisely not a principle of world or regional order. It is only a reflection of the asserted impermeability of every member of the nation-state system (which is only a state of war, defining war as a perpetual inclination thereto). This supports no sort of peace at all, but only the structural defects which are bound to make peace impossible. When, therefore, Secretary of State Rusk told the eighteen Latin-American delegations that "we ought to be prepared to move fast and effectively and, if possible, together when a dangerous situation arises in the hemisphere,"<sup>7</sup> he by the not so subtle suggestion behind the words "if possible" pointed to the need, in the absence of better means, for there to be from somewhere some threat-removing capabilities in and among the governments of men in this area. He was only but definitely suggesting the need to maintain a peace of a sort in the absence of the instrumentalities of a steadier peace (among which is *not* the principle of nonintervention). If this regional organization or if the world in general is not ready for or capable of organizing new public authorities, without conquest or tyranny but by consent, that can and will "safeguard, on the behalf of all, security, regard for justice, and respect for rights," then the crisis-manager wielding deterrence and soldiers regarding themselves "as the agents of the security and freedom of peoples" are left

<sup>7</sup> *New York Times*, Nov. 23, 1965.



alone to discharge their responsibilities, in the last resort, for a sort of peace. And what are we to say of all the liberal sons of the church and men of good will in the United States who regard "taking it to the United Nations," as this organization is now constituted, as always the sufficient and only thing to do, and always to be praised because this is a way to achieve reconciliation among the nations, a way to achieve peace without government or without the enforcement of a collective will upon the recalcitrant wills of any member, and a way by which they can be "involved" in all the world's problems without being tragically, i.e., militarily, involved in them? In all this it is quite clear, if the Council is correct, who of all these parties are brought before the seat of judgment in today's world and most condemned.

## V

The Council's statement on war is significant also for its inclusion of a reference to conscientious objection to military service. This is notably not set forth as a "right" as such, but instead is located in the midst of a discussion of "agreements aimed at making military activity and its consequences less inhumane." "Moreover," the Council asserts, "it seems right that laws make humane provisions for the case of those who for reasons of conscience refuse to bear arms, provided however that they accept some other form of service to the human community." The view here seems to be that the defense needs of a nation (and the corresponding duty to bear arms) can and should be administered in such a way that this does not require too burdensome enforcement upon those who have conscientious scruple against such service. As men and governments are bound to do everything possible to effect improvements in the frightfulness of war, so they should seek to hold in check the punishment of conscientious objectors or the enforcement of military service upon them; and out of feelings of common humanity they should be granted alternate service.

This will not be acknowledged to be an adequate analysis of the "right" of conscientious objection by a number of other Christian churches. By the same token, the latter often have not articulated an adequate understanding of public authority and its conscience in relation to that of the individual citizen. Perhaps these have something to learn from the Roman Catholic comprehension of the meaning of

and need for authority in any community. "If the political community is not to be torn to pieces as each man follows his own viewpoint," the Council remarked earlier in this chapter on the life of the political community, "authority is needed. This authority must dispose the energies of the whole citizenry toward the common good . . . , [acting above all] as a moral force which depends on freedom and the conscientious discharge of the burdens of any office which has been undertaken." Only where there is political authority and among citizens an acknowledgment of political authority can there be primary political community among men. And the Council seems to be saying that where this is the case, it ought to be possible for the government directing the energies of all toward the common good partially to humanize the effects of war by granting alternate national service to conscientious objectors.

In any case, the fathers of the Council regard the juridical order to be a moral order, and they state that when authority is so exercised, "citizens are conscience-bound to obey." Yet it is in the midst of expressing the primacy and moral substance of the political order and its legitimate authority that the Council comes closest to formulating a "right" of conscientious objection. This is notably in a context that first states the sense in which even an illegitimate public authority should still be obeyed: ". . . Where public authority oversteps its competence and oppresses the people, these people should nevertheless obey to the extent that the objective common good demands." Then the Council declares: "Still it is lawful for them to defend their own rights and those of their fellow citizens against any abuse of this authority, provided that in so doing they observe the limits imposed by natural law and the gospel."

