Testing criteria for the political use of violence

The Just Revolution

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Those who do Christian ethics are obliged in the seventies to renew their search for an understanding of the conditions that would justify revolutionary resorts to violence (*jus ad bellum*), of the moral limits upon the conduct of insurgency war and, yes, of the permissible limits of counterinsurgency (*jus in bello*). But, you may object, that is to ignore a chief cause of American involvement in the Vietnam war: President Kennedy was tempted to begin the escalation of U.S. involvement because he had an available “weapons system” (the Green Berets) and because he trusted a doctrine of counterinsurgency. What’s more, you further object, regardless of what we may think about the morality of insurgency or counterinsurgency as such, a chief lesson to be drawn from Vietnam is that, when an industrial power like the United States gets involved in counterinsurgency in a traditional and preindustrial society, disproportionate violence is bound to be done. Indeed, that is the one proper way to condemn the U.S. involvement, to contend that from the beginning this was—or was by necessity steps bound to become, or at some point became—a use of violent means disproportionate to any political good common to the United States, South Vietnam and international order. So why should Christian political ethics, especially in this country, take up again the question of the morality of insurgency and of counterinsurgency warfare?

There are two rejoinders to this objection. One has to do with our duty to come to an understanding of the Christian responsibility for all manner and condition of men the world over. The other, closer to home, has to do with a reasonable facsimile of revolutionary war: that coercive and disruptive “direct action” often countenanced in our domestic life, since the cause is alleged by its partisans to be just. In short, there is no way to avoid facing the question of the justice or injustice of many nonviolent, and of all violent, means of effecting system changes in political society.

My own efforts to initiate such an exploration came to naught because I saw the need to enlist the manifold intellectual labors of a number of colleagues to clarify and foster agreement about the principles of appraisal and to locate where fruitful dialogue with political and military experts could begin. We did make a start, but, though church ethicists all, we were overwhelmed by advocacy, calling some military actions and designs of war indiscriminate because they were possibly disproportionate, others morally acceptable because limited and selective in their terror or because the end justifies any necessary means.

Only one writer, so far as I am aware, undertook a similar enterprise. Richard John Neuhaus, in a long essay entitled “The Thorough Revolutionary” (*Movement and Revolution*, Garden City, N.Y., 1970), argues that the times may require—Neuhaus believes they do require—“the next American Revolution,” when people “grow weary of the existing government,” as Lincoln put it in his first inaugural, and “can exercise their constitutional right to amend it, or their revolutionary right to dismember or overthrow it.” To make a revolution or not? If to revolt, how to revolt?—these are the questions; they are ethical questions, not merely technical ones.

Neuhaus admits to “being hung up on human life.” In the rather crude language of today, that expresses well enough the source of, and warrant for, participating in the political use of compulsion or violence. It expresses as well the heart and soul of the limits that should be imposed upon any resort to violent means (and also upon any coercive or
disruptive "nonviolent" direct action). "The revolution must credibly assert that it cares more, not less, about human life than does the regime it opposes"; "... the man who has lost his own humanity cannot bestow the gift of humanity on others."

So Neuhaus's "thorough" revolutionary is an exceedingly humanistic revolutionary. Neuhaus paraphrases Nuremberg to express, as a firm principle of revolution, "the fact that a defendant acted pursuant to the order of his revolutionary superiors (or the logic of history, or revolutionary necessity, etc.) shall not free him from responsibility."

This, naturally enough, brings Neuhaus to an analysis of the criteria of "just revolution"—which is the only way Christians should ever speak of revolutionary violence. (Yet many Christians today have concocted an indefinitely pliable something called "the theology of revolution." The principles justifying and governing international war or revolutionary war or counterinsurgency are the same. These are the only ways in which Christian ethics must intervene in appeals to "military necessity" or to "revolutionary necessity" or to necessities of state in ever justifying resorts to violence.

Unqualified appeals to any such necessity are but corollaries, of course, of the view that if a cause is just there is nothing to be asked about means except whether they serve the cause. Although a measured utility of means is a moral question, there is also an ethics of right means. Here, again, Neuhaus's analysis is quite sound. "The moral revolutionary," he writes, "knows that, contrary to the ethical bromide, ends do justify means." But he promptly adds: "The end does not, however, justify any means." Both these statements, taken together, seem to me to be the right beginning of any political ethics.

Ironically, when former Secretary of State Dean Acheson said exactly the same thing about a mature international diplomacy in an address on "Ethics and International Relations Today," delivered at Amherst College, December 8, 1964, he was roundly criticized by many leading religious spokesmen. Both Neuhaus and Acheson succinctly express the relations of means and ends in political ethics; proportionality of means to ends and discrimination in the means are only further elaborations of the meaning of their statements.

