

TRADITIONAL CATHOLIC PRINCIPLES AND MODERN WARFARE.

FOLLOWING hard upon the close of the war of 1914-18 came a stream of writing about war. The nature of that conflict and of the methods used in it struck the imagination of every sensitive man, the mind of every thoughtful one. The result was an outpouring of books depicting the horrors of modern warfare, its destructive power, the terrific cost in money and lives, the desolation left on nation, on family, and in the souls of men. *All Quiet on the Western Front*, *What Price Glory?*, the play *Journey's End*, and others to the recent brutal *Johnny Got His Gun* have pointed the moral of peace. The fiction of these twenty years was accompanied by a series of didactic and dialectical works dealing with the nature of modern war, all of a decided pacifist trend. This space of two decades seemed—from these, its articulate voices—to be more universally condemnatory of the art and science of war than any period in the history of man.

A more realistic and less hopeful direction was taken by statesmen and diplomats. This was evident in the collapse of the League of Nations, the breakdown of the disarmament conference, the persistent search for new, more efficient weapons, the increase in armaments, the disregard of treaties, and the final plague of war, in Asia, Africa and Europe. The condemnation had not reached the right quarters, was not sufficiently universal.

But is the condemnation just? The reasons for it, given or implied, are manifold. There are large groups of doctrinaire pacifists who believe that war can never be morally justified. Some of these oppose it as an evil contrary to the natural law—a barbarism as unnatural as cannibalism or simultaneous polygamy. There are others who hold that it is condemned by the positive law of God, implicitly in the New Testament, explicitly in the teaching of the apostolic and succeeding eras. A great number admit that war in former time could be just, but that war under modern conditions can not be morally right. Of these, a few, (E. I. Watkins, Father Gerald Vann), see an essential change in the nature of war which has made it intrinsically evil. Many claim that the evil of modern war is

so serious, the weapons so destructive, the harm so universal that no cause is sufficiently grave to permit it. Here we find a number of Catholic moralists, the Dominican Stratmann, Eric Gill, John K. Ryan.

Opposed to all these opinions is another held by a group—less numerous, or less articulate if one may judge by the number of books and articles in which they defend their views,—who consider war even in its modern guise, justified under certain conditions. This is the popular view, that wars are both just and unjust still. In this group we find the Catholics who decide the question on the basis of the traditional Catholic principles, Dawson, Maritain, Gilson, Father Plater, D'Arcy and others, and some non-Catholics, who have difficulty in analyzing the problem systematically and tend to believe that a just cause makes a just war, regardless of other conditions. Since the European situation has assumed a more or less definite form, this opinion has come more to the fore.

It is obviously necessary to know whether war can be justified, and if so, what are the requisite conditions. With regard to the objections already mentioned it must be said that war in the abstract is not contrary to the natural law, not essentially evil, and that it is not condemned by the divine positive law.

War is an effort on the part of one sovereign state to compel another by violence to do the former's will. As a conflict of sovereign states it is distinguished from disputes of individuals, from feud, rebellion, clan or civil strife. It is an act of violence, that is, an exercise of physical force. The state has an admitted right to use violence when necessary to secure its rights, of attaining its final end. For the state is a moral person, "the natural supreme society, sanctioned by God himself. And God must sanction what is necessary for its integrity and proper development."¹ The fully constituted state is a sovereign society, an independent moral person, subject to the moral law and the claims of social justice, but to no earthly superior. Its duty is to administer justice among its subjects, so they may attain their ends, natural and supernatural, in accordance with God's will. For this, peace, the tranquillity of order, is necessary. Peace, says Pope Pius XI,² is an act resulting from

¹ Plater, *Primer of Peace and War*, p. 37.

² *Ubi Arcano Dei*.

love, sustained by justice. When it is disturbed within the state, the state has the power and the duty to adjust the disturbance, to exercise the right of judgment, and to enforce justice by force when necessary, and to punish those guilty of violating justice, or disturbing the peace. Subjects may not exercise force one against another, for if their rights are threatened, they may normally have recourse to the state for protection.

The state, however, has no superior. And it has certain fundamental rights, necessary to its being and its purpose: the right of self-preservation and development, the right of ownership and jurisdiction, the right of independence. If these are attacked, if its peace is disturbed from without, it has no recourse to a superior, it must defend them. And if pushed to the ultimate resort of force, it may use force. For to repel force by force is a fundamental law of nature. A man, a subject, may defend his life, and the lives of others, his property, by force when necessary, even to the death of an unjust aggressor. It would be unreasonable to deny to the state what is permitted to its subjects. Who would be willing to call the defence of Finland an unjust or an immoral act?