Since it is evident that the Council fathers regard military service still to be a moral act, falling among those things that may be objectively required for the common good, it is also evident that the statement about conscientious objectors remains a statement about the humanization of war's effects to be arranged and granted by governments. In this light, the citizen's rights against a political authority are a corollary of his general duty to disobey any civil authority that oversteps the limits drawn by natural law and commands him to do something contrary to the gospel. It is exceedingly doubtful that the

Council meant to suggest that military service in general falls outside these limits, or that objection to such service in general could be a duty, or that, where granted, conscientious-objector status or alternate service is anything more than one more element in humanizing war itself and removing another of its many untoward effects upon men.

Still, this tradition in the Christian understanding of political community and of a citizen's political responsibility needs to give more thought to the question of "just-war conscientious objection," if ever this talk about just civil disobedience and the limits drawn by natural law and the gospel is to be reduced to action or to become an acknowledged form of citizen responsibility. By the same token, those Protestant communions in which today there is a good deal of sound discussion of the need for the government to exempt from military service young men who have conscientious objection to a particular war only (which would be "just-war objection") could not then shirk their responsibility for the positive instruction and formation of consciences in terms of a proper understanding of political obligation contained in the just-war principles. This doctrine is scarcely understood in the legalist-pacifist version of justice in war that is today all too widely received even among Roman Catholics. No nation can grant draft exemption to conscientious objectors to particular wars if it is widely believed among the people that the tests of justice in war are mainly ways of securing peace by discrediting one by one all wars. They are rather directives addressed to statesmen and citizens concerning how within morally tolerable limits they can and should protect and secure the relatively juster cause by resort, if need be, to a political use of armed force.

There is not space here to give further consideration to this important subject.

## VI

The Council fathers know, of course, that not even world government is going to insure peace—not at least the peace the Council has in mind. It is not only structural defects in the world political system that have to be corrected. The *causes* of war have also to be uprooted. Among these causes are poverty, economic inequalities, population pressure, etc. But the Council's statement probes to even more funda-

mental causes. "If peace is to be established," it affirms, "the primary requisite is to eradicate the causes of dissension between men. Wars thrive on these, *especially on injustice*." Without a dynamic justice there can be no world political authority that is not tyrannical or imposed by conquest. Without justice there can be no *pacem in terris*.

The present writer sought to tell the participants at the Pacem in Terris Conference at the New York Hilton Hotel, Feb. 18-20, 1965, that while one might accept the principal political teachings of that Encyclical without believing Pope John XXIII's *theology*, it was quite impossible to do so without accepting also the Pontiff's *philosophy*, i.e., the understanding of natural justice and human rights that undergirds everything he said upon the subject of peace.<sup>8</sup> So also of the Council's statement on war. In this sense one can say after Vatican II, as one can after John XXIII, that "the fact that there are different ideas of what constitutes *pacem in terris*" and different notions of what constitutes and builds up peace on earth may be "the final source of human division" and of war.<sup>9</sup>

It looks remarkably as if one can also add that the Council's political teachings cannot really be believed without also believing its *theology*. In addition to injustices (or disagreements as to the very meaning of justice) that cause discord and foment wars, there are other causes. These other causes, the Council notes,

. . . spring from a quest for power and from contempt for personal rights. If we are looking for deeper explanations, we find them in human jealousy, distrust, pride, and other egotistic passions.

Man cannot tolerate so many breakdowns in right order. What results is that the world is ceaselessly infected with arguments between men and acts of violence, even when war is not raging.

While the truth of these statements would seem to drive men to look for a savior, the Council continues instead to speak of the need for "unwearying efforts . . . to create agencies for the promotion of peace." Still, I think it true to say that the words I have just quoted probe the

<sup>8</sup> *Pacem in Terris*, ed. Edward Reed (New York: Pocket Books, Inc., 1965) pp. 188, 191-92.

