

some cases but not in others.

The confusion was most clearly revealed in the statement of Arthur Schlesinger, Jr., who refused to sign a statement urging U.S. intervention in the Middle East crisis saying, "I think it inconsistent to favor unilateral intervention in one part of the world when I'm already opposed to unilateral intervention in another part of the world." And, possibly recognizing this as a not wholly satisfactory statement, he was impelled to the desperate straits of adding that his views on the Middle East were nobody's business.

The comments of Messrs. Roche and Schlesinger suggest — although the contrary must surely be the case — that they believe some single principle can be a sufficient criterion for decision in circumstances of the most varied complexities. But there is no universal political solvent that will dissolve all messy situations, no single political touchstone that will discriminate between the just and the unjust conflict, the justifiable and the unjustifiable intervention.

Most people speak in favor of peace; war is no longer regarded as a laudable enterprise. But most people also speak in favor of justice. And surely only the politically obtuse can continue to speak and act as if the two never come into conflict. And when they do, no resolution can ignore those historical particulars which vary in every situation.

In his approach to a definition of "interven-

tion," Manfred Halpern has written: "We live at a time when intervention, by subverting the sovereignty of national independence, may further undermine the only rules of the game that now maintain order, yet when only intervention may be able to restore the free operation of these rules, save freedom in a nation or, indeed, help to create a more secure and more freely interdependent world order. In our world, intervention can be moral or immoral, or simultaneously illegal and justifiable. The morality of intervention is determined both by the principles it creates or destroys and by the contingencies of circumstances. Intervention therefore involves a realm of morality in which a discussion of principles is essential but in which no discussion of principles has relevance for the next act of intervention or nonintervention until the circumstances surrounding that act have also been discussed."

What has been absent in much of our political debate is a sense of the relation between necessarily abstract principles and the "contingencies of circumstances." This absence is a flaw which, apparently, cuts across all levels of political discussion. In the discussion of any subject we should expect no greater clarity than the subject itself allows. But it would be melancholy to conclude that we cannot surpass the level we have attained in our discussion of the Mideast conflict.

J. F.

in the magazines

Richard S. Hartigan, in "Noncombatant Immunity: Reflections on Its Origins and Present Status" (*The Review of Politics*, April), advances the thesis "that the role of civilian immunity achieved its present form primarily as the result of long custom and practice, and only secondarily as the result of deductive moral reasoning," and that "this, in turn, means that the ethical prohibition against slaying the innocent intentionally may not be perfectly congruent with the practical rule that distinguishes between civilians and armed forces." In support, he offers a review of the philosoph-

ical and historical development of the principle of civilian immunity, and concludes that "instead of enshrining this relative and expedient 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 re-examined 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 innocents are who ought never to be killed directly.”

Hartigan notes that “recent literature laments the fact that, in the consideration of the ultimate nuclear situation, traditional noncombatancy is ignored and concludes that the only alternatives are (1) unilateral pacifism which will preserve one’s conscience intact but possibly little else or (2) moral cynicism which condones abandonment of all norms that seek to limit nuclear violence in the name of the nation’s right to self-defense. Both positions can legitimately claim that they are premised upon values which are basic to our ethical and political systems; unfortunately, the preference for one position and its prime value negates the value implicit in the other position. Herein lies the dilemma. Yet if both values, the right of the innocent person to life and the right of the political community to defend itself against extinction, are appreciated as competitive priorities, then a step may be taken to reduce a dilemma to a problem capable of solution.”

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After lengthy quotations from his 1956 and ’57 analyses of the Middle East situation, Hans Morgenthau lists “three viable alternatives” open to the United States in the wake of the latest crisis in that area (*The New Leader*, June 19). In “ascending order of preference” these are, first, “to accept as inevitable the cold-war rivalry between the United States and the Soviet Union in the Middle East and to use Israel as the spearhead in that rivalry – that is, to do exactly what Moscow and the Arab states have, without good reason, charged the U.S. is already doing. Under the best circumstances, this policy might impose the restraints of the cold war upon the endemic warfare of the Middle East. More likely, it would impart to the cold war a new dimension of instability and thereby increase the risk of a general conflagration.

“The second alternative is to allow the nations concerned to settle their conflicts on the basis of the existing distribution of military power. . . . For the main source of instability in the Middle East has been the grotesque discrepancy between the political order imposed from the outside and the actual distribution of military power. The discrepancy has been revealed three times in the arbitrament of war, which has twice been nullified by the imposition of a political order that took no cognizance of it. This alternative is predicated upon a genuine hands-off policy on the part of the super powers, a policy not likely to be achieved in the present stage of the cold war.

“The third alternative is the imposition of a settlement by the United States and the Soviet Union, which will at least approximate the actual distribution of military power and will take the Middle East out of the competition of the cold war.” For, says Morgenthau,

citing 1958 vintage Morgenthau, “The United States and the Soviet Union have two interests in common in the Middle East. They are both interested in seeing to it that the Middle East does not strike the spark that might ignite a world conflagration; and they are interested in settling the outstanding issues that might cause such a spark. Both interests can be satisfied only through cooperation and are likely to be jeopardized by military competition. . . .”

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Writing in his syndicated column, “The Yardstick,” for June 30, Msgr. George C. Higgins responded to two well-known American rabbis who “have severely castigated the Catholic Church in the United States for its failure to speak out more vigorously on behalf of Israel during her recent war with the United Arab Republic and other Arab nations in the turbulent Middle East.” These critics, Msgr. Higgins feels, appear “to be arguing from the premise that the Israel-Arab war was a religious, not to say a ‘holy’ war, and that consequently the American Catholic ‘establishment’ (i.e., the American hierarchy) was under some sort of moral obligation to support the Israelis without any reservation and to do so not merely as individual American citizens, but collectively and officially in the name of Catholicism and on behalf of the entire Catholic community in the U.S.” And, further, that “the hierarchy’s failure to do so . . . is prima facie evidence that the Church in the U. S. is, at best, a fair-weather friend of Judaism. . . .”

To Msgr. Higgins, “what they are saying to the American Bishops runs something like this: You are not our friends – and we, as American Jews, cannot enter into a genuine dialogue with you in the cause of inter-religious understanding – unless you agree, in advance, to support ‘our’ side in the Israeli-Arab conflict and also agree to do so on our terms and without any ifs, ands or buts. . . . I regard this as a form of blackmail pure and simple.”

Msgr. Higgins notes that he “was solidly pro-Israel in the recent war and said so loud and clear at two public meetings during the early days of the war.” He “did not, however, regard it as a religious, much less a ‘holy’ war, and would have felt no obligation to take the side of Israel on ‘religious’ grounds” had he “not been persuaded, on the grounds of justice and international law, that her cause was basically right.”

Moreover, the critics “would appear to have a distorted and grossly exaggerated notion of the competence and power of the American hierarchy in the field of public policy, whether domestic or international. The Bishops, acting as a collective body, can provide a certain measure of moral guidance on such matters, but they cannot force the conscience of their people, and if they were to try to do so, would be widely repudiated.”

PAMPHILUS