Nor is war condemned by revelation, by the teaching of Christ, or by his Church. It was, on occasion, commanded by God in the Old Testament times. Christ, while preaching the gospel of love and peace, did not denounce the profession of the soldier, but commanded soldiers to be just in that profession. Paul took his similes for the spiritual combat from the military campaign as from the athletic field, with no hint of disapprobation. Some of the early writers, Tertullian for example, pushed the counsel of non-resistance to evil to a condemnation of war, but these few stand out from their fellows by that teaching. It was not the common belief. Many an early saint was soldier both of Christ and of the Empire.

From the time of the barbarian invasions, in which war seemed clearly a necessity, there is no dissenting voice. From Augustine on, war in defense of the Christian ideals and Christian culture, was regarded as licit, even necessary. Says Christopher Dawson,³ "Throughout fifteen centuries the soldier's calling was regarded as a necessary office in the Christian state and usually as the most honorable of secular professions."

³ *Colosseum*, March, 1937, p. 32.

We must conclude then that war is not an intrinsic evil, but an act which may be justified by the fulfilment of certain conditions. This is the teaching of St. Thomas,⁴ and of the overwhelming majority of Catholic moralists. It may not be denied that war is an evil, but it is not intrinsically such. Father Plater says,⁵ "In their physical aspects all wars are the same, involving the violent destruction of human life and health and integrity, and of property both public and private. Hence the work done is a real evil, though only a physical evil, viz., the destruction of a physical good. As a physical good is inferior to a moral one, the former may reasonably be sacrificed to the latter when they cannot be possessed together. Moreover one physical good may reasonably be sacrificed to gain a greater good of the same kind."

The act then takes its morality from origin and motives, and from the means used. On the basis of such considerations a set of necessary conditions are drawn up. The traditional ones are those due to St. Thomas, as analyzed and applied by later theologians, especially Francis de Vitoria, the classic authority on the subject. These are summarized by Stratmann, in his book, *The Church and War*, p. 79, in the following terms:

1. Gross injustice on the part of one and only one of the contending parties.
2. Gross formal moral guilt on one side,—material guilt is not sufficient.
3. Undoubted knowledge of that guilt.
4. That war should only be declared when every means to prevent it have failed.
5. Guilt and punishment should be proportionate. Punishment ~~not~~ exceeding the measure of guilt is unjust and not to be allowed.
6. Moral certainty that the side of justice will win.
7. Right intention to further what is good by the war and to shun what is evil.
8. War must be rightly conducted; restrained within the limits of justice and love.
9. Avoidance of unnecessary upheaval of countries not immediately concerned and of the Christian community.

⁴ *Summa Theologica*, II, 2æ, 40.

⁵ *o. c.*, p. 73.

10. Declaration of war by lawful authority exercised in the name of God.

The first three of these conditions have to do with a just cause. That requirement, and the one of right intention, the seventh above, and of lawful authority, the tenth, are the conditions as laid down by St. Thomas. It is clear from the conditions that no war can be formally just on both sides, though both sides may feel themselves justified in it. These are the conditions for a just war. How do they apply to modern war?

Let us first consider the opinion of those modern authors who believe that war in its latest aspect is an act which differs essentially from any previous form, and that that essential change has made modern war an intrinsic evil. Not many hold that view as consistently as E. I. Watkins, who, in his book, *Men and Tendencies*, p. 303, regards war even of sheerest self-defense as an evil and envisages a German occupation of a peaceful England with resignation as a lesser evil. He writes in the *Colosseum*, March 1937, p. 12:

The difference between modern and ancient warfare is essential. Modern weapons and organization have replaced a war of armies by a war of entire nations. And the slaughter and destruction which a modern war between civilized nations must produce is incomparably beyond what ancient warfare could produce. Moreover, the modern nations have pledged themselves to settle their disputes peaceably and whatever its executive weakness, the League of Nations does at least provide the machinery of arbitration.

This view lacks neither plausibility nor adherents. But the opinion that modern war cannot be justified can be argued more conservatively and more safely on the basis of the traditional principles. For these changes may be said to constitute a lack of one or more of the needed conditions of a just war. If the definition given here be an essential one, these changes cannot be said to be of the essence of the act of war. It seems still an act of physical force by one sovereign state to compel the submission of another to its will. But that there exists a means of arbitration which has not been used means that the requirement that war be a final resort is not observed. That battle is joined between nations, rather than armies, seems a matter of degree, than of kind, and indicates, under the old

principles, that a proportionately more grave cause must be present to justify the strife. Perhaps there exists no cause sufficiently grave, but that must be proved.