<sup>9</sup> John Cogley, "The Encyclical as a Guide to World Order," a background paper for the planning session of the Pacem in Terris Conference which was held in New York City, Feb. 18-20, 1965, inserted by the Hon. Claiborne Pell in the *Congressional Record*, Thursday, May 21, 1964.

causes of strife so deeply that it is questionable whether one can believe the hope the Council holds out for peace on earth without believing its theology of ultimate reconciliation among men. Then the question is one concerning this theology itself: whether this affords grounds for hope in an earthly peace or hope in an ultimate peace that is not of this world. If both injustice and animosities must be removed from among men, if the peace of which we are speaking will evidence a regard for justice and mutual respect for the rights of all, and if world security will finally rest in these achievements and upon the consent of all and not in new political institutions that are established by conquest or maintained by any measure of tyranny, if distrust and pride and other egotistical emotions that rupture the harmony of things must be uprooted, that would seem a reasonable facsimile of the kingdom of God.

Our brothers in Christ who wrote those words, and the Council that adopted the statement, which finally penetrated to the fact that human conflicts are rooted in human sinfulness that is not going to be expunged without redemption, were apparently not unaware of the borderline between this age and another to which simple realism had driven them. In the midst of those somber words they fittingly paused simply to confess our fallen social existence and to describe how the entirety of this human life of ours will appear in the final judgment upon it by the coming age in which their hope was fixed: "Man cannot tolerate so many breakdowns in right order."<sup>10</sup> This is the political reality that is laid bare when man's existence is penetrated and fully revealed in the light of Christ, or in the light of an authentic peace on

<sup>10</sup> "Many cannot bear so many ruptures in the harmony of things" was the translation first issued (*New York Times*, Dec. 9, 1965). Actually the Latin words do not by themselves form a complete sentence. *Cum tot ordinis defectus homo ferre non possit, ex iis consequitur ut, etiam bello non saeviente, mundus indesinenter contentionibus inter homines et violentiis inficiatur.* A more accurate translation would be: "Since man cannot bear with so many weaknesses [i.e., the defects just mentioned: 'jealousy, distrust, pride, and other egotistic passions'], it follows from these things that, even when war is not being actively waged, the world is unceasingly beset by contentions between men and by violence." This sentence, with the rest of the paragraph, clearly expresses the view that the state by its enforcement and its organization of the use of force is a restraint and remedy for sin. Not only because a secure peace is a great good but also for the negative reason that the causes of discord are so profound and universal, there must be unwearying efforts to create and perfect governmental agencies that promote peace or at least keep violence from becoming unbridled.

earth that can only be described as the restoration of the historical socio-political order to harmony.

That statement should be set by the side of a luminous sentence in the opening paragraphs of the Encyclical *Pacem in terris*. The Pontiff was introducing his theme of the sense of natural justice in the hearts of all men when he seemed suddenly struck by the fact that the actual affairs of men contrast rather sharply with the supposition of the single propensity to justice and order in their hearts, and with also the harmonies of nonhuman nature. "How strangely does the turmoil of individual men and peoples contrast with the perfect order of the universe!" wrote Pope John XXIII. "It is as if the relationships which bind them together could be controlled only by force." Now has the Council also probed the causes of human historical conflicts so far as to come upon the sinfulness of man in which most of them root, and it has spoken so realistically of everything that would be needed to "build up peace" that salvation from sin could not be omitted.

What then should be said concerning a document that acknowledges quite clearly that the present "peace of sorts" depends on wielding deterrence, which cannot imagine a better peace except by perfecting powerful instruments of security and new instrumentalities for the solution of outstanding problems, and which finally cannot imagine a truly steady peace or an authentic peace with justice and freedom without presupposing the removal of envy, distrust, pride, and all other egotistical passions from the human heart and from relations among men, groups, and nations?