Momentarily, Neuhaus falls back into the loose language of the ethics of ambiguity, of lesser-evil thinking, and allows himself to speak of "doing a wrong thing" when it is only a prima facie wrong—-not yet composed or resolved into a judgment concerning an actual wrongdoing or right-doing—when he writes: "To justify the doing of an evil thing does not mean that the thing itself is transformed. It does mean that it may be right to do a wrong thing in order to achieve a goal that is greater in good than the thing done is great in evil." Destruction and killing is always, of course, an actual evil, but it may not be a moral evil. It may not be a "wrong thing" to do to achieve a goal that is greater in good; it is a wrongdoing only when the thing done is so "great in evil"—a qualitative term—that it should never be done whatever the goal. Neuhaus's loose language at this point and his failure to press on in ethical analysis may be peculiarly Lutheran, as later is his failure to grasp and use the principle of discrimination in his analysis of permissible means (*jus in bello*) in "just and necessary" revolutions.

The great strength of Neuhaus's essay is that he takes the well-honed principles of the "just war" as criteria for appraising "just revolution." Any such exercise is, of course, not a matter of rule-book morality. Every application of these tests to yet another resort to the political use of violence or to novel force-designs is at the same time a fresh inquiry into the meaning of those guidelines. It is also an assessment of them and a renewal of their meaning from their source in "being hung up on human life" (even when, and especially when, one is taking the risk-filled and potentially corrupting venture of fighting for just causes).

I will examine here the meaning of only three of the "just war" principles of appraisal which Neuhaus applies to revolutionary action. The first is the requirement of initiative ("declaration") by "legitimate political authority." The second is the requirement of real injury as the "just cause." The third is the requirement that only moral means be used in a just cause.

Of course, if by legitimate authority we can only mean the existing regime, revolution, by definition, can never be right. Neuhaus solves this apparent dilemma by locating legitimate political authority in the people. In this sense, "legitimate authority within the revolution implies the delegitimation of the regime." The question is, then, at what point must "the illegitimate authority of the regime be opposed by the legitimate authority of the people"?

So far, so good. But the further question is, Who's to say? On this question, Neuhaus's treatment is far from evenhanded. He holds a frankly elitist view of revolutionary leadership, while at the same time holding something close to stringent nonelitist standards of judgment upon an existing regime's claim to be the voice of the common good. Not only can just revolution be declared and led by a revolutionary elite, but also its justification is "inseparable from the future that is its goal." So the legitimate authority that comes to rest in a revolutionary elite "does not reflect the people's present will but rather anticipates what the will of the people will be when they are freed by the revolution."

The question for Neuhaus is, simply, "How can it be reasonably assured that the revolutionary élite,
which by definition is not of and by the people, will remain for the people in a way that does not betray the authority it claims from the people?"

Yet before delegitimizing a regime and the existing processes of decision-making, it reasonably should also be granted that with them may reside the authority they claim from the people. Prima facie, the claims have equal footing. Rarely in the course of history has there been legitimate government by town meeting or legitimate revolution by town meeting. We may be attracted to Rousseau's verdict that "The people of England regards itself as free, but it is grossly mistaken . . . . The use it makes of the short moments of liberty it enjoys shows indeed that it deserves to lose them": they elect representatives to parliament! But if there is it deserves to lose them": they elect representatives to parliament! But if there is a more realistic concept of "legitimate public authority," there needs to be an evenhanded use of this notion in discussions of the ethics of revolution.

The foregoing is important chiefly because Neuhaus's elitist concessions to just revolutionary leadership infect his understanding of "just cause" or response to real injury. That assessment becomes a question of "whose 'revolting level' is crucial to deciding the justness of the revolution." Since the "revolting level" in the wretchedly poor is "depressingly high," "the revolutionary élite . . . determines what is the 'real injury suffered' that justifies making revolution." Neuhaus is now forced to admit that when measured by the standard of "real injury suffered"—if that in turn means deprivation of impossibly beautiful visions of man and his communities—"there is no place on earth where revolution is not justified." Therefore, Neuhaus requires not only "real injury suffered" but grave "systematic" violations and injury before revolution can have just cause. The question is whether that is enough of a qualification of "real injury" and enough guidance in gauging "revolting levels."

Christian ethics has, in any case, always had also in mind another value in determining the meaning of political responsibility. Systematic injustice is not the only real injury suffered. A real and systematic disordering of the human political dwelling place would be no less a "real injury." A government, of course, can itself be the source of disorder no less than of systematic injustice. But the dialectic of justice and order as quasi-independent terminal political goods should be taken into account in determining the just revolutionary cause and in assessing the rectitude of "revolting levels."

