

if war of retribution was ever justifiable, the risks of modern war negate such a claim today.

**b. Competent Authority**

In the Catholic tradition the right to use force has always been joined to the common good; war must be declared by those with responsibility for public order, not by private groups or individuals.

The requirement that a decision to go to war must be made by competent authority is particularly important in a democratic society. It needs detailed treatment here since it involves a broad spectrum of related issues. Some of the bitterest divisions of society in our own nation's history, for example, have been provoked over the question of whether or not a president of the United States has acted constitutionally and legally in involving our country in a *de facto* war, even if — indeed, especially if — war was never formally declared. Equally perplexing problems of conscience can be raised for individuals expected or legally required to go to war even though our duly elected representatives in Congress have in fact voted for war.

The criterion of competent authority is of further importance in a day when revolutionary war has become commonplace. Historically, the just-war tradition has been open to a "just revolution" position, recognizing that an oppressive government may lose its claim to legitimacy. Insufficient analytical attention has been given to the moral issues of revolutionary warfare. The mere possession of sufficient weaponry, for example, does not legitimize the initiation of war by "insurgents" against an established government, any more than the government's systematic oppression of its people can be carried out under the doctrine of "national security."

While the legitimacy of revolution in some circumstances cannot be denied, just-war teachings must be applied as rigorously to revolutionary-counterrevolutionary conflicts as to others. The issue of who constitutes competent authority and how much authority is exercised is essential.

When we consider in this letter the issues of conscientious objection and selective conscientious objection, the issue of competent authority will arise again.

**c. Comparative Justice**

Questions concerning the *means* of waging war today, particularly in view of the destructive potential of weapons, have tended to override questions concerning the comparative justice of the positions of respective adversaries or enemies. In essence: Which side is sufficiently "right" in a dispute, and are the values at stake critical enough to override the presumption against war? The question in its most basic form is this: Do the rights and values involved justify killing? For whatever the means used, war by definition involves violence, destruction, suffering and death.

The category of comparative justice is designed to emphasize the presumption against war which stands at the beginning of just-war teaching. In a world of sovereign states recognizing neither a common moral authority nor a central political authority comparative justice stresses that no state should act on the basis that it has "absolute justice" on its side. Every party to a conflict should acknowledge the limits of its "just cause" and the consequent requirement to use *only* limited means in pursuit of its objectives. Far from legitimizing a crusade mentality, comparative justice is designed to relativize absolute claims and to restrain the use of force even in a "justified" conflict. (36)

Given techniques of propaganda and the ease with which nations and individuals either assume or delude themselves into believing that God or right is clearly on their side, the test of comparative justice may be extremely difficult to apply. Clearly, however, this is not the case in every instance of war. Blatant aggression from without and subversion from within are often enough readily identifiable by all reasonably fair-minded people.

**d. Right Intention**

Right intention is related to just cause — war can be legitimately intended only for the reasons set forth above as a just cause. During the conflict, right intention means pursuit of peace and reconciliation, including avoiding unnecessarily destructive acts or imposing unreasonable conditions (e.g., unconditional surrender).

**e. Last Resort**

For resort to war to be justified, all peaceful alternatives must have been exhausted. There are formidable problems in this requirement. No international organization currently in existence has exercised sufficient internationally recognized authority to be able to either to mediate effectively in most cases or to prevent conflict by intervention of U.N. or other peace-keeping forces. Furthermore, there is a tendency for nations or peoples which perceive conflict between or among other nations as advantageous to themselves to attempt to prevent a peaceful settlement rather than advance it.

We regret apparent unwillingness of some to see in the United Nations organization the potential for world order which exists and to encourage its development. Pope Paul VI called the United Nations the last hope for peace. The loss of this hope cannot be allowed to happen. Pope John Paul II is again instructive on this point:

"I wish above all to repeat my confidence in you, the leaders and members of the international organizations, and in you, the international officials! In the course of the last 10 years your organizations have too often been the object of attempts at manipulation on the part of nations wishing to exploit such bodies. However it remains true that the present multiplicity of violent clashes, divisions and blocks on which bilateral relations founder, offer the great international organizations the opportunity to engage upon the qualitative change in their activities, even to reform on certain points their own structures in order to take into account new realities and to enjoy effective power." (37)

**f. Probability of Success**

This is a difficult criterion to apply, but its purpose is to prevent irrational resort to force or hopeless resistance when the outcome of either will clearly be disproportionate or futile. The determination includes a recognition that at times defense of key values, even against great odds, may be a "proportionate" witness.

**g. Proportionality**

In terms of the *jus ad bellum* criteria, proportionality means that the damage to be inflicted and the costs incurred by war must be proportionate to the good expected by taking up arms. Nor should judgments concerning proportionality be limited to the temporal order without regard to a spiritual dimension in terms of "damage," "cost" and "the good expected." In today's interdependent world even a local conflict can affect people everywhere; this is particularly the case when the nuclear powers are involved. Hence a nation cannot justly go to war today without considering the effect of its action on others and on the international community.

This principle of proportionality applies throughout the conduct of the war as well as to the decision to begin warfare. During the Vietnam War our bishops' conference ultimately concluded that the conflict had reached such a level of devastation to the adversary and damage to our own society that continuing it could not be justified. (38)

**Jus In Bello**

Even when the stringent conditions which justify resort to war are met, the conduct of war (i.e., strategy, tactics and individual actions) remains subject to continuous scrutiny in light of two principles which have special significance today precisely because of the destructive capability of modern technological warfare. These principles are proportionality and dis-



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