It has simply to be said that this understanding flows naturally enough from bringing all the perspectives of Christian theological ethics to bear upon the problems of politics; and that unless extreme care is taken in excising the Council's political teachings from its theology, the men of good will who do this are exceedingly apt merely to have their world-historical utopianism confirmed. That, in turn, will only add idealistic fury to the ruptures in the harmony of things that many cannot bear; and this will finally render mankind ungovernable.

It is clear that everything that the Council says *proximately* or *remotely* needs to be done to build up peace falls under the heading of a man's response to God the Strength of all covenants, to the coming action of this our God who saves men into a world of enduring cove-

nants, to the redemption toward which the human race is in destination.

It is clear that everything the Council says concerning the morality of deterrence and the need for new security arrangements and a powerful new world public authority falls under the heading of man's response to God who mercifully preserves and governs a fallen world through the restraint and remedy of evil by coercive means.

It is clear that the Council's signal reassertion of the principle surrounding noncombatants with moral immunity from direct attack and its confidence in the justices of men fall under men's response to the goodness of God's creation as this is Christianly understood. For that goodness entails that politics be governed by the respect that should be accorded even in war to the image of God in man, to that sacredness in the temporal order who is man. The principle of discrimination is a requirement in the nature of things and in the laws of war when that nature and these laws are illuminated by what Christ teaches us concerning the protection of the weak and the little ones on earth, even in our struggles to maintain for them an order of justice and liberty. The resulting severe commandment is that, even in war, we ought never directly to take the life of anyone who is not the bearer of the force we are under the hard necessity and the ethico-political obligation to oppose.

These are the theological foundations of the three successive climactic utterances around which the Council's entire statement on war and most of its lesser propositions can be organized. This statement is a consequence of the response of the Council fathers to the action of God in all the actions that politically and militarily have come upon us in the modern period. The Council's formulations are the fruit of Christian political reason connecting every political consideration with the *whole* idea of God.

The Christian man and every man lives between the time of the fallen creation and the redemption of the whole creation. His problem in trying to tell what he should do falls within the dialectic between the here-and-now of fallen existence and the there-and-then of a restored human reality. At his peril he ignores either of these dimensions, by failing to take responsibility for the preservation of real political order in the world or by failing to take responsibility for introducing radical

changes into the existing world political system. Stripped of its *prima-facie* optimism, this seems to be the position which results from taking seriously the statement on war issued by the Vatican Council, i.e., from interpreting it as a treatise in Christian theological ethics.

At all times we must decide between the respective claims of preservation and government and of the higher and fuller forms of community toward which God preserves the world by these means. It is better to say that at all times our decisions will be *in between* these respective claims. They will be choices and actions composed by reference to *both* these claims.

We are obliged always to be inaugurating some new line of action. Since God does not preserve the world in order only to preserve it but to perfect our human social existence, man's own action is set in motion from simply upholding things as they are to aligning them more to accord with the perfection of human covenants. While any new line of action must be practically possible, this is not a very narrow limit, since "the possible" has not a determinate meaning in human affairs. Instead, we are obliged to open new paths and reform existing institutions, having always in mind that the first step and then the second, etc., may be needed in order to *make possible* what was previously impossible. Thus an ethics of redemption has bearing upon every possible reconstruction of the world political order that does not unfit it for serving as a real order serving liberty and justice among men. This the Council says we should be doing in the time of God's patience and in the places where we are.

Yet all action that has in view the actual transformation of the world political system must be located in this world and not some other. A man must take care that his zeal and idealism is not a matter of high-minded rebellion against the governor and preserver of the existing world. This means that a political order is worth something only if it is real, and not merely ideal. Any order is better than none at all. Since God in His governance of the fallen creation desires in His mercy to keep at bay chaos and disorganization and the destruction of every human political dwelling place which would be the final consequences of sin, men must preserve politically embodied justice and even a peace of sorts. Reordering the political world must begin here and not elsewhere; and any new ordering of the life of mankind will be



worth something only if it is real and not merely ideal. This means that any transformation of our political life will have to be both just and enforceable, and while setting out on the radical new pilgrimage to which men are called in the politics of the nuclear age, men are obliged to take responsibility also for this.