

On the Just Conduct of Modern War

War and the Christian Conscience by Paul Ramsey. Duke University Press. 331 pp. \$6.

by Thomas E. Davitt, S.J.

The overarching fact of our times is the existence of nuclear weapons which have the potential of destroying mankind. The use of these weapons to attain certain objectives has given rise to moral problems that have never before crossed the minds of men. Never before have men had to wrestle with the problem of preserving cherished values at the risk of destroying themselves as a race.

It is to this situation and to the complex of problems which follow in its train that Professor Paul Ramsey of Princeton University addresses himself in his timely and usefully provocative book. He finds the key to the solution of these difficulties in the traditional doctrine, forged over the centuries, of the just war. Pertinent to this solution is the traditional distinction, which has grown increasingly cloudy to many people, between combatants and noncombatants, as well as the durable principle of the double effect.

Ramsey maintains that two main alterations were made on the doctrine of the just war between the time of Augustine and that of Aquinas. One was the shift from voluntarism to rationalism as seen in the emphasis put on the "natural law concept of justice"; the other was the change from considering the protection of noncombatants as one of the chief aims of a just war to considering it as a matter of subsidiary importance.

Against these changes Ramsey takes his stand. He contends that "natural law" judgments should

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not be men's guide but judgments formed by the help of divine love. Further, he considers the protection of noncombatants to be a major objective of a just war and would again raise this question to a level of prime importance.

When Ramsey applies these concepts to the problem of using nuclear weapons, the result is a position that lies between sentimental, emotional pacifism and cynical, unprincipled bellicism. He holds, on the basis of the just war doctrine, that nuclear war can be licit providing it is limited. The size of nuclear weapons must be restricted if the distinction between combatants and noncombatants is to be respected. The strategy of the just war, then, must be counter-force rather than counter-people. For according to the principle of the double effect, the killing of noncombatants can never be directly intended. To analysts of strategy (Morgenstern, Kahn, *et al*) who maintain that only the threat of a counter-people war is an effective deterrent when counter-force capacities are stabilized through their invulnerability, Ramsey answers that such a strategy is beyond consideration because it is immoral.

So that only limited, counter-force war be possible, unilateral disarmament should be started with all deliberate speed. Blackmail must be defied and the courage for such defiance "is the main ingredient needed." It must be resisted "in the conviction that it is better to suffer than to do injustice."

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Undoubtedly some aspects of the traditional doctrine of the just war need adjustment. There have been many recent attempts to make such adjustments. The concepts of "attack" or "aggression," "defense," "righting a wrong," "just cause," to mention but a few,

have been shown to have acquired different meanings in the course of time. But this, of course, does not imply that the general framework of the doctrine of the just war is no longer of value. It is, for without it there would be no solid, principled ground on which to oppose pacifism on the one extreme and bellicism on the other.

The difference between combatants and noncombatants is essential to Ramsey's thinking regarding the just war, and the grounds for making this distinction over the years have been most valid. But between the tribal days of the "war party" or the feudal days of archers' "in the field," and the present day when encouragement is given to everyone to participate in "the war effort" as much as possible (witness children collecting aluminum pots and pans in the last war—a minor but nevertheless telling example), the neatness of this distinction has been steadily deteriorating. The question now is one of the degree of participation.

Ramsey realizes this, for he speaks of noncombatants as those who are "not directly or closely cooperating in the force that should be repelled." (It could be helpful in this context not to employ such words as "innocent" and "guilty" until these evaluations have been established.) Ramsey maintains, nevertheless, that we have not reached the point where the distinction has vanished. Even if only infants could properly be classified as noncombatants, he says, their killing could not be directly intended. Therefore the use of large nuclear weapons in war is not justifiable.

Ramsey's treatment of love and justice, Christianity and morals is of more than passing interest. Augustinian in his inspiration, Ramsey repeatedly speaks of "love informing justice," by which

he seems to mean that divine love supersedes natural justice. The thrust of his thought can be seen in the statement that "if today the Christian affirms that the right conduct of war can never include strategic bombing of whole civilian populations and that it is never right to intend to kill directly millions of babies and school children in order to get at their fathers, the reason is not that he adopts (and 'seasons' with love) a rigorous alien natural-law principle drawn from some source outside of Christian morals, but that he finds himself still required to do only what love requires and permitted to do only what love always allows to be right."