Father Gerald Vann, in his book, *Morality and War*, and in an article in the *Colosseum*, March 1937, p. 15, advances the same opinion in what appeals to me as a more cogent form. He distinguishes between civil wars, wars among or against small nations, and wars between great powers. Of the last he says: "War is a new thing." The difference lies not in the greater horror of modern war, nor in the greater degree of suffering. These are accidental differences. The essential difference is one of object, intention, and result. The object of modern warfare is not to win a battle, but to exterminate a people, or at least destroy their economic life. The result is the disruption of economic and social life, and the collapse of culture and religion, for victor and vanquished alike. That is, there is no possibility of winning in any true sense, for neither side wins. The intent is such that military action no longer simply permits, *per accidens*, the killing of civilians, but directly and deliberately attempts it. This is Father Vann's view. But, once more, these attributes of modern war, if they actually pertain to it, may quite justly be considered a violation of conditions for a just war, rather than essential changes which render war intrinsically evil. Further these are matters which must be proved, not assumed, to exist. Is the object of every war conceivable in modern times a destruction of a people? Is the present conflict directed to the destruction, or ruin of the German state? Is the "Primum intentum", quoting Vann, the massacre of the German civilians? Will the result of the war be the collapse of the nations engaged? If so, the war is unjust, evil, by the traditional principles as by his analysis. But of this we have no proof.

It is more logical then to consider modern war an accidental variant of the species, rather than an essentially new type. And Occam's razor leaves the problem trimmed to the ultimate question: Can a modern war be justified by the traditional principles; can there exist under modern conditions all the traditional requirements for a just war?

Certain of these requirements have less importance or less urgency than others. The declaration of war is demanded

. . . that is, the offending nation must have put definitely before it the last fateful choice of rendering justice or having it forced from it. That this declaration be made and the war waged under the supreme authority in the state has no alternative at present; it is no longer possible for a great lord to engage a neighboring state in war without recourse to king or commons.

That war must be a last resort to be used only when every other means of establishing a right have been exhausted is a condition that obviously can be fulfilled in modern times. Whether it is fulfilled in any particular case is a question of fact, but it is reasonable to assume that a modern government in dissension with another of its own rank and power, will be led by the very horror of modern warfare, its destructive effects on the financial and economic structure of the nation, to adopt every means of negotiation, arbitration and compromise, short of surrendering what seems to it essential to its position, before engaging in war. And a war in which this condition has been left unfulfilled is much more apt to be a war of a great power against a small or weak nation,—a war of conquest—in which other conditions of a just war are also missing.

The requirement that there be a moral certainty of success is baffling in itself, rather than in its application to modern conditions. Does a fight for existence or for the fundamental means to that existence become morally wrong if there seems slight hope of a successful outcome? That would apparently make Polish resistance to Germany, or Finnish resistance to Russia a crime,—and those participating sinners! It is, I believe, permitted a man to resist an aggressor under such circumstances—hoping that his courage will arouse the justice of man to offer him aid, or his prayers bring God to his rescue. The Code of International Ethics of the International Union of Social Studies says: "A higher obligation,—that of respecting one's plighted word, of defending the higher values of religion and civilization, etc.—may sometimes lead to choosing a heroic defeat instead of an inglorious capitulation. The nations which have been martyrs to their duty render a supreme testimony to Right which . . . keeps humanity faithful to the cult of honor and justice." A nation cannot be condemned, which in the last extremity chooses to fight against odds rather

than submit to its own destruction, the intellectual poisoning of its people and the annihilation of its religion. But in the usual circumstances, the outbreak of a war means simply that both sides are morally certain of victory. Neither Germany, nor Anglo-France will admit defeat until defeat is in their walls.

The remaining conditions may be discussed under two headings, and they are the most difficult to apply to modern war, perhaps to any war. There must be a just, a certain, a proportionately serious cause, and the war must be conducted by lawful means without direct injury to the innocent, and without unnecessarily disturbing the peace of nations not engaged.