Justice and order belong inseparably together in a revolution's justification from the future that is its goal. The revolution must reasonably be able to claim effectively to represent a better order as well as normatively to represent a greater justice. These two political ends cannot be fully elided, although either can be regarded as adjectival to the other, e.g., "a more just order" or "an ordered justice." One, then, should not begin a revolt, whatever may be his "revolting level" on the scale of justice, unless, as John Bennett says, he sees "near at hand the possibility of establishing a new and better order"; and "the risk of a long continued anarchy, which may result in an even worse tyranny, should be in the minds of Christians" (The Christian as Citizen, New York, 1955).

We could in short order dispose of Neuhaus's discussion of "Means and Morality" if we could be sure that he intends to advocate what he analyzes and finds to be a part of "revolutionary necessity." Of course, it is a requirement of "just revolution" to "compare the high price of revolution with the high price of not having a revolution"; "earnest revolutionaries must begin to make the kind of disturb Common judgments now left to the Pentagon. What, for instance, is an 'acceptable' number of casualties in a revolutionary struggle?" Such questions arise from an earnest effort to proportion costs to expected benefits, and clearly are one way to distinguish just conduct in a rightful revolutionary cause from "revolution for the hell of it."

If, beyond that, "revolutionary necessity" determines the means it is moral to use, so does "military necessity" in international conflict. Both would permit indiscriminate destruction if deemed expedient. Indeed, "indiscriminate" would simply mean wanton or uneconomical destruction, or enlarging the casualties beyond "necessity" or reasons of state. That, and no more, seems the sole meaning now to be assigned Neuhaus's promising beginning: "ends do justify means, but the end does not justify any means." The means which ends fail to justify could only mean unnecessary ones.

Neuhaus, of course, calls upon the "thorough" revolutionary to "wrestle with the agonizing questions of what are the limits of permissibility, if any." But in the main he wrestles, agonizes and yields. The revolutionary must learn to "think the unthinkable" in the matter of torture. This may not mean torture of innocents, but only torture targeted to extract from a "combatant" important military secrets. But in the matter of "selective" slaughter to bring down the government Neuhaus clearly goes further, to include children of village chiefs. "One must have the stomach for selective [i.e., limited but still indiscriminate] terrorism" while guarding against its counterproductivity. A "complete reversal" in the nature of ethical judgments and the constraints on conscience is necessary in the movement "from resistance to revolution."

Of course, Neuhaus is aware that "there is a fragility in the human condition, that the beast of violence, once released, will inevitably result in self-destruction." The "thorough" revolu-
tioriany should ponder the axiom "the means is the end in the process of becoming" if he wishes to guard his cause from corruption.

Moreover, Neuhaus affirms that "although we might not know what absolute good is, we do know absolute evil," and he seems to sense that revolutionary necessity and revolutionary means partake of that evil. But he seems to find in his Lutheran conscience grounds for doing some of that evil in "just and necessary" revolutionary wars. To him revolution is immoral if infeasible; and he more readily sees grounds for declaring revolution in our society infeasible than he knows the grounds for saying that some of its "necessary" means are immoral. He gives little help to the agonizing conscience with "the limits of permissibility."

Surprisingly, his excuse is that "the guidelines are few and contradictory." Here is the chief lacuna in Neuhaus's comprehension of the requirements of "just conduct" (jus in bello) in political resorts to violence. If he is correct in the matter of revolutionary war, then the conduct of international war likewise has no other limit than political prudence.

The Vietnam war made a hash of the small beginnings of just this sort of moral discourse about Christian participation in war. Granted, certain necessities of advocacy compelled us for an interlude; even confused moral discourse did, after all, help us turn the country from our Vietnam involvement. But not even from adversarial necessity does the end justify any and every action, no more than from military necessity or from revolutionary necessity. Important tasks in Christian ethical reflection will be neglected unless moral discourse about war and force-postures and weapons systems is taken up again.

Finally, a word should be added about revolution's "just cause" and how this should be made compatible with the requirement of peace and world order. Neuhaus is mainly concerned with the revolutionary "movement" in the United States and with whether we are in a revolutionary situation. (He doubts we are, and reformist politics is the way to find out!) But Christian ethics must be concerned with all manner and condition of men the world over, with claimants to justice wherever they are, and also with peace and world order. Practitioners of Christian ethics and the churches in the United States have a special obligation to ask about our responsibility as a nonrevolutionary actor in the international system toward revolutionary movements abroad.