Taken at face value, such a position completely separates love from justice, Christianity from morals. Because the importance of this point extends beyond the immediate problem of the just war, a few remarks may here be relevant.

First, unless one is going to embrace a pure voluntarism with all its consequences both philosophical and political, the subtle and close relation between love and justice must be recognized. In the idiom in which Ramsey is working (scholasticism), love is technically an "integral part" of justice. This does not mean that it is subordinate to justice, but that it is the dynamic without which what is due in justice would not be done.

Second, love cannot do its own specifying. Like the will, it is appetitive. (At times Ramsey seems to use "divine love," which is appetitive, for "divine faith," which is apprehensive.) Love needs the cooperation of the apprehensive power, reason, working with facts known naturally or through faith. Reason is needed to indicate a "good" on which love will act. Reason may arrive at this specifying judgment by drawing on the norms of natural justice; or it may do so by taking into account the exigencies of other personal relationships, especially those

known from divine faith. Love is not irrational, precisely because of the specifying formulations that it receives with the help of reason.

Historically it may be true that Christian men have sometimes been guided too exclusively by norms arrived at by the use of natural reason instead of taking more account of those known through divine faith. But to explain this admitted failure—and that is what it is—it is not necessary to make Christian morals exclusive of natural morals. Suppose natural justice requires that I go one mile with a man in need and that what I know from faith demands that I go two miles with him. What should be most carefully noted is that the whole super-value of the *added* mile of the two-mile demand of faith presupposes and is directly related to the one-mile demand of justice that precedes it. What is Christian has meaning only in relation to what is natural. A clearer statement by Ramsey on this point would be helpful.

Ramsey is certainly to be commended cordially for his effort to justify limited war at this parlous moment in our history. One hopes that this book will vent some of the airiness that swells many of the discussions on this ominous subject. But, as far as this reviewer is concerned, two related questions still remain to be answered. First, if we disarm unilaterally and thereby render ourselves incapable of meeting the enemy on relatively equal nuclear terms, how can we help but succumb to the blackmail that will most assuredly follow such a move? Whatever "courage" we possess in this situation will eventually turn out to be a willingness to accept and endure slavery—material and spiritual. Second, if worst came to worst and the enemy did strike with 50 or 100 megaton nuclears, would we be justified in responding in

kind as far as we are able solely for the purpose of avoiding enslavement—on the slim possibility that some of us would survive but at the risk of ourselves and the whole human race being destroyed?

The answer a man will give to these questions, regardless of his stand on combatants and noncombatants, must be related to his conviction regarding life after death. If this conviction is not functional in his thinking, it is probable that he would not be justified in risking destruction of the human race in order to avoid enslavement. Better to allow earthly existence to go on and take a chance on something redemptive coming along that would work a saving change. But if this conviction is operative in his mind, although he could agree with the above position, odds are that he would not do so but would hold that we should do all in our power to escape such enslavement. Better to terminate human life than to open up the possibility of millions yet unborn risking their salvation. For if they are born, live and die in an atheistic milieu over generations, there is small hope that they will have the necessary faith in God.

The hardness of this dilemma will probably be softened by mitigating developments. Nuclear capabilities may not prove destructive of the human race, but in any discussion of nuclear war, the morality involved in such an impasse should be grappled with resolutely.

A most striking fact confronts us. At the very moment in history when there is for the first time a major political power with avowed aspirations to convert the world to atheism, there is also in men's hands for the first time the power to end human experience. What is the full meaning of this frightening coincidence, no one would pretend to know. What we do know, however, is that now as never before we need a living philosophy of courage.

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CONTENTS

Editorial Comment 1
 In the Magazines 2
 Christian Ethics and Political Decision 3
 John C. Bennett
 Other Voices 8
 BOOKS
 Justice and Modern War 10
 Thomas E. Davitt, S.J.
 Current Reading 12

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