The cause must be a defense of an essential right, existence, independence, the right to ownership and jurisdiction, or of a means essential to the exercise of these rights. Note the word, "defense," for the distinction between defensive wars and wars of aggression is confusing. John K. Ryan, in his doctoral dissertation, *Modern War and Basic Ethics*, (p. 15), says: "The scholastics did not debate concerning the war of defense, its justice was granted, but concerning aggressive wars,—an attempt by force of arms to wring justice from another nation and thus safeguard true peace." A defensive war, in the usage of some modern writers, is a defense of a country's borders against actual attack or invasion. Others mean by it any defense of an essential right, even by means of a military offensive, i.e. what the former call an aggressive war. Some few limit just wars to actual defense against invasion, which seems unreasonable, for the right of jurisdiction may be invaded without actual invasion of territorial limits; the right of existence threatened by the stoppage of essential supplies. It was not actual invasion that provoked our war with England in 1812, but disregard of our rights as a sovereign outside our borders. (Assuming, among us Americans, that it was a just war!)

The cause must be certain, the guilt formal and on one side only. If both nations are at fault there can not be justice in an attack by one upon the other. One or both must cease the offense and offer reparation. If the cause be known and the usual means of obtaining redress, short of war, be tried, the guilt will certainly be made known to the guilty,—will be made formal. But to know the cause with certainty—a difficult task.

We are still after twenty years, debating the cause of the "Last War". But in practice, the men who hold the burden of rule will know what urges them to the point of war, and they will know that with certainty and they must judge whether the injustice, the wrong done their nation be gross, certain, formal,—and sufficiently grave to warrant war, as an alternate and lesser evil.

Can there be any cause sufficient to justify the modern war, to balance its toll of lives, its ruin of physical resources, the burden of hate it engenders, the degradation it works in the souls of men? This question has been given the answer: "Probably in the negative," by nearly every modern authority, Chesterton dissenting,—until the Spanish civil conflict, or until Germany began its march on Central Europe. Since these events many have admitted that modern war may indeed be the lesser of two evils, and a necessary course for the preservation of rights more sacred than life, or wealth; that the Spanish rebellion or the war with Germany is such a case, a just modern war. But let us too be just. Men such as Maritain have not changed their principles; they admitted the abstract possibility of a just war, but could not see, or foresee, how a proportionate cause could arise. That vision has been clarified by events, or obscured by patriotism, as you will, but they retain their principles and strive to live them,—they are sincere. Has not our own attitude been influenced by these same events?

As I see it, the only answer that can be given this question is: it is possible that such a cause arise; there are intellectual, spiritual, and social ideals which are essential to us as we are, and without which we will not be, but will become another state, another nation. These must be preserved and if force should become the only defense, then force will be used. But as Catholics, we must admit with Maritain⁶ that: "The most terrible anguish for a Christian is precisely this of knowing that there can be justice in the use of horrible means."

One last condition, lawful means of warfare, remains for consideration. The progress in science and engineering has produced weapons vastly more efficient than the arquebus or the sword. Some of these,—the bomb, the long-range gun, poison gas, or that remote contingency, bacterial warfare,—

⁶ *Integral Humanism*, p. 242.

cannot be controlled, or can be controlled only approximately. If these are used against fortifications, men under arms, they are horrible indeed, but a part of the horror of war. If directed against the civilian populations, non-combatants, they are an immoral weapon and the policy of using them thus renders the act of war immoral. It is true that in modern warfare the civilian population is as much a part of the military machine as the army; the clear distinction once possible between the combatant and non-combatant can no longer be made. The army is composed of conscripts, who are forced into war and must be adjudged innocent, as individuals, of injustice; without the civilian aid the modern army would soon collapse. But neither the common opinion of man, nor international law, nor any Christian morality yet devised, permit the direct attack on the civilian population. There is opposed to it a pragmatic reason,—it has been tried and found wanting. It provokes reprisals, stiffens resistance, and has not the desired effect of breaking the national spirit and isolating the army. And opposed is an ethical condemnation: as the "Code of International Ethics" (p. 88) reads: "The extermination of entire populations . . . is obviously a dreadful crime against humanity." This does not prohibit the bombing, or shelling or gassing of military objectives; army posts, lines of communications, munitions, deposits, factories, but declares the policy of bombing or destroying open towns and large or small centers of population, hospitals and so on, to be unjust, and to render the war immoral. But is the determination to use such means an integral part of the policy of modern war? All belligerent nations disclaim it; according to reports it has been used in Poland and Finland, but has not yet been used against Germany, or England and France. That may be from fear of reprisal, or realization of the futility of the practice, or from ethical considerations—but so far, at least, the condition has been maintained, in this modern war.

Summarily, a modern war can in the abstract be justified on the traditional principles. In the concrete the problem is much more complex, but I am inclined to believe that it is a possibility. If you ask, is the present war just—I do not know and, thank God, I am not yet compelled to decide.

HOWARD KENNA, C.S.C.